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## TELLING NUMBERS

### What Indians are searching on Google, in which languages

THE RISE of online search volumes in non-metros is trumping that in non-metros, according to one of the emerging trends flagged in Google's annual 'Year in Search: Insights for Brands Report' released Thursday. For example, 61% of all searches across BFSI (banking, financial services and insurance) are coming from non-metros, as 55% of all auto-related searches from non-metros.

Among other trends are the emergence of video as the new search tool, and the rise of Indian-language Internet users. Online video audience in India is expected to grow to 500 million by 2020. Watch time for science videos as well as hobby-related videos in India have more than tripled in 2018. YouTube has also become the new beauty adviser, as watch time for

beauty tips videos in India has doubled year-on-year in 2018 and searches related to beauty have grown by 40% last year, the report said.

About languages, the report said 9 out of 10 new Internet users in India are likely to be Indian language users (Hindi, Gujarati, Bengali, Marathi, Kannada, Tamil, Telugu, Malayalam, Punjabi). Indian language users are expected to account for nearly 75% of India's Internet user base by 2021, and Google search trends show a significant move in this direction. Hindi searches have increased across various query types, the report found.

Among other trends highlighted in the report, dating searches are catching up with matrimony queries. There has been a 40% growth in dating-related searches.

### METRO VS NON-METRO

	Searches from non-metros	Year-on-year growth
Health insurance	59%	78%
Personal loans	57%	109%
Life insurance	61%	43%
Mutual funds	59%	61%

### VIDEO SEARCHES

**500 MILLION**  
Expected online video audience in India by 2020 (Internet itself is adding 40 million users annually)

**1/3**  
Of all searches for online video, a third are related to entertainment

**1.5-3 TIMES**  
Other categories like lifestyle, education and business have shown growth in the last 2 years

**80%**  
Of car buyers use online video to research before purchase

### NON-ENGLISH USERS

**9 OF 10**  
New Internet users in India are likely to be Indian language users; video, music, and news are the top queries of regional-language search

**21%**  
Growth in Indic messaging app downloads

**1.9 TIMES**  
Increase in average data consumption

**75%**  
Of India's Internet user base likely to be Indian language users by 2021

### DATING VS MATRIMONY

**40%**  
Growth in dating-related searches, and a 37% increase in online dating brand queries (versus a 13% increase in interest for matrimony brands)

**3 TIMES**  
Total volume of matrimony searches as compared to volume of dating searches. Although dating searches have grown, matrimony searches remain higher

Source: Year in Search: Insights for Brands Report



FOR THE RECORD: FROM THE EXPRESS ARCHIVES

# 30 yrs ago, Rajiv in Lakshadweep

EXPRESS NEWS SERVICE  
MUMBAI, MAY 9

AT A campaign rally on Wednesday, Prime Minister Narendra Modi said Rajiv Gandhi and his family, including his in-laws from Italy, had used the aircraft carrier *INS Viraat* as a "personal taxi" on a private "10-day vacation" on an island.

The *Indian Express* published several news reports, features, and pictures relating to Rajiv's visit to Lakshadweep around New Year's Day in 1988. Some excerpts from *The Express's* coverage:

### DECEMBER 16, 1987 Barren islet to host Rajiv's holiday PRAMAN, NEW DELHI

"The Prime Minister, Mr Rajiv Gandhi, who had spent the last year-end in the Andamans with his Italian in-laws and friends, will have his holiday this year in a barren island of the Lakshadweep group.

Securitymen, contractors and Congress (I) leaders are being pressed into service to prepare for the comfort of the Prime Minister's exclusive entourage, who, according to the present programme, will spend the week after Christmas in the island.

Engineers and workers are building helipads and temporary "hutments" with modern facilities which have to be brought from the mainland, some 200 km to 400 km away.

...Almost everything — except coconut and fish — will have to be airlifted... This includes cooks, water and generators, in addition to the omnipresent securitymen and attendants."

### DECEMBER 28, 1987 Islands 'booked' for PM EXPRESS NEWS SERVICE, COCHIN

"The movement of people to and from the mainland to Lakshadweep has virtually been sealed for the Prime Minister's holiday in one of the uninhabited islands of the archipelago.

...Anybody who wants to go to the Dweep now has to wait till after the Prime Minister's holiday. The issue of tickets has been closed



Rajiv Gandhi used the *INS Viraat* as a "personal taxi", PM Modi said. *Express Archive*

for all the ships till January 15. The reason given by officials was that all available seats were booked in advance by passengers and some seats were reserved for ministers and officials here in connection with the Prime Minister's visit.

Informed sources say preparations for the Prime Minister's holiday started about four months back...

### DECEMBER 29, 1987 To top it all... EXPRESS NEWS SERVICE, COCHIN

"The Lakshadweep administration has a pleasant surprise for the big contingent of Central ministers, officials and their family members, not to mention the Prime Minister, visiting the island.

Large quantities of *ambalapazha palpayasam*, one of the choicest puddings of Kerala, have been airlifted to Lakshadweep to treat the visiting dignitaries..."

### DECEMBER 30, 1987 PM's choice not dry EXPRESS NEWS SERVICE, COCHIN

"Bangaram Island, chosen by the Prime Minister, Mr Rajiv Gandhi, to spend his year-

end holiday, enjoys a special status in the archipelago.

It is the only island where consumption of liquor is permitted.

In all these other Muslim-majority islands, prohibition is strictly in force. The only other place where a traveller to Lakshadweep is allowed to drink is aboard ship.

...It is understood that the prime minister is planning to host a new year's party aboard a ship.

According to sources, cartons of some of the choicest brands of liquor have already been sent to Bangaram to cater to the needs of VIPs.

Chicken, meat and fresh vegetables are being airlifted from Cochin after thorough checks by health inspectors."

### JANUARY 24, 1988 The holiday that was N MADHAVAN KUTTY, BANGARAM (LAKSHADWEEP)

"At least eight foreigners joined the Prime Minister and his family during their New Year holiday here. In all, the group consisted of 24 men, women and children. Looking after their needs were 70 persons from various departments, cooks and valets and naval

personnel. Nearly 1,200 policemen drawn from Lakshadweep Police and Madhya Pradesh Armed Special Police, based at neighbouring Agatti island, were on patrol on the periphery of Bangaram.

