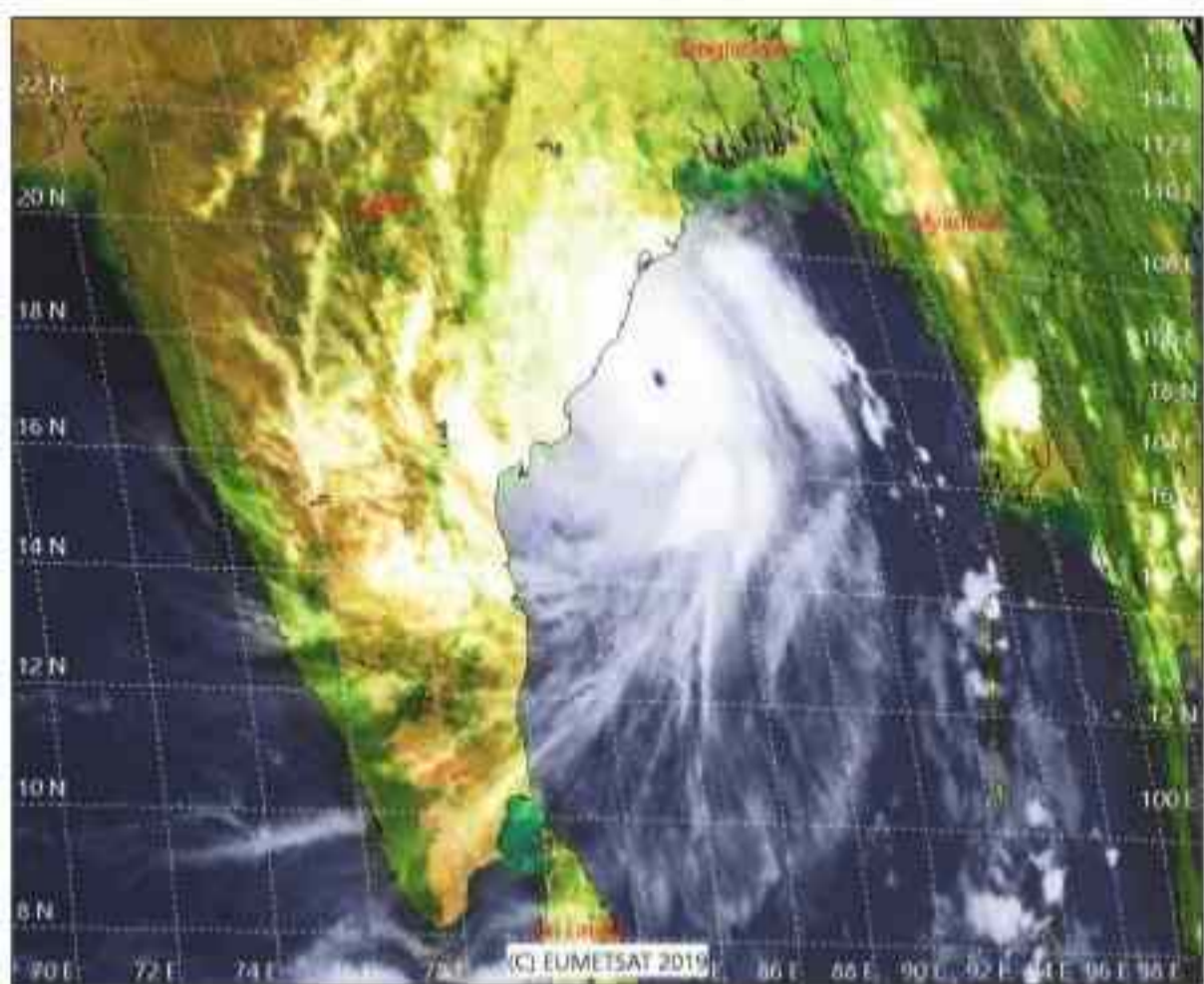


FACT CHECK, GROUND REALITY

HOW CYCLONE FANI GOT ITS NAME, WHY THE NEXT ONE WILL BE VAYU



Satellite image shows Cyclone Fani approaching the Indian coast at 12 noon on May 2. The dot is the eye of the cyclone. Joint Typhoon Warning Center, US Navy

THE NEWEST cyclone to emerge out of the Bay of Bengal has been named Fani. Before that, there were cyclones Hudhud in 2014, Ockhi in 2017 and Titli and Gaja in 2018. How are these cyclones named? Each Tropical Cyclone basin in the world has its own rotating list of names. For cyclones in the Bay of Bengal and Arabian Sea, the naming system was agreed by eight member countries of a group called WMO/ESCAP and took effect in 2004.

names. For cyclones from the Bay of Bengal and Arabian Sea, these lists are not rotated every few years, as explained by the India Meteorological Department's Regional Specialized Meteorological Centre (RSMC) for Tropical Cyclones over the Northern Indian Ocean.

