



The Indian EXPRESS

FOUNDED BY

RAMNATH GOENKA

BECAUSE THE TRUTH INVOLVES US ALL

STOOP TO CONQUER

It is dispiriting that PM invokes Hindu-Muslim, majority-minority, in an election that was meant to talk up vikas

CAMPAIGN 2019 IS off to a nasty start. And the intemperance flows from the top. Mere days into electioneering, in a speech in Wardha, Maharashtra, on Monday, Prime Minister Narendra Modi brought the acquittals of the accused in the Samjhauta blasts case into his attack on the Congress. He dismissed and denied "Hindu terror", blamed the Congress for coining the term, and invoked the spectre of "Hindu anger", which, he suggested, was the reason why Congress president Rahul Gandhi had chosen Wayanad in Kerala, with a large non-Hindu population, as a second constituency. The PM's assertions are unbefitting of his office. For one, it is misleading to say that "Hindu terror" is a political formulation. More importantly, the PM's intervention on the Samjhauta acquittals politicises and potentially perverts an already imperilled due process in a set of cases where members of radical Hindu outfits have been accused of violence and terror. On the Samjhauta case, PM Modi ignores the court's anguish — on the record — at letting off the accused because of the NIA withholding evidence. He disregards the fact that an NIA court had earlier, in 2017, convicted three ex-RSS pracharaks in the 2007 Ajmer dargah blasts case or that the Maharashtra ATS, in 2018, under a government led by his own party, chargesheeted 12 linked to headline Hindutva groups under the anti-terror law, UAPA.

If his comments on the Samjhauta case can be read as politicisation of due process in a sensitive security matter, the PM's characterisation of Wayanad as a constituency where "the majority is in a minority" and his references to "Hindu awakening" are communally polarising. It has long been a strategy of the BJP to talk up Hindu anger and stoke Hindu fear as two sides of the same mobilisation. By promoting a sense of siege in the majority, and by inciting resentments, the party has sought to unify and consolidate a scattered and diverse community. But at the same time, the BJP's appeal has also extended beyond this contrived binary. Its political-electoral success has also been a result of its ability to sell dreams of change and of a better tomorrow to an aspiring and largely young electorate. Those dreams and expectations will now be tested against the delivery by the Modi government in the upcoming election. The PM's majority-minority talk, however, signals a BJP intent to change the subject from a potentially awkward stocktaking of the government's record and to openly play the Hindu-Muslim card to do so.

When a PM stoops to conquer, as he leads his party into the election, it is dispiriting for the entire democratic polity. It can also be taken as a cue for others who seek to cross the line, lower the discourse, like UP chief minister Yogi Adityanath, who has described the army as "Modi ji ki sena" in his own election speech, with impunity. April is the cruelest month, said the poet. This one could very well be the longest too.

HITTING THE REGULATOR

SC's striking down of RBI circular on resolution of bad loans undermines central bank at a critical moment for economy

ON TUESDAY, THE Supreme Court struck down the circular issued by the RBI on February 12, 2018, which directed banks to refer all bad loan accounts of over Rs 2,000 crore to the National Company Law Tribunal (NCLT) if they failed to come up with a resolution plan within 180 days. The Court has said that the circular was unconstitutional and that a reference under the Insolvency and Bankruptcy Code (IBC) has to be on a case-to-case basis and with the authorisation of the central government. This was in response to the challenge mounted against the RBI circular by companies in the power and other sectors arguing that the defaults were because of extraneous reasons such as lack of availability of coal and gas, and delays in payment by distributors. The court's ruling is a blow to India's banking regulator which had, over the last four years, forced domestic lenders to clean up their balance sheets, by first forcing them to recognise the true extent of their bad loans and making full provisions for them. Against their will, the RBI directed them to take over 40 large bad loan cases to the NCLT.

The latest ruling courts the danger of reversing all these gains. It also marks a dent on institutional and regulatory credibility. With all loan restructuring schemes having been disbanded as part of the simplified generic framework for resolution of stressed assets on February 12, surely the process of resolution will be further delayed, adding to the pressure on banks. Recent data points to the fact that even with a deadline of 270 days, resolution of cases under the insolvency law has stretched way beyond, thanks to gaming by promoters and some borrowers, weakening one of the most structurally important reforms in recent years. A judicial intervention now, as in the coal allocation case, will impose its own costs, including a possible weakening of regulation and leave the door open for more regulated entities to approach the courts against regulatory rulings.

The costs will have to be borne by an economy already in slowdown mode. But it is worth recalling that the fire was first lit by the government which objected to this circular, encouraging infrastructure firms to take on the regulator. That, among other things, led to the exit of Governor Urjit Patel. The Supreme Court ruling should not lead to a further diminishing of the stature of the RBI. It is a moment of reckoning.

ROMANCING THE VISUAL

Filmmaker J Mahendran crafted a new language for Tamil cinema

THE 1970S SAW a transition in Tamil cinema, which had by then acquired enormous political and economic clout but limited artistic success. The Dravidian Movement had restricted cinema to a propaganda tool and financiers only saw money in it. But for exceptions like *Unnaiyol Oruvan* and *Dikkatta Parvati*, Tamil cinema was struggling to break free of the formula built on melodrama, mythologicals, song and dance, stunts. A new crop of directors then arrived and changed the grammar of Tamil cinema. They did not reject the market for high art, but sought a middle-ground to tell the stories of ordinary people in a realistic manner. J Mahendran, the director who died aged 79 on Tuesday, was one such filmmaker, who had a deep influence on those who followed him, for instance, Mani Ratnam.

The film that made a name for Mahendran, until then a scriptwriter, was his directorial debut, *Mullum Malarum*. The 1978 film had an unusual hero and Mahendran chose an actor who was known for playing the villain. The film was a runaway hit and the villain-turned-hero went on to become Tamil cinema's unrivalled superstar. Rajinikanth turned Mahendran among his mentors and *Mullum Malarum* figures at the top of his list of favourite films. *Mullum Malarum* was followed by *Uthiripoikkaal*, which again had an unconventional hero and storyline, and *Nenjethai Killathe*. *Nenjethai Killathe*, unlike its predecessors, was set in an urban, middle-class milieu and the narrative revolved around a heroine, played by a debutant actress, Suhasini. Mahendran's later films didn't make ripples, but his preference for unusual narratives, fine characterisation and the ability to explore faultlines in human relationships, turned his oeuvre into a classroom.

Filmmakers like Mahendran and Balu Mahendra established that cinema is primarily a visual art-form, not to be overburdened by verbose scripts. Directors like Mani Ratnam, who romanced the visual over the text, had a ready audience when they started making films in the Eighties because Mahendran and others had already prepared the ground.

De-fanging the deep state



ARUN PRAKASH

Delhi must act with maturity, keep a long view, find a political solution in Kashmir, to counter Pak Army-ISI

"CARTHAGO DELENDA EST" (Carthage must be destroyed) — a phrase incessantly mouthed by Senator Cato the Elder — was the manifestation of Rome's visceral desire to wreak vengeance on its rival Carthage (in modern Tunisia), which had terrorised its lands for decades. The Third Punic War, fought with bows and arrows, resulted in the destruction of Carthage and a hundred and fifty thousand dead.

Today many in India, echoing Cato's sentiments, declare publicly apropos Pakistan: "Enough is enough, let's teach them a lesson." Given past provocations, the sentiment may be unexceptionable. However, the price of "teaching a lesson" to a nuclear-armed neighbour could run into millions of lives and trillions worth of destruction with succeeding generations paying further instalments.

