



The Indian EXPRESS

FOUNDED BY
RAMNATH GOENKA

BECAUSE THE TRUTH INVOLVES US ALL

Deconstructing a face-off

There is no silver bullet solution to Pakistan-sponsored terror. Politicisation will constrict choices



SHARAT SABHARWAL

STEALING THE FACTS

Attorney General's objection over 'stolen documents' in Rafale case is outrageous. The court should throw it out

EXAMINING THE PROCESS of decision-making in a government involves ferreting out information, documents that need to be brought out from the dark, into the light, in public interest. This was true in the 1980s of Bofors, about kickbacks in a defence deal. Even governments have realised that records which are meant to be confidential are invaluable in bringing illegality to book. More recently, in 2016, the Panama Papers, the painstaking unveiling of offshore transactions in tax havens, resulted in hundreds of crores of undeclared assets being traced by the government. Now, in the Rafale case, for Attorney General KK Venugopal to raise an objection in court seeking dismissal of the review petitions on the ground that they cited documents "stolen" from the defence ministry, for him to attempt to wield the Official Secrets Act as a shield against allegations of wrongdoing in the 2016 aircraft deal between India and France, is disappointing — and outrageous. The question is not just, as the Chief Justice of India-led bench put it: What had the government done till now? After all, the first newspaper report, which the AG claims is based on stolen documents, was published a month ago, on February 8 in *The Hindu*. In her reply to the allegations against the government on the Rafale deal in Parliament, Defence Minister Nirmala Sitharaman did not speak about a theft. The question, more importantly, is one that the bench also asked: "Suppose there is a corruption complaint, are you going to shelve it under national security?... Is there a liberty to commit corruption?"

The attempt to target the messenger and to criminalise the whistleblower, all under cover of "national security" or "stability" of government or "official secrecy", is an attack on the freedom of expression and the people's right to know. What falls under the Official Secrets Act in a democracy is something that needs constant contest, the need for official secrecy has to be weighed against the citizen's right to know. For, the same statute book that has the OSA gives pride of place to the Act that empowers citizens to access, and to demand, information under the control of public authorities in order to promote transparency. In any conflict between the two, in a democracy that calls itself open, surely the letter — and spirit — of the right to freedom of speech and expression and information should trump the archaic and increasingly anachronistic OSA. Notably, the Supreme Court has recognised this democratic imperative. Over the years, India's apex court has enlarged and expanded the protections accorded to the whistleblower, to ensure that those who expose corruption and wrongdoing are not vulnerable to bullying and intimidation.

If AG Venugopal's objection in court on Wednesday were to be taken seriously, if it were to be dignified by the court, it could be a chilling message that would strike at the heart of a free press. It would protect the wrongdoers in the dark. The court must, as it has in the past, uphold the way of the open democracy.

RETHINK DEATH PENALTY

Supreme Court decision to recall its own order, acquit six on death row, is another reminder why it needs to go

THE SUPREME COURT on Tuesday reversed the death sentence it had upheld in 2009 and acquitted six persons in a high-profile murder and rape case. The Court ruled that the investigation in the 2003 case was "not fair and honest" and criticised the conduct of the investigating agency and the prosecution. It ordered compensation to the acquitted persons who had spent 16 years in prison and asked the state government to fix responsibility on the officers responsible for lapses in the prosecution. This rare reversal of the death sentence revives fundamental questions about the death penalty.

The case concerns the murder of five persons and the rape of one in Jalna district, Maharashtra, for which a sessions court in Nashik convicted six individuals from a nomadic community and sentenced them to death in 2006. The Supreme Court upheld the convictions in 2009 — in fact, it also reversed the acquittal of three persons by the High Court, found guilty by the sessions court. However, a three-judge bench reviewed the judgment in October 2018, recalled its 2009 order and decided to hear appeals filed by the accused and the state, to find faults with the investigation and prosecution. Studies have pointed out that the criminal justice system has a class and caste bias; data shows that the poor, Dalits, tribals receive the maximum number of death sentences in India. In high-profile cases, the prosecution is under pressure to secure maximum punishment and lower courts tend to weigh in with death sentences. Many of these death sentences are overturned by higher courts on grounds of poor quality of evidence, or improper investigation. For instance, the apex court, in 2018, commuted death sentences to life imprisonment in 11 of the 12 cases it heard. However, the systemic biases and prejudices, including the lack of resources on the part of the accused to fight extended court battles, often ensures that the miscarriage of justice, which begins at the lowest court, escapes the scrutiny of even the highest court.

Capital punishment is retributive justice and its effectiveness in curbing crime is contested. In the Indian context, there is a high possibility of its misuse given the social biases that influence police investigation and prosecution. At least one sitting Supreme Court judge has in the past called for a review of its continuance in the law books. The judgment in the Nashik case should serve as a wake-up call.

NOW, GOBHI MANCHURIAN

KFC and Starbucks dominate the Chinese market by localising. But India could hold the trump card

BACK IN 1987, KFC launched the first American fast food outlet in China, and immediately goofed up. Its slogan of 50 years' vintage, "finger lickin' good", was mistranslated into Mandarin as "eat your fingers off". But since that debacle, the chicken giant has become the most popular fast food brand in China by appeasing local tastes. When McDonald's localised and introduced veggie burgers in India, Americans called it blasphemy. When KFC started selling congee and the Dragon Twist — a close cousin of Peking Duck — in China, it was hailed as a master-stroke. Even KFC's most popular ad is kung-fu-themed. In markets, size matters, and China is the world's biggest.

Now, KFC has maxed out on majority appeasement. In a rare case of a capitalist logo tangoing with communist mythology, it has launched a Lei Feng Spirit outlet in Hunan, themed on the heroic soldier Lei Feng, who was born in that province and died young in 1962, in a freak accident. It is not clear if he was involved in the India-China conflict but it doesn't matter, since much of his life story appears to be churned out by the party propaganda machine. Lei is China's Che Guevara, but his cult has been losing traction in recent years, as China modernised and opened up. Even so, the novel co-branding should help KFC must keep ahead of the competition.

Starbucks has learned localisation from KFC. They sell Chinese-grown coffee and have more outlets in Shanghai than in any other city in the world. In a few years, China will have more than any other country. But maybe India holds the trump card on localisation: What's to prevent us from re-exporting Chinese food back to China? In the streets of Beijing, there could be an unmet need for our famous Gobhi Manchurian.

THE BALAKOT AIRSTRIKE has resulted in euphoria reminiscent of the days following the surgical strikes of 2016, with tall claims figuring in our national discourse. Even as we salute our Air Force, it is essential to separate the grain from the chaff, and appraise our actions post-Pulwama.