The lists for storms in the Atlantic and Eastern Pacific basins are, however, rotated. Exception are, however, made in certain cases — if a storm causes excessive death and destruction, its name is considered for retirement and is not repeated; it is replaced with another name.

Why name cyclones?

It is generally agreed that appending names to cyclones makes it easier for the media to report on these cyclones, heightens interest in warnings, and increases community preparedness. Names are presumed to be easier to remember than numbers and technical terms. If public wants to suggest the name of a cyclone to be included in the list, the proposed name must meet some fundamental criteria, the RSMC website says. The name should be short and readily understood when broadcast. Further, the names must not be culturally sensitive and should not convey any unintended and potentially inflammatory meaning.

When the lists end

After the 64 names are exhausted, the eight countries will propose fresh lists of

NORTHERN INDIAN OCEAN CYCLONE NAMES

Contributors	List 1	List 2	List 3	List 4	List 5	List 6	List 7	List 8
Bangladesh	Onil	Ogni	Nisha	Giri	Helen	Chapala	Ockhi	Fani
India	Agni	Akash	Bijli	Jal	Lehar	Megh	Sagar	Vayu
Maldives	Hibaru	Gonu	Aila	Keila	Madi	Roanu	Mekunu	Hikaa
Myanmar	Pyarr	Yemyin	Phyan	Thane	Nanauk	Kyant	Daye	Kyarr
Oman	Baaz	Sidr	Ward	Murjan	Hudhud	Nada	Luban	Maha
Pakistan	Fanoos	Nargis	Laila	Nilam	Nilofar	Vardah	Titli	Bulbul
Sri Lanka	Mala	Rashmi	Bandu	Viyaru	Ashobaa	Maarutha	Gaja	Pawan
Thailand	Mukda	Khai Muk	Phet	Phailin	Komen	Mora	Phethai	Amphan

SIMPLY PUT

Understanding Azhar's listing

Multilateral negotiations frequently involve complex quid pro quos, and China is known to wait and play the long game. Why has it chosen to allow the global terrorist listing of Masood Azhar at this juncture?

SHUBHAJIT ROY
NEW DELHI, MAY 2

ON WEDNESDAY, a committee of the United Nations Security Council added Jaish-e-Mohammad chief Masood Azhar to its ISIL (Da'esh) and Al-Qaida Sanctions List of Individuals and Entities after China lifted its technical hold on listing the Pakistan-based terrorist. Beijing's turnaround after 10 years of blocking the move has implications for both the South Asian region and the world. Multilateral negotiations frequently involve complex quid pro quos, and China is known to wait and play the long game — why has it chosen to relent at this moment?

Relationship challenges

While the border dispute has been the most protracted challenge, Beijing's lack of support to New Delhi's bid for permanent membership of the United Nations Security Council has been a longstanding sore point. China has also opposed India's entry into the elite Nuclear Suppliers Group (NSG) since 2016.

China signed off on the NSG waiver granted to India in September 2008 after the George W Bush administration did some heavy lifting. But it refused to budge when India sought membership of the NSG, which would enable it to access high-end, critical and dual-use technology.

In June 2016, Foreign Secretary S Jaishankar went to Seoul and presented India's case to members, including China, attending the NSG plenary. Before that, Prime Minister Narendra Modi had met President Xi Jinping at the Shanghai Cooperation Organisation summit in Tashkent and asked him to "make a fair and objective assessment of India's application and judge it on its own merit". But Xi did not yield.

Thwarted listing efforts

India first attempted to have Azhar listed by the UNSC Resolution 1267 Sanctions Committee in 2009, after the 26/11 Mumbai terrorist attacks, but China put a technical hold on the proposal. India made a much more serious attempt after the January 2016 Pathankot terrorist attack. Diplomatic efforts were made through that year, and Modi raised the issue with Xi on the sidelines of the BRICS Summit in Goa in October 2016 —



Jaish-e-Mohammad chief Masood Azhar in Islamabad in January 2000. AP File

to be rebuffed. Fresh efforts to list Azhar were made in 2017 — this time, in a break from the past, the proposal was moved by the US, the UK, and France. It was signal that New Delhi was acting as part of a global effort, not pushing an India-Pakistan bilateral issue onto a multilateral forum.

The June-August 2017 Doklam standoff raised tensions, but when the two leaders met in Xiamen in September, they decided to work towards ensuring that "differences do not become disputes". This formulation, which began during the leaders' meeting in Astana in June 2017, led to their informal summit in Wuhan in April 2018, where the two sides agreed to be sensitive to each other's concerns.