India's national morale, subdued by decades of strategic inertia and timidity, has certainly received a boost during the present government's tenure. First on account of the September 2016 cross-border strikes by our Special Forces and more recently, by the IAF air-strikes inside Pakistani territory. This long-overdue show of resolve has breached a self-imposed mental barrier that had served to freeze successive governments into immobility. Daunted by Rawalpindi's threat of an early nuclear response, India withheld for years a conventional riposte to repeated Pakistani assaults via terrorist proxies.

The recent developments lend themselves to two conclusions. They have demonstrated that there is space, albeit limited, for conventional military operations under the subcontinental "nuclear overhang". They also indicate that India's promise of "massive retaliation" to nuclear first-use and their own instinct for self-preservation will prevent Pakistani generals from employing tactical nuclear weapons unless "in extremis".

Would the Indian public, then, be justified in expecting punitive retaliation for every future Pakistan-launched terrorist attack? It is here that Indian politicians need to be cautioned that the exploitation of military operations for electoral gains not only trivialises their intended impact but can also whip up war hysteria, often difficult to control. The military has been considerably unsettled by a chief minister's recent statement appropriating it for the aggrandisement of

a political party.

While the recent air operations may have shattered the taboo against active retaliation, it must be recognised that Pakistan, regardless of its culpability, will feel obliged to respond to any Indian attack on its soil. It was fortuitous that the February 2019 aerial skirmishes ended in a stalemate but had any military targets been damaged on the ground, both belligerents would have been under immense pressure to up the ante. The resultant tit-for-tat escalatory spiral could have led to unforeseeable consequences.

While the turbulence of the post-Pulwama phase in India-Pakistan relations is far from over, the compulsions of India's rancorous election campaign coupled with Pakistan's internal tensions have created an incendiary subcontinental atmosphere, which could be easily ignited by inflammatory political rhetoric.

TV-studio warriors, who demand that Pakistan be instantly brought to its knees, need to be reminded that the very first step on the escalatory ladder requires preparation for full-scale war. Perhaps they overlook the reality that the Pakistani armed forces are no pushovers. Apart from their size (sixth-largest in the world), professional competence and nuclear arsenal, they have the huge advantage of a reliable source of military hardware in steadfast "iron brother" China. The Indian military, on the other hand, has not only been starved of funds by inadequate budgets but is also deprived of hardware by a lackadaisical Ministry of Defence. The failure of indigenisation programmes has left India dependent for weaponry on six-seven nations, some of them unreliable suppliers.

While assessing the effectiveness of the recently initiated diplomatic and economic measures, and the kinetic force employed, our national security establishment, as it contemplates future courses of action vis-à-vis Pakistan, needs to reflect with seriousness on two other major factors.

First, in Pakistan, we face a security-state controlled by a Praetorian army whose nexus with its Inter-Service Intelligence (ISI) agency constitutes the all-powerful Pakistani "deep state". A revisionist Pakistan has set itself two primary aims — to wrest Kashmir from India and to retard India's economic growth and prevent its rise in the international arena. Given the balance of con-

ventional forces and the presence of nuclear weapons, it is unlikely that Pakistan will ever succeed in its first aim. To thwart the second, all India has to do is sustain its trajectory of economic growth and technological/industrial development, leaving Pakistan far astern. But this assumes the absence of a major conflict.

The oxygen which keeps the deep state alive and sustains its relevance in the Pakistani public's eye is its Goebbelsian canard about an "existential threat" from a "Hindu India", which never accepted the concept of Pakistan, created Bangladesh and now intends further dismemberment by overt and covert means. Since peace with India will deprive the deep state of its raison d'être, it has successfully sabotaged every single Indian peace overture.

In such a scenario, India must make one of two policy choices of strategic import: One, either intensify Pakistani insecurities by irredentist talk of "greater India" and balkanisation of Pakistan. Or two, cut-off the deep state's oxygen supply by conveying an assurance of Pakistan's integrity, on the condition that it behaves responsibly.

The second factor that demands the closest attention is our national posture vis-à-vis the festering Kashmir issue. For decades, we have treated it simply as a consequence of Pakistan's strategy of "bleeding India through a thousand cuts" and employed band-aid solutions. Sizeable military forces have been deployed to deal with civil unrest on the assumption that once the symptoms are tackled the ailment would go away. Absent a "Kashmir Strategy" in New Delhi, the army's sacrifices to establish peace in the Valley have been in vain because a venal political class has never risen to the occasion to restore a functional civil administration.

The situation has taken an unfortunate turn. The prolonged and vicious cycle of violence and response, orchestrated by a malign ISI, has succeeded in alienating and radicalising Kashmiri youth, placing the ball squarely in India's court. It is time to evolve a 25-year strategy to address Kashmir's problems and eliminate Pakistan from the equation by ending alienation, providing employment, restoring civil administration and bringing Kashmir into the national mainstream.

The writer is a former chief of the Indian Navy. Views expressed are personal



REAPAN TIKOO

AROUND THREE decades ago, my family fled Kashmir. I have lived in exile in Jammu, Mumbai and London. I have been applying for my ballot from Kashmir, during elections. Never have I been able to vote, despite the provision being there since 1996, under Section 36A of J&K Representation of People's Act 1957, which provides for setting up booths outside the territorial jurisdiction of the constituency.

The process of seeking a ballot and then voting was like a black box, red tape at every step and devoid of technology automation. It was so fractured, inconvenient, cumbersome, time-consuming and officer-dependant that most of the displaced Kashmiris were never able to vote. Soon, most of us started enrolling as voters from our temporary residence-in-exile, giving up our right to vote from the Valley. Meanwhile, those who are unaware of and uninitiated into the macro view, call us names like "politically challenged" for "boycotting" voting from the Valley.

For the last three years, I have been writing to the Election Commission of India (ECI) and the Union and state governments about our ease in enrolling to vote and voting. I was

VOTERS OF CONSEQUENCE

Displaced Kashmiris can now cast their ballot easily, will be a political force in the Valley

finally granted an appointment to make a presentation to the three-member Election Commission on March 15. The next day, I worked with the ECI to put the policy in place. Like any technology product, I brought the user pain-point perspective to the table, with the ECI looking at the policy framework to accommodate it. We came up with what can be done for the forthcoming Lok Sabha elections as well as the steps to be taken in the long term, the latter being a work in progress. The more process automation takes place through technology, the more transparency, ease of enrolling and voting will unfold for us.

To the credit of the chief election commissioner and the two commissioners and with the active engagement of the concerned deputy election commissioner and his team, the discussed draft was put up for approval immediately. On March 22, it was approved that the local Electoral Registration Officer (ERO), in any part of India, will accept our postal ballot form (Form 12C) and transmit it electronically to the Assistant Returning Office, Jammu. The displaced Kashmiri, after receiving the ballot, will send the vote by speed post,

whose cost is paid by the ECI. Apart from this, M-Forms for voting at 26 polling booth spread across Jammu, Udhampur and Delhi will be available. Due to the shortage of time, more booths could not be provided in other cities.

All the candidates for the Lok Sabha seats in the Valley were announced by mid-March. The above scheme got approval a week later and is getting visibility only now. Since we are seen as inconsequential to the Valley's politics due to not being able to vote there, no political party has given a ticket to a displaced Kashmiri in the current Lok Sabha election.

In a short time, 99,299 amongst us have been enrolled to vote in the Valley and enrolling all those who are still left out is a work in progress. We can now vote from our place of origin in the Valley. No political party can ignore us now.

The displaced Kashmiri voter has gone from being inconsequential to consequential. She has arrived as a political stakeholder in the Kashmir Valley.

