

Opinion

TUESDAY, MAY 28, 2019



SPACE FORCE ALL THE WAY
US president Donald Trump

We'll be going to the moon. We'll be going to Mars very soon. From a military standpoint, there's nothing more important right now than space

PM does well to talk inclusion, of sabka vishwas

The poll campaign took religious polarisation to new lows, but it will take more than one PM-speech to allay minority fears

Prime Minister Narendra Modi has started his second innings on an inclusive note, saying his government is committed to all 130 crore people of the country, and that one cannot differentiate between people. He seems to be setting out on a mission to win the trust of those who aren't yet his admirers; to his mantra *sabka saath, sabka vikas*, he has now added a third phrase, *sabka vishwas*. Such a sentiment, no doubt, would be reassuring for the minority communities who, understandably, must be feeling somewhat less secure after the BJP's resounding victory. Modi is probably right when he says the minorities have been used for political gains and that they have been deprived of social and economic benefits. After all, the Muslims are among the poorest of communities today, and amongst the least educated. But, it will, nonetheless, not be easy for a PM who is seen by many to have polarised the nation, to win them over.

For one, the PM hasn't been forthcoming enough after various incidents of lynching by *gaurakshaks*; he did condemn the self-styled *gaurakshaks*, but the reaction was delayed, and it didn't help that the lynch mobs were encouraged by a central legislation that banned the killing of most animals, not just cows which is, in any case, banned in most parts of the country. Moreover, the PM also hasn't always been quick to reprimand party-members who have made provocative statements. There are those who argue that law-and-order is a state subject and that the PM cannot be expected to respond to every incident; some in the BJP have also pointed out that, while the PM may not have responded to tasteless comments by party members, but action would have been taken. This may be true, and it is the state government's police departments that are responsible for maintaining law and order, but there can be little doubt that, had the PM spoken out more often, this would have sent out a strong signal to everyone, from the state police to the perpetrators—often members of the majority community—and the minorities as well. And while the BJP might have wanted to celebrate Atal Bihari Vajpayee's birthday as Good Governance Day, surely the fact that this coincided with Christmas would have hurt the feelings of Christians?

It is encouraging, therefore, that the PM chose to dwell on the subject of minorities, and their apprehensions, at the NDA's parliamentary party meeting, saying the false sense of fear created among the minorities needed to be dispelled. This time around, the PM must ensure that he is a lot more vocal when it comes to condemning incidents of mob violence and lynching. Moreover, the government may want to bring in a law against lynching as recommended by the Supreme Court last year. The Bench comprising the then Chief Justice of India Dipak Misra and Justices AM Khanwilkar and DY Chandrachud believed it would be appropriate to recommend to Parliament, "to create a separate offence for lynching and provide adequate punishment for the same". A special law in this field would instill a sense of fear for law amongst the people who involve themselves in such kinds of activities, the bench noted. A law should help, but more importantly, perpetrators will not have the courage to misbehave if there is a clear signal from the top. Modi's speech sends out the right signals, and this must be followed up with vigour.

Questions about Jet's Goyal

If there was a 'lookout' notice, how did he even board the flight?

GIVEN THE SIPHONING off of funds allegations made against Jet Airways promoter Naresh Goyal, and the role of this in the airline not being able to pay its dues and finally shutting down, the government did well to prevent both Goyal and his wife from flying out of the country; after the Emirates flight they were on had started taxiing on Saturday, it was asked to return and officials then boarded the flight and asked the Goyals to deplane. After Vijay Mallya escaped to the UK despite owing the banks thousands of crore rupees, and then the likes of Nirav Modi and Mehul Choksi did the same, the government was understandably wary and didn't want Goyal to join the ranks of those who had fled overseas after failing to repay huge bank loans. And while the government could still claim it was taken by surprise by Mallya—despite what Congress chief Rahul Gandhi alleged, Mallya was unlikely to have told then finance minister Arun Jaitley that he was planning to flee the country—it couldn't have said the same thing were Goyal to have fled. Indeed, the forensic report of the airline's finances, ordered by the bankers who had lent it money, is alleged to have pointed to several dubious transactions, so the government would probably even have had information on what Goyal is alleged to have done while being in charge of Jet.

