



The Indian EXPRESS

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RAMNATH GOENKA

BECAUSE THE TRUTH INVOLVES US ALL

Newspeak on poverty

Rhetoric in the name of poor has assumed Orwellian proportions this poll season



CHRISTOPHE JAFFRELOT

REGULATOR'S ROLE

The Supreme Court's push for transparency in banking sector can't be at the cost of RBI's institutional autonomy

IT IS A fraught time for India's central bank. After a much publicised conflict between the government and the RBI, which finally led to the exit of Governor Urjit Patel and a knock to its institutional reputation, it has been dealt another blow by the Supreme Court, which has told the regulator that it is duty bound to disclose the list of defaulters and also make public its annual inspection reports of banks and financial institutions. The SC, while stating that the RBI had committed contempt of court, has warned the regulator that non-compliance of its order would be taken seriously as the bank had been refusing to provide information on all these under the RTI Act, citing its disclosure policy. The other legal test the RBI faces is the unprecedented case of a regulated entity — the Kotak Bank — taking it to court over a regulatory ruling on lowering the shareholding of the original promoter of the bank.

For long, the RBI has resisted disclosure of defaulters on the ground that it would violate banking secrecy laws while justifying holding back information and inspection reports of its supervisory teams on individual banks on fears of a weakening of trust among depositors and the impact on the financial markets and stocks of listed banks. There is some truth to this argument in a country with low levels of financial literacy given that in the past, the country's finance minister and the RBI were forced to publicly assure depositors and investors of a private bank that their money was safe after a run on the bank, fuelled by rumours. Similarly, realising the potential damage which could arise because of the interpretation of a provision in the Financial Resolution and Deposit Insurance Bill on protection of deposits, the government had to step in last year to assuage concerns.

That does not, however, mean non-disclosure in perpetuity. One approach could be to provide this information after the RBI and the bank or an institution and its board have achieved closure and taken action based on regulatory findings, to limit any damage. This could be preferably to Parliament, which could help strengthen prudential supervision. As successive RBI governors and bankers have indicated, the pile up of bad loans in India is also because of judicial delays. India's two-year-old insolvency law has been a signature reform, but at the end of last year in over 30 per cent of the cases, the 270-day deadline had been breached. It is with good reason that after the 2008 financial crisis, governments worldwide are focussed on financial stability. Any hasty step which engenders that mandate may prove costly.

LAY OFF

PepsiCo's case against potato farmers in Gujarat on grounds of IPR violation makes for poor optics

PEPSICO'S SUING NINE Gujarat farmers for alleged infringement of its intellectual property rights (IPR) over a proprietary potato variety makes for bad optics, bordering on a public relations disaster. The American food-and-beverage giant enjoys IPR protection in India for FL 2027, a potato variety with high dry matter and low sugar content that is better suited for making chips (normal table potatoes have more moisture, which adds to dehydration and energy costs during processing, and higher sugar that causes blackening on frying). Such protection is, indeed, required for incentivising agricultural research and development of new plant varieties by breeders, both in the private and public sectors. Under the Protection of Plant Varieties and Farmers' Rights Act, 2001 (PPVFRA), over 3,500 varieties across a range of crops — including those bred or improved by individual farmers — have so far been granted registration certificates for up to 15 years. These certificates confer on the breeders the exclusive rights over commercial production, sale, marketing, distribution, export and import of their protected varieties.

However, the PPVFRA simultaneously entitles farmers to "save, use, sow, re-sow, exchange, share or sell" the produce and seeds of any variety protected under the Act. Such freedom is conditional only upon no sale of such seeds in branded form — in other words, being "put in a package or any other container and labeled". It is clear from this that the Gujarat farmers had not committed any IPR infringement by merely growing FL 2027 potato, even if without PepsiCo's authorisation. PepsiCo may have developed this processing-grade variety solely for its Lay's chips and for contract cultivation by farmers through a buy-back mechanism at pre-fixed rates. The company claims to be working with some 24,000 farmers across nine states: It's fair to assume they benefit from the arrangement, both on account of being insulated from open market price fluctuations — huge in potatoes — and also receiving quality farm inputs and extension support. PepsiCo may, in turn, have legitimate concerns over farmers independently cultivating its proprietary varieties and possibly even supplying their produce to rival chips/French fries makers. But that still does not constitute an IPR infringement.

It would be in PepsiCo's best interest to simply withdraw its suit against the Gujarat farmers, without attaching conditions. A \$65-billion multinational seeking Rs one crore each of damages from Average Joe farmers of Sabarkantha — that too, during election time — is going to only invite opprobrium and consumer backlash. The losses from that will far outweigh any pyrrhic legal victory.

UP IN THE AIR

Imperial nostalgia is being sold in Japan for hard cash. But then, there are worse things to be marketed

ADVERTISING, THE CLICHÉ goes, is not really about selling a product; it's about selling the dream. And, while it's true that a pliable public has bought its share of metaphorical hot air through much of the 20th century and beyond, the canned commemorative air currently being peddled in Japan stretches the limits of consumer credulity. As Japan's symbolic sovereign, 85-year-old Emperor Akihito, becomes the first monarch to abdicate in over 200 years, Heso Production Co. is selling "the air of an outgoing era" — in a (presumably air-tight) can — to those already anticipating pangs of nostalgia for an as yet yet-to-be past.

By all accounts, Akihito has been beloved through much of his 30-year reign and his request some years ago to abdicate while he was still of sound mind and body received widespread sympathy and support across Japan. And, Japan has been a pioneer in the selling air business. The first "air stations", selling oxygen to those looking to escape Tokyo's pollution the 1980s and '90s, became the precursors to oxygen bars across the world, where people that can afford it pay to breathe in the fresh air in lieu of the varieties made stale by their conspicuous consumption. For many across the world, "let's drive down and breathe some oxygen" is a legitimate statement of intent and purpose.

But perhaps, instead of lamenting the sheer audacity of the good people at Heso Production, we ought to thank them. By selling, without engaging in any form of deceit, an empty can for about \$10 they have given us an example of the most unpolluted form of the greatest asset of our times — marketing. They are, like so many politicians, "thought leaders" and all variety of charlatans, merely selling the dream, substance and facts be damned. And given the times, there are worse things to pedal than a can of nostalgia.

POPULISTS ALWAYS CLAIM that they work for the poor. The cause of the poor was already at the heart of Indira Gandhi's rhetoric in the 1970s, when in answer to those who were chanting "Indira hatao!", she came back with the slogan "Garibi hatao!".