After the February 14 Pulwama terrorist attack, as India pressed to have Azhar listed, it invoked the Wuhan spirit. But on March 13, barely an hour before the deadline ran out, China blocked again — for the fourth time in 10 years.

The situation now

With its action on Wednesday, China has taken a major contentious issue off the table, and given itself space for positive manoeuvring with India. It has eased the atmosphere before the next informal summit, which is likely to take place in India later this year, and created goodwill for the two sides to work on their differences, and build on their convergences. While several issues still remain, India and China have a chance to use the political capital from the Azhar listing to work together on projects, and to collaborate and cooperate in multiple areas of convergence.

It is not that China has not taken care of Pakistan's sensitivities. Prime Minister Imran Khan was in Beijing for the Belt and Road Forum Summit on April 25, and over the past two months, the close allies have deliberated on the pros and cons of the decision. China has huge geostrategic and economic stakes in Pakistan, and is heavily invested in the China-Pakistan Economic Corridor (CPEC), part of Xi's Belt and Road Initiative. It worries about terrorist threats to its workers and assets in Pakistan, and wants that country's strategic establishment to keep the terrorists on a leash. Pakistan does not have the luxury of being annoyed with China's decision to allow Azhar's listing.

At the same time, Pakistan's strategic and political establishment has now got some space to ward off immediate international pressure for not acting against terrorism and terrorist financing. Azhar's listing gives Pakistan a window to claim that it has "zero tolerance" for terrorism before the Financial Action Task Force (FATF), which is meeting to assess its actions against terrorism and terrorist financing.

As China takes over the FATF presidency from the US on July 1, Pakistan will be on a stronger footing — and may have a reasonably good chance of avoiding blacklisting. The US, the UK, France, and India, along with other countries, will, however, take a hard look at Pakistan's record since last year when it made certain commitments to the FATF.

China and Pakistan proclaim they are "all-weather friends" and "iron brothers", and attempts will likely be made to leverage the Azhar decision to procure better international credit terms for Imran's cash-trapped government.

View from Islamabad...

It would also appear that for Pakistan, Azhar — who some reports suggest is now bedridden with spinal ailments — has outlived his utility. While Jaish remains a strategic asset for Pakistan's security establishment, defending Azhar was probably proving too costly for Pakistan, which, under Imran and Army chief General Qamar Javed Bajwa, is trying very hard to improve its badly-tarnished global image. China's cooperation with the global community could present it with a breather; however, a country that has sheltered Osama bin Laden, Mullah Omar, and Hafiz Saeed — the last of whom roams around freely spewing venom against India and even putting up candidates in elections — has a long way to go before anyone believes it.

...And from Beijing

A key Chinese concern was to minimize its perceived reputational costs before the international community. For a country aspiring for global leadership, it is bad optics to be seen as protecting, in defiance of a global consensus, a single individual who is responsible for so many terrorist actions. Beijing, which is frequently assailed for violating global rules, would like to project an image of responsibility and leadership. The Azhar listing could be indication that it has finally decided that the time has come to play a new move.

Pepsi vs Gujarat farmers: case, its withdrawal

SOHINI GHOSH
AHMEDABAD, MAY 2

ON THURSDAY, PepsiCo India Holdings (PIH) announced it is withdrawing lawsuits against nine farmers in north Gujarat, after having sued 11 farmers for "illegally" growing and selling a potato variety registered in the company's name. What were these cases about?

The variety

The patent is for the potato plant variety FL-2027 (commercial name FC-5). Pepsi's North America subsidiary Frito-Lay has the patent until October 2023. For India, PIH has patented FC-5 until January 2031 under the Protection of Plant Varieties and Farmers' Rights (PPV&FR) Act, 2001.

The allegation & defence

PIH, which has a buyback agreement

with Gujarat farmers, accused the 11 farmers — three of whom earlier had contracts with the company — of illegally growing, producing and selling the variety "without permission of PIH".

Speaking to *The Indian Express* before the cases were withdrawn, one of the accused farmers had said the agreement was that PIH would collect potatoes of diameter greater than 45 mm, and that farmers had been storing smaller potatoes for sowing next year. Four other farmers, who were slapped with Rs 1.05 crore lawsuits, said they got registered seeds from known groups and farmer communities and had been sowing these for the last four years or so, and had no contractual agreement with anyone. They said they learnt they were growing a registered variety only when they got a court notice on April 11.

Activists' view

In the days that followed the lawsuits, ac-

tivists, farmer unions and other organisations cited Section 39(1)(iv) of the PPV&FR Act in defence of the farmers. The section states: "Notwithstanding Anything contained in this Act — a farmer shall be deemed to be entitled to save, use, sow, resow, exchange, share or sell his farm produce including seed of a variety protected under this Act in the same manner as he was entitled before the coming into the force of this Act, provided that the farmer shall not be entitled to sell branded seed of a variety protected under this Act."