The writer, a displaced Kashmiri, works in the field of high technology research



APRIL 3, 1979, FORTY YEARS AGO

DEALING WITH VINOBA AN ALL-PARTY DELEGATION including Union Home Minister HM Patel will call on Acharya Vinoba Bhave to persuade him not to go on fast demanding a total ban on cow slaughter throughout the country. This decision was taken at a meeting, which Prime Minister Morarji Desai had with leaders of various opposition parties, on the situation created by Bhave's decision to go on an indefinite fast for the purpose. Barring West Bengal and Kerala, all states have already enacted laws prohibiting slaughter of cows. MPs from West Bengal like Chitta Basu explained at the meeting how their government had also banned slaughter of milch

cows and useful cattle while there was no complete ban.

NO RESPITE FOR BHUTTO PREPARATIONS ARE UNDER way to execute the former Prime Minister of Pakistan, ZA Bhutto, latest by Wednesday. Pakistan President General Zia-ul-Haq seems to have rejected the clemency appeal to spare Bhutto's life. Bhutto's daughter, Benazir, and his wife, Nusrat, have been asked to see Bhutto in jail, presumably for the last meeting. Benazir said she must "muster courage and restrain my tears" when she meets her father tomorrow. Meanwhile, Bhutto was stated to have been asked by the jail author-

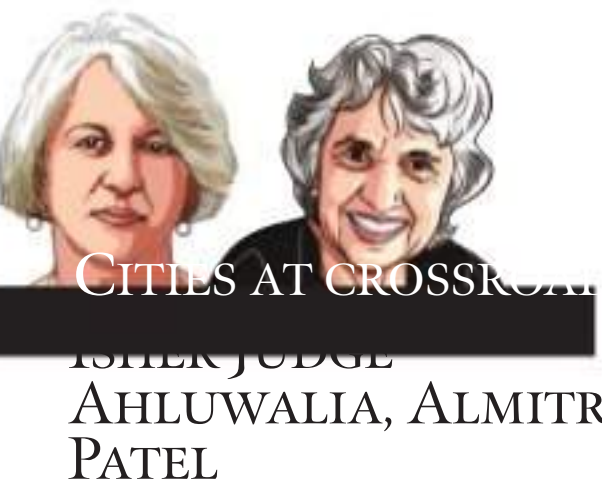
ities to prepare a list of all persons he would like to see. Meanwhile, Bhutto's cousin, Mumtaz Ali Bhutto, and the former commerce minister, Abdul Hafeez Pirzada, have been meeting diplomats in Islamabad to seek their support for clemency. The clemency, according to reports, is unlikely to be granted.

JP'S HEALTH REPORT "HOW IS YOUR government running?" Jayaprakash Narayan asked, when the Union Commerce Minister Mohan Dharia called on him at Jaslok Hospital. Dharia assured him, "We will try our best to fulfill your expectations." JP showed eagerness to go to Patna and Dharia told him, "you will go to Patna soon".

13 THE IDEAS PAGE

How a city cleans up

Vellore has effectively shown other cities how to engage local community, decentralise waste management



CITIES AT CROSSROADS
JUDGE
AHLUWALIA, ALMITRA
PATEL

WE WROTE IN our last column, 'Small town, cleaner future' (IE, February 27) about how small towns in India are showing the way in keeping wet waste separate from dry waste. This is the most critical first step for sound solid waste management. We also looked to see if some bigger towns are getting their act together in managing their solid waste. Admittedly, it is more difficult to organise community action in large towns. But wards are a good place to start, and we are happy to report some encouraging news from Tamil Nadu.

Vellore city in Tamil Nadu, with a population of five lakh, has been a trailblazer in decentralised management of solid waste and sending no waste to landfills. More recently, it has earned the remarkable distinction of getting all its residents to separate their wet waste from dry waste, which makes the task of solid waste management so much easier for the municipal corporation.

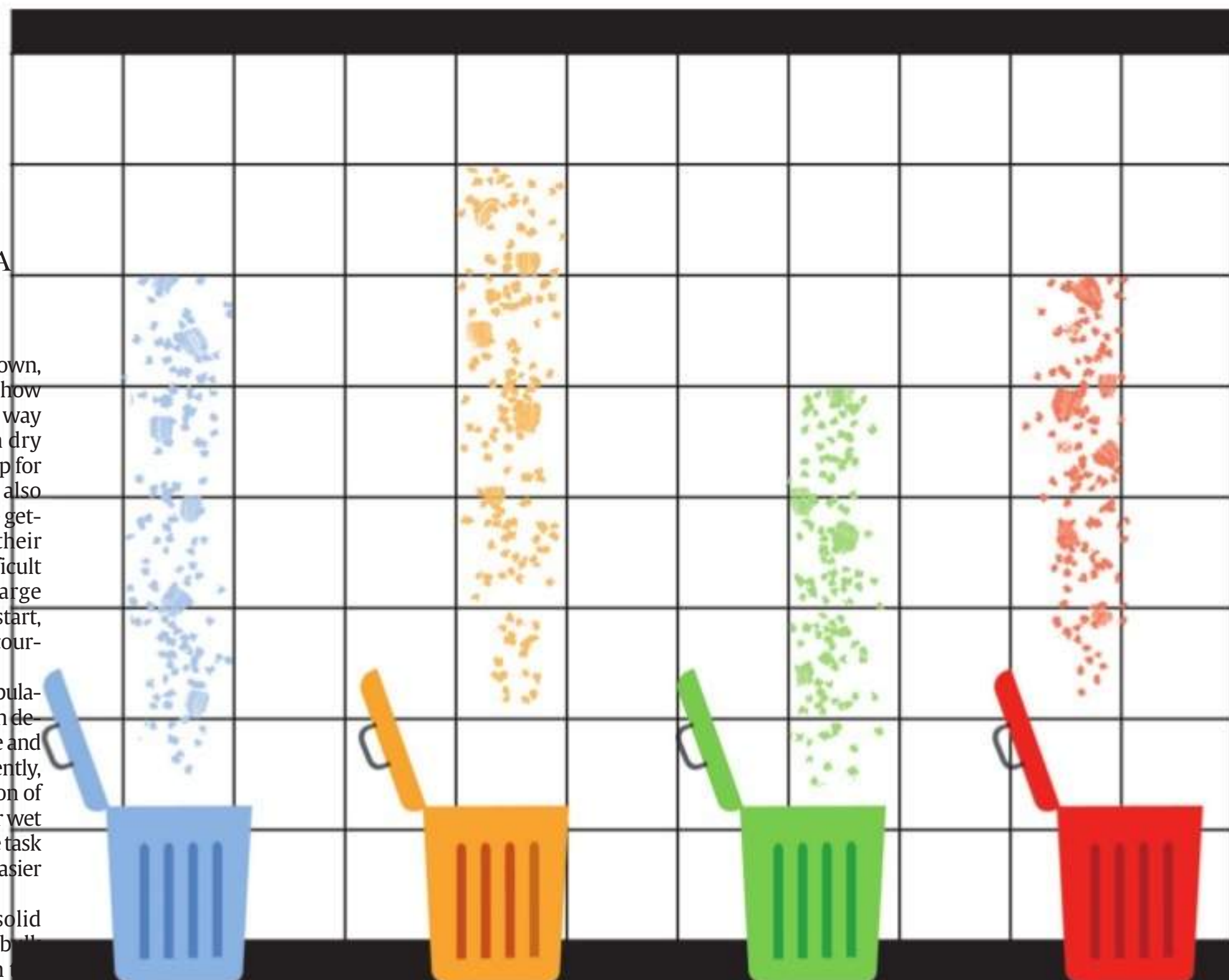
Vellore generates 160 tonnes of solid waste per day, excluding waste from bulk generators. It all began with a PIL in National Green Tribunal in 2015 seeking closure of the eight-acre dumpsite on a tank bund in Saduperi, a few kilometres away from Vellore. The site had been used for dumping mixed waste since 1991.