Security was, naturally, tight, reinforced by a 24-hour watch by a naval fleet. According to reliable sources, among the Indian Navy vessels performing various duties in connection with the holiday were aircraft carrier *INS Viraat*, the frigates *INS Vindhyagiri* and *INS Taragiri*, and the landing craft carrier *INS Magar*.

The Lakshadweep Administration's oil tankers *MT Suheli* and *MT Bharat* were also there. Passenger liners like *MV Bharatseema* and research vessels like *Sagardeep* had been taken off their regular duty and put on the holiday tasks.

Innumerable boats of the local administration, including 40 hp high-speed boats, and the Navy's yachting boats were pressed into service. The Navy also provided a windsurfer for the holiday makers...

...There was recreation aplenty as the Prime Minister and his party went swimming and boating and tuna fishing in the seas. Kabaddi with men and women lined up against each other provided the Indian touch. The New Year night was marked by a firelit party on the sands...

...The PM's powerful personal secretary, V George... had stayed back at *INS Viraat* along with Mani Shankar Iyer, Mrs Sarla Grewal, M M Jacob and others..."

### JANUARY 24, 1988 The VIP list EXPRESS NEWS SERVICE, COCHIN

"The Prime Minister's party which holidayed at Lakshadweep consisted of Rajiv Gandhi, his wife Sonia and their two children, Rahul and Priyanka, Ajitabh Bachchan's three daughters... Amitabh Bachchan, his wife Jaya, their children, Sweta and Abhishek... Mrs Sonia Gandhi's mother, Mrs P Maino, her sister, Nadia Valdimero, and her child, G Valdimero, Sonia's brother-in-law, Walter Wincini..., a German friend of Sonia's called Sabina..."

## AN EXPERT EXPLAINS

# How EC evolved, what rules it follows in case of disagreement

While the Election Commission is supposed to transact its business unanimously as far as possible, Commissioner Ashok Lavasa has dissented with the opinion of his colleagues in some recent matters. Under what circumstances did the EC become a multi-member body? What is its procedure when Commissioners disagree?



S K MENDIRATTA

### When and under what circumstances did the Election Commission of India (ECI) become a three-member body?

Article 324 of the Constitution vests the "superintendence, direction and control of elections" in an Election Commission consisting "of the Chief Election Commissioner and such number of other Election Commissioners, if any, as the President may from time to time fix".

From the commencement of the Constitution on January 26, 1950 until 1989, the ECI was a single-member body, with only one Chief Election Commissioner (CEC). The ECI was expanded just ahead of the elections to the ninth Lok Sabha, against the backdrop of differences between the Congress government of Prime Minister Rajiv Gandhi and CEC R V Sastri. These differences began with the Presidential election of 1987. The Union government wanted the nomination process for the election to be timed in such a way that Giani Zail Singh, whose relations with Rajiv were tense, was prevented from

throwing his hat in the ring for a second term. But Peri Sastri declined to play ball, and when the time for Lok Sabha elections came two years later, the government, unsure of how he would act, decided to curtail the CEC's powers by turning the ECI into a multi-member commission.

On October 7, 1989, the government, through a notification issued by President R Venkataraman, created two positions in the ECI in addition to that of the CEC. And on October 16, 1989, Election Commissioners S S Dhanoa and V S Seigell were appointed.

Despite many disagreements between the three Election Commissioners, and the fact that there were no rules governing the transaction of business for the Commission, the Lok Sabha elections of 1989 were conducted successfully. However, the three-member arrangement only lasted for 70 days.

### Why did this happen? How did the ECI revert to being a one-member body?

Soon after coming to power, the National Front government of Prime Minister VP Singh rescinded the Presidential notification of October 7, 1989. Dhanoa challenged his removal in the Supreme Court. The court dismissed his petition — but observed that more heads were better than one in a body that had to perform important constitutional functions, and that there should be a provision for transaction of business if the Commission were to be made a multi-member body again. The Union government then enacted The

Chief Election Commissioner and Election Commissioners (Conditions of Service) Act, 1991, which gave the CEC a status equal to that of a Supreme Court judge, and his retirement age was fixed at 65 years. The ECs were given the status of High Court judges, and their retirement age was fixed at 62 years. This meant that if and when the ECI became a multi-member body again, the CEC would act as its chairman, and the ECs would be junior to him. At the time of its enforcement, this Act had no provisions to govern the transaction of the Commission's business.

For the next two years, the ECI continued to function as a single-member body. Peri Sastri passed away while in office in 1990, and V S Ramadevi was given temporary charge of the Commission until T N Seshan was appointed CEC on December 12, 1990.

### What happened thereafter? How did the ECI become a multi-member body again?

Unhappy with Seshan asserting the Commission's independence, the Congress government headed by P V Narasimha Rao decided to expand the ECI again on October 1, 1993. M S Gill and G V G Krishnamurthy were appointed ECs. Simultaneously, the Chief Election Commissioner and Election Commissioners (Conditions of Service) Act, 1991 was amended by an Ordinance. The name of the law was changed to The Election Commission (Conditions of Service of Election Commissioners and Transaction of Business) Act, 1991. The government made

the CEC and the ECs equal by giving all three the status of a Supreme Court judge, retiring at the age of 65 years.

In other words, all three Commissioners now had equal decision-making powers.

Also, a new chapter titled 'Transaction of Business', containing Sections 9, 10 and 11, was introduced in the Act. These three sections envisaged that the CEC and the ECs would act in such a manner that there was unanimity in their decisionmaking and, in case there was any difference of opinion on any issue, the majority view would prevail.

Seshan moved the Supreme Court, alleging that the three provisions were an attempt by the government to curtail his powers. A five-judge Bench headed by Chief Justice of India A M Ahmadi dismissed the petition (*T N Seshan Chief Election Commissioner vs Union Of India & Ors*, July 14, 1995), and the ECI has functioned as a three-member body ever since.

### What is the nature of the powers of the Election Commission of India?

In *Mohinder Singh Gill & Anr vs The Chief Election Commissioner and Others* (December 2, 1977), the Supreme Court ruled that "Article 324, on the face of it, vests vast functions in the Commission, which may be powers or duties, essentially administrative, and marginally, even judicative or legislative". This means the ECI mainly has administrative functions in the preparation of electoral rolls and conduct of elections. The Commission has to exercise its powers and

perform its functions under Article 324 in conformity with the provisions of Sections 9 to 11 of the Election Commission (Conditions of Service of Election Commissioners and Transaction of Business) Act, 1991. The three Sections apply to all the items of business transacted by the Commission — whether administrative, judicative or legislative.