What is worrying, however, and this is something the government needs to probe further, is how Goyal and his wife even managed to board the Emirates flight if a 'lookout' notice had indeed been noticed. After all, in such a case, the moment Goyal's passport was scanned or the number was inputted, the immigration official's computer would have indicated that there was a 'lookout' notice against him and that he should not be allowed to fly out of the country. In such a situation, there are only two possibilities. First, that there was no notice issued and possibly that the government was mulling its issue; in which case, it was pure luck that someone was alerted at the last minute and Goyal was prevented from leaving the country. The second possibility is that there was a 'lookout' notice but, despite an alert being triggered, the official who scanned Goyal's passport, allowed him to proceed to board the flight; this, then, triggered a higher-level alert and that's how Goyal was stopped. Both possibilities are frightening, so the government needs to come out with a full explanation as to what actually transpired.

Muzzling MEDIA

Kumaraswamy's gag law proposal is a inimical to dissent and democracy

KARNATAKA CHIEF MINISTER HD Kumaraswamy has threatened to bring a law to "control" the media, especially the electronic media, to curb "irresponsible reporting". It would sound as though the chief minister intends to crack down on fake news in a post-truth world. But Kumaraswamy has no such lofty motivations. In fact, as per news reports, he was peeved over a satirical portrayal of his family's political prospects—indeed, he complained that the media was treating politicians "like jokers", though his threat to bring a gag-law was couched in a sharp attack on the "lack of ethics" in the media and "airing of false reports". But Kumaraswamy mirrors his West Bengal counterpart, Mamata Banerjee, in brooking no lampooning or dissent; earlier, he had asked the police to probe social media accounts critical of his son Nikhil Kumaraswamy's candidature from Mandya.

Kumaraswamy's planned curbs will interfere with the fair functioning of the media and are an assault on press freedom. And, while free speech is protected as a right under Article 19(a), cracking down on the fourth estate, which is expected to speak truth to power, means muzzling the watchdog. If the media can't be the political class's constant critic, then it is difficult to get the latter to act in the interest of justice. That a Jawahar-lal Nehru could take in his stride Shankar's cartoon that depicted him naked, waif-like leader waiting for the mercy of the developed nations is indeed a telling commentary on how thin-skinned the likes of Kumaraswamy and Banerjee are. The Karnataka chief minister had earlier called for a separate room in the Vidhan Soudha for journalists to meet government functionaries, a move that was seen by many as an attempt to restrict the movement of journalists within the Assembly complex and perhaps even make monitoring of meetings easier—this would have had a chilling effect on not just free and fair reporting, but also on whistleblowing. Kumaraswamy must draw the right lessons from the past. The outgoing Union government had to rescind its order to gag the media on the pretext of 'fake news'. While the states have used various laws, including the sedition law and the draconian NSA law, against criticism and satire, Kumaraswamy's proposal will be inimical to both dissent and democracy.

FALLING FERTILITY

POLICY MUST NOT LOOK AT THE INDIAN DEMOGRAPHY AS A MONOLITH BECAUSE POPULATION, EDUCATION, FERTILITY, PER CAPITA INCOME, ETC, VARY WIDELY AMONGST STATES

The myths & reality of India's demographic data

A DROP IN FERTILITY of a country typically correlates with rising education standards, especially amongst women. Such has been the case here in India as well. The literacy rate for women has gone up to from 55.1% as per NFHS-3 (survey period 2003-05) census to 68.4% as per NFHS-4 (survey period 2013-15), a jump of 24%. During the same period, India's Total Fertility Rate (TFR) came down 18.7% from 2.68 to 2.18.

What is of particular note is that this trend is seen across religions. Every religious group has shown a decline in the fertility rate, with the Muslim community showing the highest decline. This puts to rest the alarmist rumours of higher birth rates in Muslim households in comparison to Hindu households. The fertility decline for Muslims lags the Hindus, but is coming down steeply!