Our diplomatic effort was a success. Though our government's goal of isolating Pakistan was unrealistic because of the interests of major countries in Pakistan, our diplomacy secured widespread condemnation of the Pulwama terror attack, ensured no sympathy for Pakistan against our preemptive strike (barring the ritualistic and inconsequential condemnation by the OIC Contact Group), and, also resulted in the quick return of Wing Commander Abhinandan Varthaman. Further results, if any, in making Pakistan address our terror concerns meaningfully are yet to be seen.

Withdrawal of Most Favoured Nation (MFN) status to Pakistan, though justified strictly in terms of reciprocity, mirrored Pakistan's short-sightedness in hurting the interests of its consumers by restricting imports from India over the years. Pakistan's exports to India being less than two per cent of its global annual exports, the move may hurt their exporters individually, but will not change the calculus of their security establishment. It will hurt our consumers by obliging them to pay a higher cost for Pakistan's goods because of the significant tariff hike or import those goods from further afield paying a higher freight.

The Balakot strike, involving the use of air power to hit a terror target in Pakistan, represented a notable shift in our approach. Despite the subtext of revenge for Pulwama, we did not characterise it as such. Therefore, the extent of damage caused, though important for any such action in future, is not a key consideration in this case. The nature of the strike will create some uncertainty in the minds of Pakistan's terror planners and marginally raise the cost of their "low cost option" by making them adapt and, possibly, pull back terror training facilities deeper inside their territory. However, unless we see meaningful action by Pakistan to curb its ter-

ror machine, the strike may also end up demonstrating the limitations of using military power to terminate the Pakistani terrorism.

Putting an end to Pakistani terror militarily would require an all-out war to give it a crushing blow — entailing a heavy economic cost, totally disproportionate to the threat posed by it. Pakistan lags behind us in all walks of life, its economy is one-ninth ours. The gap continues to grow. Its terror has not slowed down our progress. It cannot pose an existential threat to us by itself, and is at best a terror irritant that manages to perpetrate large-scale terror attacks occasionally. Tragic as these events are, they should not make us oblivious to our primary challenges of economic transformation and dealing with an increasingly assertive China. We can also not ignore the nuclear dimension despite the strategies proposed from time to time to circumvent it. The Balakot strike did not call Pakistan's nuclear bluff, as claimed by some, as it did not come anywhere close to the threshold defined by Pakistan for use of its nuclear weapons.

That brings us to the tactical options, overt or covert, to impose costs on Pakistan and deter it. Our recent strike, though path-breaking, fell in this category. However, the impact of such actions is temporary till Pakistan recovers, adapts and goes back to its bad ways. Further, Pakistan's ability to retaliate raises the risk of escalation. Thus, heavy firing by us across the LoC/international border in the last few years resulted in a stalemate — tit-for-tat killings of civilians and security personnel — and that cycle threatens to pick up again. Our surgical strikes led to the ramping up of terror by Pakistan. And their retaliation to the Balakot strike left us staring at possible escalation with an uncertain trajectory and outcome. In a repeat of the classic Indo-Pak script, other influential countries got involved and the situation appears to be moving towards de-escalation. However, frequent third-party intervention risks bringing back the Indo-Pak hyphenation, and betrays our inability to manage our region even as we aspire to a larger global role.

The internal dynamics that drive Pakistan are not about to change anytime soon. It would require a patient approach, combining deterrence with continuing to turn as much heat as possible on Pakistan in conjunction with other countries. We should, however, try to leverage the recent pressure on Pakistan to achieve the more realistic goal of making it restrain its terror machine that has been overactive in J&K in recent years.



JAVED MIANDAD

THERE ARE NO WINNERS

War can only add to the woes in the Subcontinent. PMs Modi, Khan should talk peace

INDIA AND PAKISTAN are two children who share the same mother. Good leaders always think about the well-being of their own countries. They want peace. Building relationship always helps. India and Pakistan have fought wars against each other. Did anybody gain anything? Did anybody manage to reach a conclusion? Whatever happened only added to the negatives.

The World Wars left behind a scorched-earth. Millions of innocent civilians died. War can never be a solution. India and Pakistan are now neighbours. So, forget about what had happened in the past. The conflicts notwithstanding, the two countries for the time being have managed to build good relations. The Indians and the Pakistanis, our ancestors, used to live together. India is home to a huge Muslim population, who are Indian nationals. Pakistan, too, counts many Hindus as its citizens, those who carry the Pakistani passport.

Being neighbours has its own obligations. Neighbours live together and they need to understand each other. Imran Khan has taken a big step by releasing the Indian fighter pilot Wing Commander Abhinandan Varthaman. I don't think any other Pakistan prime minister could have even thought about doing that. There was no point in

keeping the Indian pilot captive in Pakistan. It's heartening that he has returned home. And I don't believe that it was the result of any diplomatic pressure. The message was that there's no point in fighting against each other. Fighting only has a negative side to it, no positives.

It's wrong to say Imran Khan is a puppet of the Pakistan Army. We need to understand that everyone is a part of the country. In any country, decisions are not taken by an individual. But a prime minister is a prime minister. At the top, everybody is taken on board. One person gets nominated/elected as the captain. Like in cricket, everybody follows the captain's command. We always have team meetings. Even the juniors get a chance to speak there. At the top level, everybody sits down and collectively takes the decision.

Ahead of the 1992 World Cup final, Imran Khan had said he would be the captain of the whole Subcontinent for the match, not just of Pakistan. People from the West don't make a difference between us. They call us all Asians. We shouldn't have a negative mindset. Both countries are nuclear powers. War can lead to destruction. Pakistan is also a

nuclear power. *Bado ko toh chotun ko sambhalna chahiye...* (The bigger/elder should be the one to handle the situation, take care of the younger). We should have mutual exchanges. We should trade with each other. Issues like shelling at the Line of Control shouldn't come in here. This happened earlier as well.

Sport brings peace. It builds bridges. Between the common people of the two countries, there's nothing wrong. The Indian cricketers are still admired in Pakistan. At the same time, when Pakistan went to Calcutta for the 2016 World T20, they played in front of a full house. Locals admired their cricket.

So, it's time to shake hands. The two prime ministers, Narendra Modi and Imran Khan, should meet and call a truce. We must think about our future generations. What legacy are we leaving behind for our children? What will you do standing amid the ruin that wars bring? And I believe the two prime ministers, if they meet, shouldn't do so in a neutral country. It's our own issue. The Wagah border could be a good place for the meeting.

The writer is a former captain of the Pakistan cricket team



MARCH 7, 1979, FORTY YEARS AGO

BADSHAH KHAN
THE GOVERNMENT REITERATED its offer to provide full medical facilities to the ailing Khan Abdul Gaffar Khan. Minister of State for External Affairs Samarendra Kundu said arrangements would be made to send doctors from India or to receive him here for treatment whenever he desired. It would be a privilege and honour to do so, Kundu said. N G Ranga and Mohammad Yunus Saleem had expressed concern over the deteriorating health of Badshah Khan and urged the government to take the initiative in providing medical treatment to him. Kundu said that Khan's health continued to be bad but there had been no serious deterioration.