### What is the procedure for disposal of matters that come before the Election Commission of India?

Files are normally initiated at the level of the relevant sections/divisions in the Commission's secretariat, and they move upwards, going up to the Deputy Election Commissioners (DECs) or Directors General (DGs) of the relevant divisions. The DECs/DGs then mark the files needing the Commission's decisions or directions to the ECs in order of their seniority. With the observations of the ECs, the file ultimately goes to the CEC.

In some cases, where any of the ECs or CEC desire a matter to be discussed in person, that matter is deliberated upon in the meetings of the full Commission, which are normally attended by the concerned DECs and DGs as well. The decisions taken in those meetings are then formally recorded in the file concerned.

### What happens if any of the Election Commissioners dissent?

If some difference of opinion persists even after oral deliberations and discussions, such dissent is recorded in the file. All opinions

(S K Mendiratta served with the Election Commission of India for more than 53 years. He spoke to Ritika Chopra)



The Indian EXPRESS

FOUNDED BY

RAMNATH GOENKA

BECAUSE THE TRUTH INVOLVES US ALL

Dear school leavers

Don't believe all the stories that will be told to you about the world you face



PRATAP BHANU MEHTA

RATE THE RATERS

Accountability of rating agencies is crucial, for India's debt markets to deepen and to help channelise savings

FROM THE SENIOR management of the infrastructure financing firm and developer, IL&FS, now under the scanner for mismanagement and governance failures, the spotlight has shifted to at least four credit rating agencies. They are being probed for their role in rating the debt instruments of one of its multiple subsidiaries, IL&FS Financial Services Ltd (IFIN). According to a report in this newspaper, officials of Care Ratings Ltd, ICRA Ltd, India Ratings and Research Pvt Ltd and Brickwork Ratings India Pvt Ltd have been questioned by the Serious Frauds Investigation Office on why they failed to downgrade the ratings of the company's debt paper given the deterioration of financials and despite the red flags raised by some of their own subordinates.

India's rating agencies have been under watch since last June when IL&FS Transport Networks defaulted, and it became known that the parent company, IL&FS, had still been assigned the highest rating of AAA. After widespread criticism of the rating agencies and their processes, in November last year Sebi tightened the rules governing them to force them to factor in liquidity drivers, including cash balances, liquid investments, cash flows to meet maturing debt obligations and to disclose data on ratings action periodically to stock exchanges. Similarly, the RBI, too, put them on notice in cases of ratings of debt for resolution plans of companies. Parliament's Standing Committee on Finance took note of all these while recommending an end to the conflict of interest inherent when a rating agency or its subsidiary carries out advisory or consultancy services to an issuer of debt. It has also made out a case for rotation of rating agencies and a re-look at the current issuer pays model wherein a company which is issuing debt pays for ratings. This is a model which was reviewed in the West after the 2008 global financial crisis but was not shelved in favour of other business models such as investors, the regulator, the government or stock exchanges paying for ratings. The solution perhaps lies in barring rating agencies from taking up other businesses which have a potential conflict of interest, greater information sharing among financial sector regulators and oversight, easing of entry barriers, and in nudging companies to disclose more information and stiffer monetary penalties.

From a broader perspective, credit rating agencies play an important role. Rating agencies can be effective gatekeepers for investors besides helping them make informed decisions and lowering costs for lenders and borrowers. If India's debt markets have to be deepened and to help channelise the vast pool of savings, both at home and overseas, especially long term infrastructure projects, a key element will be improved governance and credibility of the rating agencies.

MYANMAR'S GOOD NEWS

Release of Reuters journalists from jail is reason to celebrate, at a time when more journalists are behind bars than ever before

REUTERS JOURNALISTS WA Lone and Kyaw Soe Oo have been released from Yangon's Insein prison, where they were incarcerated for 511 days for breaking Myanmar's archaic Official Secrets Act while reporting on the Rohingya crisis. Their conviction in 2017 had galvanised the international community, with world leaders and rights organisations clamouring for their release. While their liberation is reason for celebration, at a time when the press worldwide is operating under unprecedented pressure from governments and political forces, they did have to endure the entire legal process, and were released only in an annual amnesty, two among 6,520 prisoners. The unwillingness of the state to take back a case which became a symbol of the repression of the press has considerably damaged the standing of Aung San Suu Kyi, Nobel Peace laureate and the country's first State Counsellor.

The case against the journalists is widely regarded as trumped-up. They were arrested after being called to a meeting with government officials, and support for the conviction under the colonial-era law, ironically, had come from documents on their cellphones, which were recovered by cutting-edge Israeli technology. The irony has not been lost on critics of archaic laws which are retained on the statute books of several nations because they are useful against critics and opponents, including the press. Nicholas Bequelin, head of Amnesty International in the region, has reacted: "Until these laws are repealed, journalists and activists remain under a permanent threat of detention and arrest." In India, apart from the Official Secrets Act, the criminalisation of defamation remains a serious issue — the Congress has promised to reduce it to a civil offence if voted to office.

While fake news is a matter of urgent concern, the issue of journalists who are penalised for reporting the truth is no less pressing. An unprecedented number of journalists are behind bars worldwide simply for doing their job, which is to question power. In its 2017 annual survey, the Committee to Protect Journalists found that 262 professionals had been incarcerated for their work, a figure that is slightly higher than the previous year's tally, which itself was a record. Recep Tayyip Erdogan's Turkey took the cake, with China and Egypt close behind. But journalists are also working under unprecedented pressure in democracies led by demagogues, like the US. Amidst a rapidly developing global problem, the release of the two Reuters journalists offers hope.

STRANGER IN HER HOME

Asia Bibi's flight to Canada speaks of the climate of unfreedom she had to face in Pakistan

SOMETIMES, FREEDOM CAN be a long plane ride that takes you away from a place that no longer feels like home. Pakistan's Asia Bibi, the first woman to be sentenced to death under the country's controversial blasphemy laws, arrived in Canada where she has been granted asylum, after Pakistan's Supreme Court upheld her acquittal and declared her a free woman.