Organisations said the Act was tailored to give farmers free access to seeds. Kavitha Kuruganti of Alliance for Sustainable and Holistic Agriculture, a nationwide network of more than 400 organisations, said the rights on a patented seed differ from country to country. "In the US, if someone has patented a seed, no other farmer can grow it. If PepsiCo is looking at enjoying similar rights in this country, it does not hold," she said (this was

before the PIH announcement on Thursday).

Cases & announcement

A court in Deesa, Banaskantha, had appointed court commissioners to investigate the premises of two farmers as well as two cold storages. In Aravalli, a court had issued a summons notice to five farmers. In Ahmedabad, the commercial court had extended an *ex-parte ad-interim* injunction on four Sabarkantha farmers until June 12, barring them from growing or selling FC-5.

The Gujarat government, meanwhile, announced it would become a party to all the suits and back the farmers. On Wednesday, the government reportedly held out-of-court settlement talks with the company, which eventually announced the withdrawal of cases. It has withdrawn six cases against nine of the farmers, and its officials will meet state government authorities Friday to discuss an arrangement.

What the discharge of two police officers means for Ishrat Jahan case

SOHINI GHOSH
AHMEDABAD, MAY 2

FIFTEEN YEARS after teenager Ishrat Jahan was killed along with three others in an alleged fake encounter, a special CBI court in Ahmedabad Thursday discharged former police officers D G Vanzara and N K Amin. Prime accused in the alleged encounter that took place on Ahmedabad's outskirts on June 15, 2004, Vanzara was then Deputy Commissioner of Police in the Detection of Crime Branch, Ahmedabad, while Amin was Assistant Commissioner of Police in the DCB.

Why have the two been discharged?

This was because the Gujarat government refused to sanction their prosecution under CrPC Section 197, required for taking cognisance of an offence alleged to have been committed by a government servant while acting or purporting to act in discharge of official duty. In 2018, the Home Ministry had refused sanction for prosecution of four Intelligence Bureau (IB) officers who were accused in the case. They too have sought discharge and the case is with the chief judicial magistrate.

What happened in the alleged

encounter and its aftermath?

At dawn, the Detection of Crime Branch led by Vanzara gunned down Ishrat and three men in an alleged encounter. Gujarat Police claimed to have acted on an intelligence input that the three men, including two Pakistani nationals, were travelling to kill then Chief Minister Narendra Modi. The FIR of the Ahmedabad City Crime Branch filed that day did not identify Ishrat, describing her as "one woman terrorist seated on the seat adjacent to the driver's seat".

In 2006, Ishrat's mother, Shamima Kauser, filed a petition in Gujarat High Court, seeking a CBI investigation into the alleged fake encounter. A year later, Vanzara and two other IPS officers were arrested in another encounter case, in which Sohrabuddin Sheikh had been killed.

How did the investigation, and the case in court, progress over the last 15 years?

A High Court-appointed special investigation team and the CBI found the Ishrat Jahan encounter to be "fake". The CBI implicated the Gujarat Police as well as the IB in the alleged murders.

The first doubts were raised in a 2009, when an inquiry by metropolitan magistrate S P Tamang concluded the encounter

to be fake and said that it was carried out only for rewards and promotions.

In August 2009, the Centre filed an affidavit in which it indicated Ishrat was an LeT member, citing a purported LeT mouthpiece report that had acknowledged her membership. The Centre, however retracted the claim within a month saying that these links were "needlessly misinterpreted". But in 2016, a Home Ministry official claimed he was forced to file the second affidavit that removed references to the alleged LeT links, and that he had been tortured by an officer (Satish Verma, IPS) who was part of the HC-appointed SIT.

The CBI FIR booked 20 police officers including former Gujarat DGP K R Kaushik on charges of murder and criminal conspiracy and under sections of Arms Act. Chargesheets were filed against eight Gujarat police officers. Besides Vanzara and Amin, the others were P P Pandey (who retired as Gujarat police chief), G L Singhal, Tarun Barot, Anaju Chaudhary, J G Parmar and Mohan Kalasava (who died in 2007) for murder, abduction, destruction of evidence and other charges. Also chargesheeted were four IB officials — retired Special Director Rajinder Kumar who was Joint Director of the Subsidiary Intelligence Bureau (SIB) in Gujarat at the time



D G Vanzara (left); N K Amin

of the encounter, besides T Mittal, M K Sinha and Rajiv Wankhede — for criminal conspiracy to abduct and illegally confine four people killed in a fake encounter. The chargesheet against them did not stand when the MHA refused to clear their prosecution.

On what grounds has the prosecution faced criticism?

