



Bad call

The BJP's impatience to return to power in Karnataka might send it down a slippery slope

Failure to win ought to hurt less than outright loss, but try telling that to B.S. Yeddyurappa. Unable to reconcile himself to the failure to wrest Karnataka from the grip of the Congress in last year's Assembly election, the BJP strongman is adopting desperate measures to get another shot at becoming Chief Minister. The H.D. Kumaraswamy government has now announced the appointment of a Special Investigation Team (SIT) to go into the veracity of an audio clip in which someone is heard offering money and minister-ship to win the support of a Janata Dal (Secular) MLA. Mr. Yeddyurappa has admitted it is his voice in the clip, but claims that it has been edited and doctored. Another BJP leader, Shivanagouda Nayak, was allegedly recorded as having said that the Speaker of the House, K.R. Ramesh Kumar, had been "booked" for ₹50 crore to rule favourably on dissident legislators of the ruling coalition. Unsurprisingly, the BJP is opposing the constitution of the SIT; instead it has called for a judicial inquiry or a probe by a House panel. But since the statements made in the audio recordings allude to transactions that are criminal in nature, law enforcement agencies are better-equipped to uncover the truth. In 2018, the BJP finished as the single largest party, but a post-poll coalition of the Congress and the JD(S) denied Mr. Yeddyurappa the chance to form the government. After being forced to step down in 2011 as Chief Minister in the wake of corruption charges, Mr. Yeddyurappa may have seen the 2018 Assembly election as his chance at political redemption. The prospect of sitting out another five years in the Opposition may have prompted the use of such underhand methods to return to power.

The release of the audio clips shines a light on the Congress and the BJP herding their MLAs into resorts some weeks ago. Accusations that the BJP was trying to buy up dissidents in the Congress have now gained credence. Seven Congress MLAs and one JD(S) MLA stayed away from the Assembly proceedings, raising the suspicion that the BJP was actively wooing dissidents in both the parties to bring down the government. But BJP leaders are now the victims of their own design, as points of contact have recorded conversations offering money and giving assurances for switching sides. The JD(S)-Congress government is by no means a cohesive unit, but the BJP's covert attempts to engineer defections have certainly backfired. The wiser course for the BJP would have been to politically capitalise on the internal contradictions of the coalition government rather than resort to covert means to destabilise it. Desperate measures are aimed at immediate rewards, but these invariably result in long-term damage. The Congress outsmarted the BJP by cobbling together an opportunistic alliance with the JD(S). The BJP will be better served by time and patience, not money power and corruption.

Well oiled

It is easy to see why the Saudi Crown Prince has chosen to include India in his Asia tour

Saudi Crown Prince Mohammed bin Salman visits India next week at a time when both countries are seeking to deepen bilateral cooperation. For MBS, as he is widely known, the visit to India, Pakistan, China, Malaysia and Indonesia is an opportunity to re-assess Saudi Arabia's role as a major foreign policy player in Asia amid growing criticism over the Yemen war and the brutal assassination of journalist Jamal Khashoggi in Istanbul. For the government of Prime Minister Narendra Modi, the visit, with general elections approaching, is an opportunity to cap its pursuit of stronger ties with West Asian nations on a high note. High-level visits between India and Saudi Arabia have become the new normal since King Abdullah came to India in 2006, the first Saudi monarch to do so in five decades. Four years later, Prime Minister Manmohan Singh travelled to Riyadh. Mr. Modi visited Riyadh in 2016; last year, he met MBS in Argentina on the sidelines of the G-20 summit at a time when the Crown Prince had already come under sharp criticism in many Western countries. A number of factors have influenced the turnaround in ties between the two countries, which had been underwhelming during the Cold War. When India's economy started growing at a faster clip post-liberalisation, its dependence on energy-rich nations grew. And Saudi Arabia was a stable, trusted supplier of oil. Post-9/11, the two have expanded the scope of their partnership to economic issues and fighting terrorism.

MBS is expected to announce Saudi investments in both India and Pakistan. Saudi Arabia, which has traditionally exercised great influence over Pakistan, had recently offered a \$6 billion loan to Islamabad to stabilise the economy. In India, Saudi Arabia and the UAE have acquired a 50% stake in a refinery complex in Maharashtra. The project remains stalled amid protests against land acquisition, but it shows Saudi Arabia's interest to make long-term investments in India's energy sector. Another subject that that will come up in bilateral talks is Iran. MBS has made containment of Iran his top foreign policy priority, and has U.S. support in this pursuit. India is certain to come under U.S. pressure to cut oil imports from Iran: it has so far walked the tightrope between Saudi Arabia and Iran. Even as its ties with the Kingdom improved over the past decade, India deepened its engagement with Iran, be it on oil trade or the Chabahar port. This is driven by the conviction that while Saudi Arabia is vital for India's energy security, Iran is a gateway to Central Asia. New Delhi is sure to continue this balancing act even as it seeks to strengthen the Saudi pillar of India's West Asia policy.

Dealing with the thought police

It is vitally important that the courts remain free of the discourse on 'urban Naxals' and 'anti-nationals'



GAUTAM BHATIA

On February 5, an Additional Sessions Judge in Punjab sentenced three young men to life in prison. Arwinder Singh, Surjit Singh and Ranjit Singh were convicted under a little-known provision of the Indian Penal Code concerning "waging war against the government of India".

In what heinous manner had the three men waged war against the government, which justified a sentence of life imprisonment? A perusal of the 64-page-long judgment reveals the following. They did not commit any physical violence, and nobody was harmed in any way. They were not caught in possession of weapons. They were not overheard planning any specific terrorist attack, nor were they on their way to commit one when they were apprehended. What did happen was that the men were caught with literature supporting the cause of Khalistan, a few posters that did the same, and some Facebook posts (whose content we do not know) on the subject.

With this being the sum total of what passed for "evidence" in the case, it is clear that the verdict of the Additional Sessions Judge is unsustainable, and will be reversed. It is important, however, for the higher courts to recognise not only that the judgment is fatally flawed but also that it represents a dangerous moment for the judiciary: this is not the first occasion in recent times when a court has abandoned constitutional values in favour of a crude nationalistic rhetoric that belongs more to the demagogue's pulpit rather than to

the courtroom. And in that context, the judgment of the Additional Sessions Judge marks the beginnings of a trend that, if left unchecked, can swiftly erode our most cherished liberties.

Of speech and association

The first – and most glaring – aspect of the judgment is its apparent disregard for the Constitution. At the heart of the Constitution's fundamental rights chapter is Article 19, which guarantees, among other things, the freedom of speech and association. Of course, the state may impose "reasonable restrictions" upon these fundamental freedoms, in the interests of, for example, the security of the state.

In a series of careful decisions over five decades, the Supreme Court has articulated the precise circumstances under which a restriction on the freedom of speech or association is "reasonable". After the famous 2015 judgment in *Shreya Singhal*, in which Section 66A of the Information Technology Act was struck down, the position of law has been clear: speech can be punished only if it amounts to direct incitement to violence. Everything short of that, including "advocacy" of any kind, is protected by the Constitution.

Not only is this consistent with the Supreme Court's jurisprudence, it also harks back to a venerable Indian tradition of civil liberties. In the early 1920s, Mahatma Gandhi famously wrote that the "freedom of association is truly respected when assemblies of people can discuss even revolutionary projects", and noted that the state's right to intervene was limited to situations involving actual outbreak of revolution. The logic is simple: in a pluralist democracy, no one set of ideas can set itself up as the universal truth, and enforce its position through



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coercion. Consequently, as the American judge, Louis Brandeis, memorably observed, "If there be time to expose through discussion the falsehood and fallacies... the remedy to be applied is more speech, not enforced silence." The Indian Supreme Court's "incitement to violence" standard responds to this basic insight about civil liberties in a democracy.

Nor is the test diluted just because the issue at stake may involve national security. In three judgments in 2011 – *Raneef*, *Indra Das*, and *Arup Bhuyan* – the Supreme Court made it very clear that the incitement test applied squarely to the provisions of the Terrorist and Disruptive Activities (Prevention) Act (TADA) and the Unlawful Activities (Prevention) Act (UAPA), India's signature anti-terrorist legislation. In particular, the court cautioned that vaguely worded provisions of these statutes would have to be read narrowly and precisely, and in accordance with the Constitution. So, for example, "membership" of a banned organisation – a punishable offence both under the TADA and the UAPA – was to be understood as being limited to "active membership", i.e. incitement to violence. In particular, in *Raneef*, mere possession of revolutionary literature was categorically held to be insufficient to sustain a conviction, something that was blithely ignored by the Additional Sessions

Judge in his judgment of February 5.

In fact, not only did the Additional Sessions Judge ignore Gandhi, Supreme Court precedent on free speech and association and Supreme Court precedent on the interpretation of anti-terror legislation, he also – staggeringly – managed to ignore categorical precedent on the issue of pro-Khalistani speech! In *Balwant Singh v. State of Punjab* (1995), the Supreme Court had set aside the sedition convictions of two men who had raised pro-Khalistan slogans outside a cinema hall in Punjab, in the immediate aftermath of *Indira Gandhi's* assassination. Even a situation like that was deemed insufficient to meet the high "incitement" threshold, while here the Additional Sessions Judge managed to hold that Facebook posts amounted to "direct incitement".

Judicial objectivity

There is, however, a further point to consider. In the last few years, a discourse has arisen that seeks to paint a set of oppositional ideas as beyond the pale, and those who hold those ideas as being unworthy of civilised treatment. Two phrases have come to dominate this discourse: "urban Naxal" and "anti-national".

Neither "urban Naxal" nor "anti-national" is a term defined by law. These terms have nothing to do with incitement to violence or creating public disorder. But they are also boundlessly manipulable, and exploited by their users to vilify and demonise political opponents without ever making clear what exactly is the crime (if any) that has been committed. Their very elasticity makes them ideal weapons for shoot-and-scoot attacks, and for coded dog-whistles.

It is one thing for these terms to be thrown around in a political dogfight. It is quite another when

they begin to percolate into law-enforcement and legal discourse, where precision is crucial, because personal liberty is at stake. Indeed, it is vitally important that the courts, above all, remain free of this discourse, because it is the courts that are tasked with protecting the rights of precisely those individuals who are demonised and vilified by the ruling majority of the day.

While the Additional Sessions Judge does not use either of these specific terms, his entire judgment, however, is of a piece with this governing philosophy, where conjecture, association, and innuendo take the place of rational analysis. In that context, his judgment is reminiscent of the Delhi High Court judgment that granted bail to Kanhaiya Kumar, while embarking upon a bizarre disquisition involving cancer and gangrene, and the police press-conference in the ongoing *Bhima Koregaon* case which did use the "urban Naxal" term.

Case for care

There is little doubt that the life sentence of Arwinder Singh, Surjit Singh and Ranjit Singh cannot stand the test of law. However, when an appeals court considers the issue, it should take the opportunity to reiterate a hoary truth: a democracy does not jail people simply for reading books, painting posters, or posting on Facebook. And in adjudicating cases involving the life and personal liberties of citizens, courts must take special care to ensure that the temptation to get carried away and forget what the Constitution commands is held firmly in check. That reminder may come when the three men have already lost some years of their lives to prison – but it could not come soon enough.

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Every drop matters

The regulatory framework must be reformed to ensure access to safe and sufficient blood



KEVIN JAMES & SHREYA SHRIVASTAVA

A ready supply of safe blood in sufficient quantities is a vital component of modern health care. In 2015-16, India was 1.1 million units short of its blood requirements. Here too, there were considerable regional disparities, with 81 districts in the country not having a blood bank at all. In 2016, a hospital in Chhattisgarh turned away a woman in dire need of blood as it was unavailable. She died on the way to the nearest blood bank which was several hours away. Yet, in April 2017, it was reported that blood banks in India had in the last five years discarded a total of 2.8 million units of expired, unused blood (more than 6 lakh litres).

Vigil after collection

To prevent transfusion-transmitted infections (TTIs), collected blood needs to be safe as well. Due to practical constraints, tests are only conducted post-collection. Thus blood donor selection relies on donors filling in health questionnaires truthfully. The collected blood is tested for certain TTIs

such as HIV and if the blood tests positive, it has to be discarded. However, these tests are not fool-proof as there is a window period after a person first becomes infected with a virus during which the infection may not be detectable. This makes it crucial to minimise the risk in the first instance of collection. Collecting healthy blood will also result in less blood being discarded later.

Blood that is donated voluntarily and without remuneration is considered to be the safest. Unfortunately, professional donors (who accept remuneration) and replacement donation (which is not voluntary) are both common in India. In the case of professional donors there is a higher chance of there being TTIs in their blood, as these donors may not provide full disclosure.

In the case of replacement donation, relatives of patients in need of blood are asked by hospitals to arrange for the same expeditiously. This blood is not used for the patient herself, but is intended as a replacement for the blood that is actually used. In this way, hospitals shift the burden of maintaining their blood bank stock to the patient and her family. Here again, there could be a higher chance of TTIs because replacement donors, being under pressure, may be less truthful about diseases.

The regulatory framework which governs the blood transfusion



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infrastructure in India is scattered across different laws, policies, guidelines and authorities. Blood is considered to be a 'drug' under the Drugs & Cosmetics Act, 1940. Therefore, just like any other manufacturer or storer of drugs, blood banks need to be licensed by the Drug Controller-General of India (DCGI). For this, they need to meet a series of requirements with respect to the collection, storage, processing and distribution of blood, as specified under the Drugs & Cosmetics Rules, 1945. Blood banks are inspected by drug inspectors who are expected to check not only the premises and equipment but also various quality and medical aspects such as processing and testing facilities. Their findings lead to the issuance, suspension or cancellation of a licence.

In 1996, the Supreme Court directed the government to establish the National Blood Transfusion

Council (NBTC) and State Blood Transfusion Councils (SBTCs). The NBTC functions as the apex policy-formulating and expert body for blood transfusion services and includes representation from blood banks. However, it lacks statutory backing (unlike the DCGI), and as such, the standards and requirements recommended by it are only in the form of guidelines.

This gives rise to a peculiar situation – the expert blood transfusion body can only issue non-binding guidelines, whereas the general pharmaceutical regulator has the power to license blood banks. This regulatory dissonance exacerbates the serious issues on the ground and results in poor coordination and monitoring.

Towards a solution

The present scenario under the DCGI is far from desirable, especially given how regulating blood involves distinct considerations when compared to most commercial drugs. It is especially incongruous given the existence of expert bodies such as the NBTC and National AIDS Control Organisation (NACO), which are more naturally suited for this role. The DCGI does not include any experts in the field of blood transfusion, and drug inspectors do not undergo any special training for inspecting blood banks.

In order to ensure the involvement of technical experts who can

complement the DCGI, the rules should be amended to involve the NBTC and SBTCs in the licensing process. Given the wide range of responsibilities the DCGI has to handle, its licensing role with respect to blood banks can even be delegated to the NBTC under the rules. This would go a long way towards ensuring that the regulatory scheme is up to date and accommodates medical and technological advances.

Despite a 2017 amendment to the rules which enabled transfer of blood between blood banks, the overall system is still not sufficiently integrated. A collaborative regulator can, more effectively, take the lead in facilitating coordination, planning and management. This may reduce the regional disparities in blood supply as well as ensure that the quality of blood does not vary between private, corporate, international, hospital-based, non-governmental organisations and government blood banks.

The aim of the National Blood Policy formulated by the government back in 2002 was to "ensure easily accessible and adequate supply of safe and quality blood". To achieve this goal, India should look to reforming its regulatory approach at the earliest.

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LETTERS TO THE EDITOR

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

Rafale deal

The Hindu has to be commended for providing greater details in the Rafale deal. Though the article may not be a reader's delight in terms of understanding it in depth, it would serve greatly those readers who deal with such subjects (Page 1, 'Exclusive', Rafale deal not on 'better terms' than UPA-era offer', February 13). One has to see whether the series of reports can affect the government. At the same time, one wonders whether they will be able to help the main Opposition party, given its track record in defence deals.

ARUN KUMAR MAHADEVAN, Chennai

■ The CAG report on the Rafale deal was tabled on the last working day of Parliament probably to avoid

an elaborate discussion on the subject. The Opposition has already expressed its reservations, including the point that the CAG should have recused himself. For the government, the CAG report gives a boost to its claim of everything being hunky dory. However, it certainly does not help in putting an end to the political tussle over the deal.

K.R. JAYAPRAKASH RAO, Mysuru

■ The 'parallel negotiations' by the Prime Minister's Office, the "waiver of anti-corruption clauses" from the terms of the deal and "secret meetings" of the businessman in question now lead to the point: it would be ingenious to suppose that the selection of the businessman as the offset partner was not a quid pro quo for the "major and

unprecedented concessions" made to the French. The government has not been able to convincingly counter the Congress's accusation that the Prime Minister acted as, what the Congress calls, the businessman's 'middleman'. The only line it has to defend itself is to call the Congress president a 'lobbyist' for defence firms.

Even if the Supreme Court and the CAG have found nothing seriously wrong with the deal, the government should agree to a JPC probe in order not to lose the perception battle.

G. DAVID MILTON, Maruthanode, Tamil Nadu

■ The series shed much light on the murky happenings at the political level. After reading the file notings, one wishes to applaud the uprightness of various Defence Ministry officials for

recording their views without fear or favour. It is evident that a muddying of the deal's waters began at the political level.

R. NAGARAJAN, Chennai

■ With claims and more counter-claims, the deal is becoming confusing for the layman. The daily's investigations do counter certain claims made by the government. However, it is time the government agrees to a probe into the full deal.

D.B.N. MURTHY, Bengaluru

■ It is stated that three out of seven members of the Indian Negotiating Team gave dissent notes. Even in the Supreme Court, in a 3- or 5-judge Bench, they go by the majority judgment, even when there is a dissenting judgment. So, in the case of

the Rafale deal, is there anything wrong if they went by the majority opinion?

U.N. BHAT, Bengaluru

A performer

Legendary Indian cricketer Gundappa Viswanath, who turned 70 recently, was a connoisseur's delight. He raised the standard of his batting when others failed. He added colour to the Indian batting with his repertoire of shots around the wicket ("Sport" page, "Viswanath - the hero and role model - is now 70", February 13).

The Karnataka star gets instant recall for his trademark square cut that would often whizz past the gully and point regions, leaving the fielders in awe and admiration. Among Vishy's many great knocks, his 97 not out against the

West Indies at Chepauk in 1975 can be counted as evidence of his power in a crisis situation. It was a masterclass knock scored against the fury of Andy Roberts. The innings was best described by Sunil Gavaskar in his book, *Idols*: "His 97 not out is the finest Test match innings I was privileged to see."

R. SIVAKUMAR, Chennai

■ G.R. Viswanath was the Keats of cricket; so poetic his batting was. He was the "trademark-holder" of the square cut and late cut. His 97 not out at Chepauk in the 1975 Test against the West Indies stood apart. The original 'Little Master' cannot be cloned.

K. PRADEEP, Chennai

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A clarion call to combat climate change

The Green New Deal acknowledges the responsibility of the U.S. for its historical emissions



SUJATHA BYRAVAN

When almost all news about climate change concerns catastrophic events, there are a few shining lights in the U.S. and Europe. One is Alexandria Ocasio-Cortez, 29, the newly elected member of the U.S. House of Representatives. The other is Greta Thunberg, a 16-year-old Swede whose school strike outside the Swedish Parliament, in a clear-minded effort to force politicians to act on climate change, has inspired students in many countries to walk out of their classrooms and make similar demands. If Ms. Thunberg's voice is inspiring for the way it has roused the youth, Ms. Ocasio-Cortez is daring in her imagination and policies.

The Green New Deal "is a four-part programme for moving America quickly out of crisis into a secure, sustainable future". It takes its name from U.S. President Franklin Roosevelt's famous New Deal, a series of economic and social measures launched in the 1930s to end the Great Depression. The Green New Deal audaciously aspires to make sweeping changes to the environment and economy and meet all of the U.S.'s power demand from clean, renewable and zero emission energy sources by 2030, while at the same time addressing racial and economic justice. Thus, in many ways, it is more than just a climate change plan. Ms. Ocasio-Cortez along with Massachusetts Senator Edward Markey introduced the resolution in the House and Senate on February 7.

What the deal says

The resolution acknowledges the 1.5° report of the Intergovernmental Panel on Climate Change and the U.S. Fourth National Climate Assessment. It identifies the worldwide effects from warming, the disproportionate responsibility borne by the U.S. as a result of its historical emissions, and calls for the country to step up as a global leader. It speaks about the fall in life expectancy, economic stagnation, erosion of workers' rights, and



"The Green New Deal is an acknowledgement by politicians that economic growth, the environment and social well-being go together." Alexandria Ocasio-Cortez (left) and Ed Markey at a news conference about the Green New Deal, in Washington. •THE NEW YORK TIMES

rising inequality in the U.S. Climate change that will asymmetrically affect the most vulnerable sections of U.S. society and ought to be considered a direct threat to national security.

The resolution goes on to recognise the momentous opportunity available to take action. It states that it is the responsibility of the federal government to create a Green New Deal, which would meet its power demand through renewable sources in 10 years. It calls for a 10-year national mobilisation that would build infrastructure, eliminate pollution and greenhouse gas emissions, as much as is technologically feasible, and reduce risks posed by the impacts of climate change.

These goals entail dramatic changes in manufacturing, electricity generation, education, livelihoods, sustainable farming, food systems, an overhaul of transportation, waste management, health care, and strong pollution-control measures. The resolution also calls for international action by the U.S. on climate change. It recognises that public funds would be needed for these changes and need to be leveraged. It

states that the federal government needs to take the full social and environmental costs of climate change into consideration through new laws, policies and programmes. Importantly, the Green New Deal calls for a federal jobs guarantee for all.

A welcome surprise

How far this resolution will go and whether and how it will be diluted in the U.S. Congress is unclear. Many details of the proposal still need to be worked out. It has been called "ridiculous" by some Republicans and has made some Democratic leaders uneasy as well.