As can be seen in the accompanying graphic, the literacy rates amongst Muslim women, which was seen to be quite insufficient in NFHS-3, has improved by 30% in the ten years since, outpacing most other religions. During the same period, we can see fertility rates dip in a striking correlation across all religion groups as well. The TFR for Muslims was down by 23%, the largest reduction amongst all large religion groups. The massive fertility declines for the Jains and

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Sikhs is very worrisome indeed. Are they beyond the limits of sustainability?

This is a very significant revelation for a nation where policies are often not based on data and opinions are driven by unfounded biases towards religions. India must get in tune with this data and not leave room for speculation and false campaigns. The correlation between literacy and fertility has demonstrated the importance of education in shaping a forward-looking outlook amongst all communities. It is thus obvious that economic backwardness and education of the girl child have significant impact on fertility. The massive increase in education outlays and huge growth in the economy; between 2003-05 to 2013-15 has been very beneficial in reducing population growth, and the Muslim community has seen the largest decline in fertility. NFHS-5, 2018-19 will be a very interesting study to corroborate how this trend continues as the GDP has seen a huge growth in the last 5 years.

In our previous article in *Financial*

Express (Demographic distress: Will India get older before it gets richer? Published: May 17, 2019), we had discussed the importance of improving women's participation in the workforce to improve the per capita income of India. To further this cause, women must be encouraged to study beyond primary and secondary education, helping them obtain the skills necessary to find promising work opportunities post-education. To this effect, we must introduce policies to provide free education till post-graduation for all girls across all communities.

It is just as essential to understand that centralised models of development cannot hold good in a country like India, where each state's population is growing at a widely divergent pace than the others. Social policies for each state must be differentiated to accommodate different rates of population growth. As can be seen in the accompanying graphic, the populations in south and west India are growing at a much slower pace than in

the central and eastern states.

The southern states and Maharashtra are considerably below replacement levels. Kerala may go the way of Japan and South Korea where population could actually decline barring immigration there. The difference between such states and the ones in central and eastern India is more than one, i.e., each household in south India adds one less person to India's population than the other states. What this demonstrates is that the Indian demography cannot have a blanket single status for policy considerations, as state-wise macros of population, education, fertility, per capita income, etc, fall in a wide range.

The southern states have focused on education and social services which has reduced fertility and improved economic development, leading to higher per capita income. Clearly, the Union Government must incentivise the eastern and central states through special allocations to continue and improve the focus on education of the girl child at the secondary and tertiary levels. These states must improve infrastructure to rapidly bring themselves up to an ideal state, perhaps to the benchmarks set by the southern states. The holistic growth of India as a nation requires a more nuanced focus on social policies at the state-level. This will help the country continue the impressive growth it has achieved over the last 15 years.

Percentage literate

Religion	NFHS-3 (2005-06)		NFHS-4 (2015-16)		% Increase since previous NFHS	
	Male	Female	Male	Female	Male	Female
Hindu	78.9	54.9	86.4	68.3	10%	24%
Muslim	70.2	49.5	80.3	64.2	14%	30%
Christian	84.6	75.9	89.4	80.8	6%	6%
Sikh	83.6	71.9	88.3	81.1	6%	13%
Buddhist/Neo-Buddhist	87.3	63.9	94.2	81.1	8%	27%
Jain	99.6	97.1	97.1	97.5	-3%	0%
Other	51.6	29.1	75.1	60.0	46%	106%

TFR by state

State	NFHS-3 (2005-06)	NFHS-4 (2015-16)	State	NFHS-3 (2005-06)	NFHS-4 (2015-16)
	■ Central			■ West	
Rajasthan	3.21	2.40	Gujarat	2.42	2.03
Chhattisgarh	2.62	2.23	Maharashtra	2.11	1.87
Madhya Pradesh	3.12	2.32			
Uttar Pradesh	3.82	2.74			
■ East			■ South		
Bihar	4.00	3.41	Andhra Pradesh	N/A	1.83
Jharkhand	3.31	2.55	Karnataka	2.07	1.80
Manipur	2.83	2.61	Kerala	1.93	1.56
Meghalaya	3.80	3.04	Tamil Nadu	1.80	1.70
Nagaland	3.74	2.74	Telangana	N/A	1.78