Questions have been raised by Shamima Kauser's counsel on the prosecution seeking sanction for prosecuting Vanzara and Amin when the court had already refused to discharge them in August 2018 saying their role was "greater" than that of former DGP P P Pandey, who was the first to be discharged in February 2018. Kauser's counsel

also argued against defining the carrying out of police encounters as "part of official duty".

Pandey was discharged on the grounds that key witnesses had made contradictory statements and that the CBI had not sought prior sanction to prosecute him. In the case of Vanzara and Amin, however, the court while refusing to discharge them also asked the CBI whether it would seek sanction for their prosecution, which the agency did.

Discharge is dealt with under Section 227 of CrPC: "If, upon consideration of the record of the case and the documents submitted therewith, and after hearing the submissions of the accused and the prosecution in this behalf, the judge considers that there is not sufficient ground for proceeding against the accused, he shall discharge the accused and record his reasons for so doing." Given that there remains no new evidence to be presented, if either CBI or the victim chooses to approach a higher court, the case would largely rely on how the higher court exercises Section 227.

What about the other accused policemen?

Four other policemen are out on bail and were reinstated, some of them having retired. They are Singhal, Parmar, Barot and



The Indian EXPRESS

FOUNDED BY

RAMNATH GOENKA

BECAUSE THE TRUTH INVOLVES US ALL

Wuhan spirit needs a body

The listing of Masood Azhar as a global terrorist can open a new phase in India-China relations



SANJAYA BARU

THERE COULD NOT have been a better way for China to mark the first anniversary of the Wuhan Summit between President Xi Jinping and Prime Minister Narendra Modi than for it to have altered its stance on declaring Jaish-e-Mohammad chief Masood Azhar a terrorist with a global footprint. News reports suggest that American arm-twisting forced China to fall in line with all the other members of the United Nations Security Council. However, it is best to leave such claims to the US and China to make and denounce. As far as India is concerned, the final outcome is a welcome one. For Prime Minister Modi, it is yet another foreign policy prize secured during the election season. President Xi may not have intended to do a gesture to India that would help PM Modi bang in the middle of a contentious national election, but in the end he did.

In the ever changing trilateral dance between India, China and the United States, it remains to be seen if President Donald Trump would make his own gesture to Modi by offering India a waiver on his decision on imposing economic sanctions on Iran. If President Trump remains rigid and pushes India into a corner, many Indians will begin to take a more favourable view of China than has been the case since the worst days of the Doklam standoff along the China-India border. President Trump may well emerge as China's most valuable foreign policy asset in India.

From Italy to Malaysia, heads of government have recently been rethinking relations with China in the face of Trump's shortsighted antics and Xi's changing tactics. Is it merely tactics or is there a change in China's strategy, with the pause button being hit on the Xi Jinping policy of assertiveness and greater regard being shown to neighbours' concerns? Have developments in China as well as Trump's "trade war" challenge encouraged the Xi regime to soften its stance, even if China is now too big and powerful to return to the pretence of Deng's "peaceful

rise"? These questions will engage China watchers for some time. India's own relations with the US and China will have to take account of its relations with both. It is a triangular equation and will remain so for a long time.

Many factors would have shaped China's decision on Masood Azhar, including developments within China, in Pakistan and across Asia. Radical Islam keeps raising its head in newer places across Asia, as it recently did in Sri Lanka, and now poses as much a challenge to China's rise as it does to India's. Both countries must work together towards a win-win strategy on over-powering radical Islam in Asia. Both the US and China have pursued strategies that have not yielded benefits for Asia as a whole. If China's policy towards Pakistan has been unhelpful, so has US policy towards Iran. By seeking to protect Pakistan and isolate Iran, China and the US, respectively, will only further destabilise Asia.

The removal of the Masood Azhar thorn can open a new phase in India-China relations if the second informal summit to be held later in the year in India can take the bilateral relationship to a new level. That new level would be defined by a serious conversation between India and China on Asian security.

The Masood Azhar vote at the UNSC 1267 sanctions committee has brought another issue to the fore. In response to China's stance at the February meeting of the committee, where it refused to vote along with the other 14 members, a call was given in India for the boycott of Chinese goods. The call went largely unheeded drawing attention to the depth of the China-India economic relationship. There is a fundamental change in popular opinion in India about China. Most Indians neither view China through the hackneyed "Hindi-China bhai bhai" lens nor do they view it through the "1962 war" lens. China is increasingly viewed as a successful Asian power that has worked hard to get where it has. Aspirational India respects that.

where it has. Aspirational India respects that. Aspirational India is also visiting China in increasing numbers and returning with a new regard for modern China. The popularity of Chinese telecom goods in India and of Bollywood movies in China shows that both countries have been able to utilise soft power to build bridges. Of course, the trade imbalance remains an issue despite rhetoric to the contrary. The Wuhan Spirit is yet to find genuine expression in the realm of trade relations. Though China ostensibly acted to reduce its trade surplus with India, in the net there has been no improvement in the trade equation.