But various progressive elected officials, groups, and some activists have lent their support. Almost all Democrats who have announced their candidacy for the 2020 election have backed the resolution. A poll conducted by Yale and George Mason Universities showed that there was support for the deal among most Democratic voters and a majority of the Republicans. One does not know if this appetite for the deal will be sustained, but if extreme events related to climate change continue, people are likely to view radical change

as essential. If we look at the political situation when Roosevelt passed the New Deal, both Houses of Congress were under the Democrats. On the other hand, the Clean Air Act and the Clean Water Act were passed by President Richard Nixon and were regarded as being radical in their time.

If any country has the "capability" to increase its commitment in renewables, it is the U.S. This clarion call by Ms. Ocasio-Cortez and Mr. Markey is therefore a welcome surprise. The share of fossil fuels in total electricity generation in the U.S. in 2017 was 63%, the share of renewables was 17%, and the share of nuclear was 20%.

The future

It should be noted that until now no U.S. agency or civil society group has publicly acknowledged the responsibility of the country for its historical emissions. The Green New Deal is the sort of resolution the U.S. should have passed after the Kyoto Protocol in 1997. Instead, the U.S. Senate unanimously passed the Byrd-Hagel Resolution, according to which the U.S. ought not to be a signatory to any protocol or agreement regarding the United Nations Climate Convention that would reduce greenhouse gas emissions for Annex-I Parties, the wealthy countries, unless developing countries were also similarly required to limit their emissions.

Meanwhile, Ms. Thunberg's school boycott movement has inspired protests in the Netherlands, Belgium, Germany, Sweden, Australia and elsewhere. If this spreads to many more countries, it can help apply pressure on governments and the fossil fuel industry and create a bottom-up movement led by the youth for major changes in dealing with climate change.

The Green New Deal is an acknowledgement by politicians that economic growth, the environment and social well-being go together. While these bold moves by two young women have opened windows to winds of change, how far these can progress and whether they will bring the scale of change needed as rapidly as it is required to deal with the world's dire challenge remains to be seen.

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The PM-KISAN challenge

The top-down, rushed approach of the government in reaching out to farmers is likely to end in failure



APARNA ROY

This year's Interim Budget is being regarded as a big spread for farmers. The government announced its decision to transfer ₹6,000 every year directly to 12 crore farmers holding cultivable land up to 2 hectares through the Pradhan Mantri Kisan Samman Nidhi (PM-KISAN) scheme. While this is a progressive step, is it enough to mitigate India's severe agrarian distress?

The agriculture sector employs over 50% of the workforce either directly or indirectly, and remains the main source of livelihood for over 70% of rural households. However, the droughts of 2014 and 2015, ad-hoc export and import policies, lack of infrastructure, and uncertainty in agricultural markets have adversely affected agricultural productivity and stability of farm incomes. Consequently, agriculture growth rates have been inconsistent in the last five years – 5.6% in 2013-14, (-) 0.2% in 2014-15, 0.7% in 2015-16, 4.9% in 2016-17 and 2.1% in 2017-18. This is a major concern. PM-KISAN is aimed at boosting rural consumption and helping poor farmers recover from distress. Although the scheme is valuable in principle, without adequate focus on proper strategy and implementation, it is unlikely to make any meaningful impact.

Inadequate financial support

The merit of cash transfers over loan waivers and subsidies lies in their potential greater efficiency in enabling poor households to directly purchase the required goods and services as well as enhance their market choices. Therefore, the impact of a welfare measure such as PM-KISAN can only be realised through financial support that provides farmers with adequate purchasing power to meet their daily basic necessities. Given that India's poverty line is ₹32 per person per day in rural areas and ₹47 in urban areas, according to the Rangarajan Committee, the income support of ₹17 a day for a household, which is the amount offered by PM-KISAN, is largely insufficient for even bare minimum sustenance of vulnerable farmers. Therefore, to be effective, any cash transfer scheme should first ensure that there is enough cash provided to help bring an affected community out of poverty. For instance, the Rythu Bandhu in Telangana, that the Centre is said to have replicated, provides ₹4,000 per acre to each farmer in each

season, and the Krushak Assistance for Livelihood and Income Augmentation scheme in Odisha offers a direct cash transfer of ₹5,000 for a farm family over five seasons, among other benefits.

Moreover, given the volatile market and price fluctuations in different regions, it is important to index the cash transfers to local inflation. The failure of an ambitious plan of Direct Benefit Transfer in kerosene in Rajasthan is a case in point, where the cash transferred to families has been insufficient to purchase kerosene, as the market price increased substantially.

Implementation issues

While cash transfers to households may appear simple, the scheme requires significant implementation capabilities. In a country where a majority of the States have incomplete tenancy records and land data are not digitised (for instance, in Jharkhand, Bihar, Gujarat and Tamil Nadu), identification of beneficiaries is daunting.

The results of a joint study conducted by NITI Aayog and the Union government's Department of Food in 2016 suggest that the government's pilot programmes to replace subsidised food grains with cash in three Union Territories (Chandigarh, Dadra and Nagar Haveli, and Puducherry) have failed due to data inconsistencies. While 50% of the people received less cash, 17% received more than they were entitled to. More than 40% of the money transferred could not be verified to have reached the beneficiaries. In the absence of updated land records and complete databases, the scheme may end up benefiting only those who hold land titles and not the small, marginal or tenant farmers who are the most vulnerable. Besides, the scheme does not provide a clear design of transfers and a framework for effective grievance redress. In the Mahatma Gandhi National Rural Employment Guarantee Scheme, for instance, State governments still struggle to resolve complaints and curb corruption.

PM-KISAN is an ambitious scheme that has the potential to deliver significant welfare outcomes. However, the current top-down, rushed approach of the government ignores governance constraints and is therefore likely to result in failure. An alternative bottom-up strategy and well-planned implementation mechanism would allow weaknesses to be identified and rectified at the local level. The most effective modalities can then be scaled nationally and ensure success.

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The ABC of sustainable consumption

It will necessarily draw in producers and government agencies through their goods and services

SOHINI MITRA



Expert opinion is that the recent Coastal Regulation Zone Notification 2018 disregards the vulnerabilities of coastal regions to climate change. While the hospitality/tourism industries and local economies stand to gain from the changes, the lives and livelihood of thousands of citizens continue to be at risk.

India's vulnerabilities to climate challenges can no longer be ignored. Government, businesses and civil society have the responsibility of constructive action to address this environmental challenge. It is no secret that governments in India do not prioritise climate change mitigation, fearing that it will impede economic growth and efforts to alleviate poverty. On the other hand, several businesses have already established sustainable mitigative measures in their operations. It is time now for civil society to recognise our contribution to climate catastrophes and commit to containing an already precarious situation.

The role for civil society is to establish efficient and sustainable patterns of consuming essential and luxury products and services and, in the process, improve quality of life in multiple dimensions – physical environment, health and finance, for example. If we hope to make a significant difference, there must be a change in consumption-related thinking and behaviour. This requires that we embed the term sustainability deeply in our thinking and vocabulary, so that it becomes the default mode in which we operate. That implies making mobility choices that result in efficient fuel use and lower carbon emissions. It calls for considering alternative sources of domestic electricity. We need to observe and alter the use of cooling devices and power. How do we consume and manage water in homes and communities? How do we deal with household waste and other items that have outlived their intended utility?

Making changes in our consumption habits will necessarily draw in producers and government agencies through the goods and services they make available. Their involvement offers tremendous opportunity for citizens' needs to be heard. We ought to engage with manufacturers and marketers to co-create products and services that support efficient, sustainable consumption. With policy makers and regulators, we must force a shift in the current stance, to address climate challenges with much greater urgency. Civil society should be more assertive about being included in shaping the country's climate policy.

It is difficult enough for individuals to change entrenched habits and attitudes. Mobilising a large number of diverse people to think differently and learn new ways would likely be a herculean task. Yet, it is possible, demonstrated by instances of positive and sustained civic action by the public.

Altering our lifestyles for sustainability has a silver lining – we have a valuable chance to re-orient our lives for substantive improvement. The sooner we act, the more significant the gain.

The writer is Bengaluru-based and interested in climate change



FAQ

A political stand-off

Amid a grim economic crisis, the power struggle weakens Venezuela further

STANLEY JOHNY

What is happening in Venezuela?

Venezuela has been going through a turmoil for the past couple of years amid an economic meltdown and growing Opposition protests. The crisis took a dangerous turn on January 23 when Juan Guaidó, president of the Opposition-controlled National Assembly, declared himself interim President of the oil-rich South American country, directly challenging the authority of President Nicolás Maduro, who began his second six-year term in January. Immediately after Mr. Guaidó's announcement, the U.S., Canada, Brazil and some other South American nations recognised him as Venezuela's legitimate leader. Mr. Maduro rejected the "coup" attempt and said he was the President of Venezuela. European powers gave Mr. Maduro an ultimatum to announce fresh elections, which he rejected. Later, a host of European countries also backed

Mr. Guaidó. The U.S., meanwhile, imposed new sanctions on Venezuela's state-run oil company, PDVSA – all properties of the company subject to U.S. jurisdiction were blocked and American citizens were barred from trading with the company. The sanctions are expected to cost Mr. Maduro's government \$11 billion in lost export proceeds.

Who is the legitimate leader?

Mr. Guaidó says the Venezuelan Constitution allows the president of the National Assembly to take power as interim President in the absence of an elected President. The Opposition doesn't recognise the 2018 presidential election which Mr. Maduro won. The main Opposition had boycotted the election. Mr. Guaidó and his supporters argue that since the election was a sham, Venezuela doesn't have a legitimate leader, and in such a context as president of the National Assembly, he could take power. This is a contested

claim. Article 233 of the Constitution, which Mr. Guaidó has invoked, lists the circumstances, such as the President's death, dismissal or resignation, where the Parliament chief can assume power and call for fresh elections. The current crisis, triggered by economic woes, government repression and a disputed election, is different. Besides, most constitutional institutions in the country, including the armed forces, back Mr. Maduro. So do Russia and China.

How bad is the economic crisis?

Very bad. The country's inflation is estimated reach 10 million per cent this year. Venezuela has also been facing severe food and medicines shortages for months. The nation's GDP, which was growing at near 10% in 2006, at the height of Hugo Chavez's "Bolivarian revolution", contracted 14.3% in 2018. Almost 90% of the country's population is living in poverty, while per capita income has been falling

since 2014. Amid this crisis, about three million Venezuelans have fled the country, most since 2015.

What's in store?

When Mr. Guaidó declared himself acting President, he may have hoped that he could win over at least sections of Venezuela's armed forces. He's unlikely to topple Mr. Maduro as long as the military is loyal to him. Mr. Maduro's government also has some support among the public, especially the poor, the backbone of the Chavismo government. So the attempts to topple Mr. Maduro are not making headway. On the other side, Mr. Maduro continues to face major challenges. The Opposition has strong support both within and outside the country. And the economic crisis is far from easing. This means the turmoil that has gripped Venezuela is unlikely to ease unless the government and the Opposition find common ground on rebuilding the economy and sharing power.

FROM THE HINDU ARCHIVES

FIFTY YEARS AGO FEBRUARY 14, 1969

Union Cabinet reshuffled

Without dropping anyone or inducting any new incumbent, the Prime Minister, Mrs. Indira Gandhi has made a major reshuffle of her 23-month-old Central Cabinet on the eve of the Budget session of Parliament. The Prime Minister has divested herself of the portfolio of External Affairs and has transferred the charge to Mr. Dinesh Singh, till now Minister of Commerce. She has also promoted Mr. B.R. Bhagat to Cabinet rank. The Commerce Ministry has been renamed Ministry for Foreign Trade and Supply and Minister of State for External Affairs B.R. Bhagat has been put in-charge of the new Ministry. Mrs. Gandhi was working on the changes since early yesterday [February 13] and conveyed the changes to the concerned Ministers when they called on her or through telephone. The changes which came as a surprise to many of her colleagues were announced in the early hours of this morning [February 14, New Delhi]. There is no change in the portfolios of Deputy Prime Minister Morarji Desai, Home Minister Y.B. Chavan, Food Minister Jagjivan Ram, Labour Minister J.L. Hathi, Defence Minister Swaran Singh and Transport and Civil Aviation Minister Dr. Karan Singh.

A HUNDRED YEARS AGO FEBRUARY 14, 1919.

Death Duty in Ceylon.

A Colombo message dated February 9 says: The much debated Bill, which had for its object increasing of revenue from duty on estates of deceased persons has been redrafted and appears in yesterday's Gazette. The only duty which is under the existing law payable after the death of a person is the probate duty under the Stamps Ordinance Bill recently introduced in the Legislative Council, which increased the rate of probate duty. It was referred to a Select Committee and the Committee came to the conclusion that it would be advisable to bring the local law up to date. The present Bill is based on the Finance Act 1894 of the Imperial Parliament as amended by series of other Acts. The important section of the Bill lays down the manner in which the value of an estate is to be arrived at. The value to be estimated by the Commissioner of Stamps is to be the price which it would fetch in the open market, subject to the deduction of reasonable funeral expense, bona-fide debts, and other items set out in the section.

CONCEPTUAL Square-cube law

PHYSICS

Also known as the cube-square law, this refers to the mathematical principle that states that when the size of an object increases, its volume increases by a greater proportion than its area. This principle has been used to explain the anatomy of various living organisms as well as the limits to the construction of certain man-made structures. The bones and muscles of large animals, for instance, are disproportionately larger than those of smaller animals in order to help them withstand the stress exerted by the disproportionately high volume of their bodies. The square-cube law was first proposed by Italian physicist Galileo in his 1638 book *Two New Sciences*.

MORE ON THE WEB

Inside the National Museum of Indian Cinema

<http://bit.ly/NationalMuseumCinema>

Opinion

THURSDAY, FEBRUARY 14, 2019



HOUSE ACCOMPLISHMENTS

Narendra Modi, prime minister of India

[This house] saw the highest number of women members elected. Forty-four first-time women MPs were elected to the Lok Sabha this year and 203 bills were passed out of the 219 introduced

Rational Expectations

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And the sugarcane dance continues

Till cane prices are fixed at realistic levels, problem of high farmer dues and endless govt 'packages' will continue

CHANCES ARE, THE next time the government talks about what it has done for farmers, it will talk of how it will raise the interest subvention to another ₹6,000 crore of loans for 142 more sugarcane mills; right now, the 6% interest subvention has already been given for ₹6,139 crore of loans to 114 sugar mills to create additional capacity to produce ethanol for sale to oil PSUs to mix in the petrol. Apart from the fact that such 'packages' don't really resolve the industry's problem, there is also a controversy over their size. In the past, as well as this time around, the size of the 'package' includes the loans which get the interest subvention while, since the loans are to be repaid by the industry, only the interest subsidy should be calculated—in the current case, that's ₹368 crore per year for five years and another ₹360 crore if the additional ₹6,000-crore scheme is approved.

The real issue, of course, is the high cost of cane mandated by the Central government—states like Uttar Pradesh add to the Centre's Fair and Remunerative Price (FRP) to arrive at their State Advised Price (SAP)—that has no relationship with the market price of sugar. In the last two years (see graphic), ex-mill prices of sugar fell by over a sixth, but the FRP rose by 13%. Between FY10 and FY19, the FRP rose a little over two times while the ex-mill price rose by a mere 2%. Not only is the price of the raw material fixed, under the law, mills have to buy all the cane grown in the area allocated to them; an industry where the raw material price is fixed at artificially high levels while the price of the end-product—sugar—is low is asking for trouble.

Also, while the mills pay farmers over six months from October to March, they sell their produce—sugar and its by-products—over 14-16 months. So, when mills delay payments, this is only to be expected; yet, the government vilifies the mills, files warrants against the owners and even arrests the managers almost routinely. And while the government likes farmers to believe that it is its threats to various mill owners and a plethora of 'packages' that makes mills pay their dues, this is hardly the case.

The reality is that the arrears keep mounting till the cane comes in by the end of March; after that, the dues no longer mount, and since mills keep getting paid for their sugar and other products, they start clearing the dues. The cycle of mill arrears (see graphic) makes this clear. In 2012-13, for instance, arrears rose from ₹7,840 crore on January 1 to ₹12,702 crore on March 31, and then fell to ₹3,201 crore in September. As the new crop started coming in, these rose to ₹6,750 crore by January 1 the next year and further to ₹18,648 crore by March 31...the same cycle repeats itself every year.

At an aggregate level, if you don't factor in the time factor—ideally, this must be done, but the idea is to keep the example simple—mills buy around ₹90,000 crore of sugarcane every year, so their production costs are around ₹120,000 crore. What they earn from the 25-26 million tonnes of sugar they sell—another 5-6 million tonnes of production can theoretically be exported, but Indian cane costs 50-60% more than that in exporting nations—is around ₹90,000 crore, assuming an ex-mill sugar price of ₹30 per kg and by-product sales that are around 15% of the sugar sales. What this huge shortfall does, and more so if you take the sequencing of the inflows and outflows, is to destroy the balance sheets of the mills, making it difficult for them to even get loans to carry on business. Indeed, in some cases in UP, where the mills expanded dramatically in response to tax breaks announced by the state government—and later withdrawn by the next one—the problem is even more severe.

In this context, the Central government has done well to increase the amount of ethanol that oil PSUs have to buy from sugar mills to 'dope' the petrol they sell. While the permissible level was 10% till some time back, this has now been increased to 20%. Right now, the sugar industry sells around 260 crore litres of ethanol and the 'package' agreed to can increase this by around 200 crore litres more—assuming the additional ₹6,000 crore package is approved—in another 2-3 years; setting up extra capacity to produce ethanol gives a return of just 7% or so, so the 6% interest subvention was given to make it viable for industry to invest in ethanol capacity.

Assume the mills can sell an extra 100 crore litres of ethanol next year; based on the conversion ratios, this equals to around 1.6 million tonnes of sugar. Based on the price of ₹52 per litre of ethanol produced from 'B' category molasses, the mills will earn an extra ₹4 or so per kg of sugar, or ₹640 crore; as more molasses are converted into ethanol over time, especially with the 20% doping rule, the mills will earn more.

All of this is good news, but as is obvious, even an aggressive pace of selling ethanol is not going to cover the increasing gap between costs and earnings. If this is not fixed, the rising-dues-rising-arrests-farmer-protests dance will continue—and get bigger over time since exceptionally lucrative cane prices will ensure more production—till the sugar mills are not able to service bank loans, and this is getting tougher now thanks to the stricter RBI norms.

GreenCover

China's and India's greening efforts are praiseworthy, but meaningful climate action needs the West to act fast

THERE IS FINALLY some good news on the green cover front: a 20-year-long data record by Nasa—two satellites orbiting the planet captured up to four shots of every place on Earth every day since the mid-1990s—shows that this has increased, albeit marginally. Global green leaf area has increased by 5% since the early 2000s, and the main contributors to this have been China and India, accounting for one-third of the greening witnessed during this period. This should be a befitting retort to historical polluters like the US (the worst historical polluter) that have so far evaded taking responsibility of their role in climate change.

But, there also has to be acknowledgment of the fact that much of this improved green cover is at the cost of far-reaching ecological shifts—forests rich in species diversity are shrinking while single-species 'forests' are expanding. While this is a major concern, the much larger one is that the efforts by India and China are not enough even if they are ambitious from both the respective countries' standpoints. Meaningfully bringing down greenhouse gas emissions will need significantly scaled-up climate action by the US and other developed nations—and time is running out. The Trump administration has set the world back by miles by rolling back many Obama-era policies on emission reduction. The US could, indeed, now be looked upon as climate rogue having withdrawn from the Paris deal and having done all to scuttle any binding rules on meaningful climate action at Katowice.

FOR EXAMPLE, IN 1911, THERE WERE 979,293 FAKIRS, 814,365 YOGIS AND 698,036 MENDICANTS. CENSUSES TODAY DON'T COLLECT THESE NUMBERS

How many religious mendicants are there?

AN UN-STARRED QUESTION on beggary was answered in the Lok Sabha on March 8, 2016, by the minister of state for social justice and empowerment. According to the Census 2011, the total number of beggars and vagrants in India is 413,670—221,673 males and 191,997 females. State-wise, with an aggregate of 81,244, West Bengal leads by a considerable margin, followed by UP. These numbers differ slightly from figures given in the ministry of social justice and empowerment's handbook on social welfare statistics (January 2016). The handbook has two sets of numbers from two separate sources—Census 2011 and SECC, 2011 (rural). From the Census 2011, there are 372,217 beggars and vagrants in India—197,725 males and 174,492 females.

What is a vagrant and why do we still use such a term? Several states have anti-beggary legislation—Andhra Pradesh, Assam, Bihar, Chhattisgarh, Goa, Gujarat, Haryana, Himachal Pradesh, Jammu and Kashmir, Jharkhand, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Punjab, Sikkim, Tamil Nadu, Uttar Pradesh, Uttarakhand, West Bengal and Delhi. There can be an entirely legitimate debate about the working and refinement of this anti-beggary legislation, but that is not the focus of this column. The word "vagrant" is a colonial legacy from the English, reflective of the belief that able-bodied poor must be made to compulsorily work and not laze around.

England had a Vagabonds and Beggars Act in 1494. This went through several versions and eventually became the 1824 Vagrants Act. We still carry vestigial legacies of such notions in sections of the CrPC (Crim-

inal Procedure Code). What is the difference between a vagrant and a beggar? A vagrant has no fixed abode and wanders around. Is a vagrant a beggar who roams around? Is a non-beggar who roams around a vagrant?

By that definition, a religious mendicant is a vagrant. These are legal issues and can be pinned down only through a piece of legislation. In that list of state-specific legislation, all but two states incorporate beggary, but not vagrancy. The two Acts that mention vagrancy are the Bengal Vagrancy Act (1943) and Cochin Vagrancy Act (1945), applicable to some parts of Kerala. For West Bengal, a "vagrant means a person found asking for alms in any public place, or wandering about or remaining in any public place in such condition or manner as makes it likely that such person exists by asking for alms but does not include a person collecting money or asking for food or gifts for a prescribed purpose". Cochin has similar provisions. As I said, though the legislation may be directed against beggary, itinerant or stationary, it seems to legally cover religious mendicants.