Narendra Modi also seeks to exploit this repertoire. In his first address to the Lok Sabha in 2014, he pledged "to serve the poorest of the poor". But it was during the course of demonetisation that this rhetoric reached new heights. The speeches he made on the topic during the campaign for the 2017 UP assembly elections reveal his talent for turning the perspective his way, and even reversing roles. He explained that the measure was intended to fight corruption by withdrawing black money from circulation and that the rich would be hit much harder than the poor. In the famous speech he gave on the theme in Moradabad, in the space of 50 minutes, he used the words "poor" and "poverty" dozens of times.

Retrospectively, it is clear that the poor were more affected than the rich by demonetisation. But other decisions had aggravating effects, including those made about the Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA). Initiated by the UPA government, it was one of the most ambitious programmes to help the rural poor that India has ever known, as the state committed to providing 100 days of work paid at minimum wage for any rural family suffering from chronic underemployment. The amount that the Manmohan Singh government earmarked for the programme represented up to 0.6 per cent of India's GDP. It provided work to 50 million households and brought 14 millions people out of poverty, not only by giving them an income, but also by revising the minimum wage in rural areas (which rose from 65 rupees per day in 2005 to 162 rupees in 2013). The average annual growth of per capita rural income went from 2.7 per cent between 1999 and 2004 to 9.7 per cent between 2006 and 2011.

Yet Modi considered the programme a disaster. Speaking to Congress MPs in Parliament, he declared, this is "a monument to your failures since Independence. After 60

years, you are still making people dig holes".

As the budget sessions proceeded, enormous amounts continued to be allocated to the MGNREGA programme, but during the fiscal year, either the funds were not distributed, or drastic cuts were made, reducing the size of the envelope. The Supreme Court was obliged to intervene in May 2016 to compel the government to disburse the funds earmarked for MGNREGA. But local government officials in charge of the programme, grouped by the state into a WhatsApp group, received instructions via the social network not to disburse the funds, with little concern for administrative transparency.

As a result, the number of people who worked 100 days per year fell from 4,70,000 in 2013-14 to 250,000 in 2014-15 and to 1,70,000 in 2015-16. The number of days worked dropped from 230.33 crore in 2012-13, to 221.15 in 2013-2014 and to 166.32 crore in 2014-15. The average number of days worked by a beneficiary in the framework of the programme fell from 46 in 2013-2014 to 39 in 2014-15. It went up to 45 in 2017-18, but fell to 38.5 in 2018-19, a year when the total allocation to MGNREGA rose to a record figure: Rs 61,0184 crore. But all this money was not to be distributed as 15 states had a negative balance of more than Rs 4,000 crore. The situation also worsened because the wages provided in the framework of the MGNREGA fell below the minimum agricultural wage in 28 out of 36 states and UTs, a trend that accelerated after the finance ministry rejected the recommendation of two committees set up by the rural development ministry. Maharashtra and Tamil Nadu are the only exception to this "rule", and in Gujarat, the gap between the MGNREGA wage (Rs 194) and the minimum agricultural wage (Rs 298) is the largest.

Besides, those who worked had to endure delays in their wage payments. In 2014-2015, only 28 per cent of the beneficiaries were paid 15 days after they had worked, whereas the law stipulated that these people, who live from hand to mouth, should not have to wait longer than that for their money. This proportion came up to 40 per cent after the Supreme Court's intervention, but fell back

to 28 per cent in 2017. The scheme's decline especially penalised the poor villagers in states declared to be in a situation of natural disaster due to drought. While by law these people were entitled to 150 work days, the clause benefited only 7 per cent of them in 2015-2016, a particularly harsh year during which a third of the country was officially affected by drought. At the same time, the minister of communication and information technology announced a year-end bonus of Rs 14,724 crore for government employees.

The way poor villagers were affected stands in stark contrast to the growing affluence of the rich, in a country that has become one of the most inegalitarian in the world. A 2017 Oxfam report revealed that 10 per cent of the richest Indians garnered 73 per cent of the nation's wealth and that 58 per cent of it was in the hands of India's "one per cent" (while the world average is 50 per cent). The earnings made by this handful of people in 2017 was equal to India's budget for that year. In 2017, the fortune of India's 100 richest tycoons leaped by 26 per cent. During the same period, India lost ground in terms of malnutrition, according to the ranking established by the International Food Policy Research Institute (IFPRI), which placed it 100 in a list of 119 countries studied.

In the ongoing election campaign, Narendra Modi has committed himself to fight poverty and declared, in one speech, "Poverty cannot be eradicated as long as the Congress exists". Rajnath Singh said the same thing in another speech: "I can assure you India will become free of poverty the day it becomes Congress-free". To describe these kinds of speeches, George Orwell had coined a useful word: Newspeak. The most famous instances of Newspeak in 1984 is, "War is peace. Freedom is slavery. Ignorance is strength." But there is another citation from Orwell that needs to be quoted too: "If thought corrupts language, language can also corrupt thought".

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BADRI NARAYAN

CASTE VS HINDUTVA

Dalit-Bahujan alliance is a riposte to the BJP's national security centred discourse

THE LOKSABHA election is becoming an interesting war of narratives. Political parties have used a variety of propaganda strategies and media management tricks, besides manifestos and rallies, to frame their narratives. Political analysts are of the view that such narratives play an important role in shaping the electoral fortunes of the parties.

The Bharatiya Janata Party (BJP) has tried to frame the conversation around national security issues, especially the strikes on terrorist camps in Pakistan. Issues related to the terrorist attack in Pulwama have also played an important role in making people generally receptive to national security issues. In times when insecurity has sway over the social psyche, such narratives provide a sense of confidence — promises for security may, therefore, attract a section of the Indian public and voters.

In contrast, development, which was the BJP-led National Democratic Alliance's main plank in the 2014 election, has become a sub-narrative in the current election. In response to the ruling party's efforts, the Congress, under Rahul Gandhi, has come up with the Nyay-based narrative. It has criticised policies of the Narendra Modi government for causing unemployment and failing to tackle rural distress. The Congress has made several promises to address these problems. The Nyay narrative is based on hard economic and social realities, while the BJP's narrative of national security is based on emotive is-

sues centred around nationalism and national identity.