A Roman Catholic, the ordeal of Asia Bibi, 47, of Sheikhpur near Lahore, began on a June morning in 2009 when she had been out working as a farmhand with her Muslim neighbours. A row over drinking water — Asia Bibi had had a drink from a cup that her neighbours were loathe to share — rapidly escalated into accusations that she had defamed Prophet Mohammad, a punishable offence under the Pakistan Penal Code. As Asia Bibi was arrested, convicted and put on death row, her almost decade-long fight for justice sharply polarised Pakistani society, with hardliners such as Khadim Hussain Rizvi and his religious political party, Tehreek-e-Labbaik Pakistan, relentlessly campaigning to uphold her death sentence even as some moderate politicians such as Salman Taseer and Shahbaz Bhatti spoke up in favour of her release and paid with their lives.

Across the world, an obsession with religious supremacy has led to an increase in vigilantism and mob violence, turning neighbours into strangers, friends to enemies. In a country like Pakistan, where religion guides the legal framework, the blasphemy laws have been a hotbed of controversy, often seen as a means to settle personal scores and as a majoritarian instrument of oppression against the country's minorities. In upholding Asia Bibi's acquittal, first granted in October last year and then challenged by Islamist hardliners, the Supreme Court of Pakistan has done its duty by her. Unfortunately, the same cannot be said for Asia Bibi's fellow citizens who hounded her with death threats and denied her both the dignity of equal opportunity and the confidence that comes from being among one's own.

WE OFTEN THINK of education as the means through which social problems and contradictions might be mitigated, if not resolved. But often the reverse is also true: The larger social structures constrict educational possibilities and the way in which we imagine the relationship between education and life. As another generation of school leavers enters college or the job market, we will console them with familiar platitudes. Do not place undue emphasis on marks. We need a greater supply of institutions of higher education so that competitive pressures for admissions decreases. Choose an educational pathway that you like, rather than conform to social pressure, and so on.

These are fine sentiments and make a good deal of sense. But even as we say these things, we know there is something hollow about them in our social context. The familiar tensions between the practical demands of navigating a pathway in a modern economy, and education for its own sake, will play out within each one of us. We will try and resolve these through our individual choices.

But it is worth thinking of the ways in which these sentiments run headlong against other deep social realities. Simply put, broader structures of inequality and unfreedom actually constrain educational choice. The freedom we urge upon our students runs into a world of necessity and constraint; and the promise that education will be the pathway to equality exposes them to a new kind of inequality.

Let us take the equality issue first. There is one familiar sense in which our education system is deeply inegalitarian. Inherited privilege of income, caste and parents' education still deeply structures educational opportunity. Even success at many so-called objective measures of ability that we thought would create pathways to picking out talent turns out to be determined by inherited privilege. And for this the focus, rightly, has to be on access to education, and the easy availability of high-quality institutions.

But the inequality challenge is not just about access. It is about modes of valuation that are inherent in the way we think of the

relationship between education and society. The philosopher, Thomas Nagel, once wrote: "When racial and sexual (and you might add, caste) injustice have been reduced, we shall still be left with the great injustice of the smart and the dumb, who are so differently rewarded for comparable effort." It must be pointed out that "smart" and "dumb" are categories that are themselves the products of forms of social valuation. But to deny the fact that in our cultures there is a deep tension between the cult of individual achievement and the equal valuation of persons, would be to deny reality. You might argue that to acknowledge some particular achievement (good marks) is not necessarily to devalue persons who do not display that achievement. But the truth is that it is hard to sustain that distinction in practice. In aristocratic societies, trappings of wealth and social valuation go hand in hand. In our societies, manifest ability and social valuation go hand in hand; recognising accomplishment shades over into valuing persons differently.

So as school leavers enter the real world of college and jobs, we often talk to them in bad faith. We say that individual achievement does not matter, when everything around us is structured around individual achievement. We say choose your interests. But the social and economic penalties associated with some professions and choices are so much greater than others. And there is no idiom in society that allows it to say that different professions are indeed valued, if not equally, between tolerable ranges. We say competition is not everything. The hard truth is that almost all the dominant institutions of our existence are structured around competition.

But this mode of valuation is compounded by two other features of modern society. The first is meritocracy, the idea that your achievement is due to individual effort. Again, this is an understandable association. But its corollary is that failure is also an individual failing. In an aristocratic society you might be subordinate, but the psychic story is that this is just the nature of things. In our societies, the individual is devalued or blamed for the lack of achievement, there is a different kind of stress associated with falling behind. Valuing individual achievement is a great spur to ambition, but it is also a psychological disaster: In modern constructions of failure, you have no one to blame but yourself.

The second myth of modern society is this: You might not be able to do some things well, but there are other things you might do well. This is good advice. But the plausibility of this advice depends again upon modes of social valuation. In societies where the income and status gaps between different professions are inordinately high, the line between choosing your own thing and being condemned to social oblivion can be pretty thin. In societies where the social

cost of not making it to the top five or 10 per cent are so high, it is also more difficult to make the argument in good faith to "do your own thing." The life penalties associated with those choices can be much higher.

So as school leavers enter the real world of college and jobs, we often talk to them in bad faith. We say that individual achievement does not matter, when everything around us is structured around individual achievement. We say choose your interests. But the social and economic penalties associated with some professions and choices are so much greater than others. And there is no idiom in society that allows it to say that different professions are indeed valued, if not equally, between tolerable ranges. We say competition is not everything. The hard truth is that almost all the dominant institutions of our existence are structured around competition. And the sheer pressure of numbers is going to make the competition even more severe. We value freedom and encourage it. But freedom simply means the absence of formal constraints. This freedom runs headlong into the empire of necessity: The necessity to work based on dominant modes of social valuation.

Of course, education is still a pathway to empowerment. In its own way, it is still subverting many hierarchies. Knowledge is enchanting; as is the modes of self fashioning education provides. But faced with the annual spectacle of millions of young people arrayed on a commensurable grid of marks, we have to examine the stories we tell them about the world they face. We also have to think beyond individual pathologies. The culture of blame inscribed in our system, or the stigmatisation of parents who are often telling truths to their children about how the world works.