Vellore Municipal Corporation (VMC) responded to the challenge by building sheds for micro composting centres (MCCs) across its 60 wards. Each MCC (with a capacity ranging from 1.5 to 5 tonnes) was provided enclosed sheds containing numerous open-brickwork tanks (5 ft deep, 5-6 ft wide and 7-10 ft long) for composting wet waste. The tanks are filled in rotation, over a starbed of dry leaves, with one-foot layers of wet waste plus a layer of cow manure, and all government employees, were urged to keep their home wastes unmixed.

Last month, one of us led a group of 100 people from Bengaluru to Vellore to see for ourselves how the VMC was implementing its decentralised waste management system. At a particular MCC, we were pleased to see fully segregated wet waste being hand-picked to remove coconut shells and other hard-to-compost items, on the one hand, and clean dry waste carefully sorted into different bins for sale, on the other.

Municipal commissioner at that time, Janaki Raveendran, with support from elected local representatives, proactively and completely stopped sending any waste to the dumpsite. They started doorstep collection of mixed waste in Vellore, using primary collection vehicles and municipal workers to transport the waste to the MCCs. These are run by self-help groups who are provided with covered space for sorting, and are paid Rs 250 per day. They can collectively keep the proceeds of both the compost and the waste, and VMC pays for electricity and water. There is no secondary transport, no transfer stations for the garbage and no black spots in the city, not to speak of the significant savings made on transport cost.

The second major step of 100 per cent segregation came with the enthusiastic efforts of S Sivasubramanian who assumed the charge as municipal commissioner of VMC on October 31, 2018. Having inherited a well-functioning system of decentralised waste management, the new commissioner was determined to achieve doorstep collection of waste, fully segregated at source, as he had



CR Sasikumar

in his earlier posting in Tirunelveli. And this has been achieved in Vellore in just four months. This should give food for thought to many of those who believe it can't be done in India. It is being done — in the South, but there is no reason why the North cannot follow suit.

There was also an awareness campaign, which involved the municipal commissioner in Vellore and other high officials leveraging social media by posting photos of themselves in their home kitchens with separate bins for wet and dry waste. All municipal staff and waste workers down to the lowest level, and all government employees, were urged to keep their home wastes unmixed before asking others to do so. Religious leaders of different communities were also approached and urged to convey to their followers the importance of keeping wet and dry wastes unmixed and to avoid from January 2019 the use of one-time-use plastics which have been banned by the Tamil Nadu government. Groups like the Lions and Rotary were roped in to spread the good word. Schools were required to get pledges signed by all students and their parents. With the cooperation of teachers, they have reached out to 1,28,000 homes.

Such campaigns to engage with the community are successful only when the doorstep collection teams cooperate and strictly refuse taking mixed waste. After accepting the segregated waste, they should separately — to gain the trust of those who have complied, by not mixing the wastes at source. The pending grievances of waste collectors with respect to promotions, filling vacancies, provident fund issues and minor transfers of primary collection vehicles, etc. were resolved to ensure their buy-in for the campaign. This shows leadership in making change happen.

Micro-planning of collection vehicle routes is manned by municipal staff, and checking their punctuality and performance, is also key to citizen cooperation. The benefit of such intense focus is that once initial success is achieved for the project, it is relatively easy to maintain the system. Prolonged deadlines for compliance, one area at a time, do not work.

Vellore city in Tamil Nadu, with a population of five lakh, has been a trailblazer in decentralised management of solid waste and sending no waste to landfills. More recently, it has earned the remarkable distinction of getting all its residents to separate their wet waste from dry waste, which makes the task of solid waste management so much easier for the municipal corporation.

At a morning muster, sanitary officers give each waste collector a notebook containing a message from the municipal commissioner, which they have to show to each household on their beat. They also need to collect a signed pledge to not mix their wastes and not use banned plastic: This is also to promote bonding with the households. After two warnings, mixed waste is temporarily accepted on payment of a fee of Rs 10. Thereafter, mixed waste pickup is strictly refused, with the full backing of the superior officers of the doorstep collectors. A follow-up visit is made the same evening to the defaulter household to find out where their uncollected waste went.

The Tamil Nadu government has provided an enabling environment through proactive engagement of the Department of Municipal Administration. The courts have also provided strong support for decentralised waste management. Under the leadership of G Prakash, commissioner of municipal administration in Tamil Nadu, 700 plus MCCs and several on-site composting centres have come up, all receiving well-segregated waste. As in Vellore, so in 19 other cities, no waste goes to a dumpsite. Statewide, wet waste is collected six days a week and dry waste only on Wednesdays. Municipalities have framed by-laws to comply with Solid Waste Management Rules, 2016. Thus, user charges starting from Rs 20 per month are added every six months to property tax, with collection rates of 80-100 per cent. Bulk generators managing their own waste are charged for collection of dry waste and for the waste they indirectly generate at local markets, eateries, etc. As a result of the plastic ban, the volume of total solid waste has come down from 160 to 131 tonnes a day.

This model can work equally well in every ward of a metro city. The collective challenge of managing solid waste in our metros requires, above all, the engagement of the community.

Ahluwalia is chairperson of Indian Council for Research on International Economic Relations (ICRIER), Patel is member, Supreme Court committee on solid waste management

WHAT THE OTHERS SAY

"The essence of the Indo-Pacific strategy is to promote China-India confrontation. India should remain vigilant against the strategy rather than making use of it."
— GLOBAL TIMES CHINA

Bonds of secrecy

Concealing the identity of donors in electoral bonds goes against a fundamental tenet of democracy — transparency



P D T ACHARY

ELECTORAL BONDS ARE attracting attention in the run-up to the general elections. These bonds were conceived in 2017 and the necessary legislative changes were made in the Finance Bill of 2017. For example, Section 31 of the Reserve Bank of India Act, 1924, was amended and a new Clause (3) was added to provide for electoral bonds. This amendment was pushed through as a money bill, whereas the Reserve Bank of India Act itself is not a money bill. This contradiction remains unresolved till today. If the parent Act is not a money bill, how can an amendment to it be treated as a money bill?

Be that as it may, the notification issued by the Department of Economic Affairs of the Ministry of Finance on January 2, 2018, gives us details of these bonds. From it, one gets a clear idea of the objective of these bonds: To conceal the identity of the donor of political funds. In India, political parties fund their election campaigns mostly through funds from corporate houses and wealthy individuals. No political party can meet the exorbitant expenses of an election with their membership fees. They need to depend on corporates, who are flush with money, and have no hesitation in generously helping political parties, particularly the ones that are their favourites. Much of these funds are actually black money. Although political parties get income tax exemptions on these donations and the donors too can claim exemption under the relevant provisions of the Income Tax Act, the bulk of these donations remain un-accounted. This means that every election in India adds to the volume of black money in the country. While politicians keep on receiving such donations, they do not forget to make promises about eradicating black money.

Electoral bonds were conceived with a view to keeping the identity of the donor secret. The bond does not carry the name of the buyer. The donor does have a genuine fear that if parties in the Opposition get to know how much he has contributed to the ruling party, he will be in trouble when the former come to power. The electoral bond scheme is informed by an appreciation of such fears. Under the scheme, the name or other details of the buyer of the bonds will not be disclosed to any authority for any purpose whatsoever. The recipient, after receiving the bonds from the donor, will deposit it in his account. Of course, the government — and the ruling party — will know who the donor is and how much money has been given to a party. If there is

a "tough" government in office, we can be sure that the parties in Opposition will get almost nothing. Thus, two objectives are achieved by introducing electoral bonds. One, the identity of the donor can be kept secret from the public, including other political parties. Two, the ruling parties will get the lion's share of the donations. There is ample evidence that these two objects have been achieved.