The AIADMK, Trinamool Congress, Telugu Desam, Telangana Rashtriya Samiti and other regional political parties have developed state-centric narratives. The narrative of caste has not been pushed by the national and regional parties, but it has influenced the formation of caste-based and social alliances by political parties. In fact, caste narratives have emerged as an important trope in the 2019 election. The SP-BSP alliance, through rallies and various propaganda techniques, is pushing caste as an important electoral issue in their zones of influence.

In her recent speech in Mainpuri, Mayawati talked about Mulayam Singh Yadav as the "real OBC" (*pichdha*) and Narendra Modi as a "fake OBC" and "kagzi pichdha". The SP-BSP alliance rests on the coming together of two caste-based social groups — OBCs and Dalits. In his speeches and tweets, Akhilesh Yadav has been trying to use caste as a mobilisational tactic to counter BJP's nationalism-based narrative. His remarks like "dudhwala versus chawiwala" are targeted at the Yadavs. Akhilesh has also talked of Dalit-Pichda unity — the Bahujan. This strategy aims to turn the battle of 2019 as one between the Dalit-OBC combine and the BJP's Hindutva and hyper-nationalism.

As we know, Uttar Pradesh Chief Minister Yogi Aadiyanath, who is one of the

BJP's star campaigners, has tried to set the narrative of communal mobilisation through his statements on Ali and Bajrang Bali. In fact, Mayawati turned the UP chief minister's slogan on its head by arguing that Bajrang Bali belongs to the Dalit and Vanchit community. Ali and Bajrang Bali are both ours, she said.

Similarly, in Bihar, *aarakshan* (reservation) has become a powerful element for RJD leader Tejashwi Yadav. Yadav has been reminding OBCs and Dalits of the value of reservation, while warning them that the BJP could take away this important instrument of empowerment. In some of his speeches and tweets, he has positioned reservation as an important instrument available to backwards and Dalits. He has also coined slogans like "Jai Arakshan" and tried to reignite the memory of Mandal and position it against the Hindutva rhetoric.

Regional parties in South India are putting the BJP on the defensive for using the Hindutva narrative as its main poll plank. While national security, with the development claim as the sub plot, is the BJP's main narrative, the party has not left the caste question untouched. It has also been forming social alliances at the grass roots with various caste-based political parties in the North and regional parties in the South.

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APRIL 30, 1979, FORTY YEARS AGO



FREEDOM-FIGHTER DEAD
RAJA MAHENDRA PRATAP Singh, veteran freedom-fighter, died at the All India Institute of Medical Sciences at the age of 93. He had established the first Provincial Government of India at Kabul as a government-in-exile of Free Hindustan in 1915.

IRAN'S ARAB MINORITY
AYATOLLAH SHEIKH MOHAMMAD Taher al Shobier Khaghani, leader of Iran's Arab minority, denounced some Islamic courts as vehicles "for vengeance and carrying out purges". However, Khaghani withdrew his threat to quit Iran, a move which might have worsened unrest among the nation's Arab

minority. The Arab minority in Khuzestan province had demonstrated over his threatened departure. Khaghani added that as long as "the legitimate demands of the peoples of Iran, be they Kurds, Baluchis, Turks, Turkomans, Fars and Arabs, are not met, the country is going to have problems".

MIZORAM ELECTIONS
THE PEOPLE'S CONFERENCE was returned to power in Mizoram when the party secured an absolute majority of 16 in the mid-term polls to the 30-member assembly. Brigadier Thenpunga Sailo, who headed the 23-member (legislature) party in the dissolved house before President's rule was im-

posed, retained his Aizawl North seat. With six outstanding results, the PC's breakaway faction, called the PC(B), has secured four, against an equal number of seats by the Congress (I).

URS'S DILEMMA
THE GROVER COMMISSION report seems to have led the Karnataka Chief Minister Devraj Urs into a dilemma — to continue or not as a follower of Mrs Indira Gandhi. This impression started when Urs hosted a dinner to the Janata Party president, Chandra Shekhar. Last weekend, in the AICC(I) meeting, he attacked, more by implication, Mrs Gandhi's son, Sanjay.

A healthy signal

A genuine desire to provide equitable healthcare will reinforce to voters that they matter to political parties



RAVIKUMAR CHOCKALINGAM AND C RAJ KUMAR

AS THE COUNTRY VOTES for a new government, equitable and accessible healthcare is being talked about. The next big promise of healthcare for the poor is pitched to be the Pradhan Mantri Jan Arogya Yojana (PMJAY). The proposed plan, while facilitating access to a subset of the population, will cost roughly \$1.7 billion. However, the PMJAY, which promises health through insurance for millions of vulnerable Indians, will do little to strengthen our public sector while redirecting spending to the unregulated private sector. As the decibel level from the campaign soars, it is time to place comprehensive healthcare reform on the agenda for change. With only weeks left for voting to conclude, it is critical to understand the role of healthcare in alleviating poverty and improving human development.

An average Indian lives about 10 years less than an American. Since Independence, India's life expectancy, which was 31 years, has increased about by six months every year. While it stands at 68 today, it is strikingly non-representative of any particular state. An average Keralite lives to around 75 years, while an Assamese resident lives to about 63 years. Therefore, an Indian national could live 10 years more or less simply based on his/her geography. A country ranked 112/164 in per capita income must be cognisant of such disparities and health expenditures that push individuals and families, some in middle and upper middle class, deeper into poverty. We ought to be enhancing our existing infrastructure, promoting and reinforcing excellence in care within government centres rather than diverting public funds into private health enterprises. A catastrophic illness is often the inflexion point for many households in India, and they may be well above the government cut off for the PMJAY scheme.