As everyone knows, a Kumbh Mela is under way in Prayagraj. When I vis-

ited the Mela, I was told 100,000 sadhus have temporarily set up abode there. How does one know the number? I didn't get a satisfactory answer. I can understand some sanctity associated with the figure if the sadhu is a member of one of the recognised *akhadas*.

But not every sadhu is a member of an *akhada*. Broadening the question, how many sadhus/sannyasis are there in India? Broadening it even further, how many religious mendicants (irrespective of religion) are there? Typically, the Census should give answers. Indeed, pre-independence Censuses did collect such figures.

For example, in 1911, there were 979,293 fakirs, 814,365 yogis and 698,036 mendicants. Unless I have missed something, Censuses today don't collect these numbers. Take the household Census 2011 schedule, which is focused on main workers and marginal workers, with a few questions for non-workers. If I am a non-worker, I tick one of several options. I can say 'beggar', or I can say 'other'. Since "other" isn't disaggregated further, I think the Census should simply list 'beggar' and not 'beggar and vagrant'. To return to the question of a reli-

BIBEK DEBROY

Chairman, economic advisory council to the prime minister. Views are personal



What data collection happens for a religious mendicant? There is no household to be visited. How do I get the numbers, if at all?

The new avatar of 'Make in India'

Section 65 of the Customs Act, 1962, was a short-sighted and defeatist strategy, aimed at restricting imports, instead of looking at developing our capacity to export

RK SINGH

IRS officer and retired chief commissioner of customs



EVER SINCE THE finance minister's inspiring budget speech, a number of people have asked me to unravel, "to promote the 'Make in India' initiative...a revised system of importing duty-free capital goods and inputs for manufacture and export has been introduced, along with introduction of single point of approval under section 65 of the Customs Act".

Section 65 owes its origins to the Sea Customs Act, 1878. The earliest notification issued by the then Central Board of Revenue (CBR) dates back to 1927. References to eleven such relics are available even today on the Central Board of Indirect Taxes and Customs (CBIC's) website, all of which were springboards of early industrialisation. The Motor Vehicles (Manufacture-in-Bond) Rules, 1956 dated November 6, 1956, is a case in point, which sowed the seed of India's automobile industry with the iconic Hindustan 14 being manufactured for the first time by the Birlas in 1957. Electric gramophones were first manufactured in India under 'Rules for Manufacture of Complete Gramophone Machine (including Electric Gramophones) in Bond'—CBR notification number 9, dated the July 13, 1946, leading to the incorporation of the iconic Gramophone Company of India (let's pause a minute here, to think when and how we lost momentum in electronic manufacturing).

All these notifications were rescinded with the enactment of the Customs Act, 1962. A brand new provision—section 65—came into existence and was expected to achieve more. Instead, the Indian trade administration became manically obsessed towards conserving foreign exchange. It sent the country into a downward spiral with some short-sighted and defeatist strategies, aimed at restricting imports, instead of looking at developing our capacity

to export.

Section 65 went on to become an adjunct to the Export Oriented Units (EOU) scheme which was launched in 1980, but more as an instrument of restriction and control rather than export promotion. In addition, other complications like restrictions on sales in domestic tariff area and net foreign exchange obligations were also introduced. On top of that were administrative complications to overcome, such as an inter-ministerial board of approval, before you could actually get going. Outside of EOUs, requirement of import licences, high rates of customs duty and all sorts of regulatory clearances bred an inefficient and high cost industry, which continues to struggle till today when it comes to competing without tariff protection.

A quarter century later, the China-inspired model of special economic zones (SEZs) was conceived. Instead of copying the large and integrated SEZ model (five SEZs of China), India took a different path of building hundreds of SEZs. After a decade and half, we find that these contribute a mere 20% of our exports and that, too, with high import content and minimal value addition. The disappointing performance of SEZs can be attributed to legendary disagreements between regulators to controversies around land acquisitions, minimum alternate tax (MAT) and domestic market access.

Come 2019 and the finance minister's Budget announcement almost seems like a soft launch of what is perhaps the biggest reform, ever. It has opened a whole new book for manufacturing in India. The Central

Board of Indirect Taxes and Customs issued a circular (number 38 dated October 18, 2018), without any fanfare, laying down procedures of the scheme and clarifying some of the most challenging issues relating to accounting as well as clearances into the domestic tariff area. In two and half pages, it has done away with geographical restrictions applicable to the setting up of units under special dispensation. The scheme provides that any unit located anywhere in India is eligible to apply to the commissioner of customs for approval to manufacture under bond. There are no typical complications like inter-ministerial boards of approval. Best of all, imports of raw materials and capital goods are all duty-free till their final clearance.

Thanks to GST, the complications under Central Excise law on what would or would not tantamount to manufacture are gone. Now, any 'supply' from such a unit is subject to GST or IGST, as the case may be. Complications arising out of interest on duty deferred, multiple bonds, and bank guarantees have all been sorted out. CBIC's circular has gone the whole nine yards to prescribe a single bond as well as an integrated digitised accounting form.

Most interestingly, there are no thresholds of net foreign exchange earnings or export obligations while, at the same time, no duty concessions for clearances into the domestic tariff area (DTA). Yes, and you do get unrestricted access to the DTA. Overall, CBIC's scheme provides a level-playing field and fully leverages India's strong suit—land, labour, entrepreneurship and innovation. Capital, we warmly welcome!

The CBIC's October 2018 circular goes the whole nine yards towards removing export impediments and ensuring a level-playing field

LETTERS TO THE EDITOR

Hooch tragedy

The two principal reasons for the continued occurrence of hooch tragedies of the kind in Uttar Pradesh and Uttarakhand are people's addiction to alcohol and the failure of the administration to prevent the manufacture and sale of illicit brew made with all sorts of untested lethal ingredients. As always, in the present instances too, those who lost lives to gulping down the hooch were impoverished persons. If the problem of bootlegging is not seriously addressed, it is because no great value is attached to its possible victims—the anonymous people living in abject poverty and misery. Labourers who do back-breaking and hazardous work consume spurious liquor without being conscious that it can prove an instant killer. They delude themselves into believing that the consumption of intoxicant liquor alone will re-energise and replenish them for the next day's work. The government must ensure that nobody among those who cannot do without drinking for some reason or the other becomes a victim to the deadly brew due to its availability

— G David Milton, Maruthancode

Delhi hotel inferno

It is sad that 17 people have perished in the inferno that engulfed the Arpit Palace Hotel in Karol Bagh on Tuesday. Though a short circuit is suspected to be the reason behind the blaze that broke out on the first floor and spread to the upper floors, the management of the hotel must be held culpable for flouting building norms, which included running a makeshift restaurant on the rooftop. The Delhi hotel fire has raised concerns over the safety standards at budget hotels and the civic authorities must spare no efforts to rein in erring hotel owners

— Ravi Chander, Bengaluru

Write to us at feletters@expressindia.com



ILLUSTRATION: ROHNIT PHORE

Digital dividend for insurance

PRANAY MEHROTRA & PALLAVI MALANI

Mehrotra is Leader (Insurance practice), BCG India and Malani is principal, BCG Views are personal.

End-to-end digitisation of the process means lower costs, time-to-market

Digital tech is disrupting business models across industries. In insurance, it is challenging traditional insurers to re-imagine their business models. Today, most customers' experience with their insurer is defined by a complicated buying process, an ambiguous underwriting procedure and, then, an uncertain claims process. For customers whose experiences are increasingly getting shaped by their interactions on Uber, Paytm, Amazon and other such platforms, this experience is sub-standard. Insurers with pure-play digital models in other countries (e.g. China) have created end-to-end journeys that give a frictionless experience to the customer and are thereby challenging traditional insurers.

The opportunity at stake for insurers in India by digitally transforming their business models is significant. Digital driven re-imagining of customer journeys across the value chain of issuance, renewals, servicing and claims, can dramatically cut turnaround times by 60-80%, reduce customer complaints by half, optimise costs by 30-40% and build a business model ready for the future.

For example, the issuance process for a health insurance policy can be made near-instantaneous through the thousands of agents selling these policies. This includes:

- Intuitive digital front-end for agents, data validations built in to avoid re-work and few simple fields for fast form-filling. Overall, with less than three fields, a quotation can be provided in less than a minute, and with less than 10 fields, a policy can be issued in under five minutes. In addition, e-sign/OTP-based customer consent (in future, possibly enabled through Aadhaar) can completely make the process seamless. BCG's study with insurance agents shows that more than 70% are willing to adopt such digital tools.

- Automated underwriting with data-driven rule engines, automated checks and decisions, "swim-lanes" based workflows on policy issuance. Over time, this can be further enhanced with use of non-traditional data sources to increase accuracy of risk assessment leading to higher quality portfolio. Alternate data sources include, for example, wearables and IoT data, data from other platforms such as healthcare platforms, and data on social platform.

- End-to-end digitisation of processes with minimal-to-no manual touch—even in scenarios where health tests are required—can significantly reduce turnaround times. For instance, OCR-based reading of test reports and AI interpretation of the results can reduce the time consumed.

Other innovation such as facial analytics can minimise the need for physical health examinations. While the efficacy of these technologies is still to be tested at scale, an innovation pipeline that factors in potential developments is critical for sustained transformation.

While several Indian insurers have initiated digital transformation programs, the impact is less than required. So, what does it take to successfully drive digital transformation?

- Re-imagine customer journeys, not re-engineer: Take the customer perspective as the starting point, define the art of the possible (including learning from outside the industry), ensure end-to-end digitisation.

- Create agility @scale through cross-functional working with a minimum viable proposition based approach. In our experience, an agile approach shortens time to market by half, reduces development costs and drives higher employee engagement.

- Leverage partnerships: Companies need to recognise that they cannot build everything in-house and need to leverage partnerships for data and technology to scale up faster.

- Insurers need to continuously move towards a flexible, micro-services based IT architecture. The right culture and value proposition to attract the right IT talent is critical.

- Change the terms of measurement: Build a disaggregated (e.g. step-wise turnaround times) but end-to-end view, move beyond averages to 90th and 99th percentile.

- Sustained commitment to the transformation program from senior leaders. This cannot be delegated.

Digitisation is already starting to transform the insurance industry. The challenge—or opportunity—for insurers lies in determining the concrete steps to drive this revolution. Insurers successfully undertaking digital transformation programmes will capture a large share of value in the future.

PRALOK GUPTA

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E-COMMERCE FDI POLICY

A curveball for e-com players

The new policy introduces many changes that are likely to make doing business difficult for existing e-commerce players. Wrong to call it a mere reiteration of the earlier policy

WHILE THE GOVERNMENT ANNOUNCED its rejigged FDI policy for e-commerce recently, the e-commerce space in the country itself is set for an upheaval after Reliance's announcement of entering the space. The government announced its reworked FDI policy on e-commerce through Press Note (2) in the last week of December 2018, and issued a clarification in the first week of January 2019. According to the clarification, the government has only reiterated the policy provisions to ensure better implementation of the policy in letter and spirit. A careful evaluation, however, reveals that the policy revisions prescribed go much beyond reiteration of the policy and substantially change the FDI policy on e-commerce in India.

The Press Note states that the provisions of the policy will take effect from February 1, 2019. If this Note is only a

reiteration of the earlier policy, there should not be any need for specifying a future date for the policy taking effect. On the other hand, if there are provisions that were not there earlier but marketplace entities are now required to meet, it is definitely no mere "reiteration of the earlier policy".

As compared to the earlier policy enumerated in Press Note (3) of 2016, the new Press Note places new obligations on marketplace entities. First, e-commerce marketplaces or other entities in which e-commerce marketplaces have direct or indirect equity participation or common control should provide services (such as fulfilment, logistics, warehousing, advertisement/marketing, payments, financing etc.) to vendors on the platform at arm's length and in a fair and non-discriminatory manner. Second, cash-back provided by group companies of marketplace entity to buyers shall be fair and non-discriminatory. Third, an e-commerce market-

place will not mandate any seller to sell any product exclusively on its platform only. Fourth, the e-commerce marketplace will be required to furnish a certificate along with a report of statutory auditor to Reserve Bank of India by September 30 every year for the preceding financial year.

The new policy also specifies criteria (not there in earlier policy) for defining inventory of vendors as the inventory of marketplace entity. The inventory of a vendor will be deemed to be controlled by e-commerce marketplace if more than 25% of purchases of such vendor are from the marketplace entity or its group companies. It puts the liability of conforming to this provision on the marketplace entity through RBI audit. There will be a number of implementation problems in ensuring this provision. First, how does a marketplace assess whether more than 25% of purchases of a vendor are from the marketplace or its group companies? Even if this is included as a contract condition by the market place with its vendors, what if the vendor changes its name and purchases the same goods under a different name? Who will audit the vendors? Is it RBI's or the marketplace entity's responsibility to certify if vendors are fulfilling this condition or not? RBI audit seems to be only for the marketplace entity and not for vendors.

The earlier policy required that an e-commerce entity will not permit more than 25% of the sales effected through its marketplace from one vendor or the latter's group companies. The new policy does not have any such provision. It is not clear whether this condition is now withdrawn or is still applicable to marketplace entities. If withdrawn, it reflects a major change with respect to the applicability of the group company obligations. Earlier, group company obligation was applicable for vendors, but now it is applicable to marketplace entities.

A misunderstanding of the new policy creates its with regard to ownership or control of inventory. On the one hand, the Press Note says that e-commerce entities providing a marketplace will not exercise ownership or control over the inventory. On the other, the clarification to this Note specifies that the present policy does not impose any restriction on the nature of products which can be sold on the marketplace. This would imply that the present policy does not prevent selling of private

labels. By their nature, private labels are owned by the entities. Thus, it implies that inventory ownership in the form of private labels is allowed. It would have been better if there were clarifications forthcoming on these implications.

Another potential area of confusion is with respect to cash-back provided on e-commerce platforms. The policy requires that cash-back provided by group companies of marketplace entities to buyers shall be fair and non-discriminatory. What about cash-back provided by the marketplace entity itself and not by its group companies? Does fair and non-discriminatory clause not apply to such cash-backs?

The government specifies that, in the marketplace model, goods/services made available for sale electronically on website should clearly provide the name, address and other contact details of the seller. Post sales, delivery of goods to the customers and customer satisfaction will be responsibility of the seller. What about services? Since this specifies satisfaction only with respect to goods, does that mean any dissatisfaction with regard to post-sale delivery of services will not be responsibility of seller?

The policy guidelines, as enumerated in Press Note (2), and the subsequent clarification are intended to prevent violation of the FDI policy on e-commerce and any circumvention of restrictions on multi-brand retail trading. Though, it tried to plug the gaps remaining in the

earlier policy, it has ended up creating new difficulties for various stakeholders. Given the substantial changes in the current policy, it would have been better if the government avoided calling it a reiteration of the earlier policy and called it a revised policy on FDI in e-commerce instead. It should also have consulted various stakeholders, including foreign players, before changing the policy. Since these players are allowed to do business in India by the government itself, they should have been given an opportunity to be heard. It is a different matter what policy options government would have chosen after consultations, considering the overall benefits to the economy, as the government has the right to change its policy stance, given how e-commerce is evolving in India. This is why India must resist attempts at the WTO to have binding rules on e-commerce as they take away the flexibility from the government to change policy stance, if situation warrants do in future.

The govt should have consulted various stakeholders, including foreign players. Since the govt itself allows these players to do business in India, they should have been heard

RCEP

NO ONE CAN DENY THAT there are net gains from free trade (FT). If the most efficient producers are provided access without artificial restrictions (political boundaries), it would optimise the costs for a given level of consumption.

But, how those gains are distributed is an unsettled question. We can have examples of countries losing out due to FT and others gaining at their expense. It is not even difficult to find examples of just one country garnering all the gains and all the others losing.

It is also possible that some gainers (s) gain disproportionately from free trade than others (making the diminished gain a loss). Unless a country is careful about what to avoid, it may end up a heavy loser.

An illustration of this (see graphic) seeks to demand-up the supply curve in the standard demand-supply analysis of microeconomics. The supplying units are arranged from the most efficient to least efficient from left to right. Efficiency is measured by how low the total variable cost is. The thick ridge line running over the top of various bars representing individual units comprises the supply curve. Those to the left of where the demand-curve meets the supply-curve get to supply the market. Those to the right will incur losses since market-price is less than their variable cost. This illustration studies the impact of removal of import duties after FTAs. After removal of import duties, the supply curve accommodates more overseas players to the left and pushes out some domestic suppliers to the right of equilib-

A fatal blow to manufacturing jobs

Opening up our manufacturing without proper employment impact assessment might prove disastrous

V KUMARASWAMY

CFO & Head (strategy), JK Paper



rium pricing which thus face closure. The net impact (the 'before' and 'after' scenarios) in the illustration is as follows:

- The government has lost whatever import duties it was getting from suppliers already competitive in the market. The entire amount accrued to these suppliers.

- The domestic consumers have benefited from a price reduction of less than 1%. This is most likely from better efficiencies of the overseas suppliers.

- There is a net loss in domestic employment (9%) translating into better employment or capacity utilisation overseas.

This kind of relatively flat demand or supply curves prevail in commodity industries where consumers don't pay much premiums for brand and supply efficiencies come from factor cost differences, scale

economies, cheap labour, patents, etc.

Larger concentration of capacities enabled by FT facilitates mechanisation and results in net loss of employment. These net losses in employment have also to be distributed, and one can end up with a disproportionate share of this unemployment as in the above case where the host country ends up with all the employment loss.

One of the methods oft-used by trade economists to identify industries with export or import competitiveness is the Revealed Comparative Advantage (RCA) and its variants. Essentially, this method calculates the ratio of (i) % of a particular commodity in a country's exports to (ii) % of global exports of the commodity in world exports. If the ratio is more than 1, then the country is supposedly export competitive.

Before and after FTA - impact of duty reduction



Instead of global %, one may use specific country %, regional %, or host country's %, to identify export competitiveness or import vulnerability.

But, it is terribly reliant on the past. What is important is the current competitiveness in an ever dynamic world, where the steep price fluctuations in some key inputs like oil, metals, interest rates, etc, can vastly change the fate of several players' competitiveness.

As can be seen from the illustration, the units around the equilibrium price—maybe 20-30% on either side—would largely decide the gains or losses from trade. Units which are highly competitive (left-most) or least competitive (right-most ones) will hardly matter. For example, ASEAN units, despite a duty reduction, do not enter the Indian market. There may not be much gain in negotiating access in such a commodity

if we are in a similar situation.

In the case of Regional Comprehensive Economic Partnership (RCEP), this kind of analysis should be done for commodities where we have some strength and where we would like to invite competition. Using elasticities alone may not suffice as much depends on capacities of individual players around the equilibrium price. ASEAN FTA has not resulted in much gain or loss over the five years since it has been in full operation.

Many Chinese commodity players have huge capacities—in some cases, a single unit/player has enough capacity to supply the entire Indian market. If an import facilitating measure or cut in duties make them competitive in India, then the entire Indian domestic manufacturing can get wiped out, resulting in loss of employment.

India's strength is its low-cost labour,

largely untrained and low-skilled. In most manufacturing units, the wages account for 8-12% of the cost and even this proportion is dwindling by the day. Even 30-40% cheaper labour translates to only a 3-5% overall advantage, not even sufficient to counter high real interest rates. But, where wages constitute 40-50%, like in many services—IT, design, etc—30-40% cheaper labour can give a 10-20% advantage. These are also less capital- and machine-intensive, and interest rates have a lower impact.

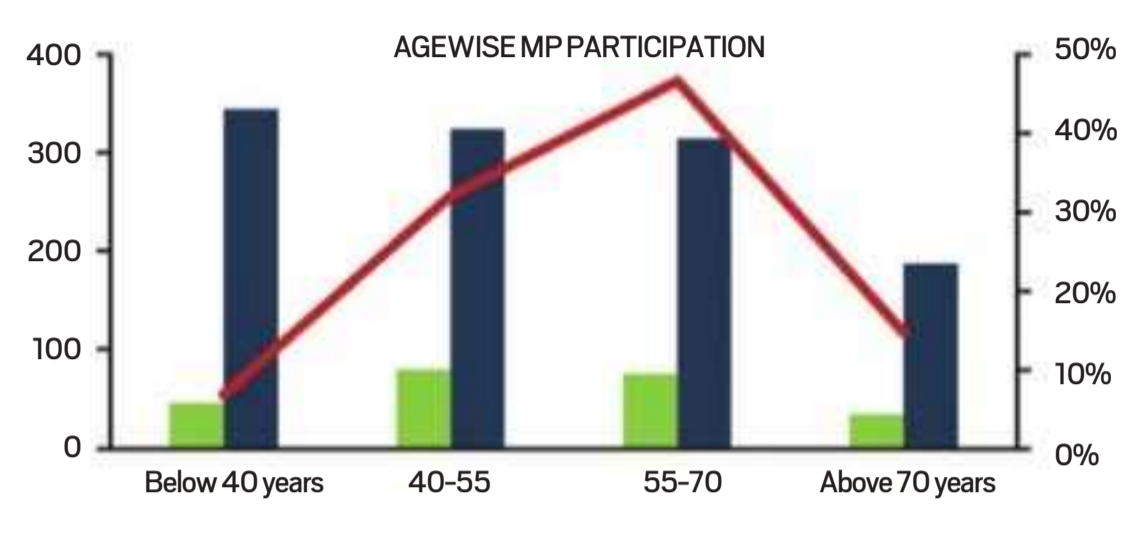
India's negotiation in trade agreements has not been stellar. Opening up manufacturing without proper impact assessment might prove disastrous with RCEP. Even if services are negotiated well, it will open up opportunities for the highly skilled, but the low-skilled labour, newly transferred from agriculture, may be left in the lurch.