The details of the electoral bonds were notified by the finance ministry in January 2018. Para 7(4) of this notification points out, "Confidentiality of the information furnished by the buyer shall not be disclosed to any authority for any purpose." This notification was issued under Section 31(3) of the Reserve Bank of India Act, 1924. This Section does not give any details about the electoral bonds policy. The confidentiality of the bonds and the total prohibition of disclosure of information about the donor, to any authority for any purpose, is a matter of legislative policy. This cannot be dealt with through a notification, which is a subordinate legislation. A subordinate legislation can only deal with the details of the implementation of the policy contained in the parent Act. It is the Act which should contain the policy, not the notification issued by the executive under the Act. The Supreme Court has struck down many such orders, regulations and notifications on the ground of being ultra vires the parent Act. The January 2, 2018, notification on electoral bonds is ultra vires Section 31(3) of the Reserve Bank of India Act, 1924, and hence is illegal.

It is not open to the executive to legislate against transparency — a fundamental aspect of public policy in a democracy. A legislature can provide for the confidentiality of state secrets but not for protecting the confidentiality of the donors of political funding who are private individuals or private companies. No public interest will be served by that. In fact, it would only injure public interest.

Section 29(C) of the Representation of People Act, 1951, requires every political party to submit an annual report to the Election Commission. This report should contain the details of contributions in excess of Rs 20,000 received by the party concerned from individuals and private companies. This requirement has been done away with in the case of electoral bonds through an amendment. This amendment to Section 29(C) is against the public policy of transparency and is hence unconstitutional. The Preamble to the Right to Information Act, 2005 declares: "... Democracy requires an informed citizenry and transparency of information which are vital to its functioning." Any executive Act which takes away transparency is anti-democratic and against public interest.

The writer is a former general secretary of the Lok Sabha

LETTERS TO THE EDITOR

JITTERY CONGRESS

THIS REFERS TO the editorial, 'Wayanad signals' (IE, April 2). There could be two reasons for Rahul Gandhi's decision to fight from Wayanad in addition to Amethi. First, as suggested in the editorial, the Congress wants to expand and revive its base in South India. The other reason could be that the party and the Gandhis are feeling jittery in Amethi due to the presence of Smriti Irani. Rahul Gandhi may still win Amethi but the fact remains that the Congress's cadre base is weak and there have been negligible efforts from the party and the leadership to change that in the past five years. For the Left, Kerala is its only remaining area of influence and it would not like to cede that ground to the Congress. Their anger against the Congress's decision, therefore, is justified.

Bal Govind, Noida

POLICE REFORMS

THIS REFERS TO the article, 'Deaths of Taslim and Gufran' (IE, April 2). A slew of reports on custodial deaths in the media recently have indicted police forces across the country. The response to this must be two-fold. First, reforms like setting up CCTV cameras, provision of lawyers, intimation to family or friends need to be formalised and made part of the procedure for treating people who find themselves in police custody. Second, it is also important that every effort is made to ensure that errant officials do not go unpunished.

Anirudh Parashar, Solan

DEBATE SCIENCE

THIS REFERS TO the article, 'Political blindspot, science policy' (IE, April 2). The author has rightly emphasised the need to debate science policies, but

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

scientists do need to be praised. It is their innovations that have resulted in India becoming self-sufficient in agriculture and in many areas of the defence sector. Political parties should not use science policies to settle short-term political scores.

Pranay Kumar Shome, Kolkata

CROCODILE TEARS

THIS TO THE article, 'A festival of rash promises' (IE, April 1). India has indeed made strides in alleviating poverty but the results have been slow to come in. After a period of gradual development, 20 per cent of the poorest of the poorest remain in distress. After ignoring the poor for decades, both the ruling party and the Opposition leaders are now shedding crocodile tears for the down-trodden and destitute.

Tapomoy Ghosh, Katwa

VIEW FROM THE RIGHT

SCIENTIFIC VOTING

AN EDITORIAL IN *Organiser* asserts that the successful testing of the Anti-Satellite (ASAT) missile is a "landmark feat of Bharat" and "scientific and technological might" but during the election season, unfortunately, the moment of national pride has also become embroiled in a battle of claiming credit. The editorial adds that "as voters should learn a lesson from the scientists which can come a guiding force for us while voting in the initial days, scientists had to fight hard to prove their mettle and significance of the search they were undertaking. In the last few years, whether in space programme or in case of defence modernisation, (the) political leadership has given a free hand to the scientists to carry out their experiments and scientific fraternity has also responded expeditiously by giving us, in most cases, more than what was expected," the editorial claims. It adds that as voters, we should also think about the future of Bharat and what is best for the future generations while voting. "Instead of getting into rhetorics and sloganeering of yesteryears, who has the vision and constructive programme for the Bharat should be our primary consideration. Who can stand by the conviction of the masses is the key. In a democracy, not just by the people or of the people but 'for people' is (an) equally, perhaps more, important aspect," the editorial says.

HINDU TERROR

ACCUSING THE CONGRESS party of committing the "sin of conspiring against the Hindus", an editorial *Organiser* asks: "Can Rahul-Priyanka (Congress president Rahul Gandhi and general secretary Priyanka Gandhi Vadra) wash away the sin of conspiring against the Hindus by just temple-hopping their mettle and significance of the search they were undertaking. In the last few years, whether in space programme or in case of defence modernisation, (the) political leadership has given a free hand to the scientists to carry out their experiments and scientific fraternity has also responded expeditiously by giving us, in most cases, more than what was expected," the editorial claims. It adds that as voters, we should also think about the future of Bharat and what is best for the future generations while voting. "Instead of getting into rhetorics and sloganeering of yesteryears, who has the vision and constructive programme for the Bharat should be our primary consideration. Who can stand by the conviction of the masses is the key. In a democracy, not just by the people or of the people but 'for people' is (an) equally, perhaps more, important aspect," the editorial says.

to prove its Hindu credentials. It claims that "after the *janeu* of the Gandhi scion, his sister, Priyanka Gandhi-Vadra, is showcasing her temple-hopping skills on the Ganga ghats." "If we go through their game of devising non-existent concept called 'Hindu terror', it will become evident that the inheritors of the Nehru-Gandhi family are playing another game to fool people with the display of Hindu identity (sic)," the editorial contends. It adds that the UPA government, after taking coming to office in 2004, immediately removed the Prevention of Terrorism Act, 2002 (POTA). "The Mumbai serial blasts and attack through the sea route by the Pakistani terrorists, Kasab and company, were blots on the UPA. The series of blasts like Malegaon, Ajmer, Hyderabad and Samjhauta were happening every now and then. The UPA was under pressure to mend the terror policy, and suddenly the then home minister came with the 'Hindu Terror' theory which was further played by Congress again and again till 2014," the editorial says.

STRAINED ALLIANCE

ON THE RECENT meeting of Congress general secretary, Priyanka Gandhi Vadra, with Bhim Army chief, Chandrasekhar Azad, an article in *Panchjanya* claims that the meeting has not just upset BSP chief Mayawati

but has also created trouble for Samajwadi Party (SP) president Akhilesh Yadav. The BSP and SP, with the RLD, are contesting the Lok Sabha elections in Uttar Pradesh as an alliance.

The article says that after Priyanka's meeting with Chandrasekhar, Mayawati "summoned" Akhilesh and mounted pressure to field the alliance's candidates against the Congress in Rae Bareilly and Amethi. Akhilesh does not want to field candidates in these constituencies but Mayawati is adamant. "The reason is very clear: Priyanka, by meeting Chandrasekhar, wants to attract Dalit voters in western UP and that is not acceptable to Mayawati," the article claims.