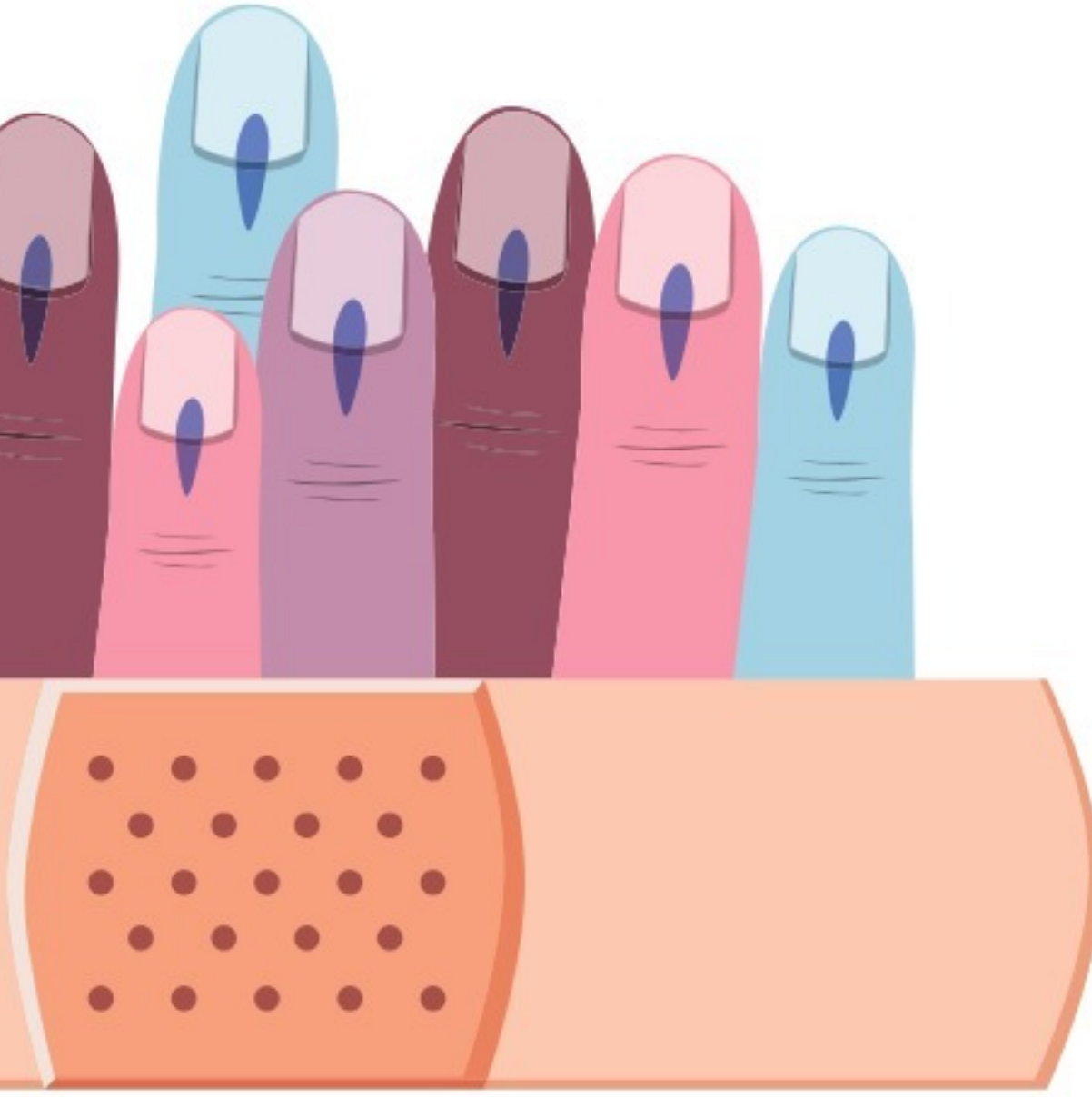
The Health Survey and Development Committee or the Bhore committee from 1943 established the framework for our healthcare system. Barring some iterations, the fundamental design has remained the same. However, the past few decades have seen stagnant public-sector spending along with the exponential growth of the private sector. While total spending on health as a portion of India's GDP stands around 3.9 per cent (World Bank data), public spending as part of our GDP stands just above 1 per cent, with a proposed plan to double it by 2025. Consequently, out-of-pocket expenditure for health stands at a worrying 70 per cent, notwithstanding the government provisioning universal health coverage. In stark contrast, the Kenyan government spends about 3.5 per cent of its GDP on health while Brazil and the US spend 8.9 per cent and 16.8 per cent respectively. In terms of per capita cost, India spends about Rs 1,112 per person (about \$15), while Switzerland and the US spend \$6,944 and \$11,193 respectively. There is a clear prioritisation away from those who need healthcare services the most, in terms of spending patterns in the last few decades.

Another critical area of concern adversely impacting the public health sector is the dearth of human resources. Unfortunately, any consideration of alternate human resources

such as nurse practitioners have failed to gather momentum. The rural health statistics report show that 8 per cent of primary health centres (PHCs) function without a doctor, 38 per cent without a lab technician and 22 per cent without a pharmacist. At the community health centre level, there was a considerable shortage of specialist allopathic doctors. The Higher-Level Expert Group (HLEG) for universal health coverage put forth by the then Planning Commission recommended a doctor-population ratio of 1:1,000, identical to WHO recommendations.

Interestingly, India's national average stands at 1:921 for allopathy and AYUSH (ayurveda, yoga and naturopathy, unani, sidha and homoeopathy) combined, and 1:1,586 for allopathy alone. While six states — Delhi, Karnataka, Kerala, Goa, Punjab and Tamil Nadu — have numbers better than the national average, several states including Jharkhand (1:8,180), Haryana (1:6,037) and Uttar Pradesh (1:3,767) have a horrific doctor-population ratio. In 2004, the Ministry of Health and Family Welfare suggested that each government doctor catered to roughly 15,980 people. This is particularly relevant to an estimated 68 per cent of individuals in rural India, who depend on the government machinery to access quality health services. A 4:1 distribution of health workers favouring urban India adds to this inequity and serves to expose how blatantly non-representative our national metrics are.

Public spending should also be geared to improving the quality of medical education. Technology should be brought in as a tool to enhance the student experience. The growth of the private sector has witnessed an explicit rise in the number of private medical colleges. Sadly, the distribution of many of these colleges follow the urban landscape, likely for financial incentives. During this time, public medical colleges, while growing in modest numbers, suffer from dilapidated conditions in terms of funding, infrastructure, quality of academic scholars, in-house research and the lack of a larger ecosystem that prioritises world-class medical education and research. Consequently, the QS world rankings fail to feature a single Indian medical institution in the top 100 medical schools despite having 579 odd medical colleges that produce about 52,000 doctors each year.



C R Sasikumar

A country ranked 112/164 in per capita income must be cognisant of such disparities and health expenditures that push individuals and families, some in middle and upper middle class, deeper into poverty. We ought to be enhancing our existing infrastructure, promote and reinforce excellence in care within government centres rather than divert public funds into private health enterprises. A catastrophic illness is often the inflexion point for many households in India, and they may be well above the government cut off for the PMJAY scheme.