TELLING NUMBERS

Age, gender, party: How MPs performed in 16th Lok Sabha

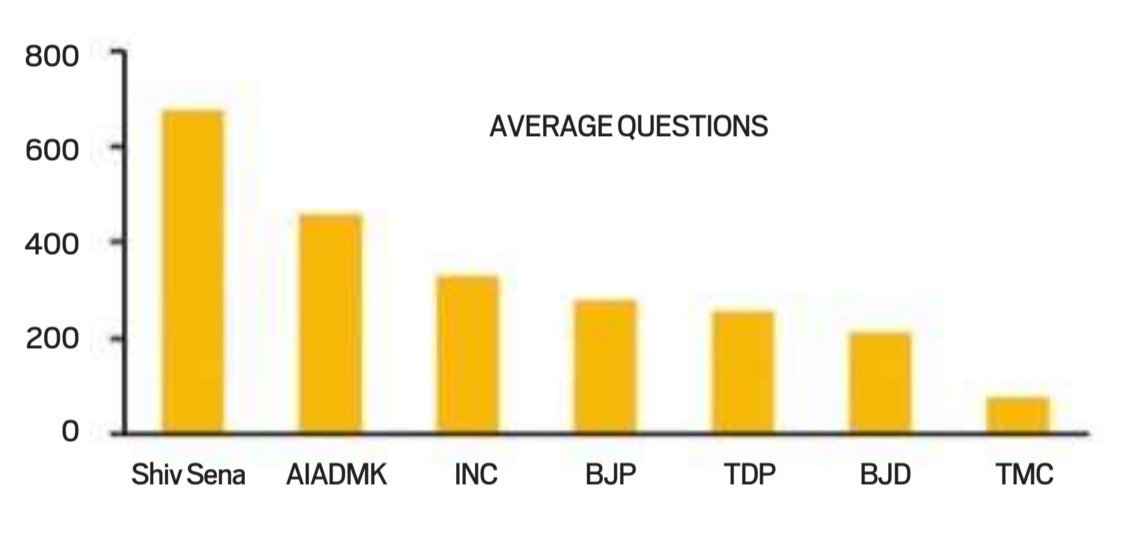
THE 16TH Lok Sabha held its Sessions between June 2014 and February 2019. Analysis by PRS Legislative Research found the following trends in the participation of MPs. PRS analysed only MPs who served for the entire 5 years as sitting (non-Minister) members. There are 425 such MPs.

YOUNG MPs QUESTIONED; 40-70 AGE GROUP DEBATED MOST



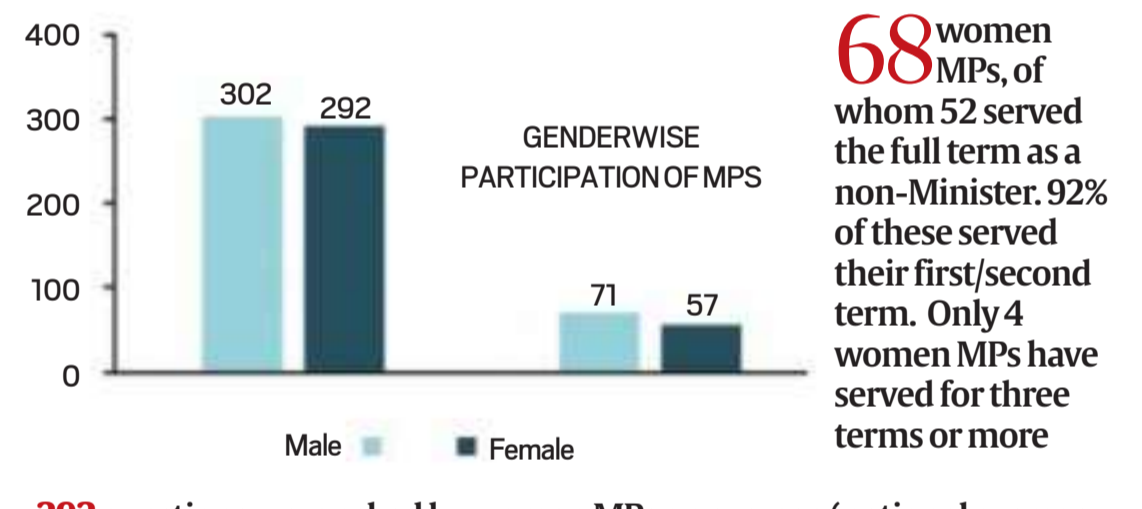
- MPs below the age of 40 years (7% of total) asked the highest number of questions (344)
MPs under 40 participated in 45 debates on average (national avg 69)
MPs in the age group 40-70 took part in more debates on average
MPs above 70 asked the least questions on average, participated in fewer debates than others

SENA MP'S MOST ACTIVE DURING QUESTION HOUR & DEBATES



- Among parties having more than 10 MPs, Shiv Sena, AIADMK and Congress MPs asked a higher number of questions than the national average of 301. The Shiv Sena, BJP, and Biju Janata Dal MPs participated in more debates more than the national average of 69.

WOMEN MP'S TOOK PART IN 20% FEWER DEBATES



- 68 women MPs, of whom 52 served the full term as a non-Minister. 92% of these served their first/second term. Only 4 women MPs have served for three terms or more
292 questions were asked by women MPs on average (national average 301); they participated in 57 debates (national average 69)
20% lower participation in debates as compared to male MPs

All data PRS Legislative Research, as on Wednesday evening

SIMPLY PUT QUESTION & ANSWER

Rafale, according to CAG

CAG report tabled in Parliament compares UPA deal for 126 Rafale aircraft with NDA deal for 36 jets. How was this worked out? What else does the CAG report cover or not cover?

SUSHANT SINGH

On what aspects does the (Comptroller and Auditor General) CAG report assess the Rafale deal?

The CAG report has examined the €7.87-bn deal for 36 Rafale aircraft signed between India and France on September 23, 2016 to assess "if the objectives of Indo-French joint statement and the objectives set out for INT by DAC were achieved".

The joint statement issued by PM Narendra Modi and French President Francois Hollande on April 10, 2015 stated that: 36 Rafale jets would be acquired as quickly as possible; supply would be on better terms - in price, delivery and maintenance - than the procurement process of 126 Rafale aircraft when was then under way; delivery would be in a time-frame that would be compatible with the operational requirement of the IAF; and aircraft along with weapons and associated systems would be delivered in the same configurations as had been tested and approved by IAF and with a longer maintenance responsibility by France. This means that the CAG had to compare the deal for 36 Rafale with the price bid by Dassault for 126 Rafale jets in 2007, by converting it into an equivalent cost for 36 aircraft in 2016.

Did the CAG report also deal with offsets?

The question of 50% offsets in the deal, which has been at the centre of a major controversy due to involvement of Anil Ambani, has not been dealt by the CAG in this report. It will form part of a separate report by the CAG on offsets in all the deals.

How did the CAG compare the 2007 commercial offer with the 2016 contract?

The comparison between the two prices was done using an "aligned cost", which fixed the equivalent cost for 36 Rafale in flyaway condition, if the 2007 commercial offer for 126 Rafale was to be converted as per this bid. It was a complex process but the CAG used multiple reference points which included: cost of 18 flyaway aircraft in 2007 offer; cost of 126 aircraft with their warranty conditions, licence production, maintenance etc; cost of basic aircraft and of the "fully loaded" aircraft. This had to be "aligned" with the new scope, reduction in quantity, deletion of licence production and transfer-of-technology costs; options clause and bank guarantees in the 36 Rafale procurement.

This was not the first time that an aligned cost had been fixed because a similar exercise had been undertaken by the Indian Negotiating Team (INT) at the start of negotiations with France in May 2015. The CAG also reviewed IT's process for alignment of costs in these two offers and came to a figure for its "aligned cost" which was 1.23% lower than the INT's figure.

What are the figures for the two "aligned costs"?

The CAG's "aligned cost" was €8105.92 million. The INT's "aligned cost" was €8206.87 million. These compared favourably with the cost of the final deal which is €7878.94 million - aircraft package from Dassault Aviation for €7168.53 mil-



Congress president Rahul Gandhi and other party leaders protest over the Rafale deal Wednesday, near the Mahatma Gandhi statue on the Parliament complex. Anil Sharma

lion, and weapons package provided by MBDA France costs €710.41 million. Based on this comparison, the CAG has stated that the deal for 36 Rafale aircraft signed in 2016 is 2.86% cheaper than its "aligned cost".

The comparison between the two prices was done using an 'aligned cost', which fixed the equivalent cost for 36 Rafale (2016 deal) in flyaway condition, if the 2007 commercial offer for 126 Rafale was to be converted as per this bid. It was a complex process, and the CAG used multiple reference points

Is there a caveat to this figure of the deal being 2.86% cheaper?

Immediately after stating the savings, the report mentions the fact that the 2007 offer from Dassault had costs of bank guarantee embedded in its offer. But there was no such guarantee in the 2016 contract which was a "saving" that was not passed on to the Indian government. INT had assessed the cost of this bank guarantee to be €574 million, which negates the advantage claimed by the deal being 2.86% cheaper.

Where are the biggest savings in the deal, according to CAG?

The CAG report assessed the maximum savings, of 17.08%, were in the cost of India Specific Enhancements (ISE) but it is silent about the fact that the major component of this cost was for design and development of ISE. This was a fixed or non-recurring cost

which was earlier spread over 126 aircraft and in the 2016 contract, is spread over only 36 Rafale aircraft.

The report also mentions that, in view of the huge cost and the reduced number of aircraft being purchased, the INT proposed to reduce the number of ISE. But Dassault stated that since its price was a total package, Indian government would have to take up the matter with the French government. The IAF, with the approval of its chief, intimated the government even in August 2016 that the scope of ISE can be reduced by postponing six enhancements, which could be included if more Rafale aircraft were procured in the future. As it would go against the bilateral statement of April 2015 of having the aircraft with the same specifications as were requested in the 2007 tender.

What about the price of weapons?

The CAG report states that the IAF had asked for weapons for two squadrons in 2007 and it remained the same even in 2015, but there was addition and deletion of certain weapons. This led to a saving of 1.05% over the aligned price worked out by the CAG.

What about the figures of savings of 9%, 20% and 40% cited by various Union ministers?

The government did inform the CAG about its claim of getting a 9% lower price of the basic aircraft compared to the price offered in 2007. But the auditor said that there is no difference between the price offered for the basic Rafale aircraft in 2007, after applying the escalation factors, and the price negotiated in 2015. As far as the claims for 20% and 40% savings are concerned, they are based on government's claim that the contract for 36 Rafale had an escalation factor based on French rates of inflation, subject to a cap of 3.5% per annum. But the CAG said that any such savings would also have been available in the 2007 commercial offer.

Did the report refer to Eurofighter's offer of a 20% discount?

Yes, it did note that EADS, the manufacturer of Eurofighter which was the only other aircraft besides Rafale to qualify in the IAF trials, had made an unsolicited offer of 20% discount. To the government's claim that it negotiated the Inter-Governmental Agreement (IGA) for Rafale as it was the L-1 bidder in the case of MMRCA, the auditor noted that no such provision exists in the Defence Procurement Procedure. But that offer was an important input as a reference point to determine better price and better delivery as per the joint statement.

Has the aim of a faster delivery period been attained?

The CAG report states that while 36 Rafale aircraft in the 2007 offer would be available to the IAF in 72 months, the same would be available under the 2016 contract in 71 months, a saving of one month. It also noted that 18 of the 36 in 2007 offer would have been manufactured in India while all 36 in the 2016 contract are to come from France in flyaway condition. The government also told the CAG that the project was so far on schedule, after the INT had raised apprehensions that the backlog of pending deliveries with Dassault was already seven years and this would delay the delivery of 36 aircraft.

DECISION 2019 THE QUESTIONS THAT MATTER

MLAs in resorts, MLAs on tape: What game are Karnataka MLAs up to? BJP, Congress and JD(S): the insecurities of each party

Fresh signals suggest cracks in ruling alliance, which are quickly played down. Congress alleges attempts at poaching, BJP claims its leader has been wronged, JD(S) finds new relevance. With elections around the corner, what all this could mean for each party.

JOHNSONTA BENGALURU, FEBRUARY 13

SINCE THE Congress and JD(S) cobbled together a hurried coalition to keep the BJP out of power in Karnataka in May last year, the alliance has been tenuous. Then, legislators in the alliance were sequestered in resorts, and asked to record telephone conversations with BJP leaders allegedly attempting to make them switch sides. In the eight months that followed, little has changed. Late Tuesday, five rebel MLAs, one from the JD(S) and four from the Congress - all reportedly negotiating with the BJP in Mumbai - reappeared in Bengaluru. They reiterated their support to the coalition and the government dodged a crisis, again.

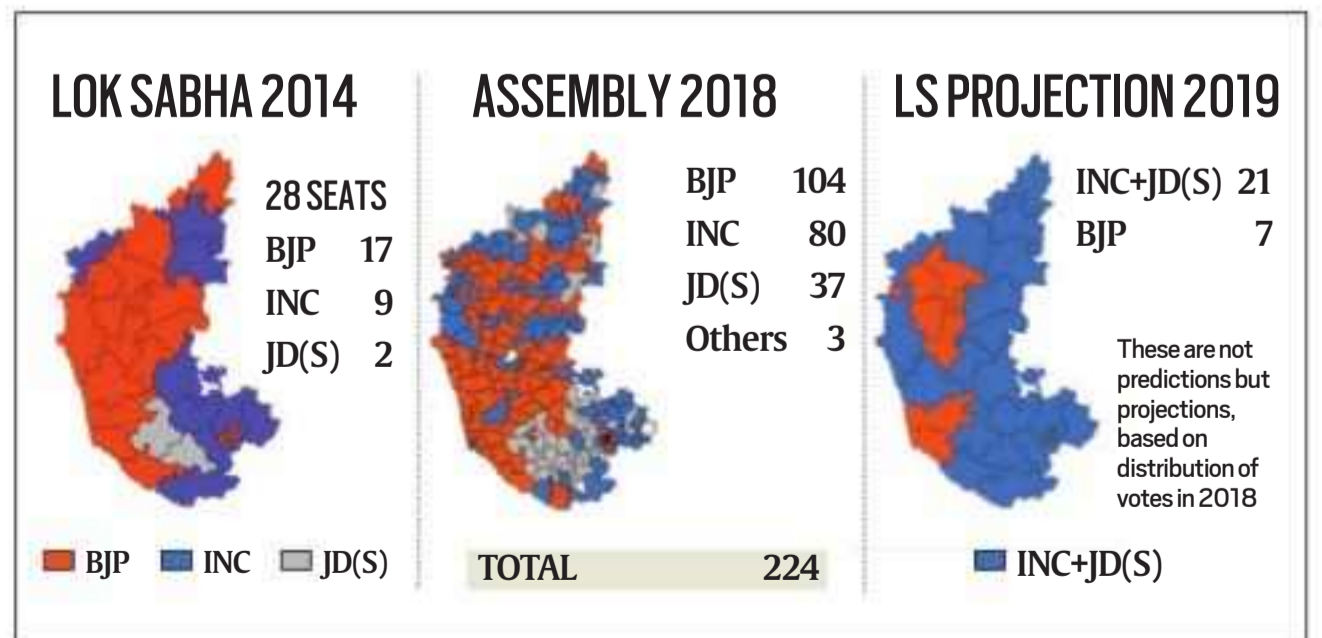
the party moved its remaining 76 MLAs to a resort again. And instead of assurances as in May, they now turned to warnings of disqualification under the anti-defection law.

Any attempt to topple the government, incidentally, is far-fetched. This could happen if the BJP with 104 seats in the 224-member House can get 13 coalition MLAs to quit, reducing the government to a minority of 105 from 118. Or if two Independents support the BJP, they will reach 106. The ifs, however, outweigh any real chance of success, and all parties know it. With the Lok Sabha elections around the corner, a look at what all this means for each player and how it affects their poll prospects.

What BJP is up to

Officially, the BJP has claimed it has done nothing to poach MLAs or foment dissent. The party, however, has projected the rebellion in the Congress-JD(S) coalition as being more pronounced than what the ground reality suggests, and senior leaders have said that as many as 20 Congress MLAs could switch sides.

However, recent audio recordings of a purported attempt by BJP state president B S Yeddyurappa to lure a JD(S) MLA to the BJP - released by Chief Minister H D Kumaraswamy - has turned the tide. How it could matter: The government



has used the audio recording to accuse the BJP of trying to destabilise the government. By constantly harping on dissatisfied MLAs, the BJP has projected to its core base - the Lingayat community in the north and the communally sensitive coastal districts - that the coalition government is on tenuous grounds, that coalitions are fragile and that governance suffers when coalitions are in power.

Yeddyurappa is also gathering sympathy among his vote base claiming that he was trapped in a sting operation by Kumaraswamy and that he wasn't able to form a government despite emerging the

What Congress is up to

Some of the early reports of dissonance seemed part of internal jockeying for power among Congress leaders to gain leverage over Kumaraswamy. Also, Siddaramaiah has managed to emerge as the foremost coalition leader by nipping the early dissonance in the bud and has also managed to get most of his supporters, some allegedly involved in the rebellion, positions in the government despite JD(S) reticence. The Congress seemed to have positioned a

single-largest party last year.

few permanent dissidents as part of a strategy for possibly exiting the alliance in the aftermath of the Lok Sabha polls. Incidentally, out of four recent dissidents, Chincholi MLA Umesh Jadhav is widely expected to exit the party and contest against Congress leader Mallikarjun Kharge in the Lok Sabha polls. A second Congress MLA, B Nagendra, who joined the party last year from the BJP, is angling for a Lok Sabha seat for his brother from Ballari, which the Congress denied in the 2018 bypoll.

How it could matter: The party has used the dissonance as a bargaining plank for the eventual seat-sharing deal with the JD(S). The Congress will also likely use the purported Yeddyurappa audio to project among its constituents and neutrals in the run-up to the polls that the BJP was indeed attempting to destabilise the government. The consolidation of BJP votes and the sympathy garnered by Yeddyurappa could also hurt the Congress in North Karnataka, where it will fight the BJP directly in the Lok Sabha polls.

What JD(S) is up to

The JD(S) has been largely defensive - preferring to control dissonance by acquiescing to Congress demands. The party has indirectly accused the Congress of making life difficult for chief minister Kumaraswamy and directly charged the BJP with meddling

with coalition MLAs. The purported Yeddyurappa audio has given the JD(S) an opportunity to go on the offensive since one of its MLAs is purportedly being lured to the BJP by Yeddyurappa. This has helped the party highlight the BJP's role in destabilising the coalition government.

How it could matter: The party is primarily restricted to southern Karnataka and its Vokkaliga vote bank. Dissidence in the Congress is expected to help Kumaraswamy consolidate this JD(S) vote base, given that they will fight in alliance with the Congress, its traditional rival in the region.

The JD(S) is also likely to be in a position to withstand Congress pressure in seat-sharing talks in the wake of the audio that shows that even JD(S) MLAs are being lured by the BJP. And with the party winning just two seats in the 2014 polls, the JD(S) needs to better this performance not just to stay relevant in national politics but to gain more bargaining power with the Congress in the coalition government.

NEXT #15 What national and regional issues are at play in simultaneous Lok Sabha & Assembly polls? PART 1: Odisha

The Indian EXPRESS

FOUNDED BY

RAMNATH GOENKA

BECAUSE THE TRUTH INVOLVES US ALL

FIRE TRAP

India's cities will continue to be tinderboxes until regulations are enforced and the shortfall in fire services addressed

IN THE PAST 10 years or so, fire accidents have taken place with disquieting regularity in several Indian cities. In the latest such incident, 17 people lost their lives to a blaze that swept through a five-storey hotel in Delhi. The fire that broke out in the early hours of Tuesday on the building's first floor quickly traveled upwards and turned the hotel into a death trap — a majority of the victims died of suffocation. A little more than a year ago, in December 2017, 14 people were asphyxiated to death and more than 50 were injured when an inferno engulfed two restaurants in Mumbai's Kamala Mills area. In 2016, 19 critically ill patients were consumed by a fire in a private hospital in Bhubaneswar. In 2010, nine people lost their lives to a fire in a multi-storeyed commercial complex in Bengaluru. In all these tragedies, one point is stark — fire-preparedness is a matter of shockingly low priority in most parts of the country.

Part Four of the National Building Code, which runs into more than 80 pages, has detailed directions on how to prevent fire hazards. Many states, including Delhi, also have their own fire-safety rules. But the increasing number of accidents invites serious questions about the processes of certification. In most parts of the country, a fire-safety inspection is, at best, a once-in-a-few-years affair. This means that after obtaining a licence, owners of shops, restaurants and other private buildings make changes in the sanctioned layout plans that very often compromise the fire-preparedness of their premises. This seems to have happened at the Delhi hotel. By all accounts, renovations undertaken in the hotel, after it received a no-objection certificate from the fire department in 2017, came in the way of evacuating the trapped guests. Moreover, its emergency exit was blocked when the fire broke out. The fire escape of the Kamala Mills restaurant complex in Bombay was similarly rendered dysfunctional by construction in defiance of safety regulations. The Bengaluru tragedy, too, could have been averted had the corridors leading to staircases not been encroached upon and the fire exits had been kept open.

The FICCI-Pinkerton "India Risk Survey 2018", draws attention to the "under-equipped fire services in the country". A Union Ministry of Home Affairs-sponsored study in the same year came to the same conclusion. It found that of the 8,550 fire stations needed in the country, a little more than 2,000 are in place — a shortage of about 65 per cent. Urban areas alone require an additional 4,200 fire stations just to meet the minimum standard for response time, the study revealed. These areas will continue to be tinderboxes, waiting to explode, unless this shortfall is addressed and the country's urban authorities have robust mechanisms to enforce fire safety regulations.