It adds that the Congress is seeking a "baaisakhi" (crutch) in the Bhim Army after the BSP distanced itself from the grand old party. The article says that the BSP had created its Dalit vote bank in western UP in a similar manner. It goes on to claim that Akhilesh is "soft" towards the Congress because "the Congress is the only option for Akhilesh at the Centre. But the options for Mayawati are open. After results, Mayawati can join hands with any party. It is noteworthy that she has been chief minister of UP four times and three of her terms were with the BJP's support."

Compiled by Lalmani Verma

TELLING NUMBERS

NREGA wages in states: highs, lows & deficits from minimum



Work under NREGA in West Bengal. Subham Dutta /Express Archive

ON TUESDAY, *The Indian Express* reported that wages being paid under NREGA have fallen below the minimum wage in most of the 35 states and Union Territories for which figures were analysed. One exception is Nagaland, which pays 17% over the Centre-notified minimum, while the NREGA wage paid by Chandigarh in 2019-20 has not been listed by NREGA Sangharsh Morcha, which has compiled these comparative figures. These take into account an annual hike of 2.16% in the minimum wage for 2019-20, which was effected by the Centre last week.

While Nagaland's NREGA wage of Rs 192/day exceeds the centrally notified minimum of Rs 115, Manipur and Meghalaya pay more than 90% of the minimum for their respective states. So do Uttar Pradesh, Kerala, Tamil Nadu, Rajasthan and Karnataka.

Uttar Pradesh, however, pays among the lowest NREGA wages at Rs 182/day (which is 95% of the notified Rs 192). In terms of actual wages paid, UP ties with Uttarakhand at fourth-lowest place. Bihar and Chhattisgarh pay the least at Rs 171 each, while Chhattisgarh pays Rs 176.

While Goa's NREGA wage represents the lowest proportion of the minimum wage (62%) for any state, its notified wage is the highest at Rs 409/day, and the wage it actually pays (Rs 254) is among the top three in the country. Among the states, only Haryana (Rs 339) and Kerala (Rs 287) pay more than Goa, which is followed by Karnataka (Rs 249) and Tamil Nadu (Rs 229). When the UTs are included, Lakshadweep (Rs 401 minimum, Rs 248 paid) comes close to Goa.

Besides Goa, other states that pay less than 70% of the notified wages are Tripura, Gujarat and Sikkim (64% each); Odisha (67%), Andhra Pradesh and Telangana (68% each); and Bihar and Uttarakhand (just under 70% each). The lowest ratio, however, is in

State/UT	Min wage	NREGA wage	Ratio
TOP 5 BY NREGA/MIN RATIO			
Nagaland	₹115	Rs 192	166.96%
Manipur	₹225	Rs 219	97.33%
Meghalaya	₹196	Rs 187	95.41%
Uttar Pradesh	₹192	Rs 182	94.79%
Kerala	₹287	Rs 271	94.43%
BOTTOM 5 BY RATIO			
Goa	₹409	Rs 254	62.10%
Tripura	₹302	Rs 192	63.58%
Gujarat	₹312	Rs 199	63.78%
Sikkim	₹300	Rs 192	64.00%
Odisha	₹280	Rs 188	67.14%
TOP 5 BY NREGA WAGE			
Haryana	₹339	Rs 284	83.78%
Kerala	₹287	Rs 271	94.43%
Goa	₹409	Rs 254	62.10%
Karnataka	₹269	Rs 249	92.57%
Tamil Nadu	₹243	Rs 229	94.24%
BOTTOM 5 BY NREGA WAGE			
Bihar	₹246	Rs 171	69.51%
Jharkhand	₹239	Rs 171	71.55%
Chhattisgarh	₹237	Rs 176	74.26%
Utkhand	₹260.50	Rs 182	69.87%
Uttar Pradesh	₹192	Rs 182	94.79%
THE UNION TERRITORIES			
Andaman & N	₹451	Rs 250	44.57%
Lakshadweep	₹401	Rs 248	61.85%
Puducherry	₹368	Rs 229	62.23%
Daman & Diu	₹294	Rs 202	68.71%
Dadra & NH	₹294	Rs 224	76.19%

Source: NREGA Sangharsh Morcha (minimum wage); Ministry of Rural Development (NREGA wage, 2019-20)

a UT — Andaman & Nicobar pays less than 45% of the minimum notified for it. Lakshadweep, Puducherry and Daman & Diu too pay below 70%.

SIMPLY PUT QUESTION & ANSWER

Why SC order on RBI note matters

The central bank's controversial 'February 12 circular' — which tightened the framework for the resolution of stressed assets — has been struck down by the Supreme Court. What had the RBI intended to do, and what impact is the court order likely to have?

SUNNY VERMA
NEW DELHI, APRIL 2

What was the Reserve Bank of India's (RBI's) so-called "February 12 circular"?

Through a notification issued on February 12, 2018, when Urjit Patel was Governor, the RBI laid down a revised framework for the resolution of stressed assets, which replaced all its earlier instructions on the subject. The circular introduced a new one-day default norm — "As soon as there is a default in the borrower entity's account with any lender, all lenders — singly or jointly — shall initiate steps to cure the default," it said.

Banks were required to immediately start working on a resolution plan for accounts over Rs 2,000 crore, which was to be finalised within 180 days. In case of non-implementation, lenders were required to file an insolvency application.

The RBI said that "in view of the enactment of the Insolvency and Bankruptcy Code, 2016 (IBC)" — under which a resolution plan is supposed to be finalised within 180 days, with a grace period of 90 days — it was necessary "to substitute the existing guidelines with a harmonised and simplified generic framework for resolution of stressed assets".

What did the "Resolution of Stressed Assets — Revised Framework" replace?

The circular went into effect on the same day that it was issued, and all existing schemes for stressed asset resolution were withdrawn with immediate effect. These included the Framework for Revitalising Distressed Assets, Corporate Debt Restructuring Scheme, Flexible Structuring of Existing Long Term Project Loans, Strategic Debt Restructuring Scheme (SDR), Change in Ownership outside SDR, and Scheme for Sustainable Structuring of Stressed Assets (S4A).