The exodus of our health personnel (both trainees as well as graduates) has a deleterious impact on our health system as well. One-fourth of all medical providers across disciplines in the US are foreign born and many are from India. In the long term, improving medical education and academic scholarship within public institutions and a significant expansion of private, not-for-profit, and philanthropically-enabled medical schools and public health schools will help create a better healthcare system. It will limit students flocking to other nations for better education, and hopefully bring about a reversal. A critical area of growth would be creating space for not-for-profit medical institutions of international standards to not only close the academic and infrastructure gaps but also to address the exploding human resource crisis in the health sector.

The need for world class institutions of excellence and breaking into world rankings is not just a matter of pride for a country of 1.3 billion people, it is critical to creating a workforce that is adept in meeting the challenges of tomorrow. There is an economic benefit from the mitigation of loss of billions of dollars to overseas institutions. It will prevent the debt that many students and families incur in their quest for higher education as well as the disruption of life from unstable geopolitical climate in the country of immigration. It will certainly address our own human resource crisis in health services. Redirecting public funding and re-invigorating our public sector to create an equitable, sustainable healthcare system for all remains our top priority and our greatest challenge.

There are numerous challenges that face the average voter this election. Our diversity in language, religion, culture and demographics pose intrinsic challenges of their own. Yet, equity in healthcare will unequivocally impact everyone, most of all the ones who are at risk of diving deeper into poverty from a catastrophic illness. Equitable healthcare will restore social justice and will reinforce to the average voter that s/he matters and does so equally in the eyes of the government.

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WHAT THE OTHERS SAY

"It's now or never time for Corbyn. What does Labour stand for?"

— THE GUARDIAN

Rethinking India's space policy

As innovation and geopolitical rivalry put great strain on the old order in outer space, Delhi will need pragmatism, skill in shaping new rules



RAJA MANDALA

BY C RAJA MOHAN

AS IT LOOKS beyond its first anti-satellite weapon test last month, India needs to come to terms with a number of factors that are transforming the political and economic nature of outer space. Four issues demand India's attention. And all of them call for a reorientation of India's national strategy towards outer space. First is the unfolding drift towards the weaponisation of outer space. Over the last two decades, India has joined other powers in developing space assets for passive military uses of outer space — such as surveillance, targeting and military communication. It now needs to prepare for an outer space that might become an active military theatre.

In intercepting and destroying a satellite in orbit, India has signalled its determination to deter threats to its growing number of space assets. But Delhi has a long way to go before it can claim effective deterrence against such attacks. For the great powers are investing heavily in developing a wide range of capabilities to conduct space warfare. These include systems that are far more sophisticated than the one India tested. In February this year, the Trump administration announced its decision to set up a space force — the sixth arm of the military after army, navy, marine corps, coast guard and the air force. Meanwhile, China and Russia are said to be well on their way to deploying space weapons. To effectively secure its interests in outer space, India will need a comprehensive military space policy and the necessary investments to realise its goals.

Second, the challenge of the rapid expansion of commercial space and the growing role of the private sector. India's national space programme has been quite successful in mobilising an advanced technology for development. The Indian Space Research Organisation has also been conscious of the need to draw industry, both public and private sector, to participate in the space endeavour over the decades. While its capabilities for the construction, launch and delivery of satellite services are impressive, India must now wrestle with the exponential growth of the space market. Today's global space business is estimated to be \$350 billion and according to some estimates it could nearly triple in the next two decades.

Delhi must promote a massive expansion of the private sector's role in space to ensure that India gets a reasonable slice of the growing global space business. In the early decades of space technology development, private sector companies worked for and with the government programmes. Today in the US and more broadly the West, the private sector is taking the lead. Consider for example, the business of launching satellites that has been a government monopoly until recently. As the private sector seeks a larger share of the launch business, Elon Musk's Space X has already made a big im-

pression in the US. Other private companies like Blue Origin (US), OneSpace (China), and Interstellar technologies (Japan) are all joining the fray.

Meanwhile, the idea of deploying a constellation of small satellites is gaining great traction. Space X and Amazon have announced plans to put hundreds of satellites in low earth orbit to provide broadband internet around the world. Besides launching rockets and satellites, private sector companies are driving innovation and contributing to the transformation of the space business. Their ambitions now extend to space tourism and the mining of asteroids.

Third, as space becomes the site for expansive commercial enterprise, national space agencies are under pressure to redefine their role. Until recently, the national agencies were the researchers, investors, developers and champions of the space programme at the political level.

This all-encompassing role of the national agencies was necessary when space technology was in its infancy. It was a precondition for countries like India that embarked on the space journey with limited resources and capabilities. As the knowledge and capabilities begin to spread and the number of actors in the space domain grows rapidly, the national space agencies must necessarily redefine their role. While NASA has gone through multiple reinventions, the structure remains essentially unaltered in India.

Instead of trying to do everything, the national agencies could focus on a few critical objectives — to promote a dynamic national ecosystem for space research and development both within and outside the government, lay out a long-term vision for space policy, identify priorities, anticipate potential challenges, and become the face of the space programme at home and abroad.

Fourth, the need to promote effective domestic and international regulatory frameworks for the development of space programmes. After the ASAT test, many in India pointed to the importance of Delhi having the capabilities to shape the security order in outer space. They recall that India's inability to conduct an atomic weapon test before the Nuclear Non-proliferation Treaty was finalised in 1968 had severely undermined India's position in the global nuclear order. In the near term, though, it is even more urgent to develop commercial space laws at home that attract investment, clarify property rights, limit liability for space operators and set standards for space products and operations. Externally, India must prepare for the inevitable evolution of the global space regime centred around the 1967 Outer Space Treaty that insisted on peaceful uses of outer space, barred the national appropriation of celestial bodies, and declared outer space to be "common province of mankind".

As technological innovation, commercial competition and geopolitical rivalry put great strain on the old order in space, Delhi will need all the strategic pragmatism, legal acumen and diplomatic skill in shaping new rules for the regulation of outer space. Above all it needs collaboration with allies and partners in outer space.

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Petty politics over institutions

Opposition fails to distinguish political executive from independent bodies



GOPAL KRISHNA AGARWAL

IN A DEMOCRATIC polity, the Opposition has an important role in keeping in check the ruling dispensation. Its vibrancy is a barometer for the democratic development of a political society. These objectives are achieved through myriad institutions like Parliament, judiciary and Election Commission. Democracies thrive on strong, independent and creditable institutions. Those who believe in democracy have to nurture these institutions, which develop over several generations and carry the footprints of great leaders and the collective wisdom of our founding fathers. The party in power and the Opposition are collectively responsible to protect them.