IT TAKES ONE

Jignesh Mevani has been turned away from a campus in Gujarat. But its principal, his deputy stands up for a besieged ethos

THE IN-CHARGE PRINCIPAL and vice-principal of the noted HK Arts College in Ahmedabad, run by the Brahmachari Wadi Trust, have followed their conscience and resigned after the institution was prevented from hosting an alumnus and independent MLA, Jignesh Mevani, at an annual event. Allegedly, there was pressure from students linked to the BJP, forcing the hand of the trust. However, given the stature of the institution, whose mission statement includes, "To set high ethical standards and create a promising generation for society," more resilience could have been reasonably expected. The college has always had an open and liberal ethos, and had taken part in the Navnirman Andolan of 1973-74, an extraordinary public movement which had brought down the government of Chimanbhai Patel. In fact, the Yog Nagrik Samiti, which provided intellectual heft to the movement, was based in the college and included several teachers. The trust was inaugurated by Sarvepalli Radhakrishnan and the noted poet Dalpatram served as its first secretary. At present, the trustees include the influential architect, Balkrishna Doshi, the author and editor, Kumarpal Desai, and the novelist and poet, Raghuveer Chaudhari. A Jnanpith awardee, he has also taught at the college.

For organisations with such solidly independent credentials to cave in to a mere threat speaks of institutional failure. Even if a section of students had threatened disruption, the management could have invited them for a discussion, or called in the police to keep the peace. As vice-principal Mohanbhai Parmar has pointed out, the annual function of the college has been graced earlier by dignitaries like Narendra Modi, the former minister of state for women and child development, Maya Kodnani, and former Assembly speaker Ashok Bhatt. With this history, the refusal to host Mevani, who has been a thorn in the side of the BJP, amounts to muting opinion and betrays either bias or fear. Neither redounds to the credit of the organisations involved. Hemantkumar Shah, the principal who has bowed out, has gone to the extent of calling it the murder of democracy.

Institutions of higher education have been under attack in recent years, and some have stood firm. But the spine of an institution is the people it consists of. If they fail to stand up for their independence, the institution can only drift or founder. HK Arts College and the trust may wish to reconsider, and reclaim their heritage of free thought.

AD-BREAK ACADEMY

It is the camera and the editor that form the essence of cinema. This year's Oscars shouldn't need reminding of that fact

IN THE HISTORY of cinema," tweeted Alfonso Cuarón, who is nominated in the Best Director category at this year's Oscars for *Roma*, "masterpieces have existed without sound, a story, without actors and without music". But no film can be made without an editor and a cinematographer. To most cinephiles, this is hardly a revelation. Yet, the Academy of Motion Picture Arts and Sciences needed reminding that both the art and science of film-making is made possible more by those behind the camera, in editing rooms, at make-up chairs, hunched over a computer creating visual extravaganzas from binaries of zeroes and ones, than by the few faces that grab eyeballs and advertising dollars.

The Academy's decision to present the awards for cinematography, editing and two other categories during the commercial breaks at this year's awards has drawn the ire of film-makers in the US and beyond. Most people in that industry likely understand, like Cuarón, that it is in the interplay between the movements of the camera and amputations of the editing room floor that the essence of their art lies. The camera breathes, rises, goes high and low or fast and slow, it is mounted and dismounted, goes in close, over-the-shoulder and often, even takes God's view. The editor cuts, replaces, reuses — creatively — to hold the vision together. Film-makers talk in metaphors about their craft, and the most expressive ones aren't reserved for the stars, because it is the camera that provides perspective, the editor who makes it a narrative.

The Academy's justification for the removal of these categories from the Oscars 2019 broadcast is, unsurprisingly, commercial. The bloated length of the awards' show has been cited as one of the reasons for the declining audience. Perhaps the Academy is on its way to shunning the pretence that Hollywood can view cinema beyond the prism of profit. But some hypocrisies, if that's what honouring the essence of cinema has become, are worth maintaining. Sometimes hypocrisy is indeed the only homage vice can pay to virtue.



AVIJIT PATHAK

Education is essentially war. It is devoid of joy and humour, creative play and aesthetic celebration

Should the child be blamed for not having learnt the problems of algebra before coming into the world?

Rabindranath Tagore

AS THE BOARD examinations approach, and the dialectic of "success" and "failure" begins to haunt young learners and their anxiety-ridden parents, we realise once again that the pattern of education we have normalised is inherently pathological. The creation of a violent/hierarchical/schooled consciousness seems to be its latent function.

Even though an empathic look at the educational ideals of Rabindranath Tagore, Sri Aurobindo and J Krishnamurti would suggest that there is no dearth of critical and creative thinking on liberating pedagogy, we dislike experimentation and new possibilities, and make a superficial distinction between "pragmatism" and "idealism".

No wonder, we have become used to the routinisation of the practice of glorifying the "success stories" of the "toppers", and, at the same time, inviting the psychiatrists on television channels to reflect on the "suicide narratives" of those who could not bear the stigma of "failure". And meanwhile, everything would function as usual — the practice of "black education" would flourish in coaching centres, the publishers of "guide books" would make a lot of money, and school principals heavily burdened with the "ranking" of their schools would alert insecure parents of "problematic" children that in the age of inflated "cut off points" for admission in "branded" colleges, the future is bleak without 99 per cent in English, or 100 per cent in Physics.

Why is it so? There are three reasons I would emphasise. First, here is a system that closes the mind of the young learner, and abhors the desirability of making meaningful choices relating to academic quest and vocation. How are choices possible if schools —

While the "successful warriors" join the IITs and colleges like LSR, Presidency and Stephen's, those who are not so lucky — or, deprived of the kind of cultural capital needed to survive — would be compelled to realise that it is painful to be young, wounded and stigmatised. No, there is no peace in this system, even if schools hire counsellors, invite motivational speakers, and ask children to read self-help books in their 'relaxed' times.

possibly, because of the age of techno-science and commerce that we live in — have already hierarchised knowledge traditions: Science or economics for the "intelligent" ones, and humanities for the "leftovers"?

Or does the child ever get the space to contemplate on her own inclinations and aptitudes at a time when peer pressure negates self-reflection and generates a crowd mentality, or when struggling parents — guided by the longing for upward social mobility — have already decided that she has to pass through the most travelled "Aakash/Fitjee/IIT" highway, and all other paths are "risky" and "impractical", particularly in a society like ours traumatised by an acute sense of scarcity? Moreover, we have promoted a strange classification of academic disciplines. It is impossible for one to opt for, say, Physics, History and Music. It is taken for granted that if you have interest in literature, you cannot be equally inclined towards statistics. In other words, we decide the fate of our children so early. Not surprisingly, then, schooling prepares the ground for an alienated existence.

Second, here is a system obsessed with the quantification of knowledge and evaluation. With the burden of information, examinations as ceremonies of power, and a reckless process of measuring even one's "happiness" and "moral quotient", schools have robbed the practice of education of the ecstasy of social awakening, scientific reasoning and poetic imagination. A careful look at weekly tests, classroom transactions and summer projects would suggest that the system asks a young child to become what Prime Minister Narendra Modi (in his role as an instantaneous "educationist") loves to celebrate as an "exam-warrior".

Be a strategist; acquire the technique of memorising the bullet points; and reduce everything — be it a poem by Kamala Das, a narrative on Partition and "the challenges be-

fore the newly independent nation", or a trigonometric equation — into a typical CBSE puzzle to be solved for securing good marks. It is essentially war. It is devoid of joy and humour, and creative play and aesthetic celebration. While the "successful warriors" join the IITs and colleges like LSR, Presidency and Stephen's, those who are not so lucky — or, deprived of the kind of cultural capital needed to survive — would be compelled to realise that it is painful to be young, wounded and stigmatised. No, there is no peace in this system, even if schools hire counsellors, invite motivational speakers, and ask children to read self-help books in their "relaxed" times.

And third, as the lifeworld gets increasingly colonised by the market, "success" is equated with a purely instrumental orientation to life, and the virtues of the doctrine of the "survival of the fittest" are celebrated with all sorts of media simulations. Education becomes merely a "performance" — a packaged good for sale. A teacher becomes merely a "subject expert" or a "skill-provider". There is no communion that Martin Buber longed for; there is no sunset that Jidu Krishnamurti wanted children to look at; and there is no union of the "physical, vital, mental and psychic" that Sri Aurobindo imagined. What prevails is only a standardised scale of measurement intoxicated with the urge to eliminate innumerable young minds and throw them into the dustbin of a "meritocratic" universe. And our exam-centric education sanctifies it.

Well, children, even though I convey my best wishes for your board exams, I have no hesitation in saying that as adults, teachers and policy-makers we have betrayed you. Like TS Eliot, I too would admit that we have lost knowledge in information, and wisdom in knowledge.

The writer is professor of sociology at JNU



APOORVANAND

RAJMOHAN GANDHI WISHES us to rebuild India, return it to some civility, and restore Hindu-Muslim relations. And he feels that unless the Ram temple issue is resolved, we cannot achieve this ('A new temple, a new mosque', IE, February 6).

Like a festering wound, it has not let the nation be at peace for decades. He also treats it like a dispute, which has two competing parties and suggests that under the direction of the Supreme Court, the two can strike a compromise. The Hindu desire to see a magnificent Ram temple at the very site of the Babri masjid should be recognised by the Muslim side and it should cede ground for that. The Hindu side needs to acknowledge the "error" of demolition of the mosque and allow a masjid to come up "not too close" and yet "not too far" from the site.

Rajmohan Gandhi is not wrong when he says that for peace, some negotiation is required. We must compromise for peace, even if it means giving up justice to an extent. Should the Muslim side be so obstinate as to fail to admit a Hindu desire for a Ram temple at his birth place? Would the Hindus not be sagacious enough to allow a masjid at a place not far from the newly-constructed temple? But the question is: Who represents the Hindu side — is it the Nirmohi Akhara or the Hindu Mahasabha? Or, is it the Vishwa Hindu Parishad, RSS and the BJP?

The years following the demolition of the Babri masjid have made it clear that the driving force behind the Ram Janmabhoomi campaign was political, couched in the language of the holy. It was admitted by the leader of the campaign, Lal Krishna Advani himself, that it was a political movement. So, it should be

A ROTTEN COMPROMISE

Impasse in Babri masjid case is better than ceding ground to a radical evil

clear that it is not a Hindu desire but a political design using the Hindu as a cover.

Also, the symbolism behind the act of the demolition of the mosque cannot be missed. It was, essentially, an act of war against Muslims in which the Hindu might prevailed. The conceit and treachery of the act was justified by the Hindu maxim of achieving your objective: "Sama Dama Danda Bheda". But even before that, the act of making a living mosque dead had many conspirators including the first chief minister of Uttar Pradesh, Govind Ballabh Pant. He was emboldened by the support from Sardar Patel who thwarted all moves by Jawaharlal Nehru to get the mosque restored to its original use by removing the idols placed in the mosque surreptitiously.

The story of Babri masjid, therefore, has to be a narrative comprising a series of compromises: By the state with the marauders, in the name of peace. It begins with the smuggling of the idols into the mosque in 1949 and continues till the permission of the Supreme Court was acquired for the gathering of lakhs of Hindus at the site of the mosque to do a symbolic kar seva.

A compromise for peace is justified. But, as Avishai Margalit warns us in his book, *On Compromise and Rotten Compromises*, we need to avoid rotten political compromises at all costs. We can easily see that the compromises done by the state have not led to any lasting peace, nor eased the pain caused to Muslims. The biggest rotten compromise involved the executive and the courts, which reduced the Muslims to helpless onlookers and targets of cruelty and humiliation. We also know that without 1992, 2002 would not

have happened. By then, all atrocities against Muslims were treated as part of the protracted war on behalf of Ram against those who had forced him out of his birthplace.

The continuous erasure of all "Muslim" influences, seen in the changing of names of Aurangzeb Road, Mughal Sarai and Allahabad is only a continuation of that war. It would be naïve to treat the Ram temple issue in isolation of what had happened before it and what continues after that.

A good compromise is one in which the stronger side recognises the weaker and gives a concession. A rotten compromise is one which makes subjugation, humiliation and cruelty towards the conceding side a permanent fixture.

To give in to the demand of a temple at that very spot would be a rotten compromise. Not only because of the rotten nature of its content, but also because it would mean compromising with a radical evil. Muslims recognise the radical nature of this evil which even well-intentioned souls like Rajmohan Gandhi tend to ignore, even if for the sake of peace.

The forces of this radical evil have made their intentions clear repeatedly — that the Ram temple is only a step towards establishing a majoritarian regime in India. To enter into an agreement with them would be to compromise the ethical foundations of what we know as the idea of India as a secular republic.

A stand-off or an impasse is better than this desperate rotten compromise, because that would mean that the evil can still be resisted.

The writer teaches Hindi at Delhi University



FEBRUARY 14, 1979, FORTY YEARS AGO

RIGHTING HISTORY
THE QUESTION OF how books on Indian history should be written — discussed at the just concluded seminar held by the Indian History and Culture Society in the capital — has divided Indian historians into two sharply defined groups. One group wants only the established facts to be mentioned in the books, the other would like even unestablished facts to be discussed and interpreted if necessary. The debate assumed considerable importance following the decision of the Central government in mid-1977 to have some controversial history books, written for school children, examined by experts. One of the books examined was *Ancient India* by RS Sharma.

FORCE TO BEGET FORCE
CHIEF MINISTER SHEIKH Abdullah today said in Jammu that he would not enter into a dialogue with the Jammu agitators, who had no "justifiable" demand, but would "meet force with force." Talking to newsmen after returning from his visits to Andhra, Bombay and Delhi, the Kashmir leader talked angrily for one hour and thirty minutes, and accused Dr Karan Singh, former Union Health Minister of "setting Jammu ablaze." The Sheikh dismissed the allegation of leaders of Jammu that there was imbalance in the development of the three regions. "I have known people here for fifty years. I know what they want. They want

Kashmir treated as they have been in the Maharaja's time."

COLONIAL TESTS
THE BRITISH GOVERNMENT has apologised for the virginity tests an Indian woman was compelled to undergo at Heathrow airport recently and has given an assurance that no such tests will be carried out in future. The British Deputy High Commissioner, M K Evans, called at the Ministry of External Affairs in New Delhi today to hand to the acting Foreign Secretary, US Bajpai, a copy of a letter of apology to the Indian High Commissioner in London. Evans added his personal expression of regret.

15 THE IDEAS PAGE

The chief statistician replies

Government has high regard for National Statistical Commission. It is unfortunate its members quit



PRAVIN SRIVASTAVA

THIS IS IN response to the article, 'Because data is a public good' by P C Mohanan, former head of the National Statistical Commission (IE, February 12).

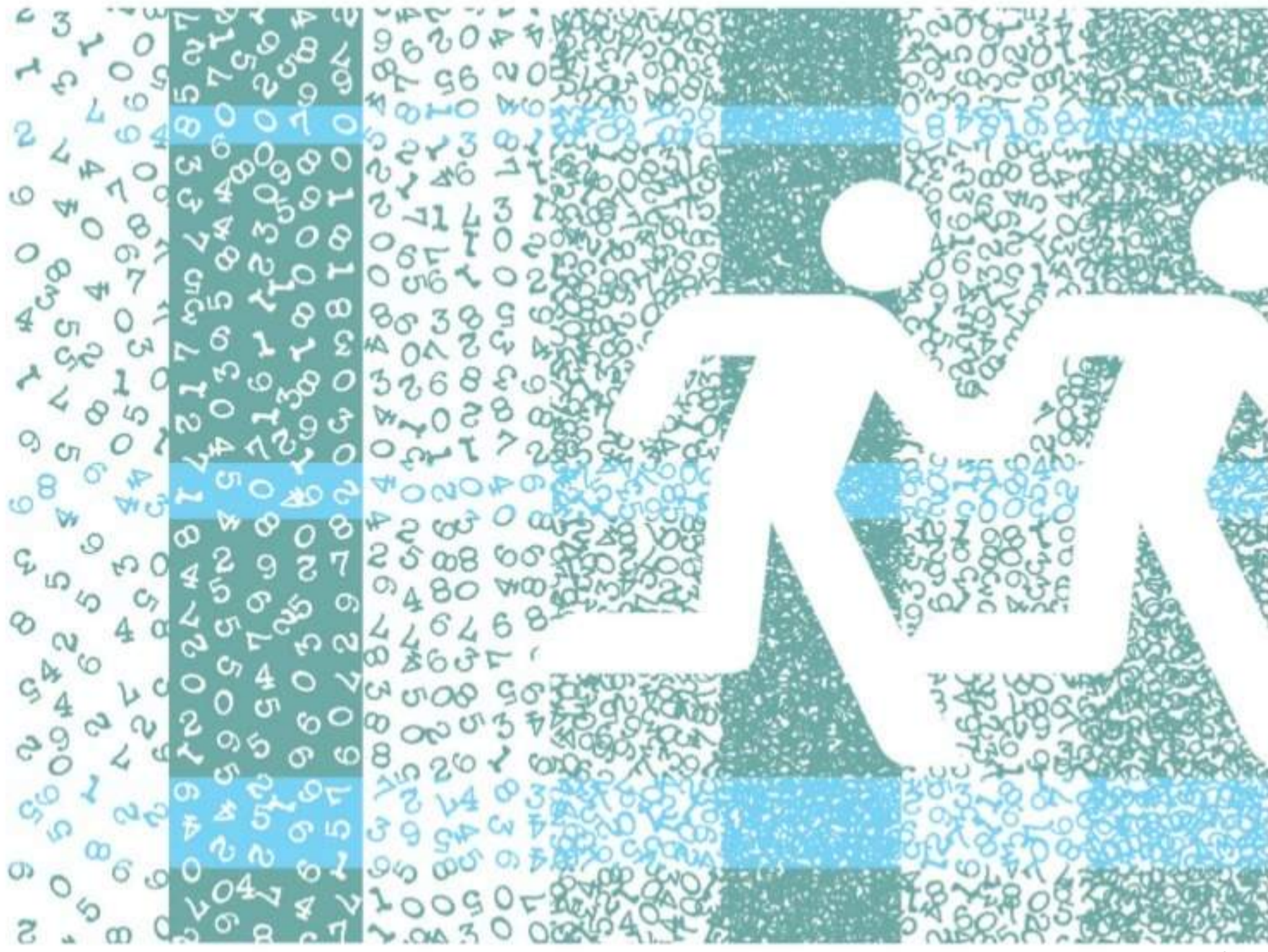
The United Nations General Assembly adopted the Fundamental Principles of Official Statistics (FPOS) in January 2014. This adoption was the culmination of the efforts of international agencies and member countries to ensure and secure the autonomy and independence of their statistical systems to produce appropriate and reliable data that adhered to certain professional and scientific standards. In the Indian context, there have been a series of committees constituted in the past to improve the functioning of the national statistical system. The Government of India also adopted the UN FPOS in May 2016.

The importance of the statistical system became more prominent when the government constituted the National Statistical Commission under the chairpersonship of C Rangarajan, former governor of the RBI and the then governor of Andhra Pradesh, which submitted its detailed report in 2001. The Rangarajan Commission went into great detail on the data gaps and infrastructure constraints of the national statistical system both at the central and the state government level.

In pursuance of the recommendations, the government formally constituted the National Statistical Commission (NSC) in 2005 as a regular institution with a mandate to evolve policies, priorities and standards in statistical matters. The NSC comprises a chairman and five members along with one ex-officio member [CEO, NITI Aayog (erstwhile Planning Commission)] and the chief statistician and secretary, Ministry of Statistics & Programme Implementation (MoSPI) who also serves as secretary to the NSC. The chairman and members of the NSC are leading experts in their respective fields of statistics, economics, demography, etc. They are selected by a committee constituted by the government.

The NSC had been constituted through an executive decision of the government and to this extent, its decisions are recommendatory in nature. The issue of quorum is also a matter of concern. In the first address by the current chief statistician of India to the NSC after taking charge, the issue of a code of professional ethics was raised. The same is being drafted for use by various committees constituted by the NSC as well as the NSC itself, so that the independence and autonomy of the national statistical system is protected. The NSC has a much larger ambit and remit in terms of improving the national statistical system. The draft National Policy on Official Statistics was a step in this direction to strengthen various pillars of the national statistical system and is being finalised.

The NSC has been giving strategic directions to the national statistical system at the central and state level from time to time. The recommendations of the NSC have always been accorded the highest regard by the government and its valued advice has always been implemented in the true spirit



C R Sasikumar

of the recommendations. The national statistical system functions under the overall guidance and strategic directions of the NSC and works within the ambit of its given infrastructure and resources. Over a period of time, there has been an increasing demand on the statistical system for production of relevant and quality statistics through its publications, survey reports, and administrative sources. The ministry has been striving to accommodate these demands given the available resources. Looking at the gaps in various sectors, in 2017-18, the ministry had sought additional resources to undertake several new activities like the Economic Census of Establishments, Annual Survey of Services Sector Establishments, Annual Survey of Unincorporated Sector, National Data Warehouse on Official Statistics and so on. The ministry has also initiated processes for introducing new technological interventions in the data collection process as well as in bringing out its analytical reports.

Considering the fact that statistical data collected from the households and establishments require skilled and trained manpower, and since recruitment, training and deployment of manpower cannot be done overnight, the ministry had initiated an exercise for recruiting people on a contractual basis for undertaking the fieldwork of data collection. The contractual manpower was rigorously trained before being deployed in the field. In addition, for the first time, the NSS took up data collection through tablets under the Computer Aided Personal Interview (CAPI) interface. All these new interventions in the surveys required constant oversight of the various components of the data life cycle and finalisation of reports.

Now, when the ministry had embarked upon new activities with the full support and guidance of the NSC, it was rather unfortunate to learn that two of the remaining non-official members had resigned from their posts, making the Commission de-

funct. The members had met the CSI on January 23 to discuss several issues and had even fixed a meeting of the NSC for February 4. The ministry was thus surprised to learn that the members had submitted their resignations on January 28, for various reasons which could have been discussed in the already scheduled meeting of February 4. There are, in fact, various fora available in the official channel to raise any concerns. It is rather unfortunate that the members, instead of taking up the responsibility of working closely with the national statistical system to improve it, resigned and abstained from their responsibilities. In so far as the Periodic Labour Force Survey (PLFS) is concerned, it is a new survey undertaken by the ministry. Whenever new changes are incorporated in the system, it is important to analyse the process, results and comparability with similar initiatives either in the past or by other collateral data sources.