According to reports quoting Indian government sources, what China has managed to do is to show its exports to India as emanating from Hong Kong. For the purposes of global trade statistics Hong Kong remains an independent entity even though China conducts a considerable part of its trade with the rest of the world through Hong Kong. Consequently, the combined trade balance between India, on the one side, and China and Hong Kong taken together, on the other side, has in fact increased from \$55.4 billion in 2017 to \$60.1 billion in 2018.

There is, at the moment, an interesting parallel in India-US and India-China relations. On the security and terrorism front both are willing to assuage Indian concerns but on the trade front neither is willing to address India's interests. Can friendship be built on political gestures alone while India's economic interests are ignored? India's options on the trade policy front are limited by the pace of its development and the competitiveness of its industry. As another developing country that has raised its game, China may have little regard for India's woes and many Indians may understand that. But, the trade tantrums of super rich America will find few takers in India.

Baru is distinguished fellow, Institute for Defence Studies & Analysis, New Delhi

TAGGING AZHAR

Forging a consensus on designating the Jaish leader as a global terrorist is a victory for Indian diplomacy

THE DESIGNATION of Masood Azhar, the leader of the Jaish-e-Mohammad (JeM), the group behind most of the recent big attacks in India from Pathankot to Uri and the February 15 bombing in Kashmir that killed 40 CRPF jawans, is a diplomatic victory for India. Efforts to have him listed by the UN Security Council ISIL (Da'esh) and Al Qaeda Sanctions Committee set up under resolution 1267 began 10 years ago after the Mumbai attacks, at the same time Hafiz Saeed and other members of Lashkar e Toiba were included in the list. India later made attempts to tag him in 2016 after the Pathankot attack, and in 2017, months after the Uri attack. Though JeM itself had been designated as early as 2001, Azhar managed to escape the global terrorist tag mainly due to China's "technical hold" against such listing, including earlier this year, when France moved a resolution in early March, with the US and UK as co-sponsors, after the Pulwama attack. But with several shifts in world politics, and despite its own determination to stand by Pakistan in this matter, Beijing had clearly begun to realise the diminishing returns of shielding Azhar, especially as he was fast becoming known as "China's favourite terrorist". After the failure of the France-UK-US proposal, the US took the lead in forcing Beijing's hand with a resolution in the Security Council. Secretary of State Mike Pompeo has claimed Azhar's designation "a victory for American diplomacy and the international community against terrorism, and an important step towards peace in South Asia".

For India, the inclusion of Azhar in the UNSC 1267 list by itself does not bring closure on a chapter that began in 1994 with Azhar's arrest in Kashmir, the hijack of IC 814 to Kandahar, his release in exchange for the passengers, and his setting up a terrorist shop in Pakistan, which then went on to plan and carry out the 2001 attack on Parliament. Pakistan has to take the next steps required under UNSC 1267, which means it must freeze Azhar's assets, impose a travel ban on him, and put in place an arms embargo against him. Such measures have not proved to hinder Hafiz Saeed, founder leader of LeT/Jamat ud dawa. Despite being listed as a global terrorist organisation, the JeM has flourished. Only when the Pakistan security establishment takes steps to shut down the group, in a manner that will convince the world, will this chapter come to an end.

The designation is another reiteration that Pakistan houses many of the listed global terrorists in the world. But Islamabad's search for a face-saver in the omission of "political references" to the Pulwama attack and "malignment of the legitimate struggle of the Kashmiris" in the reasoning for the designation shows that the road ahead is long when it comes to convincing Pakistan that terrorist groups cannot be used as instruments of state policy.

THE MAOIST CHALLENGE

A focussed and coordinated push by state agencies could end the violent run of the ultra-Left political movement

THE IED BLAST that claimed the lives of 15 security personnel and their driver in Gadchiroli, Maharashtra on Wednesday is a grim reminder of the challenge the Maoist movement continues to pose to the country's internal security. The dead men belong to the C-60 force, an elite commando group of Maharashtra police, modelled on the Greyhounds of Andhra Pradesh. The attack comes a year after Maharashtra police gunned down 40 suspected Maoists in the same region. Clearly, the Maoists want to send out a message that they still possess the firepower to take on the security forces and establish territorial dominance.