Naipaul once wrote: "The world is what it is; men who are nothing, who allow themselves to become nothing, have no place in it." It is hard to imagine education as a free and equal space, unless broader society lifts the threat of oblivion from the heads of those who do not achieve by its lights.

The writer is vice-chancellor of Ashoka University. Views are personal

AN UNFAIR PROCESS

Supreme Court must re-examine procedure to probe allegations against CJ



REKHA SHARMA

A PANEL of three Supreme Court judges has cleared the Chief Justice of India of the allegations of sexual harassment levelled by an ex-staffer of the Court. While the CJ stands vindicated, the procedure adopted by the panel in arriving at its conclusion has left much to be desired. In fact, one of its own, Justice D Y Chandrachud, had reportedly written to the panel to broaden its membership by including an external member. He also asked the panel to allow legal assistance to the complainant. The Hon'ble judge, it seems, went by the call of his conscience, and echoed the sentiments of a large majority, both within and outside the judicial circles. Given the sensitivities of the case, and the fact that it involves someone as high as the CJ, the stand taken by Justice Chandrachud is highly courageous and deserves kudos.

In 1997, in the Vishaka case, the SC laid down that a committee inquiring into allegations of sexual harassment at the work place should be headed by a woman, and not less than half of its members should be women. To rule out pressure or influence from senior levels, the Court directed that such a committee should comprise a mem-

ber from a third party. After the Vishaka judgment, came The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013. This piece of legislation was enacted, keeping in view the Vishaka guidelines.

It is true that the matter which the panel was dealing with was unprecedented since it involved the highest judicial functionary of the country. Therefore, it was quite likely that everyone involved was under strain. However, even then, the rules of the game ought not to have been given a go-by. While it was imperative that the reputation of the CJ did not suffer because of allegations, it was equally necessary to give the complainant a fair deal.

There is no doubt that the SC's in-house panel in the case against the CJ was not constituted according to the Vishaka guidelines; it also did not go by the provisions of the 2013 Act. We have been told that the panel was set up under the SC's own procedure to examine whether the allegations warranted an inquiry. The intention behind adopting this procedure is to protect judges from motivated and false allegations. Such charges can, of course, tarnish the reputation of the judge concerned and more importantly, embroil the court in a controversy. But this gives rise to another question: Should the law of the land be ignored when it involves high-ranking individuals? By the same logic, many other organisations and institutions may adopt their own set of procedures on the plea that a non-internal inquiry may bring into disrepute not only the individual concerned but also the institution itself. Would the SC be comfortable with such a procedure? I,

therefore, humbly suggest that the Court revisits its procedure in the case against the CJ.

Meanwhile, the complainant has suffered on two counts. The in-house panel was not constituted as per the law and she was not allowed the assistance of a lawyer. It is true that the matter which the panel was dealing with was unprecedented since it involved the highest judicial functionary of the country. Therefore, it was quite likely that everyone involved was under strain. However, even then, the rules of the game ought not to have been given a go-by. While it was imperative that the reputation of the CJ did not suffer because of allegations, it was equally necessary to give the complainant a fair deal. After all, she was merely asking for legal assistance, and now, a copy of the report of the panel.

As I wrote in an earlier piece ('Let the truth prevail' IE, April 24), the truth must come out, however bitter it maybe for either side. May we, in the meanwhile, also hear from those leading lights of the Bar who have been quiet so far.

The writer is a former judge of the Delhi High Court. Views expressed are personal



MAY 10, 1979, FORTY YEARS AGO

URS UNDER SCANNER DESPITE TWO YEARS of work put in by the Grover Commission, the Karnataka Chief Minister Devraj Urs, it appears, has got away. The commission in its final report has indicted Urs on charges of favouritism and abuse of power. The Union government has accepted the findings of the Grover Commission, but finds itself helpless in taking action against Urs, who was the main target of the inquiry by the former Supreme Court judge. After studying the Grover Commission report for two months, the Union government has merely passed it on to the government of Karnataka for what it describes as "follow-up action". This has led to the peculiar situation when the Centre ex-

pects that the state government will take action against the chief minister and two of his former colleagues. Early last year, the Grover Commission submitted its first report indicting Urs on four charges relating to nepotism, favouritism and misuse of official position.

JUST A REPORT: URS DEVRAJ URS APPEARED unperturbed over the findings of the Grover Commission. In reply to a question if he would oblige the Opposition by conceding their demand for his immediate resignation, he said that it was only a report not a judgment.

PUNJAB POLICY ORGANISED ELEMENTS IN the Punjab

Police had planned a state-wide uprising on the lines of the 1973 PAC mutiny in Uttar Pradesh, it is learnt. The direct action aimed at seeking better working conditions and "protection against political dadas" was timed for the current week. But yesterday's spontaneous incidents in Patiala forestalled the impending action by the police ranks.

NO RSS FOR STAFF CENTRAL GOVERNMENT SERVANTS can't participate in the activities of the RSS and the Jamaat-e-Islami. The Union Minister of State for Home cited a government order dated November 30, 1966 to this effect in response to a question in the Lok Sabha.

# 13 THE IDEAS PAGE

## WHAT THE OTHERS SAY

"A million plant and animal species are under threat. Humans are largely to blame — but we will pay the cost too." — THE GUARDIAN

## Intimate enemies

Prolonged exposure to insurgency situations takes its toll on military personnel. Centre's Kashmir policy ignores this



VAPPALA BALACHANDRAN

IT IS A globally-accepted axiom that a regular army's fitness to face external enemies gets impaired when it is frequently used against the domestic population in insurgency situations. This is because insurgency has some amount of popular support, as opposed to terrorism. India had to face insurgencies soon after Independence. As a result, we have done considerable research on the adverse effects to the mental health of our armed forces when exposed to prolonged insurgencies. Thus, it is not surprising that leading foreign military researchers have been citing our studies on this subject.

A 2012 paper in *Military Medicine*, a journal of the Association of Military Surgeons of USA (AMSUS) quoted a 2006 research paper in the *Indian Journal of Psychiatry* titled 'Psychological effects of low intensity conflict (LIC) operations' on the mental health of our troops. The researchers studied responses from 568 service personnel working in "Low Intensity Warfare" areas. An equal number from other areas was also examined for comparison. They found that those working in LIC areas had suffered from "significantly higher scores" of adverse psychological effects.