The NSS had also introduced several new interventions like the use of hand-held devices, rotational panel samples and changes in the criteria of selection of households. The draft report was discussed in detail at the meeting of the NSC on December 5. However, it was felt that the quarterly results may also be processed so that an idea about the results and other parameters could be ascertained. Strictly speaking, the PLFS survey design and the earlier Employment and Unemployment Survey, which were conducted along with the Household Consumption and Expenditure Survey, are not comparable in view of the methodological differences itself. The government has thus decided to refer the matter to the Standing Committee on Labour Force Statistics to examine and ascertain the impact of these changes holistically.

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The writer is secretary, Ministry of Statistics and Programme Implementation, and chief statistician to the Government of India

WHAT THE OTHERS SAY

"China has sought for years to assimilate the Muslim Uighur population into the majority Han Chinese, partially by flooding Xinjiang province with migrants from elsewhere." — THE WASHINGTON POST

Begging the question

Defining and counting beggars, vagrants and religious mendicants remains a conundrum



BIBEK DEBROY

AN UNSTARRED QUESTION on beggary was answered in the Lok Sabha on March 8, 2016, by the minister of state for social justice and empowerment. According to Census 2011, the total number of beggars and vagrants in India is 4,13,670 — 2,21,673 males and 1,91,997 females. State-wise, with an aggregate of 81,244, West Bengal leads by a considerable margin, followed by Uttar Pradesh. These numbers differ slightly from the figures given in the Ministry of Social Justice and Empowerment's 'Handbook on Social Welfare Statistics' (January 2016). The handbook has two sets of numbers from two separate sources — Census 2011 and SECC, 2011 (rural). From Census 2011, there are 3,72,217 beggars and vagrants in India, 1,97,725 males and 1,74,492 females.

What is a vagrant and why do we still use such a term? Several states have anti-beggary legislation — Andhra Pradesh, Assam, Bihar, Chhattisgarh, Goa, Gujarat, Haryana, Himachal Pradesh, Jammu & Kashmir, Jharkhand, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Punjab, Sikkim, Tamil Nadu, Uttar Pradesh, Uttarakhand, West Bengal and Delhi. There can be an entirely legitimate debate about the working and refinement of this anti-beggary legislation, but that's not the focus of this column. The word "vagrant" is a colonial legacy from the English poor laws, reflective of the belief that able-bodied poor must be made to compulsorily work and not laze around.

England had a Vagabonds and Beggars Act in 1494. This went through several versions and eventually became the Vagrants Act 1824. We still carry vestigial legacies of such notions in sections of the CrPC (Criminal Procedure Code). What is the difference between a vagrant and a beggar? A vagrant has no fixed abode and wanders around. Is a vagrant a beggar who roams around? Is a non-beggar who roams around a vagrant? By that definition, a religious mendicant is a vagrant. These are legal issues and can be only pinned down through a piece of legislation. In that list of state-specific legislation, all but two mention beggary, not vagrancy.

The two that mention vagrancy are the Bengal Vagrancy Act (1943) and Cochin Vagrancy Act (1945), applicable to some parts of Kerala. For West Bengal, "Vagrant means a person found asking for alms in any public place, or wandering about or remaining in any public place in such condition or manner as makes it likely that such person exists by asking for alms but does not include a person collecting money or asking for food or gifts for a prescribed purpose." Cochin has similar provisions. As I said, though the legislation may be directed against beggary, itinerant or stationary, it

seems to legally cover religious mendicants.

As everyone knows, a kumbh is under way in Prayagraj. When I visited the kumbh, I was told 1,00,000 sadhus had temporarily set up abode there. How does one know the number? I didn't get a satisfactory answer. I can understand some sanctity associated with the figure if the sadhu is a member of one of the recognised akhadas. But not every sadhu is a member of an akhada.

Broadening the question, how many sadhus/sannyasis are there in India? Broadening it even further, how many religious mendicants (irrespective of religion) are there? Typically, censuses should give answers. Indeed, pre-independence censuses did collect such figures. For example, in 1911, there were 9,79,293 fakirs, 8,14,365 yogis and 6,98,036 mendicants. Unless I have missed something, censuses today don't collect these numbers. Take the household Census 2011 schedule, which is focused on main workers and marginal workers, with few questions for non-workers. If I am a non-worker, I tick one of several options. I can say "beggar", or I can say "other". Since "other" isn't disaggregated further, I think the census should simply say "beggar" and not "beggar and vagrant".

To return to the question of religious mendicants, what happens? There is no household to be visited. How do I get numbers, if at all? There have been cases where courts have barred sanyasis from getting involved in property disputes. If you have become a sanyasi, you have severed all links with this world, including property rights. So runs the argument. At kumbh, my wife asked a Naga sanyasi about the watch he was wearing. That answer isn't important. More importantly, he unhappily complained that thanks to being the head of an akhada, he now had to open a bank account (for the akhada) and, therefore, get an Aadhaar number, against the principles of sanyasa.

Thus, sanyasis have started to get legal identities. Do they have census identities? The ministry's handbook also provides figures from SECC (rural). The heading isn't "beggars and vagrants". It is "households engaged in begging, charity and alms collection", which seems to be a broader category. The SECC question is also fairly broad. It asks about the main source of household income and has a possible response of begging/charity/alms collection. We are given a figure of 6,68,479 households in rural India. For rural India, Census 2011 gives a figure of 2,36,850 individuals. Though they belong to the same year, there are several reasons why one can't directly compare the census with the SECC. In any event, both use the household as a unit and religious mendicants are outside this unit.

Hence, I think we had better numbers for religious mendicants in 1911 than in 2011, or 2019. If you are asked for a figure, say 2.5 lakhs. That was roughly the figure in 1911. With a 2.5 lakh base, one lakh at the kumbh is plausible.

The writer is chairman, Economic Advisory Council to the PM. Views are personal

LETTERS TO THE EDITOR

AUTOCRATIC DANGER

THIS REFERS TO the article, 'Because data is a public good' (IE, February 12). The resignations of the National Statistical Organisation chief, RBI governor and other heads of top institutions are a testimony to the autocratic manner in which the present government has been functioning. While the previous UPA government was chiefly accused of being corrupt, this government has breached the trust of people by providing false data and information repeatedly. It has bruised the democratic character of the country, which is much more dangerous than being corrupt.

Ravdeep Singh Hundal, Ferozpur

IRAN, A ROLE MODEL

THIS REFERS TO the article, 'The young are talking back' (IE, February 12). The writer appears to have a bias against the Islamic Republic of Iran. The youth of Iran is as interested in velayat-e-fiqh as the clergy. Iran is a role model for the Islamic world. In fact, the Arab spring was inspired by the Islamic Revolution. The writer seems to ignore the influence of Iran in West Asia. The manner in which Iran neutralised the Islamic State in Syria is an example of what it has achieved as a result of the Islamic Revolution.

Iftikhar Hussain, Jammu.

LEVERAGE MARKETS

THIS REFERS TO the editorial, 'Jack in the box' (IE, February 12). The Parliamentary Standing Committee on Information Technology is trying, in vain, to put the genie back in the bottle. The tide of technology is such that bans and restrictions are never truly enforced.

The writer is Minister of Water Resources, Federal Republic of Nigeria



SULEIMAN H ADAMU

Swachh Nigeria

Swachh Bharat Mission is an inspiring model for eradicating open defecation

NIGERIA IS A country of great people with an estimated population of 191 million as of 2018. Located in Sub-Saharan Africa, it is a large country with tremendous natural and human resources. However, Nigeria faces a critical challenge in its Water, Sanitation and Hygiene (WASH) sector. While it has made significant progress in national access to improved water supply from 40 per cent in 1990 to 69 per cent in 2015, there was a great decline in access to piped water on premises from 32 per cent in 1990 to 7 per cent in 2015 in urban areas. The national access to basic sanitation stands at a low level of 33 per cent, with an estimated 47 million persons practising open defecation, the second-highest globally.

During the Millennium Development Goals (MDGs) era, the country made several efforts towards improving access to sanitation. These include the adoption of the Community-Led Total Sanitation (CLTS) approach to scale up sanitation in rural areas. National and sub-national specific roadmaps were also developed towards the close of the MDGs era for the elimination of open defecation in the country by 2025. The operationalisation of the roadmaps across the country was, however, slow and inconsistent. A new programme, Partnership for Expanded Water Supply, Sanitation and Hygiene (PE-WASH) was developed in 2016 to improve the situation and bring sector actors together. Nigeria and India share similarities, which

include a large population, decentralised government structure and WASH challenges. Both countries have been at the top of the global open defecation ladder. India's on-going Swachh Bharat Mission (SBM) has led to a reduction in the number of people practising open defecation and it is on its way to becoming Open Defecation Free by 2019. This has greatly challenged Nigeria as it is set to become the next global leader in practising open defecation once India meets her target.

Nigeria prides herself on a number of achievements and triumphs globally. But the trophy for open defecation is not one we are looking forward to having. The success of the SBM is an inspiring model for Nigeria and plans were already being made for a Nigeria mission to India when I received an invitation to the Mahatma Gandhi International Sanitation Conference (MGISC), in October 2018.

My participation at the MGISC was truly inspiring. It afforded an opportunity to interact with delegates from across the world and provided a platform for me to share Nigeria's modest effort at financing rural sanitation. Most importantly, I was able to get the real feel of SBM and how it has dramatically changed India's sanitation story within so short a time. I was awed and sold.

Since my assumption as Nigeria's Minister for Water Resources in 2015, I had wanted an initiative that would create a mass move-

ment, with every citizen effectively mobilised for action towards achieving the Sustainable Development Goals (SDGs) 6.1 and 6.2 on water and sanitation. While our ODF roadmap indicated rolling out a campaign at the national and sub-national level, a clear-cut strategy for carrying this out was not in place. My ministry, in collaboration with our development partners, has been in the process of developing this strategy. A special unit within the ministry was created for this purpose.

From the MGISC, I have come to the realisation that focusing on such a high priority programme in mission mode will make the campaign more effective and efficient. The Nigeria ODF campaign is now being remodelled after the SBM. Soon, a mission comprising officials at national and sub-national levels will be understudying their India colleagues during a week-long technical visit on how best to adapt SBM to the Nigerian context. I expect there will be more of such interactions.

Like India, Nigeria has been able to demonstrate a high-level political will for the WASH sector. In November 2018, President Muhammadu Buhari declared a state of emergency and launched a new National Action Plan for the sector. The plan has five components — governance, sustainability, sanitation, funding and financing and monitoring and evaluation. It proposes an 18-month emergency phase, five-year recovery

phase and 13-year revitalisation strategy for the sector. It also proposes the establishment of a National WASH Fund to incentivise reform and infrastructure revitalisation.

The SDGs for water and sanitation are quite ambitious compared to the MDGs. The cross-cutting nature of water and sanitation means that they directly and indirectly impact the achievement of the other SDGs. The huge population of India hitherto practising open defecation, which has been drastically reduced through the Swachh Bharat Mission, will contribute significantly to the attainment of SDG 6 globally.

SBM stands to inspire other countries, as it has done mine, and is a testimony to the global community that the SDG targets are achievable provided there is strong political resolve, the strategy is appropriate, resources are adequately deployed and the population is sufficiently mobilised.

Looking ahead, it is my hope that following India's example, Nigeria will not only be able to end the practice of open defecation among her populace, but will also become the next shining example to countries in the African region and across the world. It is my desire that the bilateral relationship between Nigeria and India will be strengthened as we collectively eradicate open defecation.

The writer is Minister of Water Resources, Federal Republic of Nigeria

cable on the internet. Social media companies like all multinationals — perhaps even more so — are unlikely to be bound by the laws and requests of national legislatures. What India must leverage with entities like Twitter, and more importantly Facebook and Google, is the vast size of its markets. This is the country's greatest asset, and gives it bargaining power. But such a negotiation also needs a mature political leadership that will genuinely keep the best interests of the public in mind, and make sure that platforms are neutral. That seems unlikely given that social media platforms are key to aggrandising the image of particular leaders, as well as political campaigns.

Bishwadeep Chatterjee, via email

Why we must show restraint

Does holding elections alone constitute democracy? Or is there a crying need for deeper structural reform?



WITHOUT CONTEMPT

SOMASEKHAR SUNDARESAN

The Republic is witnessing unprecedented scenes of political and constitutional conflict — not unexpected considering that the national elections are fast approaching. However, if one particular trend stands out across constitutional institutions, it is the abiding theme of how institutions under the Constitution are far from exer-

cising restraint.

Conflicts between agencies and institutions with varying constitutional roles is not at all a bad thing. In fact, such conflicts inherently give rise to the political check and balance that the Constitution envisages. Which is why those who hold forth on how institutions must work with one another and avoid conflict do not get the critical value that such conflict brings about. When a state government stands up to the investigating agencies from the Centre, it is not necessarily a bad thing. When the central investigating agency approaches the Supreme Court to intervene, it is a great development — the right forum to resolve the issue is indeed considered worthy of being approached for an unbiased intervention.

Yet, it is important to remember that a perpetual state of conflict is not a good thing. Inter-institutional conflict that arises out of an institution playing its envisaged role is great, but conflict aris-

ing out of an institution that is abusing its role is not good at all. Indeed, one can have serious disputes about whether there is abuse at all, and often constitutional courts have to resolve the dispute.

A vital facet of managing conflict in a statesmanlike and mature manner is the exercise of restraint by institutions and those at the helm of the affairs. Look around and you may find a near absence of restraint in the conduct of affairs. The absence of restraint can be seen from so many examples.

When the founding fathers desired that the view of the Speaker in Parliament certifying that a draft legislation is a "money bill" should be regarded as final, they believed that a person worthy of holding high office would exercise the restraint necessary to decide that the Rajya Sabha need not debate the law. History has shown us that this faith lies belied.

When the Republic was founded as a true democracy and yet internal democ-

ocracy was suspended for members of the armed forces, inherent in the structure was a belief that the leadership in the armed forces would build an inherent system of restraint in how this protection would be used. Yet, the system of orderlies (now termed "sahayaks", bordering on slavery) continues with impunity.

When the army was indeed made subservient to the democratically elected government, the expectation indeed was that the leadership would exercise restraint and stick to its turf. Indeed, the leader of the army is in the news every other day, not for being the window for civilian society to peek into the armed forces, but mouthing opinions on matters ranging from social trends to foreign relations.

When governors were empowered to invite a political party or a coalition to form government, or when they were empowered to declare upon a broken state of affairs to warrant recommending President's rule to overthrow a democratically-elected state government, inherent in it was the belief that someone holding this high office would take decisions with restraint. This expectation stands belied through the history of the Republic.

When the power of judicial review was conferred upon constitutional

courts, inherent in it was the belief that judges would exercise restraint and never want to be IAS officers taking executive decisions that determine the fate of society and its members. When Article 142 empowered the apex court to issue any order it desires to render complete justice, never was it envisaged that the provision would create a unique jurisdiction to legislate, declare and enforce law — a mash-up of separate powers.

When Parliament empowered regulatory agencies to exercise legislative, executive and quasi-judicial roles all at once, inherent in it was the belief that those manning these institutions would exercise restraint in how they play out these roles in different spheres and that they would segregate these functions as a matter of internal discipline. This expectation stands belied uniformly.

As the Republic races headlong into election mode in its seventieth year of existence, it is time to introspect on whether holding elections alone constitutes democracy or if there is now a crying need for deep structural and architectural reform in the functioning of various institutions that collectively constitute our democratic Republic.

The author is an advocate and independent counsel. Tweets @SomasekharS

CHINESE WHISPERS

Opposition powerhouse

The Aam Aadmi Party (AAP) held a protest at New Delhi's Jantar Mantar on Wednesday. The dais had leaders from nearly all Opposition parties, and photographs of B R Ambedkar formed the backdrop. The AAP was born during the anti-corruption movement of 2011 when Anna Hazare began a hunger strike at Jantar Mantar with a life-sized picture of Bharatmata forming the backdrop. If that movement was against the Congress-led United Progressive Alliance (UPA), the protest on Wednesday saw senior leaders from Congress, Anand Sharma, and UPA constituents like Dravida Munnetra Kazhagam and Nationalist Congress Party align with other parties against the ruling Bharatiya Janata Party (BJP)-led National Democratic Alliance. Incidentally, the protest was held just outside the Janata Dal (United) national headquarters, which has kept vacillating between the BJP and Congress-led Opposition.

No love lost

The ghost of the Saradha chit fund scam continues to hound West Bengal Chief Minister Mamata Banerjee. After Congress' Bengal leader Adhir Ranjan Chowdhury attacked Banerjee's Trinamool Congress over the Saradha chit fund case in the Lok Sabha on Wednesday, Banerjee was left fuming. She refused to calm down even after Congress chairperson Sonia Gandhi reached out to her. "We will remember," she said. "We are accusing each other but we are friends," Sonia Gandhi told Banerjee.

From strength to strength



As Telangana Chief Minister K Chandrasekhar Rao (pictured) continues to dither on cabinet expansion, there is wild speculation in

the state about the possible dates. Earlier, there was some conjecture that an announcement was forthcoming on February 9/10, the day goddess Saraswati was to be worshipped. All hopes were dashed when there was no word from the chief minister even on the auspicious *ratha saptami*, which fell on Tuesday. Now there is talk of a possible cabinet expansion after February 15. According to planetary positions of Rao — he is a firm believer in astrology — a favourable planetary alignment post that date is expected to bestow more strength on him.

Reliance vs foreign e-commerce giants

Integrating retail and telecom, mobilising *kiranas*, plus regulatory advantages could make it a formidable force

SURAJEET DAS GUPTA

Late last month at a "Vibrant Gujarat" event Mukesh Ambani announced that Reliance Retail and his telecom venture Jio would collaborate to launch an e-commerce platform that would involve 12,00,000 small retailers in the state.

The announcement, which offered more detail on Reliance's e-commerce plans announced in July last year, marked a shrewd understanding of the politics of the business. The spectre of deep-pocketed foreign e-commerce giants wiping out the *kirana* community has long haunted the political establishment. Co-opting the *kirana* community, — Reliance aims to rope in 20 million *kiranas* and small retailers — to ensure last-mile delivery is not novel. Chinese giant Alibaba launched this model in 2015.

This is part of a larger plan to integrate the group's businesses into a structure that would own, as Ambani has long intended, a larger share of the consumer wallet. So Reliance will be mobilising Jio's 4G network and its specially designed Point of Sales (PoS)

machines to enable small retailers to take orders from consumers, get credit lines to expand their business, book orders from its warehouses, do inventory management, generate GST bills and become part of the organised retail network.

"No e-commerce model can work without the last-mile retail outlets being part of the chain, because it is not sustainable," said a source with knowledge of Reliance's strategy. "Global e-commerce players are spending over 23-24 per cent of their operating cost on delivery in India; the Reliance model reduces this to 6-7 per cent, providing a large arbitrage opportunity that would be passed on to customers," he added. Brands can benefit too — companies can leverage the data analytics on consumers and promote products accordingly.

Technopak, a retail consultancy, estimates that in 10 years merchandising (e-commerce and physical) will be a \$2 trillion business (currently \$750 billion), and Reliance could garner 5 per cent of this market.

The core of the e-commerce business is to create an ecosystem offering a bundle of services and products.



INDIA'S RETAIL MARKET: 2020

\$960 bn	\$115 bn	\$50 bn
Overall retail market	Organised brick and mortar retail	Online retail

Source: Bank of America Merrill Lynch

Amazon's value proposition has been subscriptions to Prime, which offers free delivery, video and music and shopping benefits at its offline retail offering Whole Foods (in India, it has taken the first steps by acquiring More). Similarly, China's Alibaba straddles e-commerce and physical stores under Hema and Ling Shou Tong, long-form video and a payments offering in Alipay.

But Reliance has a huge competitive edge in its telecom services business with 300 million customers who are using huge amounts of data, providing both a captive market and consumer

data. Jio is also putting in place a content offering — a bouquet of OTT channels, from music, movies, original programming plus a broadcasting channel — to provide more choices than Amazon Prime.

It has an unmatched physical retail business, with over 7,500 stores (plus 3,700 Jio touch points). Nearest competitor Future group has 11 million square feet of retail space against Reliance's 21 million. This means Reliance has the clout to negotiate prices with suppliers for its e-commerce, not to forget the cost advantage of integrated warehouse and supply chains.

"The question is whether anyone else can be Reliance of India. It has an unmatched physical retail presence which generates ₹35,000 crore a quarter with presence in multiple formats from the smallest stores to hypermarkets and in diverse categories from grocery, and consumer electronics to gold," says Arvind Singhal, chairman of Technopak.

Most significant of all is the favourable regulatory regime. Last year, on December 1, the commerce ministry passed rules stipulating that an entity in which an e-commerce company has a stake cannot sell on the same online platform, players cannot get into exclusive deals with sellers and also cannot stock

more than 25 per cent of their inventory from a single vendor. These rules do not apply to Indian companies, only those with foreign direct investment.

Does Reliance need such protection? Some say such mega-integration could lead to concentration of market power, which may not be customer-friendly. Others say competition rules will avert that possibility. They also argue that Reliance is being overly ambitious: Companies like Unilever and ITC took decades to build a relationship with small retailers, and even they have not reached these magic numbers.

Also unlike in telecom, where heavily indebted competitors conceded Jio a 26 per cent revenue market share, Amazon and Walmart have deep pockets. Amazon has a \$7 billion war-chest for India and Walmart did not have any problem rustling up \$16 billion to buy Flipkart. And if Amazon goes ahead with its planned strategic stake in Future group — it is reassessing this plan after the December 1 rules — with More retail and grab Spencer's, it will have a formidable physical retail presence. Amazon and Walmart could also tie up with competing telcos to leverage their mobile base, similar to what Airtel and Vodafone-Idea are doing in the OTT space. All of which suggests that Indian retail will be in for interesting times.