THE SHAH'S TRIAL
THE SHAH AND his family will be tried in absentia in the next few days, the Iranian government announced. Deputy Prime Minister Abbas Amir Entezam said that after the verdict, renewed efforts would be made to freeze the Swiss financial holdings of the Shah and his family. Estimates by the government put that wealth at \$15 billion.

VIETNAM OFFERS TRUCE
VIETNAM SAID IT was willing to negotiate with China once all Peking's troops had left Vietnamese soil, ending the more than two-week-old frontier war. The Voice of Vietnam reported fighting was on in at least one bor-

der province and claimed Hanoi's troops killed or wounded more than 700 Chinese. Intelligence sources said there had been no indications of a sizable withdrawal of Chinese troops following Peking's announcement that it was withdrawing its forces.

UP JANATA CRISIS
THE JANA SANGH group in the Janata Party may not take its exclusion from the UP government lying down. "We are not political orphans," said a top member of the Jana Sangh. What has hurt the group is its ostracism on the ground that it is "communal". The Jana Sangh has 100 members in the 389-member Janata Legislature Party.

15 THE IDEAS PAGE

A meaningful safety net for the poor

Government's scheme to pay Rs 6,000 every year to poor rural households will increase their expenditure, reduce poverty by 10 to 20 per cent in many states



KIRILL PARKH

IN THE LAST week of February, the government launched a scheme to pay Rs 6,000 every year to poor rural households who own less than 2 hectares of land. The scheme will have an annual outlay of Rs 75,000 crore. The beneficiaries received the first installment of Rs 2,000 on February 24. Congress President Rahul Gandhi has mocked the scheme saying that Rs 6,000 per year translates to Rs 16.43 per day per family, that is a pittance and not much of a help to the poor. To one with declared assets around Rs 9 crore and an annual income exceeding Rs 92 lakh, Rs 16.43 per day will appear to be peanuts. I examine here what this amount can mean to the poor in India.

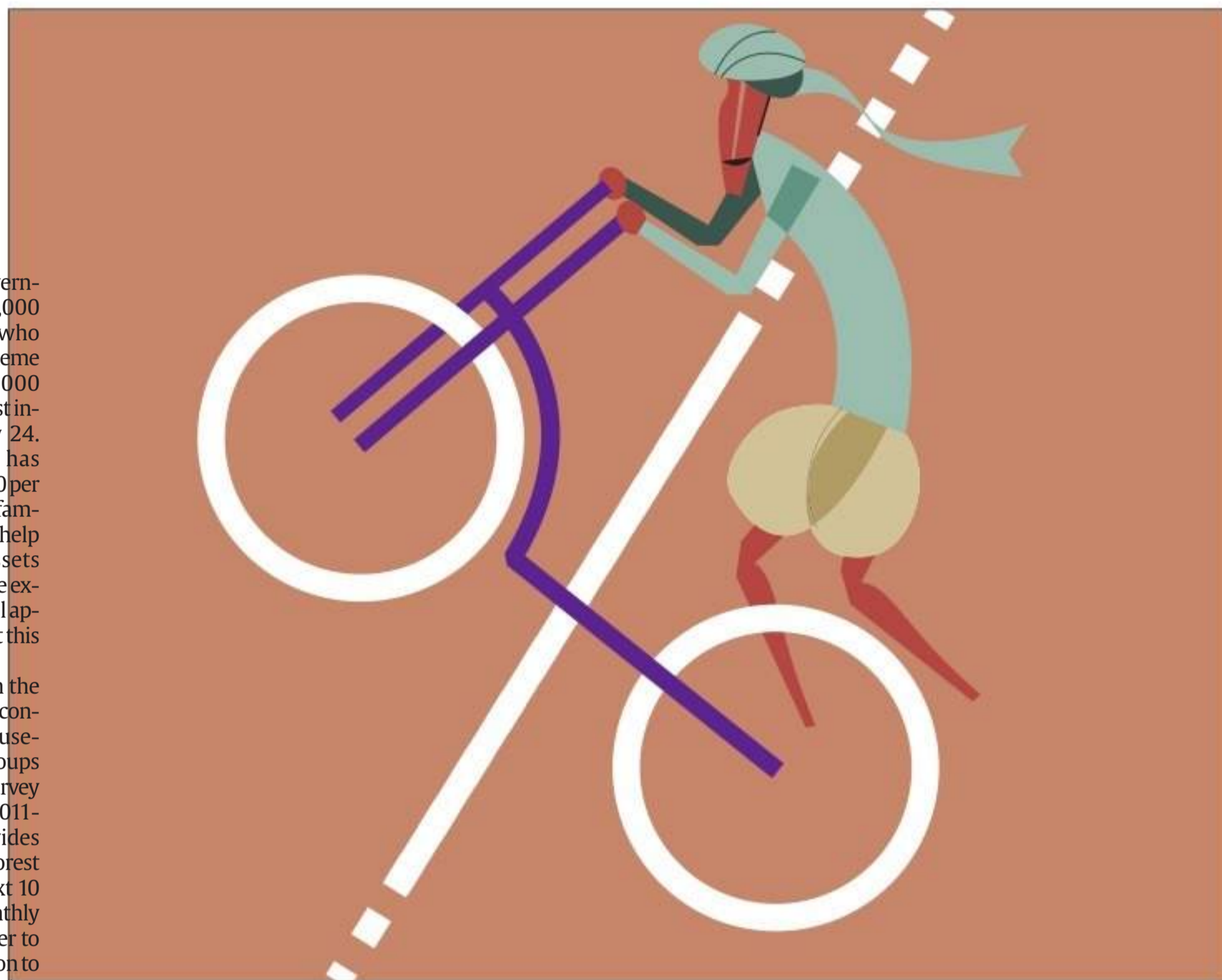
To explore the scheme's impact on the poor, I looked at the monthly per capita consumption expenditure (MPCE) of households belonging to different fractile groups in states of India. The national sample survey (NSS) of household expenditures for 2011-12 (the latest publicly available) provides MPCE by fractile groups such as the poorest 5 per cent, the next 5 per cent, the next 10 per cent, and so on. If we add the monthly per capita value of the Rs 6,000 transfer to each class's MPCE, we obtain the addition to its MPCE. However, the transfer in 2019 has to be converted to the equivalent transfer in 2011-12 by adjusting for inflation in the state's consumer price index. The modified MPCE can be compared with the poverty line in the state. We can then assess how many people will cross the poverty line with this transfer of Rs 6,000 per family per year.