Total fertility rate

	NFHS-3 (2005-06)	NFHS-4 (2015-16)	% increase since prev. NFHS
	Hindu	2.59	
Muslim	3.40	2.62	23%
Christian	2.34	1.99	15%
Sikh	1.95	1.58	19%
Buddhist/Neo-buddhist	2.25	1.74	23%
Jain	1.54	1.20	22%
Other	3.98	2.57	35%

Stretch targets for Modi

Modi can focus his attention on turning India into a truly great country. And the first thing that he needs to do is to eliminate the polarisation

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WOW! WHAT A BLOWOUT! The most impressive fact of Modi's victory was the increase in his vote share from 31% to 38%. This means indisputably that a sizable percentage of all Indians who voted LOVE Modi.

This, of course, also means that a larger percentage of all Indians who voted DO NOT LOVE him, and to my mind, this will define his next goal—to bring all Indians under his India-is-the-future umbrella. As he himself said, "We have to earn their trust."

It will not be easy—he has done and said and caused to be done so many things that have hurt so many people. But then, his single-minded focus since winning in 2014—from the very first day—was on winning in 2019, and there's no gainsaying that he has been successful in spades. Indeed, with the opposition, such as it is, in terminal disarray, I am sure the odds on Modi returning again in 2024 would be extremely short.

So now, he can focus his attention on turning India into a truly great country. And the first thing that he needs to do is to eliminate the polarisation that, to be sure, he himself stoked. No country can be great if 40% of the population [62% (who didn't vote for Modi) of 65% (the approximate voter turnout)] is not fully engaged and excited about the future. America was a great country from all the way before the Second World War till the mid-1970s, when *Roe vs Wade* (the seminal abortion case) turned people viscerally against each other. Europe started on the road to greatness in 1957, with the forming of the European Economic Community; it is still great, though it is struggling with the recent schisms caused by the immigration problem.

India can—indeed, will—be great only if Modi works to increase the LOVE/DO NOT LOVE ratio to 50/50,

60/40, or hell, even 70/30. And the first step for that is to bring Muslims and other Indians who have suffered under this regime to believe that he means what he says today—again, not for votes, which he clearly doesn't need, but to help accelerate the development of the country.

Thus, Modi should, as one of his first acts—and it must be this week—announce an *iftaar* dinner to which he invites randomly selected Indians from around the country to break their *roza* with him and celebrate the victory. He should appoint Harsh Mander to be an ombudsman, of sorts, with a mandate to supervise and accelerate investigation of the hate crimes committed during the pre-2019 regime; it would be fantastic if Modi would actually go with him to visit some of the people who have suffered so horribly.

Even after that, it will take time—NOT LOVE doesn't turn to LOVE easily. To confirm his commitment to healing, Modi also needs to summarily quieten the rabble rousers who he really doesn't need any more anyway.

In parallel, of course, he has to—will—unleash his prodigious energies to address the multiple problems plaguing India's economy—jobs, agriculture and investment, for starters. Indeed, the singular focus on re-election over the past five years has meant that the focus on the economy and development played second fiddle, the results of which are pretty apparent. There is no need to list the litany of failures on these fronts. But, now that his throne—for want of a better word—is secure, he can bring in fresh blood and fresh ideas to address the key issues.

Infrastructure development is already growing apace. The government and several NGOs are working on vocational training and skilling; these need to

be ramped up—indeed, it may be a good idea to increase the CSR requirement to 3% (from the current 2%) as more and more NGOs get professionalised. Environment and eco-tourism need to be acknowledged as a critical part of the solution for both jobs and agriculture. Deregulating agricultural markets completely, even if it does create some short-term trauma, is another critical need.

Investment will continue to be a trick, but crowding out may get a little easier since Modi no longer needs bulging saddlebags for elections. Disinvestment of PSUs will likely, finally begin meaningfully, and the finance ministry will have to revert to being tight-fisted. With global growth unlikely to reach even 3% in the next few years, the rupee may well have to take up some of the slack. Deregulation of financial markets will accelerate.