The reasons were vagueness on the aim of the operations, a feeling that it is a "futile war with no benefits to the country", fear of unexpected attacks, frustration at fighting with "one arm tied behind the back", anger against those who incite insurgency, lack of societal support to the troops, adverse media publicity, hostility from local public, criticism from human rights groups, lack of monetary incentives and a feeling that their families back home were insecure. The research found that such soldiers had "significantly higher depression, alcohol abuse and psychiatric distress compared to those in other locations". They said that conventional military training made the soldier think in clear-cut extremes like "black and white, friend and foe". However, this created problems in LIC "where the concept of 'enemy' cannot be applied to one's own people".

*Military Medicine* in turn examined the situation in Iraq and Afghanistan after the US Counter-Insurgency (COIN) strategy was rolled out on the termination of the regular war. They found that this had resulted in confusion among the soldiers in the "absence of a clear demarcation between the ongoing combat operations and the implementation of stability operations" to support the nascent Iraqi government due to the "unpredictable threat of an active insurgency". This was because the local public emerged as the decisive factor in COIN for winning over "the peoples' minds", whereas it was not so earlier.

The COIN strategy was meant to supplant insurgent support among the public and displace its influence from social networks. As General David Petraeus, com-

mander of the Iraq Multinational Security Command from 2004 and later CIA director said: "Insurgency is something much bigger than just a few terrorist cells. It is also establishing a political environment that helps reduce support for the insurgents."

The US Department of Army & US Marines faces several intangible realities while executing this strategy: The more force they use, the less effective it becomes because of public hostility; the more they protect their soldiers through heavy escorts (or stopping civilian traffic on highways as we saw in Kashmir), the less secure or confident they appear in the public eye. If a particular tactic works this week there is no guarantee that it would work next week.

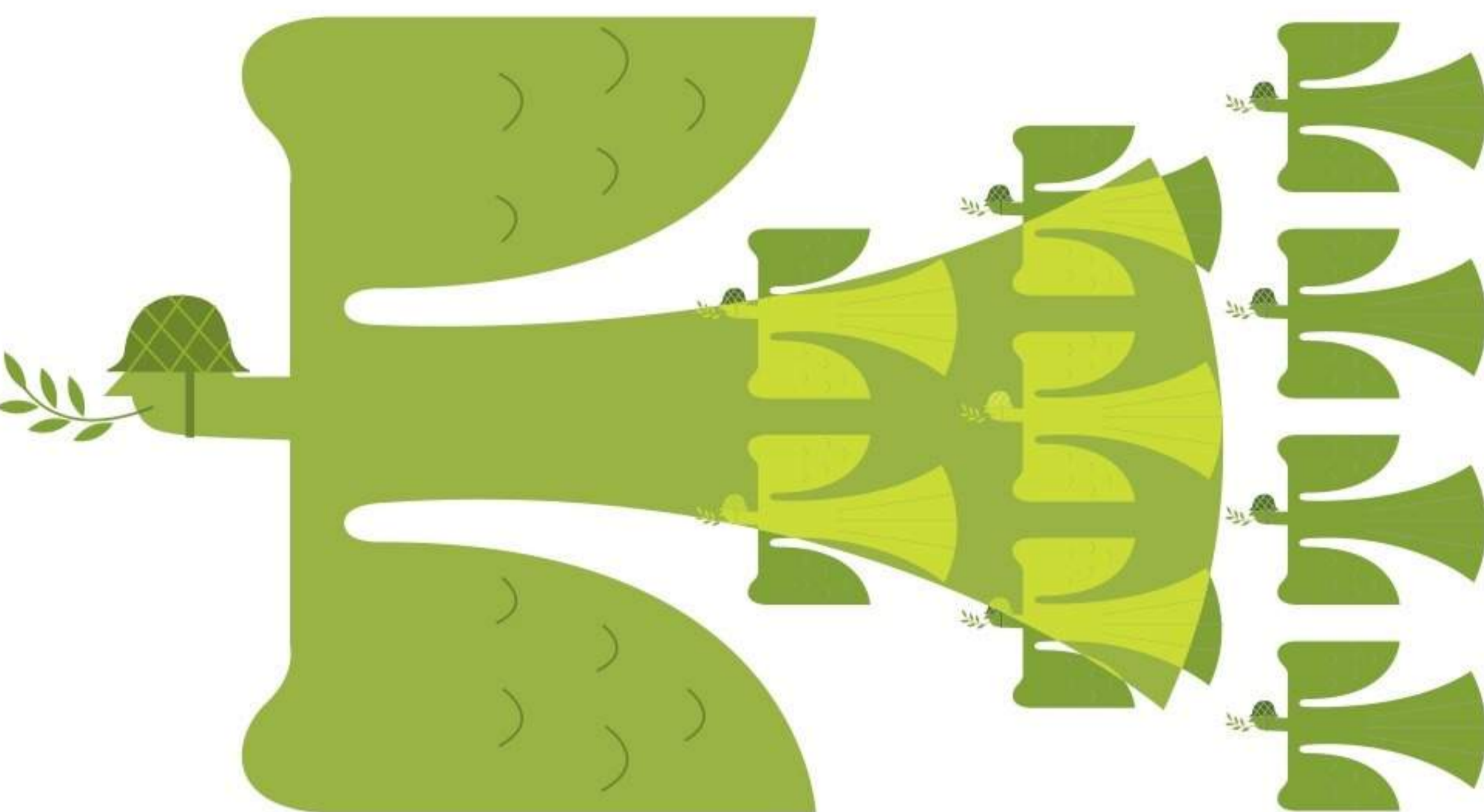
As a result, astute strategists seldom use only "muscular" strategy to tackle insurgency. History records that insurgency was always tackled through a combination of coercive action, conciliation through talks and rehabilitation. Also, all nations try to put civilian agencies to face the public keeping the army in the background.

This will be evident from an excellent compendium, *Policing Insurgencies*, edited by Christine Fair and Sumit Ganguly (Oxford) for which I was asked to do a pre-publication editing in May 2012. The book examines tactics used in 10 insurgencies. These included old cases like the Hukbalahap communist rebellion (Philippines, 1946-54), Malayan communist emergency in two phases (1948-60) and Kenya's Mau Mau (1952-60) where the deadlock was broken after Sir Richard Catling, the new police commissioner, met Jomo Kenyatta in prison. These also included ongoing problem cases like Northern Ireland, Colombia, Iraq, Afghanistan and our own Sikh, Naga and Maoist insurgencies.