I illustrate the procedure with the example of Bihar. In 2011-12, the household size in rural areas in the state was 5.5. The consumer price index for rural areas changed from 111 in 2011-12 to 137 in 2017-18, giving a ratio of 1.23. Therefore, Rs 6,000 per family in terms of 2011-12 prices translates to Rs 74 per month (Rs 6,000/12/5.5/1.23). According to the Rangarajan Committee Report, the poverty line for rural Bihar was Rs 971 in 2011-12. The table shows the impact of the transfer on different fractile groups, assuming all get the money — though about 70 per cent of the rural households are likely to be eligible in Bihar.

Before the transfer, 40 per cent of people's expenditure in Bihar was below the poverty line. After the transfer, only 30 per cent of people in the state remained below the poverty line. It should also be noted that the gap between the poverty line and the consumption expenditure of those who remain poor was reduced. Thus, the transfer leads to significant reduction in poverty. A similar calculation for all the states and union territories show a 10 per cent reduction in the percentage of poor in many of them. (See figure)

The actual reductions are likely to be greater once one accounts for the benefits of the food security scheme introduced by the UPA government. Under this scheme, a household gets 35 kg of rice, wheat or coarse grains every month — rice at Rs 3/kg, wheat at Rs 2/kg and coarse grains at Rs 1/kg. This scheme was introduced in 2013-14, so this should reduce the poverty line over Rangarajan estimates for 2011-12.

The financial value of who benefited from this Food Security Act can be roughly

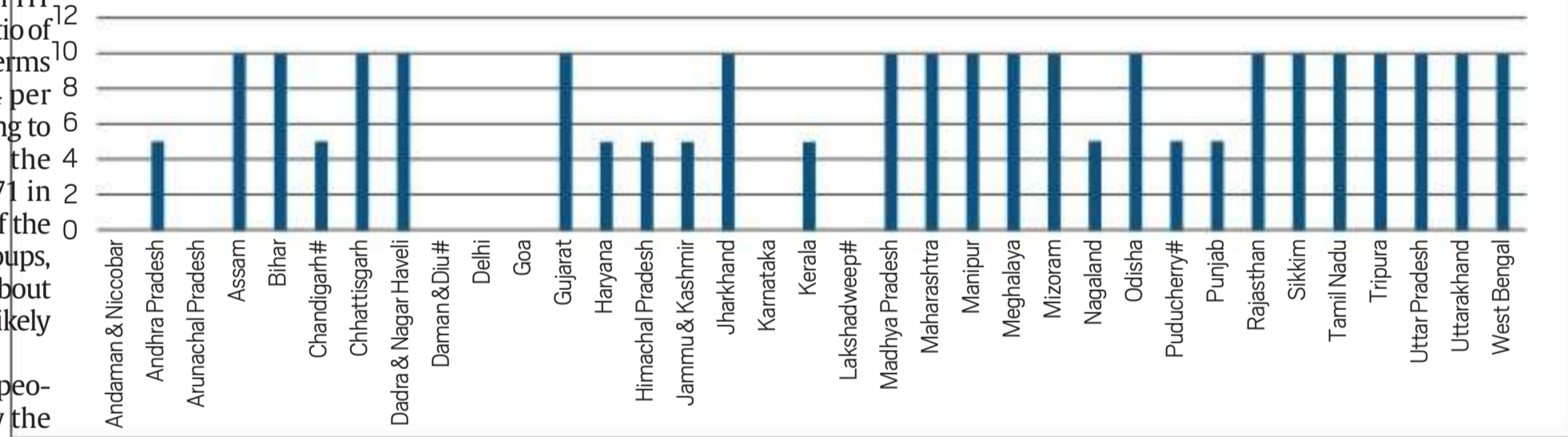


MPCE* (RS/PERSON/MONTH) IN RURAL BIHAR IN 2011-12 PRICES

Fractile group	P5	P10	P20	P30	P40	P50	P60	P70	P80	P90	P95
MPCE	608	686	799	884	969	1032	1123	1219	1395	1690	1958
MPCE - 971	-363	-285	-172	-87	-2	61	152	248	424	719	987
MPCE + Rs 74	-289	-211	-98	-13	72	135	226	322	498	793	1061

*MPCE: Monthly per capita consumption expenditure; Poverty line Rs 971; Transfer Rs 74

REDUCTION IN PERCENTAGE OF POOR DUE TO RS 6000 TRANSFER



CR Sasikumar

estimated as follows. The NSSO survey of 2011-12 provides data on the quantity of rice and wheat obtained from the ration shop and market as well as the prices at which they were obtained. The average purchase by the bottom 10 per centile households in 2011-12 was 15 kg of rice and 6.5 kg from the PDS shops at Rs 15/kg and 13 kg of wheat at Rs 11/kg. Their monthly expenditure was around Rs 350 per month for rice and Rs 160 per month for wheat giving a total expenditure of Rs 510. Under the Food Security Act, a household can buy 35 kg of rice from PDS shop at Rs 3 and buy all the wheat from the market. The expenditure will be Rs 105 for rice and Rs 310 for wheat — a total of Rs 315. The household would save Rs 195 per month on its pur-

Before the transfer, 40 per cent of people's expenditure in Bihar was below the poverty line. After the transfer, only 30 per cent of people in the state remained below the poverty line. It should also be noted that the gap between the poverty line and the expenditure of those who remain poor was reduced.

chase of wheat and rice. With a household size of around 5.5, the food security act provides an additional income of Rs 35 per month per person. The poverty line should be lower by that amount and the poverty gap would reduce by Rs 35. Thus, in the case of Bihar, another 10 per cent will cross the poverty line. Consequently, poverty will reduce from 40 per cent to 20 per cent.

Moreover, the annual benefit of Rs 6,000 will provide the household some cushion against unexpected expenditure due to illness or accidents, which pushes many people to the margins of the poverty line — at times, even below it.

The new scheme will not eliminate poverty. But its impact on reducing poverty will not be negligible.

The writer is chairman, Integrated Research and Action for Development, Delhi

WHAT THE OTHERS SAY

"The lives of the Chinese people are improving year by year, and nothing can reverse this trend." — GLOBAL TIMES, CHINA

About divinity

Does god exist? There are several possible hypotheses



ECONOMIC GRAFFITI

BY KAUSHIK BASU

MEETING MY OLD friend, Michael Menezes, at the beautiful Pali Village Café in Mumbai recently, my mind drifted back to our college days in Delhi and another café.

This was in early 1972, maybe March or April. Our three years in St Stephen's College were drawing to a close, three magical years of fun and friendship. I did poorly in my final exam but that seemed like a small price to pay for all the joy of not studying. Mike and I decided it was time to do some good deed and our plan was to match one of our classmates, whose name will remain anonymous, to a very charming student of Miranda House, whose name, alas, I do not remember. So we devised a remarkable entrepreneurial scheme. We wrote a letter to her pretending to be him, professing to be in love with her and pleading her to come to the university Coffee House to meet him. And we wrote a letter to him pretending to be her, professing love and that he come to the Coffee House at the same time.