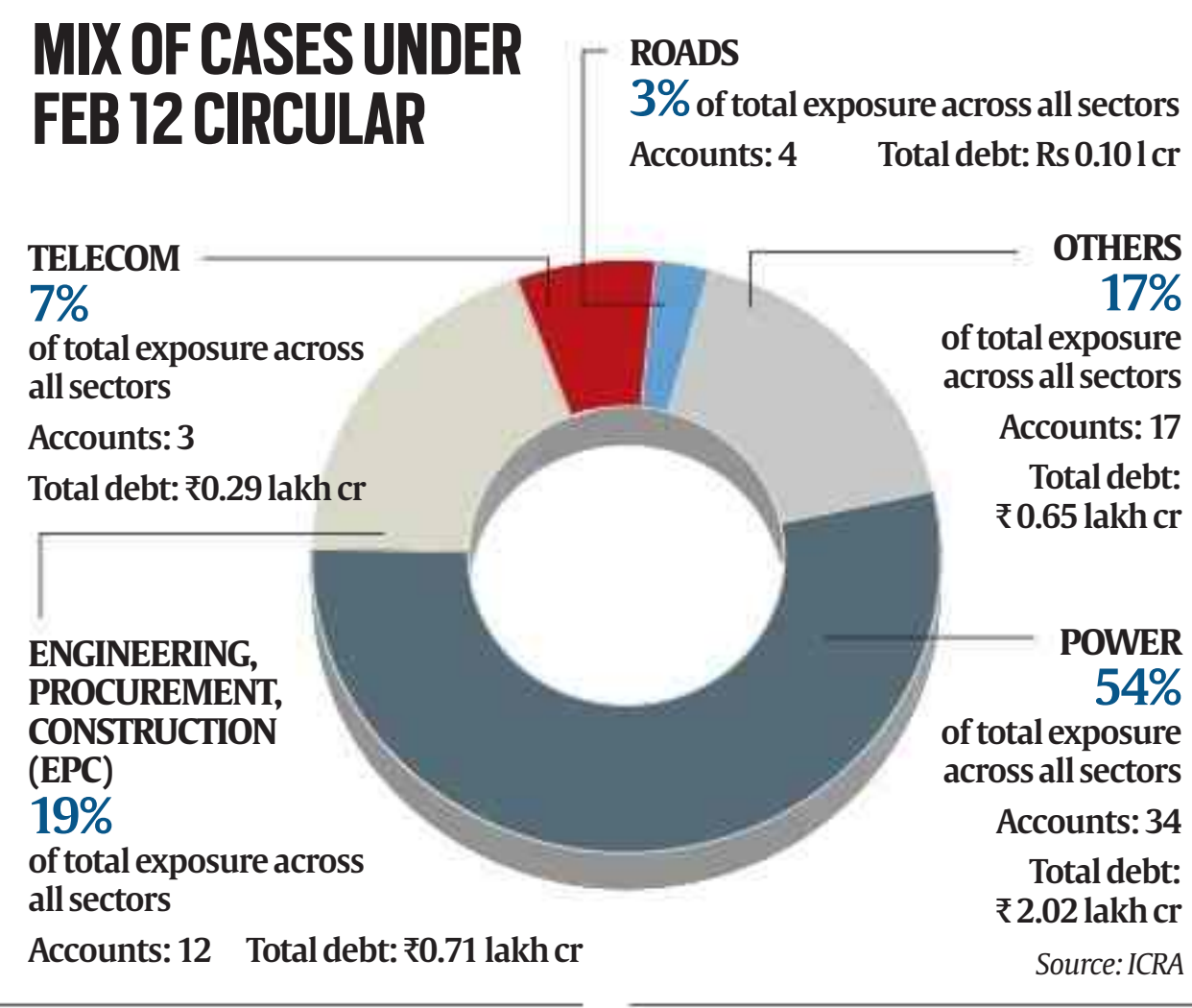
All these schemes allowed more lenient terms of resolution than the February 12 circular, which specifically said that the resolution process must begin from day one of the default. The circular was ostensibly intended to stop the "evergreening" of bad loans — the practice of banks providing fresh loans to enable timely repayment by borrowers on existing loans. The RBI warned banks that not adhering to the timelines laid down in the circular, or attempting to evergreen stressed accounts, would attract stringent supervisory and enforcement actions. The government had earlier asked the RBI to make sector-specific relaxations in the timeline for the implementation of the circular.

How did the matter reach the Supreme Court, and what did the court rule?

The Supreme Court Tuesday held the February 12 circular "ultra vires as a whole" — essentially meaning the RBI had gone beyond its powers — and thus "of no effect in law". Several companies from the power and shipping sectors had challenged the circular,



The circular was issued when Urjit Patel was Governor of RBI. Archive



arguing that the time given by the RBI was not enough to tackle bad debt. Power producers, for instance, had argued that the RBI's 'one-size-fits-all' approach was impractical since the sector was having to confront external factors that were beyond its control, and which made an early revival difficult for them. These factors included the unavailability of coal and gas, and problems arising out of the failure of state governments to hon-

our power purchase agreements. Power companies had moved Allahabad High Court against the RBI circular, which had refused to grant them interim relief last August. Shipping and sugar sector companies had approached other High Courts against the circular. The Supreme Court clubbed together all these petitions. The RBI argued that the circular had been issued in the public interest, with a view to ensure the timely resolution of stressed assets.

So, what impact will Tuesday's Supreme Court order have?

The order provides immediate relief to companies that have defaulted in repayments, especially those in the power, shipping and sugar sectors. However, many financial sector experts argued that the verdict could delay the process of stressed assets resolution, which had of late picked up pace. Since banks will have the choice of devising resolution plans or going to the National Company Law Tribunal under the IBC, the urgency that the RBI's rules had introduced in the system could be impacted.

"Voiding of the February 12 circular is credit negative for Indian banks. The circular had significantly tightened stressed loan recognition and resolution for large borrowers. But with the voiding, this may now have to be watered down. The resolution of stressed loans impacted by the circular will be further delayed as the process may have to be started afresh," Srikanth Vadlamani, vice-president, Financial Institutions Group, Moody's Investors Service, said.

The Indian Banks Association had sought a relaxation in the RBI's norms for infrastructure and power companies. Bankers argued on Tuesday that the quashing of the RBI circular was unlikely to impact ongoing cases at NCLT. Since banks have already provisioned for likely loan losses, that process was unlikely to be reversed, a top banker with a public sector bank said.

"The court order should not prima facie impact the cases in NCLT. I would imagine there could be an impact on the cases that are outside it. The provisioning requirement for banks do not change as it's already over a year since the February 12 circular. A lot of water has flowed under the bridge. Provisioning will keep increasing for banks for the time being, with or without the February 12 circular," the banker, who declined to be named, said.

Banks will continue to have the option of referring a defaulting borrower under the IBC, in case the resolution plan fails, Anil Gupta, vice-president & sector head, Financial Sector Ratings, ICRA, said. However, the resolution process, which was expected to be expedited, may get delayed, Gupta said. ICRA estimates the total debt impacted by the circular at Rs 3.8 lakh crore across 70 large borrowers, including Rs 2 lakh crore across 34 borrowers was in the power sector. As of March 31, 2018, 92% of this debt had been classified as non-performing, and banks have made provisions of over 25-40% on these accounts, ICRA said.

Space debris from Indian satellite: NASA's worry, and why risk is low

AMITABH SINHA
PUNE, APRIL 2

AFTER THE US government — and the rest of the world — had responded rather quietly to India's first anti-satellite missile test last week, the head of US space agency NASA came up with the first major international criticism Monday. NASA administrator Jim Bridenstine said the debris created by the test had increased the risk to the International Space Station (ISS). While he acknowledged that this risk was comparatively small and short-lived, he added that it was a "terrible terrible thing" for countries to "create events that send debris" close enough to the International Space Station.

So, why exactly is NASA unhappy?

On March 27, India demonstrated its capability for shooting down a satellite with a missile fired from the ground, becoming only the fourth country with such a capability. The satellite, which was one of India's own, was literally left in pieces — thousands of them. On Monday, Bridenstine said NASA had identified at least 400 pieces from the wreck, and was tracking 60 that were larger than 10 cm in size. He said 24 of these 60 had got near the ISS and thus posed a potential threat of collision.

The ISS is the world's only permanent laboratory in space. It is massive, spanning a little larger than a football field, and weighing over 400 tonnes. Hanging about 400 km above Earth's surface, the ISS carries extremely costly infrastructure, with facilities to host three to four astronauts at a time. It serves as a unique platform to carry out a variety of scientific experiments in space, especially those that require zero-gravity situations, and also for testing new space systems and technologies.

What threat could small pieces pose to such massive infrastructure?