But recently, the Opposition, in its dislike of the democratically-elected Narendra Modi government, has tried to undermine these very institutions. The Congress, which has held office for the largest period since Independence, has placed certain leftist and ultra-leftist ideologues, in many institutions. Senior minister Arun Jaitley rightly says that they follow the Marxian philosophy of "wrecking the system from within". The election process changes legislators but not these individuals. Recently we are witnessing the consolidation of these "institution destabilisers".

Historically, India has always had a very strong and vocal Opposition. This was even

true during the heydays of the Congress. The Opposition, for example, played a sterling role to protect democracy when the Emergency was imposed.

In its indiscriminate attack on the government since 2014, the Opposition has failed to distinguish between the political executive and independent institutions. Further, the attacks were not only limited to the institutions but degenerated into attacks on those in charge of them as well.

The Opposition's attack on the Supreme Court has been the most scandalous. The opposition parties, directly and through their proxies, have approached the Supreme Court in a number of matters in the last five years. Whenever orders were in their favour, they sung paeans to the Court. But whenever their prayers were rejected they came together to attack the Supreme Court. Blatant attempts were made to browbeat the judges. The then Chief Justice of India (CJI) was accused of giving orders in favour of the government. Even the joint press conference by the SC's four senior-most judges on January 12, 2018, which pertained to the inner workings of the Court, was used by the Opposition to paint a picture of these judges revolting against the BJP government. The Opposition also used the threat of impeachment motion against the CJI to pressure him.

The Reserve Bank of India (RBI) too has

come under the Opposition's attack. When it was becoming apparent that Raghuram Rajan's term as the governor would not be extended, the opposition parties claimed that foreign investors will pull out money from the Indian financial market and the rupee would collapse. It was also claimed that the sovereign credit rating of India would suffer. A man was sought to be made greater than the institution only because he was seen to be against the Centre on certain issues and was speaking out of turn on public platforms. This period was very demotivating for RBI employees. When demonetisation was announced, it was alleged that the government had undermined the authority of the RBI. Allegations were made against Urjit Patel, the then RBI governor.

Even the armed forces, which are known for their professionalism, have not been spared by the Opposition. When the Indian army announced that it had carried out surgical strikes across the Line of Control (LoC) in Jammu and Kashmir in response to the terrorist attack in Uri, the Opposition demanded proof — all to ensure that the government does not get credit for the strikes. Similar reactions followed the Balakot air strikes on terrorist camps after the Pulwama attack.

The biggest and the most sinister attack has been the attempt to delegitimise governments by blaming the Election Commission

of India (ECI) and the electronic voting machines (EVMs). The ECI has won accolades throughout the world for its impartial conduct of the elections. When the opposition parties lost elections, instead of accepting the verdict of the people gracefully, they started blaming the ECI and claimed that the EVMs were hacked. The ECI's attempts to answer questions — including an open challenge to hack EVMs — could not satisfy them. These parties have nothing to offer as explanation when asked how did the BJP get voted in at the Centre in the first place when the preceding government was a Congress-led one or the fact that BJP lost in the state elections in Delhi and Bihar in 2015, and more recently in Chhattisgarh, Madhya Pradesh and Rajasthan.

Imagine the impact of a hostile foreign government and its media declaring that the election was widely believed to be rigged on the prestige of Indian government in international fora. The Opposition must understand that it cannot deliver on its role by undermining the independent institutions of the country. Some things must be left out of everyday petty politics. Undermining the vital institutions of the country might give them short-term political returns but would be disastrous in the long run for each one of us.

The writer is national spokesperson of BJP

LETTERS TO THE EDITOR

CHECK VENALITY

THIS REFERS TO the report, "Voters call out a turnout: A killer of hopes" (IE, April 28). If voters can call out and condemn every turnout, there is hope that the rebels may think twice before deserting. It's not just the rank and file, even some top leaders of the Congress and BJP who are denied tickets are changing parties. Parties cannot accommodate all ticket aspirants. The Election Commission must add one provision in the Model Code of Conduct: After the announcement of poll dates, no one can change his or her party.

Lal Singh, Amritsar

DOLE POLITICS

THIS REFERS TO the article, 'Blast from the past' (IE, April 29). The Narendra Modi government as well its challengers are seeking votes by offering handsome "payouts" to farmers. The Modi government takes pride in opening bank accounts for the poor and the Congress has promised Rs 72,000 to the poorest. This will be paid for by the exchequer and will drive the economy into a tailspin. The deficit may never fall below 3.5 per cent of GDP. Raising import duties could lead to retaliation and exports could be hit. The answer lies in creating jobs in the rural sector by inviting FDI in agri-based products.

Bholey Bhardwaj, Mumbai

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

ROAD REALITY

THIS REFERS TO the editorial, 'Beijing's outreach.' (IE, April 29). India has to live with the reality of China's Belt and Road Initiative (BRI). The BRI has led to an increase in China's geopolitical clout. Beijing too must consider India's territorial sensitivities on Kashmir.

Pranay Kumar Shome, Kolkata



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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

150 mn Indonesians, 5 votes each: when poll duty left 300 staff dead



A voter's finger is inked in Jakarta on April 17. Reuters

IN THE 12 days since Indonesians voted on April 17, some 300 election staff have died of illness caused by fatigue from counting millions of ballot papers by hand. The deaths — 287 civilian workers

and 18 police personnel, besides over 2,000 taken ill, according to reports until Monday — throw the spotlight on the scale of what was the world's biggest single-day elections.

150 million

The number of people who voted. Out of a population of 260 million people in the world's fourth most populous country (after China, India and the United States), 193 million are electors, and the turnout was 80%. These 150 million voters add up to more than Russia's population. Russia itself is the world's ninth most populous country, after Brazil at fifth, Pakistan, Nigeria and Bangladesh.

of the House of Representatives, 136 members of the Regional Representative Council and almost 20,000 members of local legislatures. About 245,000 candidates competed for these over 20,000 positions.

6-7 million

Number of election workers involved in hand-counting these ballots and monitoring the election. They were engaged in 800,000 polling stations, each of which catered to 200-300 voters (and five times as many voters). Temporary election staff do not undergo a medical examination before starting work, the BBC reported. Staff were expected to work through the sweltering night.