When that momentous day came, Mike and I headed off to the Coffee House to witness the fruits of our match-making. On the way, we had to make a phone call and stepped into one of those phone booths, so ubiquitous those days, where you insert coins to make a call. And there we struck gold, or, more precisely, a 10 rupee note, left behind by someone on the phone counter. There was no one to be seen nearby, and it was too small an amount to go searching for the owner. The thought struck us both that this was an occasion for free coffee. Mike, being a Catholic, wondered if we were about to commit a sin. I assured him of the flexibility of the Hindu gods. Further, somewhere in high school, I had ceased to believe in god. I saw no evidence of god and, in case he was there and had hid the evidence of his existence, he would surely be irritated by the dishonesty of the believers who claimed to see evidence.

In any case, we decided this was a good test of god's existence. We would see whether or not he punished us for this sin. We walked over to the Coffee House and, soon, as expected, our classmate came in, looking tense. He sat alone in a far corner, an eye on the main entrance. Within minutes she came in, and walked unsurely to his corner. They began chatting. We could not hear the conversation but it was clear that it was running into heavy weather, each

claiming the other had asked them to come. Then we saw them both pull out letters from their pockets and thrust them at each other, at which point, Mike and I decided it was time to leave the scene of crime.

As we walked out of the Coffee House, Mike got proof (in his case, a reminder) of god's existence. He reached into his pocket and his wallet was mysteriously missing.

The salad days of college came to an end in June. I packed my bags from my residence in Stephen's Rudra South, bid farewell to my dearest friends and left for a short vacation in Calcutta and then for the London School of Economics. (Luckily, LSE had given me admission before seeing my final-year performance in St Stephen's.)

Three years later, I was delighted when Mike, by then a chartered accountant, came to LSE to do a master's degree. On a walk one afternoon, we stepped into one of those iconic, red phone-booths of London to make a call. And, yes, an abandoned five pound note was lying, at roughly the same place as the ten rupee note three years ago. There was no one in the vicinity who could be its rightful owner. We gasped at how uncannily similar the situation was. Was god testing us to see if we had learned our lesson? We, on our part, decided we had to check how consistent god was. So we picked up the money and set off to have coffee at Wimpy.

Like Alexander Fleming in his laboratory waiting to see if the bacteria would grow, we sat, drinking our coffee but with our minds transfixed on the experiment. Time ticked away. We finished our coffee, paid for it with our ill-gotten gain and walked out nervously, and back to our hostel. What happened then, was the following: Our wallets were not lost.

Given nature's different response to our picking up abandoned notes in Delhi and London, the question remained open: Does god exist? There are several possible hypotheses: There is no god, and the loss of the wallet in Delhi was a fluke; there is god but he believes in punishing people for drinking coffee using ill-gotten gains, but only when that is coupled with writing letters in other people's names. However, when Mike revealed later that the experiment was not quite the same because this time, while having coffee, he had clutched on to his wallet, we realised there was a third hypothesis — there is god but he is not that powerful, and in particular, he cannot wrestle wallets out of clenched fists.

The upshot basically is that there is no firm answer. What I would recommend to you, dear reader, is my own philosophy of scepticism, which has stood me in good stead and which can be summed up in a simple dictum: Anything that is not logically impossible is possible.

Live by it and you will make better decisions in life.

The writer is C Marks Professor at Cornell University and former Chief Economist and Senior Vice President, World Bank

LETTERS TO THE EDITOR

WAR AND PEACE

THIS REFERS TO the article, 'As we celebrate the brave' (IE, March 5). Those who celebrate war, never participate in it and those who participate in war, never celebrate it. That is why the ancient Indian political thinker Chanakya said, "If a king or a ruler is safe in any war, that is not war. It is politics." This is what is happening after the much-awaited preemptive strike carried out in Pakistan as a response to the terror attack in Pulwama. It is heartening that Wing Commander Abhinandan Varthaman is back home but those who speak of war should be told to go and fight it. Courage consists not in blindly overlooking danger but in seeing and conquering it. Since violence can not achieve anything durable it is dialogue that becomes the better part of diplomacy. People from India and Pakistan want peace.

Tarsem Bumrah, Batala

WEST ASIA & INDIA

THIS REFERS TO the article, 'The Gulf as a channel of peace' (IE, March 5). The writer has emphasised the need for strengthening relations with the West Asian states. For that, India should have roadmaps that emphasises the economic and security-related priorities of the country.

Pranay Kumar Shome, Kolkata

DEMANDS OF FARMS

THIS REFERS TO the editorial, 'Unmet farm challenge' (IE, March 05). When farmers produce more, prices crash and they are unable to even recover their costs. They accumulate debts and that is the main reason for farmers' suicides. Farm loan waiver is a band-aid at best. There are a variety of reasons for farm distress. These include a lack of proper storage facilities and weak infrastruc-

LETTER OF THE WEEK AWARD

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

THE WINNER RECEIVES SELECT EXPRESS PUBLICATIONS

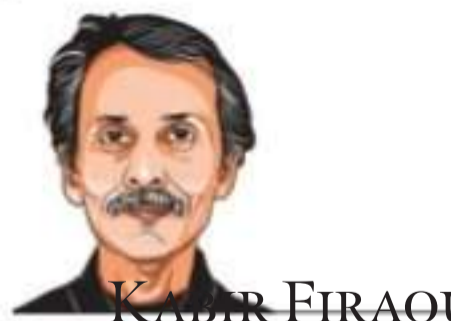
FLYING LOW

THIS REFERS TO the editorial, 'Say it with fervour' (IE, March 06). Last year when Air India was put up for sale, it did not attract even a single buyer. Loss of baggage, untimely delays in flights and unhygienic have tarnished the reputation of India's national carrier, whose share in the domestic market today stands at less than 15 per cent. Patriotism has to be shown through action and not merely words.

Ketan Kishan, Gurugram

Dear MS

The legacy of Mindsport and its affable, ingenious maker, Mukul Sharma



KABIR FIRAQUE

WHAT WOULD THE shape of our chairs be if our knees bent the other way?

MS never let on. As with all his puzzles he left it to his readers, but this was one that fans like us will remember MS for none of them could crack. Has the secret now been revealed? MS's biggest legacy. It was Nandy's died with MS? MS was Mukul Sharma, a columnist who engaged and entertained millions. The generation of readers. MS was Mindsport, a column that presents a problem based on mathematics, logic or wordplay, then read people, including myself, bought the *Illustrated Weekly of India* in the 1980s-90s. Countless readers would write back with letters to "Dear MS". Dear MS died last week.