And finally, as Modi already knows, *beti bachao, beti padhao* was a brilliant political gambit, but is merely beginning. Not only do India's women want out from the suffocating patriarchy, increasing the participation of women in the workforce is an absolute necessity if India is to capture even some part of its demographic dividend (thank you Ruchir). Recognising this, Modi will start shifting out some of the medieval war horses he had put into various state government houses, who, again, are no longer relevant to Modi or the new India he can create.

[Disclosure: In 2014, when Modi won for the first time, my reaction was quite similar. Since it seemed clear (as now) that Modi wanted to be remembered as India's greatest leader, he would have to do everything I wanted—the full social liberal agenda. While I was approximately 100% wrong at the time, I would like to believe that—finally—our time has come.]

LETTERS TO THE EDITOR

Modi's sabka vishwas mere posturing?

It was elevating to behold Prime Minister Narendra Modi bowing reverentially before a copy of the Constitution placed in the Central Hall of the Parliament. It brought back the memory of his prostration at the steps of the Parliament on his maiden entry. For his addition of *sabka vishwas* (trust of all) to the catch-phrase *sabka saath, sabka vikas* (solidarity with everyone, development for all) to be more than symbolic lip-service and have real effect, it must be more than a wish made to look broad-minded and all-embracing. Since Narendra Modi is an unadulterated product of the Sangh Parivar, an amalgam of hardline outfits for which Hindutva is central to Indian nationhood, it cannot be said for sure that he will be able to practise what he preaches. Ideally, Modi's life should be his message as it was in Mahatma Gandhi's life. We are sceptical about Modi's unity pitch because he is one leader who refused to wear a skull cap, compared the victims of Gujarat pogrom to 'puppies', referred to *shamshan-kabristan* in UP and spoke of 'majority-minority' demographic profile in Wayanad. The plain fact is that Modi owes his phenomenal rise in politics to his adherence to aggressive Hindu nationalism. Obviously his speech in favour of 'inclusivity' or 'inclusiveness' cannot carry much conviction. It is dichotomous for anyone to be a polarising figure and a unifier at the same time. He must be speaking against the encroachment of religion into politics and not secularism. Modi's claim that the election has broken down barriers and connected hearts is untrue and misleading. Actually, it has accentuated and reinforced religious distinctions—G David Milton, Maruthancode

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ILLUSTRATION: ROHNIT PHORE

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Why have different laws for different Indians

Tax laws should be the same for all Indian citizens; religion, caste or tribe should not be the basis for providing benefits; discrimination on account of religion, caste or tribe should be prohibited; and benefits given on the basis of backwardness measured by income and educational deficiency only

route used by many politicians. Some tribal communities of the Northeast are exempt from paying income tax. According to reports, thousands of crores have been transferred from other parts of the country to the Northeast.”

2. Ever since the state of Punjab was carved out in 1966, it has had a Sikh chief minister because the majority population is Sikh.

Here is the twist. A 2007 judgment of the Punjab and Haryana High Court held Sikhs not to be a minority in Punjab. This meant that educational institutions run by the Shiromani Gurdwara Parbandhak Committee (SGPC) were not granted minority status.

In support of its order, the high court stated that the Sikh community was numerically strong, the statement that government had not produced any evidence to show that the rights of Sikhs were trampled upon in anyway.

The SGPC appealed to the Supreme Court who stayed the high court order. Whilst doing an online search I got to know that the last time the apex court heard the matter was in January 2016 when Justice TS Thakur was the Chief Justice of India.

Is 2007 to 2019 adequate time to give a final order?

Pending a Supreme Court order means that the provisions of the Right to Education Act do not apply to educational institutions run by the SGPC. This Act provides that private schools set aside 25% of their seats for students from poor and disadvantaged groups.

Note that the Sikhs are considered a minority under Article 30 (rights of minorities to establish and administer educational institutions), but are a Hindu under Article 25 which reads: “In sub-clause (b) of clause (2), the reference to Hindus shall be construed as including a reference to persons professing the Sikh, Jain or Buddhist religion, and the reference to Hindu religious institutions shall be construed accordingly.”