5 in 1

Each voter punched five ballot papers as the election, for the first time, combined the presidential poll with national and regional ones, in order to cut costs. Voters elected a president, 575 members

SIMPLY PUT

Lifting the veil in Sri Lanka

An effort to get Muslim women to give up the niqab was already under way in the community. The ban may have made the community more vulnerable, fear Muslim civil society leaders

NIRUPAMA SUBRAMANIAN
MUMBAI, APRIL 29

A WEEK after the Easter Sunday bombings that have been claimed by ISIS, Sri Lanka has effectively banned the niqab, the face covering worn by some Muslim women. The ban order did not specify the face garment by name, nor did it single out any religious or ethnic group. Sri Lanka is possibly the only country in Asia — which has many countries with significant Muslim populations, as well as three Islamic countries, Indonesia, Pakistan and Bangladesh — to pass such an order, and has joined several European nations in taking this step.

The niqab is currently banned in France and Belgium (since 2011), Austria (since 2017), Denmark (since 2018). The Netherlands has a partial ban on wearing any kind of face cover in public transport, schools and hospitals. In Germany, the niqab is banned while driving. The full face veil is banned in Quebec in Canada, and in Barcelona in Spain.

In October 2018, the UN Human Rights Committee declared that France's ban disproportionately harmed the right of women to manifest their religious beliefs, and could have the effects of "confining them to their homes, impeding their access to public services and marginalising them". But the French ban on the niqab continues.

Sri Lanka order

In Sri Lanka, the order was announced on April 28 by President Maithripala Sirisena. The President's website said "steps" had been taken to ban from April 29 "all forms of face covers that may hinder one's identity been ascertained, as a threat to national security and public safety".

The order said "this directive specifies the need for one's face been clearly visible for ascertaining their identity as its main criterion", and that the President had issued this directive "to ensure national security and a peaceful and reconciled society, where no ethnic group or community would be subjected to discomfort".

The order appears to have taken the Sri Lankan Muslim community by surprise, as they had been earlier given to believe that community leaders should take the lead in this matter, rather than the government bringing a rule or law.

Community's fears

Muslims constitute less than 10% of Sri Lanka's population. While the hijab and burqa have become common apparel among



A woman returns from the market with her son in Colombo Monday. AP

Muslim, the niqab not so much.

Shaken by the the Easter terror attacks, community leaders had already asked women to stop wearing the niqab in the "interests of national security". Despite facing the wrath of the LTTE during the civil war years, and post-war, violence by Buddhist extremist groups, the community is socially, economically and politically mainstream. Predominantly traders, Muslims are well educated and upwardly mobile.

After last week's carnage, many Muslims fear they will be the "new Tamils" of Sri Lanka, with every Muslim becoming a suspect, just as every Tamil had become during the war against the LTTE.

They have been at pains to point out that it was Muslim community leaders in eastern Sri Lanka who had flagged the activities of the National Towheeth Jama'ath and its leader Zaharan Hashim several times to the authorities.

Appeal to 'sisters'

Four days after the bombings, which killed more than 250 people and left hundreds injured across the three cities of Colombo, Negombo and Batticaloa, the All Ceylon Jamiyaat Ullama (ACJU) put out the following appeal:

"Maintenance of National security: As Muslims, we are obliged to be responsible citizens and protect our motherland and maintain peace and order. We appeal to all,

to cooperate with the security forces and law enforcement agencies.

"In particular, we strongly appeal to our sisters to be mindful of the critical emergency situation now prevalent in our country and the difficulties faced by the security officers in performing their functions in situations where the identity of a person cannot be ascertained. Hence, we advise that in the prevailing situation our sisters should not hinder the security forces in their efforts to maintain national security by wearing the face cover (Niqab).

"We also recommend that all persons should carry their National identity card at all times to be produced when required by any public officer."

A new leadership

In the week after the bombings, the centre of gravity of the community's leadership has moved towards civil society leaders such as the Sri Lanka Muslim Council, and the clergy represented by the ACJU, from the political leadership, which stands completely discredited.

The Sri Lanka Muslim Congress, the main Muslim political party, appears to have ignored the warning signals of the coming storm right under its nose in its strongholds in eastern Sri Lanka. A leader of another political party was close friends with the affluent family to which two of the bombers belonged. None of the leaders have yet visited

the Eastern province, where the Muslim community has been living in fear, confusion and uncertainty since the attacks.

On the other hand, the Council and ACJU have been continuously issuing appeals to the community to cooperate in the investigation. Other than asking women not to wear the niqab, the ACJU last week asked mosques to keep Friday sermons to "topics highlighting the fact that 'Islam Values Lives'", and asked the community "to turn towards Allah with *Taubah* (Repentance) & *Istighfar* (Seeking Forgiveness)".

The ACJU also asked Muslims to extend all the help they could offer to the families of victims, and "visibly display our condemnation of the terror attack and our condolence for the bereaved by hanging a banner in all three languages (Sinhala, Tamil and English) outside the mosques and raising a white flag to share our solidarity".

Concerns over politics

Hilmy Ahmed, vice-president of the Council, described the Presidential directive as "theatrics" after community leaders had voluntarily said they would get Muslim women to drop the niqab.

"The community had already accepted it, the appeal was issued last week. It's on social media, but still it may not have trickled down to everyone, so we had asked the Justice Ministry for one more week. During the coming Friday prayers, it was going to be announced in every mosque so that it gets totally disseminated," Ahmed said. "We were telling women that if they wanted to continue wearing it, they should not come out of their homes — the idea was to make them give it up."

Now, there is concern that accepting a government ban would create a precedent for more demands on Muslims. "There will be no end to it — next they will say no mosques, no prayers, they will ask us to shave our beards and stop wearing caps. Constitutionally, we have every right to practise our religion in full freedom," Ahmed said.

Ahmed put down the Presidential order as another consequence of the rift between President Sirisena and Prime Minister Ranil Wickremesinghe. The Prime Minister, he said, had agreed to a voluntary giving-up, and therefore, the President had to disagree. Muslim civil society groups and the clergy have asked to meet Sirisena to explain to him that a voluntary giving-up of the garment would work better than an imposition.

"Moreover, the ban will last only as long as the emergency regulations. The way we want to do it, it would be given up permanently," Ahmed said.

TIP FOR READING LIST

HOW TO REMAIN HUMAN AMID AI

WHAT MAKES us human, and how do we preserve that in an age when artificial intelligence is encroaching on our lives? Paul Mason, a former BBC correspondent, looks for answers in his new book. "Suppose there was a machine that knew more than you... and could make better decisions than you. Would you hand control of all the important decisions in your life to that machine?" Mason writes in *Clear Bright Future: A Radical Defence of the Human Being*.