Mindsport was by no means his only identity. MS edited *Science Today* magazine, drew pocket cartoons with Pritish Nandy for *The Telegraph*, wrote science fiction and poetry, acted alongside Rakhee Gulzar in *Paroma* (1985), and was once married to the director, Aparna Sen (Konkona Sen Sharma's daughter). Friends like Nandy will remember him for his sharp mind and his words: "I'm not responsible for the bunch of lies in the Intro you just read... A former edi-

tor of *The Illustrated Weekly of India* whose first name begins with a P and ends with an H, with five loopholes in between, is the guy you're looking for." His puzzles were as varied as they come: Why the same number of mangoes sold at the same prices (apparently) fetch different total returns when they are bunched in two different ways? If two sides of a triangle are of equal length, prove that the angles opposite them are equal — without any additional construction. Or, fill up the blanks in a set of limericks written by MS himself, including one where the missing words are symbols for chemical elements.

After a decade in IWI, Mindsport continued in other publications, with the last column published in January this year. The prose in his later works was tamer, the style less carefree, but it is no mean achievement still — given that he endured in times when a Google search can promptly throw up the solution to any puzzle that is not original. This, I can say from experience: I have writ-

ten a puzzles column of my own in five successive newspapers — over 25 years, on and off — and have had to work hard in later years to create new puzzles or package existing ones in ways that could withstand Google search. It was under the influence of Mindsport that I began, in 1993. Is the art dying, now? Not at all, Nandy assures me when I ask him; it's how you package the puzzle that counts.

But, what would the shape of our chairs be if our knees bent the other way? Is that dead, the mystery unsolved? There may be hope there, too, as I find from rereading MS's book. He has just offered a solution to an air-conditioning problem inside an office, and describes how much it impressed his listeners. "Naturally, confronted by such awesome genius, some of them swooned, some opted for psychoanalysis and a few, I am told, started believing in life after death."

Touch wood, Dear MS.

touch wood, Dear MS.

touch wood, Dear MS.

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

TELLING NUMBERS

In 3 Lok Sabha seats it will contest in UP, how RLD has done earlier

STRONG IN 2004, 2009; DOWN IN 2014

Election	Baghpat	Meerut	Muzaffarnagar
2004	Won (42%)	Second (26%)	Won by ally (SP)
2009	Won (39%)	Won by ally (BJP)	Second (34%)
2014	Third (20%)	Lost by ally (Cong)	Lost by ally (Cong)

ON TUESDAY, the SP-BSP alliance announced an additional partner, the Rashtriya Lok Dal (RLD), and said it would contest three Lok Sabha seats of Uttar Pradesh in the coming elections. These are Baghpat, Meerut and Muzaffarnagar, in all three of which the RLD or its then allies put up strong performances in 2004 and 2009, but failed miserably in 2014. The RLD had three different alliance partners in these elections — SP in 2004, BJP in 2009, Congress in 2014.

Baghpat was won by RLD chief Ajit Singh in 2004 as well as 2009, but he finished third in 2014, with his vote slashed by half. In Meerut, the RLD finished second in 2004, helped BJP win in alliance in 2009, but failed to lift its next alliance partner in 2014, with the Congress polling just 4%. Muzaffarnagar, meanwhile, was won by RLD ally SP in 2004, then saw the RLD finish second in 2009. In 2014, its ally Congress polled 1%. The BJP won all three seats in 2014.

The RLD won 3 seats in Uttar Pradesh in 2004, 5 seats in 2009 and none in 2014. Having contested a limited number of seats as an alliance



RLD chief Ajit Singh

RLD IN SPOLLS, UP

Poll	Contested	Won	Vote share
2004	10	3	4.5%
2009	7	5	3.3%
2014	8	0	0.9%

partner of various parties, it has had a low vote share as a percentage of votes polled across the state.

THIS WORD MEANS

FALAH-E-AAM TRUST

A trust that runs schools in Jammu & Kashmir, briefly in focus amid ban on Jamat-e-Islami

BASHAARAT MASOOD
SRINAGAR, MARCH 6

ON FEBRUARY 28, when the Union Home Ministry banned Jamat-e-Islami Jammu & Kashmir on grounds of being in "close touch with militants", police and magistrates sealed several Jamat-e-Islami offices and also issued notices to schools run by the Falah-e-Aam Trust (FAT), asking them to close down. Later, the government issued a clarification that these schools would not be closed down.

Falah-e-Aam (Welfare for All) is a trust set up by the Jamat-e-Islami, registered with the government under the number 169/5/72 dated July 31, 1972. Article 4 of the constitution of FAT specifies it as a "non-political" body dedicated to "education and service to mankind", while Article 3 lists opening of "educational institutions to educate students from all shades of society without any discrimination" as one of its objectives. Before 1972, Jamat-e-Islami was already operating several schools, which it handed

over to FAT. With new schools too coming up under the trust, FAT today controls around 350 middle and high schools, including 300 in the Valley. FAT officials claim close to 1 lakh students are enrolled and over 5,000 teachers employed.

Officials now say that the notices were issued because some of the officers misinterpreted the government order on Jamat-e-Islami. In fact, in 1990, when the then Governor administration had banned Jamat-e-Islami, it had banned FAT too. Thousands of FAT teachers were absorbed in government services. FAT went to court and the ban was overturned. After that, FAT handed over its schools to mohalla and village management committees, which now look after the management of most of these while FAT directly runs less than two dozen.

FAT schools follow the NCERT syllabus as prescribed by the state's education department and the school board. They also have a separate class for Islamic Studies and Arabic, and introduced English at pre-primary level more than two decades before government schools did.

SIMPLY PUT

Levelling the bankers' field

RBI has unveiled draft rules on compensation of top bank execs who take undue risks. A look at how some bank executives entered into questionable deals, and the private bankers got away. This is set to change

SHAJI VIKRAMAN
CHENNAI, MARCH 6

THE RESERVE Bank of India recently unveiled draft rules on compensation for CEOs and full-time directors of banks, for what it calls material risk-takers and those in charge of control functions. What is the objective of this move, and how does it mark a change from the past?

The way it was

Over a decade ago, a senior executive in one of India's top private banks, until then considered a potential candidate for the top job in the bank, was identified as being responsible for the lender taking a hit of Rs 200 crore in a quarter. This was because of a wrong bet on a complex financial product, prompting the board to seek action. Although the executive was moved out a little later, his compensation was not impacted.

Two decades ago, another high-profile senior executive of the same bank was found to have taken calls in the debt market that led to a trading loss of over Rs 300 crore. In those days of relatively lax regulatory oversight and with influence at work, the executive was moved abroad and brought back after a cooling-off period. The person later went on to head one of India's largest banks.

This contrasted glaringly with India's state-owned banks, where executives have been punished by the government and the CBI for offences or violations that have been far less grave.

Getting away with dodgy deals may have been possible for private bank executives until a few years ago, but it will be difficult now given the greater scrutiny on rewards for the top deck. Increasingly, the field is being levelled between private and public sector banks, at least in terms of being punished for lapses. This started during the tenure of former RBI Governor Urjit Patel, under whose watch top private bank chiefs had to exit after major violations. The case involving ICICI CEO Chanda Kochhar who had to quit after allegations of conflict of interest, those of a couple of other bankers who had to leave after the RBI found a divergence in financial information or accounts from what their banks published, and the huge compensations paid to them over the past several years, appear to have been the trigger for the changes that are now under way.