Autonomy of statistical agencies

In the concluding part, the authors say what is lost in discrediting the NSSO report is the story of change taking place in the economy and society



P C MOHANAN & ALOPE KAR

Fortunately for us, successive governments have made efforts to create institutions to safeguard the integrity and objectivity of official statistics and recognised official data as "public good". This government also notified in the Gazette the acceptance of a set of principles called the fundamental principles of official statistics that is accepted as the bedrock of an independent statistical system.

The first of the fundamental principles of official statistics notified by the government of India states that "Official statistics provide an indispensable element in the information system of a democratic society, serving the Government, the economy and the public with data about the economic, demographic, social and environmental situation. To this end, official statistics that meet the test of practical utility are to be compiled and made available on an impartial basis by official statistical agencies to honor citizens' entitlement to public information".

It was the Vajpayee government that recognised the importance of official statistics in a world that was getting integrated economically. Credible data was required not only for national governments but also sought by multilateral agencies for inter-country comparisons besides for investment decisions by private corporates. The Rangarajan Commission was appointed in January 2000 to critically evaluate the Indian statistical system and suggest measures to improve it. One of the follow-ups on the recommendations of Rangarajan Commission

report submitted in August 2001 was the setting up of the National Statistical Commission (NSC).

The National Sample Survey (NSS), initiated in the year 1950, as a nationwide, large-scale, continuous survey operation conducted in the form of successive rounds was established on the basis of a proposal from Professor PC Mahalanobis to fill up data gaps for socio-economic planning and policy-making through sample surveys. Initially, all aspects relating to the designing of surveys, processing of data and preparation of reports were entrusted to the Indian Statistical Institute (ISI). The then Directorate of NSS in the government of India had been responsible for carrying out the fieldwork in all areas except in the state of West Bengal and Bombay city, where the fieldwork was carried out by the ISI. All aspects of survey work were brought under a single umbrella by setting up the NSSO under the resolution dated March 5, 1970. Since its creation, the NSSO was functioning under the overall direction of a Governing Council with autonomy in the matter of collection, processing and publication of survey data, thus ensuring freedom from political and bureaucratic interference (Rangarajan Commission Report, para 14.2.30, emphasis added).

With the setting up of NSC as an independent apex body for the Indian Statistical System in 2006, the Governing Council was dissolved and all the responsibilities handled by the council was handed over to the NSC through a government notification. Since then the NSC has been overseeing the technical work of NSSO including the approval of all survey reports with the director general of NSSO responsible for the dissemination of survey reports.

It is this scheme of things that ensured the credibility and independence of the Indian Statistical System now being disturbed by the claim that the NSSO reports approved by the NSC requires further government "approvals" before it is released to the public. The NSSO has been the most transparent organisation anywhere in

the world, where independent experts outside the government are actively involved in all stages of survey work. The ministry of statistics was the first to come out with a policy on data dissemination in 1999 that ensured the researchers access to the micro data collected in NSSO surveys at a nominal charge. This was much before the Right to Information Act and the National Data Sharing and Accessibility Policy covering all kinds of government data. The vast number of research papers that followed this unrestricted access to basic survey data is a testimony to the willingness of the NSSO to be questioned by independent researchers and the acceptance of NSSO data (with all its known limitations) as one of the best sources for economic and social research in India.

What is also lost in the eagerness to discredit the survey report is the story of change taking place in the economy and society visible even in the few figures published by this newspaper. It talks of how the youth, especially in the rural areas, are availing of improved educational opportunities to become more qualified and openly seeking employment in the non-farm sector; the improved connectivity in rural areas adding to the expectations of better job prospects especially for rural women; how there is a healthy growth in the wage/salaried employment as opposed to engagement in marginal or subsidiary employment in household enterprises that contributes very little to the country's GDP. Availability of the report and the micro data from the survey to the researchers would have answered many questions and contributed to our understanding of the transformation taking place and known to have accelerated in recent times.

It is certainly a case of shooting the messenger without reading the message.

Mohanani was a member of the National Statistical Commission and resigned his position recently. Kar is a survey statistician and member of the Standing Committee for Labour Force surveys that guided the Periodic Labour Force Survey. He is currently associated with the ISI Kolkata

INSIGHT

Private sector, national interest



DHIRAJ NAYYAR

The economic argument for the government to retain ownership of commercial enterprises is very weak. But can an argument of strategic necessity be used to keep the government in the business of doing business? So, for example, if and when, India signs a deal for fighter aircraft to be made in India, must the public sector Hindustan Aeronautics Ltd be the sole local partner for any original equipment manufacturer to protect strategic interests? On evidence, the answer is no.

Traditionally, two sectors more than others have been viewed as strategic by the government in India. The first is defence and the second is natural resources (oil, coal and other minerals). And both are dominated by large public sector undertakings (PSUs). It is perfectly reasonable for the government to define these as strategic sectors — without defence equipment, borders are not secure, without resources there is no basis for economic growth. Remarkably though, these are the two sectors in which India is the most dependent on imports. India is the largest importer of defence equipment/arms in the world, importing around 80 per cent of its requirement. More than half of India's trade deficit is the result of its dependence on foreign oil, gold, coal and other minerals. In a crisis, India would have little control over supplies. Therefore, in what is one more irony in India's public policy regime, the country's vulnerability is the highest in sectors deemed to be of the greatest strategic importance.

The problem lies in equating the logic of strategic sector to government ownership. Some countries do it. In China, government companies still dominate defence and natural resources (and indeed several non-strategic sectors as



File picture of a Sukhoi fighter aircraft. India is the largest importer of defence equipment/arms in the world, importing around 80 per cent of its requirement

well). In the US and most other advanced western economies, government does not own large defence companies or large oil companies. India's reality is that the state has limited capacity and public enterprises do not have the autonomy, the financial resources and the managerial skills to be world class. India's strength is the dynamism and nimbleness of its private sector entrepreneurs. In this, India is more like the US and other advanced economies than it is like China.

It's time for India to rethink its current preferences. The government would argue that it has already opened up defence to the private sector, including FDI and that it has liberalised at least some of the resources sector, including oil and coal (which is more stop than start). However, the presence of large PSUs in these sectors is a deterrent for the private sector. The fact is that there isn't always a level playing field. For one, the government, often chooses to favour PSUs through what is known as the nomination process. This means that PSUs need not participate in any bidding/auction process which the private sector players must do. Second, for bureaucrats it is less controversial to do business with PSUs because there are likely to be no (or much fewer) allegations of wrongdoing. Third, despite the unfavourable outcomes from PSUs, the government has an active preference for keeping lucrative PSUs under its control (that they are lucrative is only because the government gives assured business) which can then be used for non-commercial considerations, like providing subsidised products to consumers, preferential development of certain regions

or doling out jobs.

If the government genuinely wants to attract large amounts of private investment in strategic sectors, it has to level the playing field, either by completely exiting PSUs (unlikely to happen) or by reducing its stake in PSUs to 49 per cent so that these function as independent board-managed companies with significant government ownership. Even without PSUs, the government will always retain huge influence on any businesses that operate in these sectors. In defence, the government is the sole buyer of arms/equipment and any exports would require a government nod. In resources, the government will always be the ultimate owner of what lies underground and can charge royalties and taxes and demand revenue sharing. Of course, the government must ensure that there is competition in the private sector. The US has several large private defence companies including Boeing, Lockheed Martin, General Dynamics, United Technologies and so on. That way it is not dependent on one supplier. In some sectors that tend towards natural monopoly, import competition can be used to keep the businesses honest. And, of course, procurement process or resource allocation processes must be transparent.

For the US, these private sector companies also provide their government with huge strategic leverage in the realm of foreign affairs. India's private sector can do the same. The potential is huge. A partnership between government and the private sector is in strategic and national interest.

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More questions on Rafale

CAG report must serve as the basis for further discussion

The long-awaited Comptroller and Auditor General report on defence capital purchases — in particular, regarding the Rafale fighter for the Indian Air Force — has been submitted to Parliament. The report opens up several major questions regarding the fighter deal with Dassault in particular and about procurement processes in general. For one, the basis of selecting Dassault as a partner in the first place has been rendered unclear. Why are specific technologies prescribed for quality requirements under the original bidding process? Why not, instead, user-set performance benchmarks? The latter would achieve technology- and product-neutrality, and the question of special favours for any vendor would not arise. In addition, the United Progressive Alliance's handling of the original multi-role aircraft tender in 2007, won by Dassault, was clearly faulty. The Congress Party is currently attacking the National Democratic Alliance government for favouring Rafale — but it seems it has its own questions to answer as well. The report makes clear that Rafale did not technically qualify; nor was it the lowest bidder. Indeed, its financial bid was not even in the required format, and made comparisons with EADS difficult. In general, Dassault should not have been chosen, and it seems to have been a particularly difficult vendor all along. The political implication is that the Congress gets accused of favouring Rafale.

The contract that emerged from the 2007 bid process, in the end, had to be scrapped — according to the CAG report — because the financial bid did not take into account the man-hours required for production at Hindustan Aeronautics Limited, and because Dassault was chary of adding a performance guarantee for HAL-built aircraft to the agreement. This opened the door for another contract, such as announced by the prime minister on his 2015 trip to France. But by then EADS had offered a 20 per cent discount on the Eurofighter, and it is not clear why that unsolicited offer was ignored when deciding to buy 36 flyaway aircraft from Rafale — and not even used as a bargaining chip. The CAG report does not go into this, or into the process involved in the second contract.

The price comparisons themselves are not entirely meaningful, given that the defence ministry has insisted that the actual numbers be redacted. However, some of the numbers have been reported in *The Hindu* newspaper. The main saving in the second deal comes from the “India-specific enhancements” put in by Dassault to meet the original bid requirements. These saved just over 17 per cent, according to CAG, or almost €240 billion going by *The Hindu* report. This is the major contributor to the total saving of 2.8 per cent, according to CAG, which works out to €223 billion using *The Hindu's* numbers. However, this saving cannot be seen as entirely credible for two reasons. First, the cost of the enhancement is amortised in CAG's calculations over 36 aircraft for both contracts, whereas there were 126 aircraft in the original bid. Second, dissenters in the original negotiating team have argued that the enhancement cost had not yet been the subject of negotiations and was inflated, so the 17 per cent “saving” is against Dassault's first offer and not the final agreement.

Finally — and most politically salient — the price comparisons in the CAG report are closed before the discussion on the absence of a sovereign and other guarantees, which it is observed yield cost savings to Dassault that have not been passed on to the government. There is no assessment of the money saved, nor does it get incorporated into the total cost calculations. Thus, while the CAG report does not close the discussion into the Rafale deal, it is important that henceforth discussion be based on actual facts that have been made available and not on numbers and assertions that are cherry-picked or remain unverified.

Vote of confidence

India's IP regime still has a lot of ground to cover

The Global Innovation Policy Centre (GIPC) of the US Chamber of Commerce, which compiles the annual global IP Index, has acknowledged appreciable improvement in India's intellectual property (IP) protection regime. The IP Index 2019, released by it, places India at 36, up eight slots from the previous year's 44, among 50 world economies which together account for over 90 per cent of the world's gross domestic product. Significantly, this is for the second year in a row that India's gain in ranking is the largest among all the countries included in the index that takes into account 45 parameters covering patents, trademarks, copyrights and trade secrets. The Index report concedes that the surge in the score reflects improvement in India's IP environment as a result of reforms focused sharply at building and sustaining an innovation ecosystem for domestic entrepreneurs and foreign investors alike. The reformist measures cited in the report include accession to IPR-related international treaties; consent to initiate a Patent Prosecution Highway with international offices; dedicated set of IP incentives for small business enterprises; and a strong awareness-raising effort on the negative impact of piracy and counterfeiting.

However, it's not roses all the way, as the report has red-flagged some areas as problematic, calling for more reforms. The GIPC has pinpointed some issues which, though compatible with the global treaty on Trade-Related Intellectual Property Rights (TRIPs), seem ill-suited to innovation-based businesses looking for perpetuating their patents. The most prominent among these are the provision in the patent law for “compulsory licensing” to allow commercial production of a patented product in public or national interest and an unambiguous definition of patentability that denies extension (read ever-greening) of a patent on trivial grounds. The other purportedly objectionable aspects include barriers to licensing and technology transfer, limited framework for safeguarding bio-pharmaceutical IPRs and lengthy procedure for pre-grant opposition to patents.

Indeed, it is not for the first time that these issues have been underscored by the GIPC or, for that matter, the Office of the US Trade Representative (USTR). The latter has, in fact, been keeping India on the ‘Priority Watch List’ for lax IP regime for years. It is uncertain whether the country would be excluded from this list in view of the substantial improvement in the IP system post-promulgation of the new IPR protection policy in 2016 — as endorsed by the higher IP rank. The fact that none of these issues has ever been challenged in international IPR forums bears out their conformity with the TRIPs mandate. India has, like most other nations, made use of the flexibilities provided under the TRIPs agreement to safeguard domestic industry and other commercial interests. The country's plant varieties and breeders' rights protection legislation, which is often deprecated by multinational seed companies, is also a *sui generis* law as permitted under the TRIPs accord. This aside, New Delhi has speeded up the process of granting patents by hiring more patent examiners and streamlining the scrutiny process. The backlog of applications awaiting clearance has shrunk perceptibly. However, some issues such as infringement of copyrights and piracy of IP-protected contents still remain to be suitably tackled. But these are areas that require better enforcement of the IPR laws and not any changes in the statutory provisions.

ILLUSTRATION BY BINAY SINHA



India slips into a pre-Keynesian world

We must improve our statistical systems or be condemned to make policy in the smoky haze of inadequate and politically filtered data

John Maynard Keynes is generally acknowledged as the founder of macroeconomics, with his “The General Theory of Employment, Interest and Money” (1936) seen as the seminal volume for this discipline. Some of the key concepts he deployed in that book include: Aggregate demand (and supply), consumption, investment and their relation to production, employment and economic activity. Stimulating output and jobs were the key policy goals for Keynes and his generation in the midst of the Great Depression of the 1930s. His path-breaking contributions to the theory of macroeconomics stimulated the budding field of national income accounting, led by stalwarts such as Colin Clark, Simon Kuznets and Richard Stone. Theory and data developed in tandem to support the practice of macroeconomic policy, first in the Anglo-Saxon winners of the Second World War and then in the rest of the world (with enormous support from the fledgling United Nations).

I have sometimes wondered how the then industrialised nations of the world conducted economic policy prior to the 1930s, without the analytical framework of macroeconomics and the necessary complement of reliable national income accounts and employment data? Well, in today's India, we may still have the basic concepts and theories of macroeconomics but, increasingly, we seem to lack reliable estimates of gross domestic product (GDP) and other macro aggregates, including employment and unemployment. It's hard to make fiscal and monetary policy when you are not sure whether economic growth is slowing or accelerating and what the employment conditions are!

Consider the recent record with GDP growth estimates. All seemed to be well till January 2015, when the shift was made from the earlier 2004-05 base to the current 2011-12 base. Aside from the base year change (which is desirable and normal every 7-8 years), substantial changes were made in methodology and data sources. Together, this spawned various apparent anomalies, including a significant upward revision (and hence acceleration) in the earlier growth estimate for 2013-14, a year which saw a mini balance of payments crisis and a hike in policy interest rates by 300 basis points. Then, contrary to past norms, the Central Statistical Office (CSO) did not revise the pre-2011-12 GDP data in accordance with the new base for over two years. To fill this void, the Committee on Real Sector Statistics, appointed by the National Statistical Commission (NSC) and chaired by Dr Sudipto Mundle (and with the current chief

statistician of India as member secretary), took on this task and published (in July 2018) its estimates for the period 1994-95 to 2011-12 in accordance with the new, 2011-12 base (note: The key sub-committee, chaired by Prof N R Bhanumurthy, had as its member-secretary, the head of the National Accounts Division of CSO). For the politically sensitive UPA years from 2004-5 to 2011-12, these new estimates showed an average upward revision of the 2004-05 base GDP (factor cost) growth rates by about half a percentage point. A controversy erupted. Possibly in response to these back series estimates, the CSO became energised and finally produced its own back series (but only back to 2004-5) in November 2018, resulting in a scaling down of the NSC's Mundle-Bhanumurthy growth estimates by an average of nearly two per cent



A PIECE OF MY MIND
SHANKAR ACHARYA

Brexitters, Singapore-on-Thames is a fantasy

Many pro-Brexit Brits are taken with the idea that the UK doesn't need to belong to a large bloc any more than its tiny former colony Singapore does. The Southeast Asian city-state, they argue, has flourished by lowering taxes and opening up its economy to trade and investment, and so can a post-Europe Britain. Those excited about the prospects for “Singapore-on-Thames,” though, might want to take a closer look at how Singapore itself works. Or doesn't.

It is true that the tropical port has thrived on trade since before Sir Stamford Raffles landed there 200 years ago. British colonisers encouraged free flows of capital, goods and labour, which integrated the island into the region's colonial-plantation export economy.

Singapore's post-independence leader Lee Kuan Yew also saw the virtue in positioning his country within global trade flows. In recent years, even as a backlash against globalisation has swept the West, Singapore has been an avid joiner of regional and bilateral free-trade pacts, including most recently the Comprehensive and Progressive Trans-Pacific Partnership and a free-trade agreement with the European Union.

Several other conditions have been critical to Singapore's growth, though. And many of them won't be so attractive to passionate Brexitters.

The state, for instance, plays an exceptionally heavy role in Singapore's economy and society. Over 80 per cent of the population lives in public housing, while a Central Provident Fund requires employees to park nearly 40 per cent of their salaries into savings (the money can be used on housing and healthcare). In industrial policy, the government oversees a plethora of schemes targeting mostly off-budget public funding to particular sectors such as biopharma and aerospace, as well as activities such as R&D and skills training. Government-linked companies, whose

controlling shareholder is the sovereign wealth fund Temasek Holdings Pte Ltd, are the dominant players in transport, communications, real estate and media, and account for a significant share of total stock-market capitalisation.

The state's dominance makes negotiating free-trade agreements much easier than it would be in a post-Brexit UK. The ruling People's Action Party has commanded an overwhelming majority in Parliament since independence and never loses a vote. Local labour and domestic capitalists are relatively weak, and the country has no agricultural sector to protect. Internationally, Singapore's small size, openness and longstanding friendliness to foreign business mean it poses no threat to domestic interests in partner countries, while its strategic geographical location makes it an attractive intermediary for entry into a much larger regional market. It will be much harder for the UK to negotiate similar pacts, especially if it can't serve as a gateway to the EU.

More importantly, given its tiny population, Singapore's growth has depended crucially on massive immigration — one of the fears that spurred the Brexit vote. Non-residents accounted for only 3.2 per cent of Singapore's labour force in 1970. By 2000, the share had risen to over 28 per cent and now tops 38 per cent. Following a backlash in 2011, which handed the PAP its worst electoral showing ever, the government has brought down the annual increase in foreign labour from 21 per cent in 2008 to around 1 per cent. But it's still growing.

Moreover, Singapore has been an austerity lover's dream, running budget surpluses of over five per cent of GDP nearly every year since 1990. Combined with high savings rates (35 per cent to 53 per cent of GDP since 1981), that's translated into persistently large current-account surpluses that have exceeded 10 per cent of GDP since 1991 and 20 per cent since 2005. These surpluses yield foreign-exchange

points a year. Speak of torturing the data!

Further doubt was cast on the quality of the current, 2011-12 base GDP series a fortnight ago when the earlier GDP growth estimate of 7 per cent for 2016-17 (the year of demonetisation) was revised upward to a whopping 8.2 per cent. This provoked the jest: If you want to sustain 8 per cent plus growth you must demonetise every year!

As for employment data, the National Sample Survey Office (NSSO) completed its survey for 2017-18 (the first since 2011-12), now dubbed the Periodic Labour Force Survey (PLFS), in June 2018. According to press reports, the NSC approved the report in early December but it is yet to be released, a fact which contributed to the recent resignation of two non-official NSC members, including its acting chairman. Parts of the report (or “draft report” as characterised by the vice-chairman of Niti Aayog) were leaked to the press two weeks ago. It shows depressing trends in employment conditions since 2011-12: A tripling of the observed unemployment rate to 6.1 per cent; very sharp increases (more than doubling) in the unemployment rate amongst youth (aged 15-29) to levels ranging from 13.6 per cent for rural females to 27.2 per cent for urban females; and major declines in the labour force participation rates for all segments, down to 23 per cent for females and a dismal 16 per cent for female youth, suggesting a very bleak future for female empowerment. Incidentally, the marked increase in unemployment and large declines in labour force participation rates have also been observed in recent household surveys conducted by the Centre for Monitoring Indian Economy.

Last week, the CEO of Niti Aayog, (an ex-officio member of the NSC), added to the controversy by publishing in his personal capacity (whatever that is for a government appointee) a two-part article in this paper, critiquing the PLFS “draft report”, stating that it had not been sent to him and he had not been present at the relevant meeting of the NSC, and presenting more positive (though partial) indicators of employment. His substantive criticisms seemed weak, though one would only be able to properly assess this when the full PLFS is placed in the public domain. Such is the state of our knowledge about employment conditions in India and the apparently diminished autonomy of the traditionally independent and professional statistical bodies, CSO and NSSO.

It is an unprecedented and unfortunate situation. We need to urgently review (critically but constructively) the sources and methods underlying the current national income series and undertake the necessary improvements as soon as possible. Concurrently, we have to restore the functional autonomy of the CSO and ensure that it has the requisite quality and quantity of staff and other resources to carry out its onerous responsibilities. A similar agenda is desirable for the NSSO, with special priority to employment/labour force surveys and reports. There is simply no alternative to strengthening and improving our statistical systems and restoring to them the kind of professional autonomy they have traditionally enjoyed in the past. If we don't, we are condemned to making policy in the smoky haze of inadequate and politically filtered information.