Mason calls for a radical defence of the human being, with his or her universal rights and freedoms. He goes into his personal experiences — his childhood in an English mining community, his reporting on mass protests in Istanbul and riots



in Washington — to show that the notion of humanity has eroded. Yet he offers a vision of humans as more than puppets, customers or cogs in a machine.

In its review, *The Guardian* describes Mason as underestimating the real danger — the "value alignment problem": how to give

AI the right goals and values to ensure that things turn out well from a human perspective. "Mason blunders his way through the value alignment problem, failing to recognise its subtleties," the review states, but acknowledges: "Mason does do us an important service by reminding us that AI risk, like the risk posed by climate change, is something we all have to be vigilant about, and is not just a problem for thinktanks and tech firms."

THIS WORD MEANS

TYPES OF MUSLIM VEILS

The ban ordered by the office of Sri Lanka's President Maithripala Sirisena on Monday is on covering the face — "No one should obscure their faces to make identification difficult". It is the niqab that is prohibited, therefore — not the hijab. A guide to veils of different kinds worn by Muslim women around the world

ABAYA: Ubiquitous, requisite) covering for women in Saudi Arabia; seen throughout the Arabian Peninsula and parts of North Africa. Loose robe or caftan, covers everything but the face, hands and feet. Typically black.

BURQA: Taliban made it mandatory in Afghanistan; covers entire face, with a crocheted mesh grill over the eyes. Can be blue, brown, green, white in Afghanistan and Pakistan.

CHADOR: Iranian women have for centuries worn semicircles of fabric draped over the

head like a shawl. Has no fasteners; held in place under the neck by hand. Black is preferred, but there are colourful ones as well.

HIJAB: In the West, the commonly used word for all Islamic veils; however, it is essentially a head scarf. Styles vary by geography and by fashion trends.

JILBAB: Can refer to any protective article of clothing, not a specific garment. In Indonesia, jilbab is any head-to-toe style of modest dress, especially a head scarf; in North Africa and Arabian Peninsula it is a long dress or tunic.



A Colombo shop that sells various kinds of veils worn by Muslim women. Reuters

KHIMAR: Has historically meant any article of clothing that promotes modesty, protects women from the gaze of unrelated men. In some countries, the term is used to describe any veil or headscarf, similar to a hijab.

NIQAB: A veil that covers a woman's face with a slit left for the eyes. Almost always worn in Saudi Arabia, with an abaya, by women in public. In South Asia and North Africa, women often wear a half-niqab, a square of fabric tied or held with a band below the eyes.

THE NEW YORK TIMES

What HC suggested on age of consent & age gap, and the implications

KAUNAIN SHERIFF M
& ABANTIKA GHOSH
NEW DELHI, APRIL 28

WHILE ACQUITTING a young accused of sexual assault charges under the Protection of Children from Sexual Offences (POCSO) Act Friday, Madras High Court made two significant suggestions — that the age for the definition of a "child" be taken as 16 rather than 18, and that the Act account for the difference in age between the offender and the girl involved in consensual sex.

The takeaways

"... The definition of 'Child' under Section 2(d) of the POCSO Act can be redefined as 16 instead of 18. Any consensual sex after the age of 16 or bodily contact or allied acts can be excluded from the rigorous provisions of the POCSO Act and such sexual assault, if it is so defined can be tried under more liberal provision, which can be introduced in the Act itself and in order to distinguish the cases of teen age relationship after 16 years, from the cases of sexual as-

sault on children below 16 years," Justice V Parthiban ruled.

"The Act can be amended to the effect that the age of the offender ought not to be more than five years or so than the consensual victim girl of 16 years or more. So that the impressionable age of the victim girl cannot be taken advantage of by a person who is much older and crossed the age of presumable infatuation or innocence," Justice V Parthiban observed, directing the government authorities to place the decision "before the competent authority and initiate appropriate steps to explore whether the suggestions made by this Court are acceptable to all stakeholders."

While legal experts and child rights activists welcomed the redefinition of "child", some of them called for further discussions on the suggestion for an amendment that would factor in the age difference.

Definition of child

Supreme Court advocate Vrinda Grover called for decriminalisation of consensual sex between those aged between 16 and 18. "This provision denies young persons falling

in this age bracket consensual sexual agency, and subjects them to the control of families which motivated by casteist, communal or orthodox and regressive views lodge false criminal complaints," she said.

Criminal lawyer and senior advocate Rebecca John said: "On the one hand, when the age of the juvenile in conflict with law was lowered from 18 to 16 (Juvenile Justice Act) in violation of all international conventions, the move was regressive. And on the other hand, study after study tells us, in the age group between 16-18, there is a lot of experimental consensual sexual acts that take place. What happens is that when these children are caught, or if parents find out, then in most of the cases, the parents of the girl lodge a complaint that it was non-consensual."

Child rights expert and Delhi High Court advocate Anant Kumar Asthana observed that after the age of consent was raised to 18 years through the POCSO Act, 2012, "there has been a massive swell in incarceration of young people across the country, even in cases where sexual relation was outcome of a love affair or was consensual.



Madras HC last week suggested amendments to POCSO Act. Wikipedia

Courts dealing with such cases had very little discretion left. The view of Madras High Court is a ray of hope that the government will now take steps to eliminate this unwarranted criminalisation of consensual or romantic sexual relations".

While agreeing that criminalisation of sex in this age group is unfair, former National Commission for Protection of Child Rights chairperson Dr Shantha Sinha said: "The issue of consent would have to be decided from the circumstances rather than

putting the victim on the stand and asking her if she gave consent. You have to look at the amendments in a more nuanced way and not victimise the child further through this line of questioning."

Professor Ved Kumari, dean of Delhi University's law faculty, too felt consensual sex cannot be criminalised at an age when sexual exploration is common, but argued against singling out the boy. "In consensual sex both are offenders or both are victims. It has been my long-held position that either both need to be tried under the JJ Act or both should go to the CWC (Child Welfare Committee). Normally the boy is tried under JJ and the girl is sent to CWC. They are equal partners. How can the two be treated differently?" she said.

Age gap

Vrinda Grover said the suggestion on age gap should be discussed. "I agree with the principle that age difference should not be more than 4-5 years. This can be discussed and decided. It is followed in the UK. In the US also there are close-in-age exemptions, also called Romeo and Juliet laws," she said.