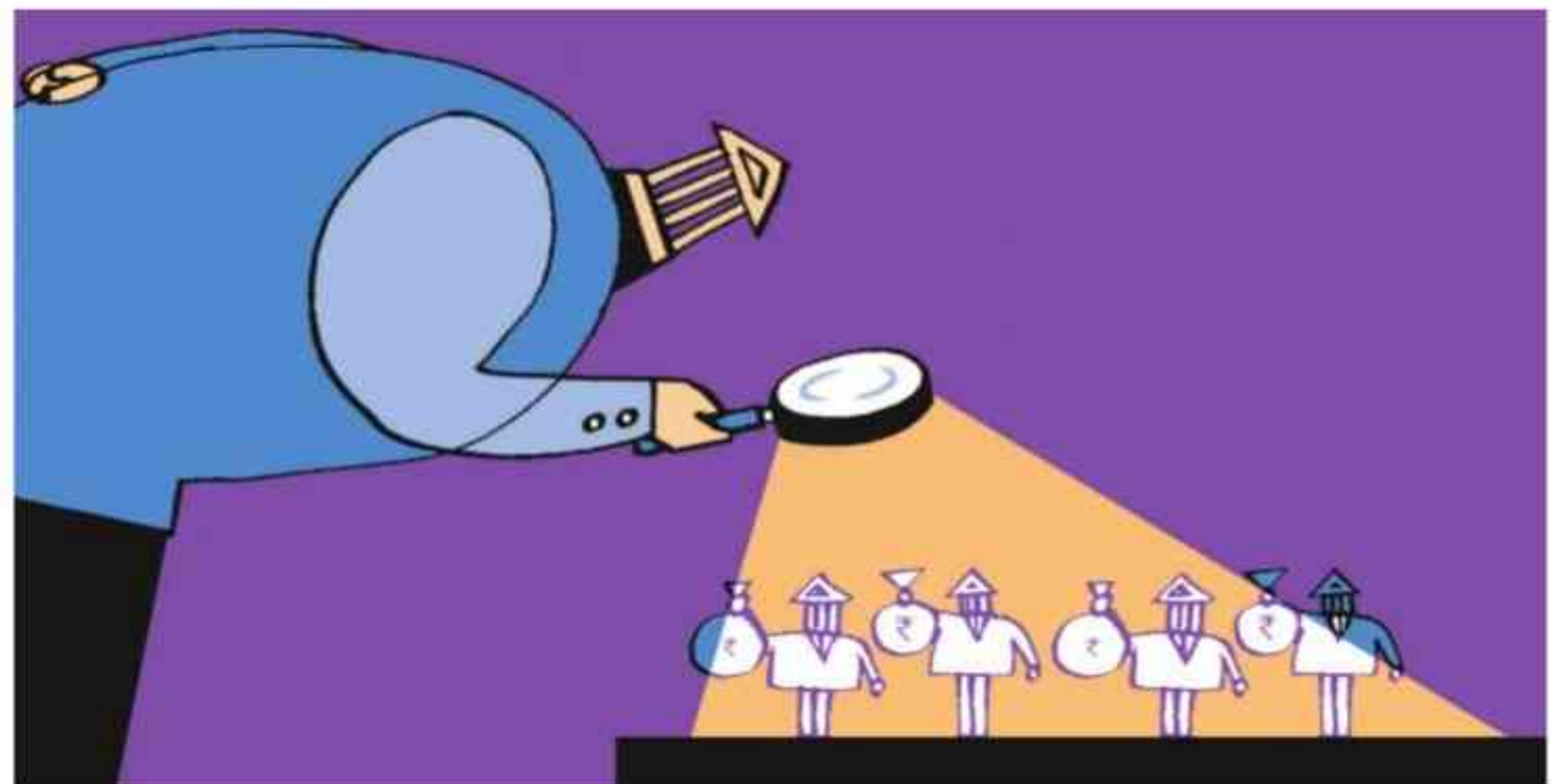


Illustration: C R Sasikumar

India & the West

The latest move comes with the recent unveiling of the RBI's draft rules. The aim is to ensure that rewards for senior executives in private and foreign banks are in sync or aligned with the risks undertaken by the banks. In other words, like in the West where the regulators and governments decided to discourage excessive risk-taking after the 2008 global financial crisis, the Indian central bank too is set to squeeze executive compensation. The first set of such rules has been in force since 2012. But much has changed since then, with the Financial Stability Board coming out in 2009 with a set of principles and implementation standards on compensation practices. India too is a member of the FSB. In the US, the Dodd Frank Wall Street reforms and Consumer Protection Act addresses this issue.

So, what's new?

Topping the rules this time is the proposal that a substantial part of the compensation — at least 50% — should be variable. Earlier, there was no such threshold, implying that senior private bankers could take home a substantial amount irrespective of lapses or violations. Now that will be capped, subject to fulfilling laid out criteria. Similarly, stock options were not part of the

variable pay component; that too will change now, as this form of reward will be part of a banker's variable pay, which has been capped at 200% of the fixed pay. The lessons of the past — as in the approval of ultra-generous stock options granted to the CEOs of India's private banks, sometimes even when the bank's performance was poor — now seem to have been driven home. Private and foreign banks will also have to mandate clawbacks in cases of divergence of accounts, when it comes to setting aside funds against bad loans or identifying bad loans or negative contributions. Guaranteed bonuses are also out, with a cap proposed to be imposed on sign-on bonus, as the Indian regulator says it is not consistent with sound risk management or what it terms the "pay for performance" principles.

What remains to be done

One can expect grumbles from private bankers about how such fetters will put off so-called bright men or women, and how these will fail to attract them to work in these banks. What they forget, however, is that unlike manufacturing, there is a bigger risk of financial instability when it involves banks and the use of public funds.

While addressing this issue, the government has failed to address the asymmetry

between India's state-owned banks and private banks on compensation practices in the same industry segment. Even three decades after liberalisation, no government has been able to overcome the resistance from the bureaucracy to rewarding PSU bankers, with arguments such as how they cannot be paid more than the country's top civil servant. It is a flawed argument, considering that the top civil servant's job is to ensure high-quality governance and not to be measured on profitability metrics. Little wonder that many of them view state-owned banks as utilities. Not just that; India's top private bank chiefs have the freedom to hire their own teams, unlike state-owned banks where the CEO has to settle for deputies chosen by the government.

The proposed new rules seek to rein in bankers, but there is little indication of how the regulator and the government plan to address the issue of failures of bank boards. In each of the private banks where the CEOs were either told to go or failed to secure approval for a fresh term, as well as at IL&FS that was run to the ground, the board of directors was complicit. The price for their failure is paid by shareholders. So far, most of them have got away without even a light rap on their knuckles. Ensuring accountability of such boards should be the next step.