Can a community be a minority and Hindu?

Yes, because the Constitution does not define the word ‘minority’ and specify a population percentage beyond which a community ceases to be a minority.

3. More on this minority business. From 1950 to 2014, Jains were not considered a minority until the Congress party declared them to be one before the 2014 polls.

Sikhs began to be considered a minority sometime after the violent Khalistan movement and the Congress-orchestrated 1984 riots.

In fact “when Akali leaders approached the then Prime Minister, Morarji Desai (PM from 1977 to 1979) and Deputy PM Charan Singh, to declare Sikhs a minority community, both turned down the request on the grounds that they regarded Sikhs as a part of the Hindu community.”—*A History of Sikhs*, Volume II, Khushwant Singh.

Today, Sikhs and Jains are considered to be a minority by the Reserve Bank of

India (RBI) and for government schemes. *Here is the twist.*

Under the Income-Tax Act, Sikhs and Jains are considered Hindus, meaning that they can form a HUF (Hindu Undivided Family).

HUF is a separate entity (person under Section 2(31) the Income-Tax Act). “Under Hindu Law, a HUF is a family which consists of all persons lineally descended from a common ancestor and includes their wives and unmarried daughters.”

HUF is recognised by the Income-Tax Department only when there is an income-generating asset. Once recognised, it gets a separate PAN (Permanent Account Number) and is taxed separately. If structured sensibly, HUF can become an efficient tax-planning tool.

Can Sikhs and Jains be a minority and Hindu?

4. Although the Indian state aims to remove caste and religion-based affiliations, its policies only reinforce them.

Let us take the case of the education sector. The NDA-2 government informed the Rajya Sabha on February 7, 2017, that it runs nine schemes for education empowerment of the notified minorities.

According to an article by Aribant Pawariya in the *Swarajya* magazine (<http://bit.ly/2VOeVhP>), the ministry of human resource development justifies such schemes on the basis of Article 46, which reads: “The State shall promote, with special care, the education and economic interests of the weaker sections of the people, and, in particular of the Scheduled Castes and Scheduled Tribes, and shall protect them from social injustice and all forms of social exploitation.”

Since this forms part of the Directive Principles of State Policy, it is not binding in nature. Note that Article 46 refers to weaker sections especially SC/ST and not minorities, even though Pawariya argues they are the biggest beneficiaries today.

The working of this article implies all minorities belongs to weaker sections, need government scholarships, whilst Hindus are all financially well-off, so do not need help.

5. The Constitution provides for reservations for SC and ST, albeit for a period of 10 years, notwithstanding that the word SC was first introduced in the Government of India Act 1935 and the word ST around 1948.

Because of its benefits, community after community wish to be declared ST or SC. For example, Dhingars of Maharashtra (shepherd community to which belonged Ahilyabai Holkar) and Nishads (boatman community of Uttar Pradesh) are agitating to be declared ST.

When the Constitution was written, reservations for SC/ST were made because of alleged discrimination for centuries. But today communities are agitating to be declared one, because of reservation benefits, with politicians being only too eager to oblige.

According to a 2016 *Economic Times* report, the Akhilesh Yadav government in UP gave assent to include 17 OBCs in the SC list. I’m sure there are many more examples.

Our laus have gotten complex and created vested interests in status quo.

Any attempt to treat all Indians equally before the law means inviting PILs and being accused of infringing upon the right to religious freedom. It could also find a mention in the US Annual Report on International Religious Freedom.

Nations are built through amalgamation of identities, not by continuously creating differences.

But is there a way to dismantle this system of discrimination, being colonial in origin?

Here is a four-point action plan:

- Tax laws should be the same for all Indian citizens;
- Religion, caste or tribe should not be the basis for providing benefits;
- Discrimination on account of religion, caste or tribe should be prohibited; and
- Benefits given on the basis of backwardness measured by income and educational deficiency only.

Who will change the status quo?