Ignoring this historical experience, the BJP government has landed us at the other end of the spectrum in Kashmir by putting the army directly against the public, thereby exposing them to unending strain. Their claim of support to our armed forces has not been followed up by creating conditions for overcoming insurgency through a parallel track of political process as they consider all Valley protesters as Pakistan's proxies. At times, it looks as though they are waging war on the common public only to protect their troops, like the highway blockade which inconvenienced thousands. In that process, we have lost many more security personnel since 2014, questioning the myth that we are safer under the BJP rule: In 2014, we lost 51 security personnel while fighting insurgency in Kashmir. It touched an all-time high of 95 in 2018. This year we have already lost 59. Till 2014, the Maoists used to kill maximum number of security personnel. Under BJP rule, Kashmir has overtaken the Maoists.

Prime Minister Narendra Modi claims during his campaign speeches that he was able to make India strong through his personal diplomacy with top foreign leaders. Unfortunately, his repeated reference to Sri Lanka's Easter Sunday massacres and comparison with the Pulwama killings has not been received well in that country, partly because Pulwama also was a symptom of our major security failure like the Sri Lankan killings.

The writer is a former special secretary, Cabinet Secretariat. Views are personal



CR Sasikumar

## Soldiers for peace

India needs a Shanti Sena to fight for the foundational values of the republic



VENU MADHAV GOVINDU

IF WE TAKE stock of the performance of the Indian government in the last five years, it fails on many counts. Reckless measures such as demonetisation have seriously impacted the economy. Our credibility in international politics has received a severe drubbing. But the singular characteristic of the Narendra Modi regime has been its direct assault on the very identity of the Indian republic.

Profoundly shaped by the movement for Independence, the modern Indian identity transcended the European definition of a nation in monolithic terms of race, religion, culture and language. India was simply the sum of its peoples. One is reminded of the evocative definition of *desam* or a nation by the Andhra social reformer and pioneering writer, Gurajada Apparao. Gurajada's declaration in a 1910 poem is common currency in Telugu: "*Desamante matti kadoyi/ desamante manushuloyi*." Translated, it prosaically reads as "A nation is not its land/A nation is its people".

Partition severely tested and wounded this formulation of our nationhood. But over the decades, India has largely avoided the narrowness of monolithic nationalism that has plagued many post-colonial societies. During the struggle for freedom, Hinduva held itself aloof from this worldview. It has bided its time and now seeks to radically reshape what it means to be an Indian. In the past few years, brazen attacks have been unleashed on Dalits, Muslims and other minorities. A climate of fear and terror has been created by measures centred around the National Register of Citizens in Assam and the wanton lynching of Muslims across the country. But let there be no doubt that it is the inexorable logic of any toxic ideology to encompass more people into an ever-expanding circle of hate.

In the face of a bruising attack on India's

secular constitutional identity, the opposition parties have been found to be utterly wanting. Most of them have shown little interest in challenging the construction of an aggressive political Hinduism that defines itself by demonising everyone else. With national elections underway, many people have reposed their hopes in a defeat of the present regime. This seems to be wishful thinking at best. One of the durable transformations effected in the last few years is the normalisation of falsehood and bigotry and the steady undermining of a number of institutions. The legacy of such shifts in the public realm is not going to disappear with a change in the political regime.

Under such bleak circumstances, civil society initiatives like the exemplary Karwan-e-Mohabbat have taken upon themselves the onerous task of addressing the darkest crimes of our times. They have reached out to the families of the victims of mob lynchings and offered the salve of empathy and solidarity. Important as these initiatives are, we need a much larger approach to confront what amounts to an existential challenge to the Indian republic. To this end, history might offer some useful lessons.

Throughout the late colonial period, Indian life was punctuated by riots. Like today, during that period there were individuals who recognised the value of social harmony and were willing to sacrifice their lives in the cause of Hindu-Muslim amity. For instance, the indefatigable editor of the Kanpur newspaper, *Pratap*, Ganesh Shankar Vidyarthi, was murdered in 1931 while trying to intervene during deadly riots. The most famous of such individuals is Mahatma Gandhi.

Throughout his life, Gandhi demonstrated a most capacious understanding of humanity which accorded respect and dignity to all. The last years of his life were spent in a lonely and heroic fight against the furies of communal violence as the dream of a non-violent and compassionate India dissolved in front of his eyes. Gandhi was, to a large extent, able to stanch the blood-letting with his quiet and determined action in challenging both Muslim and Hindu communalism in Noakhali and Calcutta. He then moved to Delhi and played a fundamental role in restoring a sense of belonging to a number of Muslim communities which were under siege in the aftermath of the killings in the

newly-formed Pakistan. Eventually, he fell victim to the same ideology of hate that rules the country today.

As the civic activist Harsh Mander has pointed out, Gandhi had an endless capacity for radical love. But aside from acting out his personal beliefs, Gandhi recognised the need for both moral exemplars and grass roots organisation to propagate the values he desired to institutionalise in society.

In 1938, Allahabad witnessed serious riots between Hindus and Muslims. Although the city was the headquarters of the Indian National Congress, the riots could only be contained with the deployment of police and military troops. Alarmed at the prospect of such recurring violence, Gandhi proposed the constitution of a Shanti Dal, a non-violent peace brigade. Ever ambitious, Gandhi conceived of lakhs of peace activists who would work continually to propagate the philosophy of non-violence but also respond fearlessly and intercede in a peaceful manner to transform the atmosphere of violence during moments of crises. The scope of the Shanti Sena was in all contexts of potential violence and was not limited to communal issues alone.

Owing to the exigencies of the time, Gandhi could not work out his proposal. Subsequently, the idea of a Shanti Sena was taken up by Gandhian constructive workers. It achieved a measure of success in intervening in situations of communal riots as well as addressing political problems in places such as Nagaland and Cyprus. Eventually, owing to differences between Vinoba Bhave and Jayaprakash Narayan, the Shanti Sena exercise came to an end.