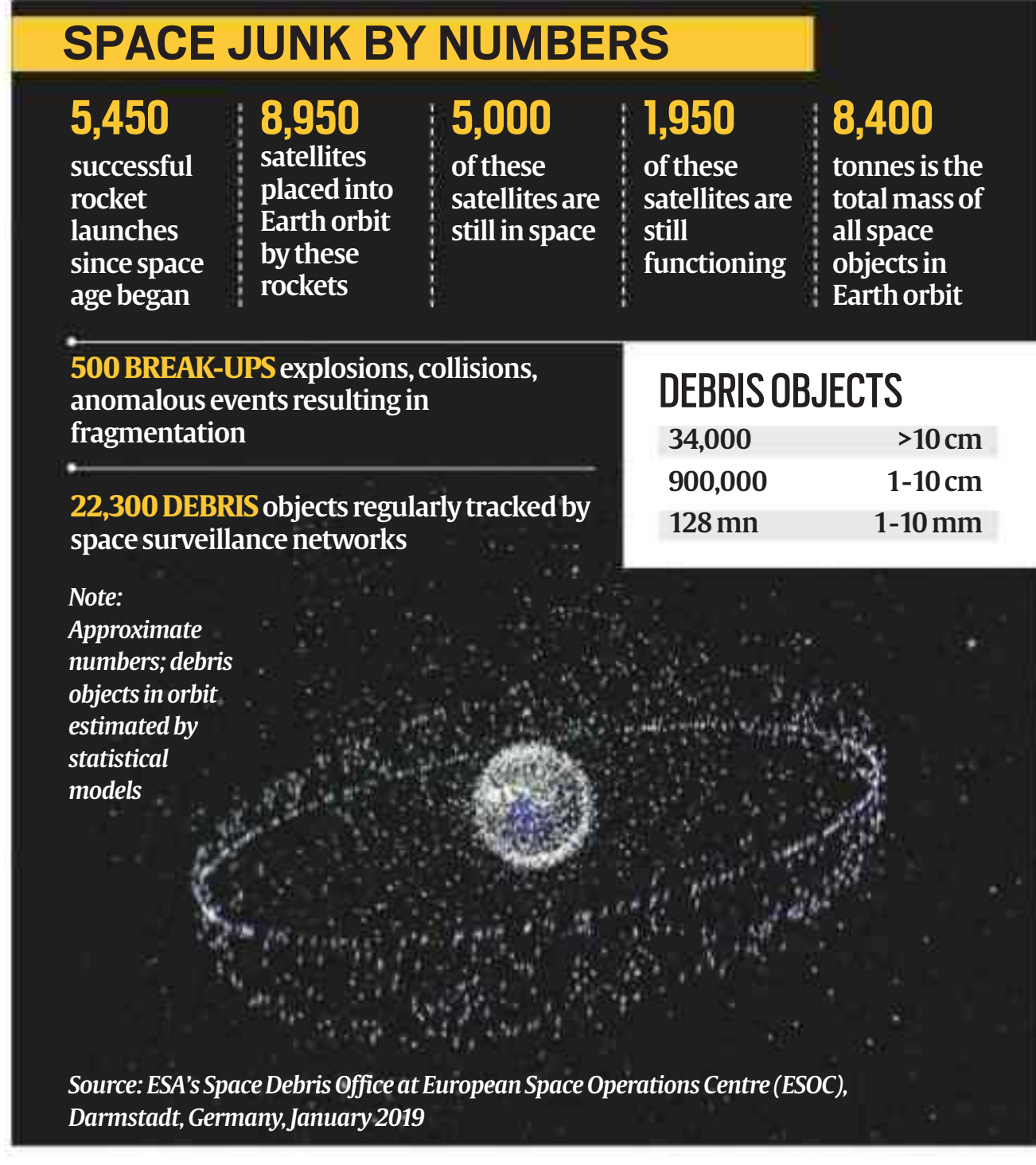
The size and weight of the pieces are secondary. What is crucial is that these pieces move at very great speeds. In the low earth orbit, where the targeted Indian satellite was located, objects typically move at almost 8 metres per second, or 28,000 kph, in order to stay in their orbits. At such speeds, even a tiny object of just about 100 grams would produce the same kind of impact on collision as a 30-kg stone travelling at about 100 kph. The debris from the destroyed Indian satellite would be typically moving at these speeds. A collision with any other satellite in space could render that satellite dysfunctional, if not destroy it.

But given the debris already in space, has the ISS not been at risk anyway?

The ISS, or any other satellite for that matter, is constantly at risk from space debris. Such risk increases or decreases depending on the paths taken by the moving pieces of space debris. Specialised NASA agencies track all the significantly large pieces, over 23,000 of them, as does a similar facility at European Space Agency. These continuously evaluate the risk, and ground control stations take evasive action if necessary.

The trajectory of the ISS is screened at least three times every day. If an object is assessed to have the potential to enter a space box of size 25 km x 25 km x 4 km (height) around the ISS, it is considered a potential threat. The probability of collision is computed and, if required, the ISS is navigated away from its normal trajectory. Such navigations are called Debris Avoidance Manoeuvres or DAMs; since 1999 the ISS has undergone 25 DAMs, the last time in 2015.

In that case, how does the debris from the Indian satellite present a special risk?



Artist's impression of the space junk cloud around Earth based on actual density data. Debris objects shown at an exaggerated size. ESA

It does not pose any special threat to ISS. The 24 additional pieces add to the risk profile of the ISS. Significantly, however, the

NASA administrator said the risk to ISS had increased 44% "in the last 10 days". Given that the Indian test was carried out only five

days earlier, the statement appears to imply that the debris from the Indian satellite was not the only factor responsible for this increase in risk. Bridenstine also said that the probability of the ISS having to undertake a DAM because of the Indian satellite debris was "very low".

But didn't India say it had taken care to prevent the problem of debris?

India had said that since the test was carried out in low-earth orbit at just about 300 km from Earth's surface, the debris created would decay and fall back on to the earth within weeks. Low-earth orbit at about 300 km has both atmosphere and gravity, though considerably weaker. Fragments of the Indian satellite are expected to lose their velocities due to the atmospheric drag and then fall towards Earth under gravity, and likely get burnt away due to air friction.

However, immediately after a hit, it is not unexpected of some of the fragments to fly off in various directions. The satellite was in an orbit that was 283 km from Earth, while ISS is located at about 400 km. The difference between these orbital heights, however, does not alone reflect the distance between them, which is also a function of which points of their respective orbits they are in at a given time. In any case, the fragments from the Indian satellite were not expected to travel more than 50 km from the original trajectory after being hit. The NASA administrator has not said how close to the ISS the 24 pieces were located. So, it is not clear how big a risk these pose to the ISS.

What is the Indian assessment of the debris produced?

ISRO (Indian Space Research Organisation) does not have the resources or the capability to track space debris. It depends on NASA for information on debris to adjust the flight paths

of its launches and existing assets in space. NASA and European Space Agency have an elaborate network of radars and optical instruments across the globe to monitor and track the movement of space debris.

The US has itself carried out several anti-satellite tests. Didn't those contribute to the debris?

These were all carried out much before space debris became a serious concern for the major space-faring countries. In recent times, only China has carried out an anti-satellite test similar to India's, when it downed its Fengyun-1C spacecraft in 2007. That test continues to be the source for the maximum amount of debris ever created in space. It resulted in more than 1.5 lakh large and small pieces, of which 3,428 are large enough to be tracked through radars. Bridenstine mentioned that while the debris from the Indian test was expected to dissipate soon, a lot of the debris from the Chinese test continues to be in orbit.

The second biggest source of space debris was a rare collision between two spacecraft. In February 2009, the inactive Russian satellite Kosmos 2251 collided with Iridium 33, a US company's operational communications satellite. It remains the only instance of such a collision in low-earth orbit. There is no known case of a piece of debris colliding with and damaging or destroying a satellite.

How common are collisions in space?

According to the European Space Agency, there are about 34,000 objects of size 10 cm or above in space, another 90,000 of objects of sizes between 1 and 10 cm, and a further 128 million of sizes between 1 mm and 10 mm. Yet, considering the vastness of space, it is not surprising that collisions, even between pieces of debris not moving in any fixed orbit, are extremely rare.