● BIT BY BIT Intelligence in your ears

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The era of the ‘hearables’ offering a central management interface is near

OVER THE PAST COUPLE of years, audio devices have seen a big change. For one, they are becoming smaller than ever before, and then the audio quality is now better on wireless than that it was with wired. These two factors are also set to change how we will use personal audio devices in the near future. In fact, they will become much more than just devices to listen to music with.

“Our vision of the headphone is more to become the central management interface for the IoT where voice-enabled devices get the commands and the user gets all the feedback, controls and directions on the other end,” says Sennheiser Electronic CEO Andreas Sennheiser on how he thinks personal audio devices will change in the coming years.

But these are early days and we don’t know much about how the segment or the design will evolve for new use cases. “The form factor that exists today isn’t the form factor of the future. So we have to miniaturise even more, we have to work on battery life, we have to work on all the hardware-related things, while making sure that we extend the functionality through software,” he told me in a recent interaction.

That is easier, said than done, because there is one big stumbling block in the way. Sennheiser says if he could make a wish, “I would want a battery that is as small as my fingernail and last for a week.” So, achieving the form factors needed for audio devices of the future are still restricted by the practical physics that governs batteries. “I say it’s not a problem per se, but it’s just a compromise to be made.”

Companies like OnePlus have found a go-around. The new OnePlus Bullets 2 wireless headphone can offer 10 hours of playback if charged for just 10 minutes. However, that is not the answer everyone is looking for.

Sennheiser adds this audio-driven central man-machine interface would be much more than just a listening device in the future. A perfect future could be when an earphone that cannot be seen—it is small enough to fit inside your ears—becomes the primary interface for your phone, which, in turn, can be tucked away somewhere else. “We see this convergence already. In the past, we had headphones with no intelligence built-in and all the intelligence had to come from somewhere else. We now have headphones that have shared intelligence, some in the device itself and some in an app on another device,” he says, adding how it is only a matter of time before we see more independence from handheld devices and more intelligence being built into the ‘hearable’ itself.

There is more to the hearable. Scientists across the world are working on ways to let these devices help correct and even augment hearing capabilities. Plus cloud functionalities like ‘simultaneous translation’ that will enable users to understand foreign languages and interact effectively.

The scion of the Germany-based audio giant also talks of a future where enhancements in the audio space are more software drives, where headphones connect “directly to the cloud without any intermediate device.” His company is already focusing on software-enabled functionalities and features that can cover a lot of different demands, “by having a technology platform in which you can, say, have hearing augmentation on one side or noise cancellation on the other side, or just tuning to your personal preferences on a third product.” This, he says, will be a highly individualised experience, app-enabled and cloud-based.

With a hearable, “a car mechanic can get advice on how much a screw that he’s looking at must be tightened,” Sennheiser explains, elaborating how these new devices could be effective in almost every segment, “being a helpful guide to compliment your abilities.”

As these devices that can hear become smarter, it would be important that the user is in control. “If the user wants to use the product as seamlessly as possible, he/she may agree that no keywords (wake words) are needed and the devices can constantly be listening. Or if there is a high privacy concern, the user may want to completely switch off any listening functionality. The user must be in full control of what the product does.” Are you listening?

There is more to the hearable. Scientists across the world are working on ways to let these devices help correct and even augment hearing capabilities

I WAS SURPRISED TO READ about a Madras High Court judgment which ruled that salaries received by missionaries and nuns of catholic church for teaching services are liable to be subjected to Tax Deducted at Source (TDS) under Section 192 of the Income-Tax Act, 1961. Simply put, the court held that the salaries were received by them in their individual capacity so tax had to be deducted. How they used their income, i.e. surrender of salaries to the religious institutions, was not the tax department’s concern.

Catholic institutions argued that since priests/nuns had taken a ‘vow of poverty as per which they had to surrender their personal income to church/diocese, no income effectively accrued to them.’ Arguing in the Supreme Court, senior advocate Arvind P Datar said, “Recognising this, they have not been subjected to income tax since 1944.”

While the Supreme Court has stayed the Madras High Court order and will decide on this, what surprised me is that it took from 1950 to 2019 for the matter to be escalated.