FACT CHECK, GROUND REALITY

What to make of the new HIV-cure claim

AS HIV researchers met in Seattle the day after it was reported in *Nature* that a second patient appears to have been cured of infection with the virus, excitement and questions hung in the air. In the end, the majority view seemed to favour caution — hope, though real, must be tempered with realism. Several reports analysed what the landmark research means, at the moment.

Does anything change for people living with HIV?

Not immediately. The "London Patient" provides "proof of concept" — a potential path to a cure for HIV. But cure is not around the corner, and infected patients are nowhere near a situation in which they can hope to stop taking their pills soon. There are 35 million HIV-positive people in the world, and bone marrow transplants from donors with the HIV-resistant CCR5-delta 32 mutation — which both "Berlin Patient" Timothy Ray



On World AIDS Day 2018 in Kolkata. 'London Patient' has brought excitement, but a cure for HIV is still some distance away. Reuters File

Brown and the anonymous London Patient received — will not be a likely treatment option for most. Also important: as a report in *The New York Times* pointed out, the London

Patient was not the first attempt to replicate the success with the Berlin Patient, only the first that seems to have not failed.

How is remission different from cure?

Being cured would mean getting rid of the virus forever; remission would mean it is there, but under control for the time being. Before the second case was reported, Brown's had been the only one of a cure. In all other attempts, the virus had come back after the patient stopped anti-HIV medication. The London Patient has been HIV-free for 18 months since he stopped taking drugs. To some that means a cure; however, as Dr Annemarie Wensing of the University Medical Centre Utrecht, who was quoted by *The NYT*, said, "We don't have any international agreement on what time without viral rebound is necessary to speak about cure."

Indeed, some patients have had remission even without a bone-marrow trans-

plant. Their immune system appears to be successful in controlling the virus, even without drugs. But it is not clear how this happens.

When is a treatment based on this success expected?

In a decade perhaps, several specialists were being quoted as saying Wednesday. But that treatment would cover only those types of HIV that rely on the CCR5 surface protein to break into the immune cells. The X4 form of HIV, which uses a different protein, would not be tackled by treatment based on the delta 32 mutation.

While it would be premature to expect a cure or remission soon, the rapid progress in gene therapy and gene editing bring hope. The widely criticised Chinese doctor He Jiankui, has in fact, claimed to have modified the CCR5 protein in at least two children using CRISPR/Cas9 gene editing technology.

Trudeau and SNC-Lavalin: Understanding the ongoing political crisis in Canada

EXPRESS NEWS SERVICE
NEW DELHI, MARCH 6

The Scandal in Canada

Canada's Prime Minister Justin Trudeau has been accused of pressuring the country's former attorney general, Jody Wilson-Raybould, to cut a deal with SNC-Lavalin, one of the world's largest engineering and construction companies, which is facing charges of corruption. Trudeau is alleged to have retaliated when she Wilson-Raybould declined to do his bidding.

According to Wilson-Raybould, who resigned her Cabinet position last month, the Prime Minister and his aides worked hard to persuade her that prosecuting SNC-Lavalin would cost Canadian workers jobs and the ruling Liberal Party votes in the general elections due in October. She has alleged that she was given "veiled threats", and was ultimately moved out of the Justice Department in January.

On Monday, another of Trudeau's min-

isters — and one of his most trusted aides — Jane Philpott, resigned, saying it was "untenable" for her to stay in the government after the "serious concerns" that the scandal had raised.

But Gerald Butts, who was Principal Secretary to Trudeau until the middle of last month, has insisted that no political pressure was brought on Wilson-Raybould, and that the government was only worried about what legal proceedings against the company might impact local economies.

The Company

SNC-Lavalin is accused of having offered bribes to the tune of \$36 million to Libyan officials of the regime of Col Muammar Gaddafi between 2001 and 2011. The company has asked for a remediation agreement instead of being put on trial, pleading that it has now cleaned up its act. On the SNC-Lavalin case, Philpott has said: "I must abide by my core values, my ethical responsibilities, constitutional obligations. There can be a cost to acting on one's principles, but there is a bigger



Former Canadian Justice Minister Jody Wilson-Raybould and Prime Minister Justin Trudeau. Reuters

cost to abandoning them." SNC-Lavalin is headquartered in Quebec, a swing province that is generally seen as being critical for the Liberal

Party in the October election. The history of Canada's elections show when Liberals win Quebec, they also end up winning a majority in Parliament; and when they lose Quebec, they lose the election. After Wilson-Raybould made her allegations, the Liberal premier of Quebec, Philippe Couillard, was ousted in the provincial election.

The Prime Minister

Trudeau won in 2015 on a platform of transparency, gender equality, and the promise of reconciliation with the country's indigenous peoples. He has denied the allegations, and said that if any lobbying was done that appeared to favour SNC-Lavalin, it was only to save jobs. On Thursday, he repeated that he did not agree with Wilson-Raybould's "characterisation" of events.

Canada's Ethics Commissioner is probing Wilson-Raybould's accusations for possible flouting of conflict-of-interest rules. Wilson-Raybould has said she does not believe that laws were broken, but Trudeau's office was indeed guilty of impropriety.

The leader of Canada's opposition, Andrew Scheer of the Conservative Party has asked that Trudeau resign, because he has lost the "moral authority" to lead the country.

SNC-Lavalin and India

There is a longstanding "SNC-Lavalin case" in India as well. It relates to the award for renovation and modernisation of three hydroelectric projects in Kerala during 1995-97.

After an MoU between Kerala State Electricity Board and the Canadian company was signed on August 10, 1995, an audit by the Principal Accountant General of Audit pegged the loss to the exchequer at over Rs 300 crore. The PAG report triggered a storm, which led to an inquiry by the Vigilance and Anti-Corruption Bureau (VACB). The VACB found substance in the PAG report, and registered a case against eight persons.

Later, on the order of the High Court, the CBI took up the case. It dropped some names from the list of the accused, and

added those of Kerala's present Chief Minister Pinarayi Vijayan, and the then joint secretary of the Electricity Department to it.

The MoU between KSEB and the Canadian company was replaced by three consultancy contracts, which were then replaced by three supply contracts. The CBI alleged that Vijayan as Electricity Minister showed undue haste and interest in the execution of the supply contracts in February 1997.

After the designated CBI court in Thiruvananthapuram discharged Vijayan and six other accused on November 5, 2013, the agency approached the High Court, which upheld the trial court order in 2017. The Supreme Court will hear final arguments in CBI's appeal in the first or second week of April.

Vijayan has maintained all along that the case is politically motivated. The case led to a political storm in Kerala, and an open factional war in the CPM between Vijayan and his bete noire V S Achuthanandan.