The geographical location and forested terrain has enabled the Maoists to establish a base in Gadchiroli, a tri-junction of Maharashtra, Andhra Pradesh and Chhattisgarh. However, the state police reportedly has infiltrated the Maoist organisation in the region and created its own network of informers. Maoist actions in the region has drastically come down unlike in neighbouring Chhattisgarh, where in April an MLA was killed along with four security personnel. In fact, the success in containing Maoist activities may have given a false sense of security to the commandos, who ignored the standard operating procedure when they drove out, all of them in a single vehicle, to confront the ultras who had torched the vehicles of a road construction contractor in the area. That they didn't suspect any possible ambush on the way also points to intelligence failure. The Maoists have always shown a remarkable capacity to regroup and strike back even in places they have faced severe crackdown: For instance, they had killed an MLA and a former legislator in Araku Valley last year, when it was believed that the movement had been crushed in Andhra Pradesh. It could also be that the state had failed to address the deprivation and underdevelopment that in the first place created an enabling climate for the Maoists to build a base.

The Maoist movement or CPI (Maoist), born out of splits in the communist movement in the 1960s, has reinvented itself many times to become an influential militarist political group. Its cadre base too has shifted from peasants in the 1960s to tribals in the 1990s and thereafter. However, a decade since the then prime minister, Manmohan Singh, described them as the gravest internal security threat, the ultra-left political movement is now restricted to pockets of Central India. A focussed and co-ordinated effort by security agencies could further limit its footprint and finally end its violent run. That's both a political and administrative challenge.

COVER GIRL

Halima Aden is first Muslim model to appear in 'Sports Illustrated' swimsuit edition, wearing both hijab and burkini

IN SWAHILI, "KAKUMA" means nowhere. It is also the name of a small East African town in Kenya, where one can come across the Kakuma refugee camp. "Home" to thousands of refugees, this place and the camp have now been propelled into the orbit of international recognition and fame. And the woman who's helped shape this journey of a people and its history from "nowhere" to somewhere big is Halima Aden, the first Muslim model to appear in *Sports Illustrated* magazine's Swimsuit edition, wearing a hijab and a burkini.

Aden, born at the Kakuma camp, has been a global model of repute already. What is remarkable is the significance of her sartorial choice and tenacity with which she has stuck to it. Hijabs, burkinis or any other item of clothing, where the head or parts of the female body are covered — something that supposedly conforms to notions of modesty in Islam according to many religious authorities — have not been the most popular dress code in many countries. The niqab (full veil that covers the face) is banned in France and Belgium, Austria and Denmark, for instance. After the Easter Sunday bombings, Sri Lanka has also banned the niqab. In the context of such steady strangling of personal value systems, even within democratic spaces, this move by *Sports Illustrated* seems exceptional. In the glitzy world of international modelling, the grime of racism and stereotypes is often ignored, at best. By putting Aden on the cover, the magazine has taken a step towards "normalising" a visual that our society — buffeted by negative cultural biases — is wont to find "conservative", and even regressive.

That *SI* operates within a market economy driven by business sense, not merely a moral compass, needs mention. "Muslim fashion", after all, is an industry worth billions. However, in a world where nothing — not even the monies — seems enough incentive to trump cultural otherisation, perhaps a fashion spread might be an eye-opener.



AYAN GUHA

IT IS GENERALLY believed that unlike other states of India, caste and religion don't play a significant role in West Bengal's electoral politics. Academic literature often articulates this as West Bengal's "exceptionalism". As a result of the electoral decline of the Left Front and some limited attempts by the Trinamool Congress at community-based mobilisation, the so-called exceptionalism thesis has come under some critique. Even then, it is largely acknowledged that identity issues have so far not made any remarkable impact on the mainstream electoral politics in the state.

In this context, the upcoming electoral battle in West Bengal assumes special significance. It seems to have brought identity related concerns to the centrestage of mainstream politics. It is interesting that such concerns are not being conveyed in the language of caste or religion but in the apparently secular idiom of citizenship. The BJP is promising the revival of the recently lapsed Citizenship Amendment Bill, 2016, despite the massive backlash it faced in the Northeast. The Bill proposes to confer citizenship upon all Hindus, Jains, Sikhs, Christians, Buddhists and Parsis who have migrated to India from Bangladesh, Pakistan and Afghanistan as refugees.

Politically, this Bill is directed at wooing the powerful Namasudra caste group who mostly belong to the Matua sect, originally hailing from Bangladesh. The single point demand of their organisation, Matua Mahasangha, is the repeal of the 2003 Citizenship Amendment Act, which denies citizenship to those who have migrated after March 25, 1971 — a large number of them are

CASTE POLITICS, SECULAR IDIOM

BJP is attempting to use citizenship issue to woo Namasudra community in Bengal

Politically the Citizenship Bill is directed at wooing the powerful Namasudra caste group, who mostly belong to the Matua sect, originally hailing from Bangladesh. The single point demand of their organisation, Matua Mahasangha, is the repeal of the 2003 Citizenship Amendment Act, which denies citizenship to those who have migrated after March 25, 1971 — a large number of them are Namasudras.