The relevant Section 192(1) of the Income-Tax Act reads, “Any person responsible for paying any income chargeable under the head ‘Salaries’ shall,

at the time of payment, deduct income-tax on the amount payable at the average rate of income-tax computed on the basis of the rates in force for the financial year in which the payment is made, on the estimated income of the assessee under this head for that financial year.”

Note that Section 192 has no reference to the religion of the assessee.

This is not the only instance of Indian laws being contrary and discriminatory.

1. In Manipur, the Meitei community (Hindus) are liable to pay income tax, whilst scheduled tribes (ST) are not. Here is why: According to Section 10(26) of the Income-Tax Act (excerpt), “A member of a Scheduled Tribe, as defined under clause 25 of article 366 of the Constitution, who resides in the States of Arunachal Pradesh, Manipur, Mizoram, Nagaland and Tripura is exempt from paying income-tax on any income which accrues or arises to him in these States.”

So even though tribals have converted to Christianity, they are considered ST for the purposes of income-tax exemption.

Can one be ST and Christian?

Does it matter that this exemption has become a route for tax evasion. Debashis Basu wrote in the *Business Standard* (January 9, 2017): “The buzz in Kolkata is that this is the conversion

Although the Indian state aims to remove caste and religion-based affilicions, its policies only reinforce them

The untold story of NSEL

The real culprits behind the NSEL crisis were defaulters, brokers and their clients, who masqueraded as investors

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called investors were nothing short of ‘bogus traders.’

In that very order, the judge had further specifically observed that the then Economic Offences Wing (EOW) of the Maharashtra government “had not found any money trail leading to either NSEL or FTIL (Financial Technologies India Ltd, now renamed as 63 Moons Technologies Ltd), and that the entire money lay with 25 defaulters,” which again, after one year, was independently confirmed by the EOW to the then Union ministry of consumer

affairs that the “total amount due and recoverable from 24 defaulters is ₹5,689.95 crore, injunctions against assets of defaulters worth ₹4,400.10 crore have been obtained, and decrees worth ₹1,233.02 crore have been obtained against five defaulters.”

In paragraph 18 of the aforesaid order, Justice Thipsay had further ruled: “Though the case has been projected as a ‘scam of ₹5,600 crore’, it needs to be kept in mind that these amounts have not been received by NSEL.” As already observed, it is difficult



to accept that the brokers and/or their clients for whom they were working were ‘deceived’ by NSEL in as much as in all probability, the brokers and the so-called investors, whom Justice Thipsay had earlier called ‘bogus traders’, were well aware that they were not entering into genuine sale and purchase contracts... the ill-gotten has not gone to either the applicant (Jignesh Shah, the current Chairman Emeritus of 63 Moons Technologies Ltd) or, for that matter, to NSEL. In fact, it is not the case of anyone.

In paragraph 20 of the said order, Justice Thipsay further pronounced “there is no allegation that the applicant has acquired from the borrowers (the defaulters) any part of the ill-gotten money earned by them... It is almost conceded that there has been no material to show any direct connection or link between the defaulting borrowers and the applicant.”

by the borrowers and the amounts received by the applicant. Sufficient time has already been given to the investigating agency and in spite of this, no link or connection between the proceeds of crime and the applicant has been revealed so far.”

More than five years have elapsed since Justice Thipsay delivered his judgment. Nothing has been found that either NSEL or 63 Moons have got the fraudulent monies from the trades on NSEL. In reality, it is now found that the real culprits behind the NSEL crisis were defaulters, brokers and their clients, who masqueraded as investors, but who were really only bogus traders, as Justice Thipsay called them. The Securities and Exchange Board of India (SEBI) is now after them.

This is not all. The recent co-location scandal at the National Stock Exchange has again established that the brokers are the true culprits behind scandals and disasters. True, the exchange officials are, at times, hand in glove with the brokers and their fraudulent clients, but the real culprits are the brokers, who lure exchange officials. Of course, when such mischievous deeds are done in the face of regulations, rules and laws, government officials in regulatory bodies, as also in the ministries, and even the ministers concerned, are involved behind such nefarious acts.