The writer is Honorary Professor at ICRIER and former Chief Economic Advisor to the Government of India. Views expressed are personal.



LINDA LIM

reserves that are invested outside the country by GIC Ltd, the other sovereign wealth fund. Exporting capital restrains currency appreciation and keeps Singaporean exports competitive. In a more substantial, less-open economy such as the UK, such policies would be considered “mercantilist.”

The final irony is that Singapore may not be as clear-cut a success story as Brexitters imagine. A growth model based on large inputs of capital and imported labour has delivered poor productivity growth. Annual total factor productivity growth fell from 2 per cent in the 1980s to 1.4 per cent in the 1990s and 0.5 per cent in the 2000s, when employment contributed 75 per cent to (now lower) GDP growth, versus 31 per cent in the 1970s.

At the same time, like the UK and many other high-income countries, Singapore has experienced relative wage stagnation and rising income inequality. The share of wages and consumption in GDP is very low, with the latter ranging between 35 and 49 per cent of GDP every year since 1981. This means that consumer welfare is much lower than Singapore's high per capita income would suggest, and lower than in countries with similar income levels.

Even Singapore's liberal trade and investment policies are unlikely to yield the same growth dividends they did in the past, given the slowdown in globalisation and the rise of market, technological and political forces that favour increased regionalisation if not nationalisation of production and distribution of goods and services. Global capital flows in particular face increased restrictions meant to combat tax-dodging, while countries everywhere are far less tolerant of industrial policies that can be cast as “illegal” state subsidies.

It's not clear that Singapore's past national development strategy will continue to be viable for Singapore itself. Singapore-on-the-Thames shouldn't count on following the same model.

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Unmasking British rule in India



BOOK REVIEW

C P BHAMBHRI

The ghosts of the 1857 revolt haunted the British for decades afterwards, prompting them to follow increasingly repressive policies towards their Indian subjects. The Jallianwala Bagh massacre of 1919 was the tragic outcome of this historical force, encouraging a British General, Reginald Dyer, born and raised in India, to order his troops to fire on unarmed protestors, resulting in the deaths of killing and injuries over a thousand men, women and children.

That protest on that fateful April day one hundred years ago was part of a

nationwide movement launched by Mahatma Gandhi to protest the draconian Rowlatt Acts of February 1919 passed by the British. The Rowlatt Acts proposed to permit, among other things, certain cases to be tried without juries and the internment of suspects without trial. In *Jallianwala Bagh, 1919: The Real Story* Kishwar Desai points out that the Rowlatt committee said the laws were necessary to “overthrow by force, British rule”. Almost all Indians resented it, and the impact of Gandhi's call was felt in Ahmedabad, Mumbai and Amritsar and other towns of Punjab where Hindus and Muslims unitedly marched on the streets and traders closed their shops. Amritsar, however, was the epicentre of the protest because that is where Lala Lajpat Rai and Saifuddin Kitchlew called public meetings. From April 9 to 15, 1919, events in Amritsar were the focus of the attentions of General Dyer and Punjab Lt. Governor Michael O'Dwyer,

which led to the imposition of martial law from April to June 1919.

Ms Desai has built her well-documented narrative in six chapters and marshalled evidence from the British-appointed Hunter Committee inquiry into the massacre and the inquiry committee appointed by the Indian National Congress. Her contention that the colonial rulers' response to the events leading to the massacre was disproportionate. The ground situation did not warrant targeting of defenceless people by the armed forces. As she points out, “For six weeks or more, as long as martial law was imposed, the people of Punjab became slaves who had to accept every whim of their masters.” It was a “regime of terror” and “the discomfort and humiliation and physical abuse, denigrating remarks and physical abuse were also meted out by the British soldiers posted there”.

If anything underlined the innate racism of the British it was the “punish-

ments” for those responsible for the massacre. In the chapter titled “The Fancy Punishments”, the author quotes the Lt. Governor's statement of April 21, 1919, as an example: “I think our prompt action in dominating Lahore and Amritsar by our overwhelming military force...paralysed the movement before it had time to spread.” The fact that no movement to overthrow the British existed was ignored. As for General Dyer, that unrepentant and ruthless defender of the Raj, observed that, “For me, the battlefield of France or Amritsar is the same”.

Since the British colonial rulers did not inflict any punishment on their “loyalist”, a Punjabi, Uddham Singh, decided to mete out the ultimate victims' justice, assassinating O'Dwyer on 13 March 1940. O'Dwyer had a lingering idea of the injustice of his actions. After a meeting with him, Secretary of State Edwin Montague observed that, “O'Dwyer frankly wanted... that the government of India may protect him against the inhabitants of Punjab”.

Looking at the evidence a hundred years on, it is difficult to escape the reality

that Punjab had been enslaved by a group of men led by O'Dwyer who believed that the natives were incapable of self-rule or entitled to a voice. Anyone who challenged the system had to be wiped out. General Dyer in a statement to the General Staff on 25 August, 1919, said, “I had the choice of carrying out a very distasteful and horrible duty or of neglecting to do my duty, of suppressing disorder or of becoming responsible for further bloodshed.” What a defence by a loyalist of the Raj! Where was rebellion?

The Hunter Committee told British Parliament in 1920: “It appears that General Dyer, as soon as he heard about the contemplated meeting, made up his mind to go there with troops and fire” because they had “defied his authority by assembling”. The larger question is: Was the “massacre” the response of individual Raj loyalist or it was part of the whole strategy of the Raj to keep control over the colony and suppress any protest against its rule? The author's sound judgement is that “the massacre was a carefully planned one and not spontaneous”.

The Jallianwala Bagh massacre of April 13, 1919, reverberated throughout India, as the information trickled out from under the tentacles of martial law. It proved the turning point of British rule in India and has, therefore, attracted the attention of many historians and scholars. This important study should be read with the larger historical context of colonialism in mind and not simply an account of one tragic episode in India's colonial history. Ms Desai's narrative leads to one potent conclusion: that the British Raj in India was as ruthless and cruel as any other colonisers in Africa, Latin America or other Asian countries. The most important message of this book is targeted at that section of the Indian elite that maintains that Gandhi's non-violence and Satyagraha movements succeeded because the British, unlike colonisers elsewhere, were tolerant of protest.

JALLIANWALA BAGH, 1919:

The Real Story
Kishwar Desai
Westland, ₹699, 280 pages

The Tribune

ESTABLISHED IN 1881

Priyanka's roadshow

Cong needs much more than star power in UP

DAYS after taking over as the Congress general secretary for east Uttar Pradesh, Priyanka Gandhi Vadra hit the ground running with an enthusiastic roadshow in Lucknow. The euphoria rubbed off on her brother and party president Rahul Gandhi, who articulated the grand dream of a roaring comeback in the electorally strategic UP, which sends the most number of MPs (80) to the Lok Sabha. For the record, the Congress has been out of power in the state since 1989. It had managed to win just two seats in the 2014 parliamentary elections as Rahul and Sonia Gandhi held on to their pocket boroughs of Amethi and Rae Bareilly with reduced margins.

The all-important question is: Can Priyanka reverse the party's fortunes in UP, and that too virtually overnight? Undoubtedly, she is charismatic and has a striking resemblance to Indira Gandhi; rejuvenated party workers are even comparing her to Goddess Durga. However, her star power may not be enough to overcome the party's organisational weaknesses in Uttar Pradesh. The Congress is banking heavily on charming 'outsiders' to counter the ruling BJP and the newly forged SP-BSP alliance. Royal scion Jyotiraditya Scindia is holding the charge of western UP, while state unit chief and former Agra MP Raj Babbar continues to be regarded as a film star-turned-politician rather than a grassroots leader. The party can't afford to sideline leaders such as former Union minister Jitin Prasad and nine-time MLA Pramod Tiwari, who have pockets of influence within a politically significant community that the Congress is eyeing.

The BJP had conquered UP in 2014 as well as 2017 on the crest of the Modi wave, which now seems to be a thing of the past. Getting the caste arithmetic right holds the key to poll success. Reclaiming the Brahmin vote bank is central to the Congress' plans, but winning over OBC and Dalit voters looks improbable. Up against formidable rivals, the party should resist the traditional temptation of putting all its eggs in the dynasty basket. Strengthening and empowering the state cadre can go a long way in helping the Congress regain ground.

Yet another gangrape

Only a driven police force will make a difference

THE horror of the 2012 Nirbhaya case brought together the whole of India. In a single mass movement, angry young men marched shoulder to shoulder with equally enraged women. The moment was surreal. There was a sense of collective complicity, collective shame. It appeared to be the point of inflection that would, after a hopeless, endless wait, change the destiny of the Indian woman. The unspoken promise rent the air — henceforth, you will be safe. The tragedy hit home when the resolve melted. The moment was lost, in a way many movements are, into the abyss of apathy and spiritlessness.

Ghoulis rapes continue to be reported across India. In Haryana last year, a CBSE topper was gangraped. Expectedly, there was outrage. Expectedly, nothing changed. Punjab saw a repeat of the savagery, when a 21-year-old college girl, accompanied by her male friend, in the safety of a car, was gangraped near its richest city, Ludhiana, also dubbed the state's rape capital. The case also brings forth police ineptitude. The police had been alerted, but did not move into action. An ASI has been suspended for dereliction of duty, 10 unidentified persons have been booked. One wonders if this is all the action the case will see. Crime against women is on constant rise, but the conviction rate hovers dolefully low. The 2016 National Crime Records Bureau data reveals that only one in every four cases of rape ends in conviction.

Express action is imperative in crimes of grave nature. Any sign of police laxity emboldens the perpetrators: if they can get away with one crime, why not another? The stakes must be raised very high for criminals. Without the fear of reprisal, it will always be the case of fighting a losing battle. Punjab has done well to open women police stations. But much more must be done. The surveillance system and rapid response teams need to be augmented and strengthened. Systematic training is essential to sensitise the police force, and accountability ought to be pinned. Else, the picture of a woman's safety will remain gloomy: she will be let down, over and over again.

THOUGHT FOR THE DAY

May we never confuse honest dissent with disloyal subversion. — Dwight D Eisenhower

ON THIS DAY...100 YEARS AGO

The Tribune.

LAHORE, THURSDAY, FEBRUARY 13, 1919

His Honour and Compulsion.

"COMPULSION," said His Honour, "was an ugly word. Therefore they ought to endeavour to convince the people by reason rather than coerce them by law." Perhaps this aversion to coercive measure would have been better appreciated if some evidence of it had been afforded in other connections and during His Honour's regime. It is not by this aversion, it could not possibly be by it, that Sir Michael O'Dwyer has earned for himself the appellation of a strong Lieutenant Governor in quarters where strength and the exercise of undiluted authority are interchangeable terms. Nor, to quote a few instances, did the free use of the Press Act and the Defence of India Act, neither of which is a measure of persuasion, during His Honour's regime, the exclusion of well known popular leaders and newspapers from the Province, and the enactment of such measures as the Village Patrol Bill show that the local Government of which Sir Michael was the head, was averse to compulsion until persuasion had been tried and had failed.

The second Bill.

AS regards the 2nd Bill two varieties of opinion were expressed. In the first place the demand was made on the same grounds, as had been urged in the case of the 1st Bill, that the Bill should be dropped altogether. Secondly, it was pointed out that for the same reasons for which the 1st Bill had been made temporary, the second should be made temporary also. Almost every speaker pointed out the danger of making the mere possession of seditious literature punishable, because the power was sure to be misused. Some speakers urged that the powers under the Bill should apply not to sedition as such but only to anarchical crime, though it would leave the heart of the Bill unaffected.

Shutting up dissent

The Palekar episode heightens apprehension on censorship of thought



SALIL DESAI

NOVELIST AND FILMMAKER

LAST week, eminent filmmaker and actor Amol Palekar had to suffer the ignominy of having his speech interrupted several times and then cut off by the organisers of an event at the National Gallery of Modern Art (NGMA), Mumbai, for which he had been invited as chief guest.

Palekar, speaking at the inauguration of a retrospective on the paintings of artist Prabhakar Barwe, was making some critical observations about certain recent decisions by the NGMA, when he was admonished by its director Anita Rupavatham and former chairman of the disbanded advisory committee, painter Suhas Bahulkar. When a perturbed Palekar asked them whether he was being censored from putting across his thoughts, he was advised by curator Jesal Thacker to avoid digressing and restrict his remarks only to Barwe's work.

The observations which attracted the ire of the organisers came in the latter half of Palekar's speech, when he raised questions about the wisdom of disbanding the NGMA's advisory committee and leaving all decisions to career bureaucrats, thus paving the way for total governmental control on what could or could not be displayed, and hence institutionalising cultural, ideological and political bias of the ruling dispensation.

The organisers made the argument that the inauguration was not an appropriate occasion to strike a sour note and that the uncharitable comments about the host institution were unbecoming of a chief guest. They also hinted that the issues should have been raised by him at a different forum, meaning in private, so that it



HUSH: Does it behove officials of an art institution run on public money to insult an exponent of art, a man of Amol Palekar's stature?

There have been many instances of the government's intolerance towards people with liberal sensibilities and those who have dared to express dissent.

could have led to a proper exchange of views. Even if one were to accept some substance in these arguments, the shocking part is how openly the hosts sought to silence a man of Palekar's stature. In a liberal democracy, is it civilised or courteous to ask a chief guest to shut up when all that Palekar was doing was voicing views about artistic freedom in a reasonable manner? Does it behove officials of an art institution run on public money to insult an exponent of art (incidentally, Palekar himself is a painter, too, apart from being a filmmaker)?

If they were uncomfortable, wouldn't it have been far better for someone to walk up to him and whisper a discreet word into his ears, instead of interrupting him in public? Even better, couldn't the NGMA director and curator have let him have his say and then taken the opportunity to provide counter arguments, say, during the vote of thanks?

Instead the brusque insistence that Palekar shouldn't criticise the decisions of the government — in this case

the Union Ministry of Culture that runs the NGMA — indicates either the level of panic among government officials to nip any dissent in the bud, or the regime's clear instructions to bureaucrats to not let an alternative perspective be aired. Either way, it only heightens the growing apprehension that the current dispensation is hell-bent on muzzling artistic freedom and thereby censoring independence of thought. Instead, it believes in using all instruments and institutions of the state in policing and regimenting art, culture, expression and thought.

In that sense, NGMA officials moved a step further in conducting themselves like commissars of a regime rather than public servants.

That this comes so soon on the heels of the cancellation of the Marathi Sahitya Parishad's invitation to writer Nayantara Sehgal in January, after it became known that she would speak about the various assaults on artistic freedom by the Modi regime, is a particularly worrying trend.

In fact, there have been far too many

instances of this government's intolerance towards artists and intellectuals with liberal sensibilities and those who have dared to express dissent. For instance, the vitriol against Naseeruddin Shah and cancellation of his event at Ajmer Literary Festival, where he had been invited in December. Just prior to that, academic Ramachandra Guha's appointment as director of Ahmedabad University's Gandhi Winter School was scuttled through motivated threats and pressure tactics on the management by the ABVP, the BJP's student wing.

What is most unfortunate about all these incidents is that more and more organisations and individuals are succumbing to this calculated assault by the regime, instead of resisting it. Palekar lamented that no one from the audience or any of the artists present stood up for him or asked the organisers to let him continue speaking.

In this bleak atmosphere of silence and compliance, it is heartening to see the brave actions of Principal Hemant Shah and Vice-Principal Mohan Parmar of Ahmedabad's HK Arts College this week, who resigned in protest when the trustees of the institution, comprising eminent Padma awardees like Balkrishna Doshi, Kumarpal Desai and Jnanpith awardee Raghuveer Chaudhury, cancelled permission for holding the annual event of the college, just because Dalit activist and independent MLA Jignesh Mewani was invited as chief guest. Mewani happens to be an alumnus of the college.

It is a moot question whether their resignations will change anything, but it shows that someone has a spine and not everyone will roll over. Moreover, the fact is that protest always has the potential of having a salutary effect on authorities. The Palekar incident, for example, has led the ministry to clarify that the local advisory committees of the NGMA were not being disbanded and are just in the process of being reconstituted. Would this have happened if Amol Palekar had stayed silent, like so many others?

Why 'likes' shouldn't really matter

ADITYA MUKHERJEE

UNLIKE others for whom being on Facebook is a raison d'être of their social identity, I have never found this democratic platform invigorating. At the risk of being pigeonholed as a Luddite not au fait with the marvels of technology, I find this medium being (mis)used by people to curate their selfhood. It also reeks of a desire to tom-tom one's achievements, family profiles and geographic movements by announcing their timings of landing at airports, not to mention the incredible degree of self-adulation practitioners of this medium indulge in.

A colleague, driven by a sensory stimulus of a Proustian nature, is in a habit of posting his sepia-tinted

photographs of childhood at regular intervals. Imagine the happiness that courses through my friend on seeing the avalanche of 'likes' when he logs in.

A young former colleague, who shifted to Hyderabad after her marriage, took it into her head to post photographs ranging from packing belongings to unpacking them in the new house. For many, the temptation to unabashedly leverage their private lives for the consumption of others is irresistible.

Another colleague posts photographs of her reclining in a sofa with an English novel, to publicise her literary interests.

I don't remember the last time I posted something concerning me or my family. I have never been com-

fortable posting pictures of my family's visit to any part of the country. Nor posting pictures of birthday celebrations of my family members is my definition of being 'social'. My predilection for keeping my personal and social life away from public glare and scrutiny leaves many of my social media friends perplexed. They even find my disinterest bordering on the hypocritical and morbid.

Ten years ago, when I opened my Facebook account and got sucked into its seductive embrace, I went on a friend request 'send' and 'accept' spree, little realising that I would get to see endless showcasing of family events that I couldn't relate to. Sending a forced 'like' became the sine qua non of Facebook bonding. But I couldn't string it out for long. I

am now left with some journalist friends and a couple of writers whose posts I value for their content.

I also like those posts where people talk about issues concerning animal welfare and visuals showing rescue operations of any accident or tragedy which brings out the Dunkirk spirit. Some years ago, I posted a picture of an uprooted tree in front of my balcony. I was heartbroken as it used to shelter birds. I was just seeking some cathartic relief, but much to my consternation, my post didn't evoke any heart-felt response, perhaps because the staid visual of a mangled tree was no patch on the sought-after vibrant visuals of riveting family gatherings or a selfie against imposing mountains and sea.

LETTERS TO THE EDITOR

Watch what you say

Refer to the editorial 'Modi-Naidu slugfest' (Feb 12); indecorous utterances are certainly not good for the health of our democracy. Political discourse, nowadays, has stooped to a historical low. People are fed up with rhetoric. In this changing world of media and communication, though people's fervour and interest in politics is growing, their faith is waning. Politicians are losing credibility. There are innumerable issues of public and national interest that can be discussed and debated. Allegations need not be answered with counter-allegations, rather, they should be properly answered for the sake of clarity. Democracy is not just about holding and winning elections. It is about valuing the diversity of people's voices and taking decisions that may not be in the party's interest, but must be in the interest of the people and the nation. The sooner our parties realise this, the better it will be for the nation.

K KUMAR, PANCHKULA

Fear of fine helps

Recommendation of law for penalising spitting and urination in the open would be a great move, as it would enhance the objectives of Swachh Bharat. Fear of penal punishment automatically changes the behaviour-

al actions of people. In foreign countries, there are minimum cases of the breaking of rules due to fear of law. It should happen in India, too.

MONIKA SHARMA, BY MAIL

Penalty won't work

In spite of concerted efforts, the government has not been able to achieve the envisaged results of its Swachh Bharat Mission ('Panel for law to penalise spitting, urination in open'; Feb 12). Big hoardings were displayed in cities, towns and villages and advertisements were run in newspapers, spending crores, but it did not yield much. Even panels and laws for providing legal support to the mission will not work till the mindset of society does not change. For this, people's participation is a must. Forcibly, nothing can be imposed on the public. Law implementing agencies cannot be made available everywhere and round the clock. It is the duty of every citizen to keep our surroundings clean. Cumulative efforts are required to check this nuisance.

RAJ KUMAR KAPOOR, ROPAR

Employees' dues

Punjab Government employees and pensioners have been agitating for the past over a year for the implementa-

tion of the Sixth Pay Commission recommendations. The financial hardship of employees is obvious since they have been getting their pay/pensions based on the Fifth Pay Commission. During this period, prices have increased manifold. The government is facing a financial crunch and seems unable to meet all the demands of the employees in one go. One way out is for the government to implement the commission's report. This would give some relief to the hard-hit employees and the burden of mounting arrears will stop. These can be paid as and when the government's financial position improves.

HS RATAUL, MOHALI

Health concerns

Refer to 'Wellness centres key to success of Ayushman Bharat' (Feb 12); we are poisoning our blood by imitating Western culture by consuming junk food, alcohol, drugs, etc. In our country, several projects are launched with applause but their fate hangs in the balance and ends in a fiasco. Similar seems to be the outcome of our health and wellness centres. The situation will not change unless budgetary provision for health is raised from a paltry 1 per cent to 2.5 per cent of GDP.

GURNAM SINGH SEETAL, KHANNA

Who is minority?

Appropos 'SC: Decide on minority definition' (Feb 12), though the Constitution does not differentiate among citizens, be of any caste, creed, religion or gender, the execution has dithered. After seven decades of self-rule, pumping lakhs of crores of rupees annually on safeguards, we still stand at a loss to define 'minority'. Through minorities' declarations and the reservation system, we have rather cemented compartmentalisation. We still have Pandits and Dalits and not citizens of India. Despite two-three generations having availed of reservation, they still carry with them the caste tag. Let poverty, minority and caste not be traded politically or socially. Let's fight for constitutional equality and not be in race identity for material gratification.

MPS CHADHA, MOHALI

Good for youth

Appropos the news 'No age benefit for 10% quota' (Feb 12), the Centre has taken the right decision, because if it extends the age bar for competitive examinations and jobs, mostly those above the age of 35 will get maximum jobs since they have more experience. As a result, youth will get ignored.

GURVESH SETHI, DEHRADUN