Irrespective of the electoral outcomes on May 23, India stands at a crossroads. The foundational values of India as a modern republic that accords equal respect, dignity and opportunity to every citizen are under extreme duress. Mounting an effective challenge to communalism is a task that needs both immediate attention and a long-term strategy. India needs a Shanti Sena for our times.

The writer is a biographer of the economic philosopher and constructive worker, JC Kumarappa and is currently working on a thematic history of Gandhi's life and work in the 1930s. He is an associate professor at the Department of Electrical Engineering, Indian Institute of Science, Bengaluru

## LETTERS TO THE EDITOR

### FLORA MATTERS

THIS REFERS TO the editorial, 'Wake-up call' (IE, May 9). Action needs to be taken to prevent extinction of species. There should be a global summit for such a purpose. The extinction of plants is, in particular, a matter of grave concern as it affects the climate.

Sanjay Chawla, Amritsar

### TOXIC MIX

THIS REFERS TO the article, 'Hindu, by any other name' (IE, May 8). Hinduism is like a vast ocean and history shows us that the Hinduism of today is very different from the past. But religion shouldn't be mixed with politics. Countries that do so end up stifling the voice of people, who don't conform to the views of the majority.

Pragya Srivastava, Ghaziabad

### BAD IN LAW

THIS REFERS TO the editorial, 'Not justice' (IE, May 8). The ex parte verdict of the panel probing allegations against the Chief Justice of India falters on the ground of constitutional morality. It is true that the *Indira Jaising vs Supreme Court of India* verdict doesn't entail placing such a report in public, but it must be kept in mind that the judgment dates back to the pre-RTI era. Not availing fair treatment to the woman complainant doesn't concur with due process.

Bhoomi Keshawala, Veraval

### LETTER OF THE WEEK AWARD

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

THE WINNER RECEIVES SELECT EXPRESS PUBLICATIONS

### LET HER CHOOSE

THIS REFERS TO the article, 'In the garb of religion' (IE, May 9). A Muslim woman's practice of wearing the hijab or burqa is a social practice. While the faith of a person has little to do with the clothes they wear, they are still significant in the social milieu. While there can be regulations on clothing in state institutions, in the private sphere, a woman must have choice.

Anirudh Parashar, Solan

## THE Urdu PRESS

### EC UNDER SCANNER

THE ELECTION COMMISSION has come in for some stringent criticism from several papers.

*Munsif's* editorial on April 27, 'Need an impartial EC,' notes that "it is sad to report that in this election, the EC's conduct has 'been very weak'. Leaders are flagrantly violating the code and all that the EC has done is to call for details. After the EC ticked off leaders like Mayawati and Yogi Adityanath, we realised that the agency does exist". The paper argues that in cases pertaining to major statements, the EC has had a limited response. "The view is gaining currency that it is working under the government like a department and it has no powers," *Munsif* alleges.

*Inquilab's* editorial on the same day, 'EC ki saakh,' points out that "the criticisms levelled against this EC are unprecedented. It is because of such criticisms that some moves have been made to temporarily stall the campaign of a few leaders." The paper alleges that the PM has not been reprimanded for his Latur statement in which he asked first time voters to dedicate their vote to Pulwama martyrs. "It is clear," the paper goes on to say, "that the PM, along with other leaders, is involved in violating the code of conduct, and he must be held to a higher standard". The

paper raises a few questions: Does this mean there is a different barometer for the PM as compared to other leaders? Why is the EC doing this? Is it under some pressure?

Another editorial in *Inquilab* on May 3 contends that more than the elections, the EC's conduct is under scrutiny.

*Etemad*, the AIMIM's mouthpiece, asks in an editorial on April 29, that if the Supreme Court can set up an administrator for the BCCI and cricket and for the disputed land in Ayodhya, why not have a Court-directed administrator to ensure that the EC acts appropriately? The paper says it is a cause for concern if this autonomous institution, mandated to ensure free and fair elections, is being accused of partisanship.

### MASOOD AZHAR'S FALL

*MUNSIF*, ON MAY 3, describes Masood Azhar being designated a global terrorist as a "symbolic victory". The paper contends that the UN Security Council's decision may "get a few more votes for a worried BJP, but it is unlikely to deter terror in Jammu and Kashmir". The paper says that Modi is trying to "government-serving" media is trying to project the UNSC decision as a result of Prime Minister Narendra Modi's great leadership. The paper says, "that the BJP should

be reminded that it was a government led by the party which released Masood Azhar and escorted him to safety. Why did that BJP government release Azhar? If the BJP government hadn't released him, we would not have had the attack on Parliament, or Uri, Pathankot or Pulwama. The party tomming the recent success should be asked such questions because our forces have had to suffer for its actions."

*Etemad* on May 3 says, "India has secured a diplomatic victory in Masood Azhar being named in UN's list of global terrorists. After the terror attack in Pulwama, India had stepped up its efforts towards this end. Founder of the Jaish-e-Mohammad, Azhar has been called out for being close to al Qaeda. But there is no reference to Pulwama in the UN list, while al Qaeda, Daesh and other extremist groups are mentioned."

### POLITICS, GENERALLY

THE CURRENT POLITICAL events and the acerbic discourse in the current elections is a subject of editorials.

*Inquilab* on May 6 has an editorial, 'Bhrashtachari zubaan' (corrupt tongue). The editorial makes a reference to Prime Minister Narendra Modi controversially terming Rajiv Gandhi as a "bhrashtachari". It

writes that while election results will come on May 23, May 21 is the death anniversary of the former prime minister. The paper notes that "while attacks on political rivals are natural, there should be standards and limits. It does not behoove the person occupying the PM's seat to refer to the father of the head of the rival party in such terms." The paper says that, "We need to end corruption, but before that we must end the politics of falsehood and deception". There must be a way to ensure that people who lie to the people are punished. That's how we will have "transparent elections and people will not be able to make false promises to the people".

*Sahara* on April 29 adopts a philosophical tone and raises a few questions in an editorial titled; 'Which stage of history are we at?' "How many more funerals of ethics will we attend?" "What would be the end result of this open warfare against Muslims and minorities?" It goes on to ask if the Republic "will survive after May 23? What of our Constitution? What will be our responsibility? A certain political party has made it clear that for a Hindu Rashtra, violence and extremism is valid." The editorial ends by asking people to speak out.

Compiled by Seema Chishty