Namasudras. The family of the founder of the Matua sect, Harichand Thakur, enjoys religious authority over the community as well as control over the Matua Mahasangha. In the 2009 Lok Sabha elections and the 2011 assembly elections, the TMC gained the tacit backing of the Mahasangha then led by the spiritual head of the community, Boroma Binapani Devi, who passed away a few months ago. Thereafter a bitter feud within the first family of the Matuas broke out, which has now turned political. Currently, one section of the Mahasangha led by Mamtabala Thakur, the daughter-in-law of Boroma, has aligned with the TMC while other section is led by Shantanu Thakur, the grandson of Boroma. In the upcoming elections, Mamtabala, the current TMC MP from Bongoan constituency will fight against her nephew Shantanu, a BJP candidate.

Since 2014, the BJP has been trying to gain political mileage by making a distinction between refugee and infiltrator. This involves a political strategy to exhibit favourable disposition to Hindu migrants, mostly Namasudras, by treating them as persecuted refugees. This strategy helped the party to win the Namasudra dominated Basirhat (south) constituency in 2014. But the party's Namasudra outreach hit a roadblock when lakhs of Bengali Hindus, many of whom Namasudras, got excluded from the draft list of the NRC in Assam. The Matua Mahasangha organised massive demonstrations against the NRC.

The Namasudras, who constitute the second-largest Scheduled Caste group in Bengal are crucial to the electoral calculus in Nadia and North 24 Parganas, where half of the

community is concentrated. Prime Minister Narendra Modi chose Thakurnagar, the headquarters of Matua Mahasangha, to start BJP's campaign in Bengal and made a strong pitch in favour of the citizenship bill. He also paid a visit to Baroma and touched her feet, a hugely significant symbolic gesture, which did not go unnoticed. In his address he urged Mamata Banerjee to back the Bill for the sake of the Matuas. This has created an enormous dilemma for the TMC. While support for the Bill will antagonise the Muslims, a vital support base of the party, opposition to the Bill may push the Namasudras towards the BJP. What has made the situation trickier for the TMC is the recent surfacing of a letter purportedly written by Baroma which appeals to Banerjee for her support for the Bill. But the TMC has challenged the authenticity of the letter. Its opposition to the Bill is attributed to an attempt to consolidate the Muslim support. In this backdrop, the controversial use by the party of Bangladeshi actors in poll campaign has been interpreted by its opponents as Muslim appeasement and infiltration-friendly attitude. This has again given ammunition to the BJP to consolidate the support of the majority community particularly in the border districts.

In the long run, such politics may have unanticipated dynamics. Political lexicons and patterns of mobilisation, that accommodate communitarian concerns, could gain currency.

The writer is assistant professor of political science at Hamdard Institute of Legal Studies and Research, Jamia Hamdard, New Delhi



MAY 3, 1979, FORTY YEARS AGO

BOMB CONFIRMED
IT IS NOW fairly clear that the Indian Airlines Boeing 737, which crashed at Meenambakkam airport in Madras on April 26 was brought down by a bomb. Much of the evidence collected so far indicates the presence of a bomb either in the toilet behind the cockpit, or in the baggage hold under it.

JANATA FISSURES
DESPITE PROTESTS FROM Charan Singh, the Janata Parliamentary Board decided to ask Haryana Chief Minister Devi Lal and state Janata Party president Chandrawati to explain why they had worked against the

party's candidate in the Narnaul Assembly by-election. The Board's decision has pushed Charan Singh's two BLD associates in the dock.

SANJAY'S NIGHT IN
SANJAY GANDHI REFUSED to leave Tihar jail on the night of May 2 despite the fact that the Metropolitan Magistrate, Brajesh Kumar, had ordered his release following the furnishing of bail bonds. RK Trikha, a local businessman, had stood surety for Sanjay Gandhi, who was arrested along with 300 other Youth Congress-I workers on charges of rioting, attempted murder, assaulting public officers and damaging public property.

According to jail authorities, Sanjay Gandhi refused to sign a personal bond, without which he cannot be released.

RAJYA SABHA TUMULT
UPROAR, TUMULT, PANDEMONIUM — think of all the words for a noisy session and the Rajya Sabha was all that after question hour. The storm began when opposition members protested against the home minister's statement in the House on April 30, announcing the government's decision to refer the allegations, made against the families of the PM and the deputy PM during the debate on the Kanti Desai issue in August, to a retired judge of the Supreme Court.

"Careful international engagement rather than reckless ideological intervention is required, to protect the lives and prospects of ordinary Venezuelans, and convince them they have a future in their own country." — THE GUARDIAN

Making every vote count

All arrangements for democratic representation come with some inadequacies. The debate should be on seeking a balance between the need for legislator-constituency connect and proportional representation



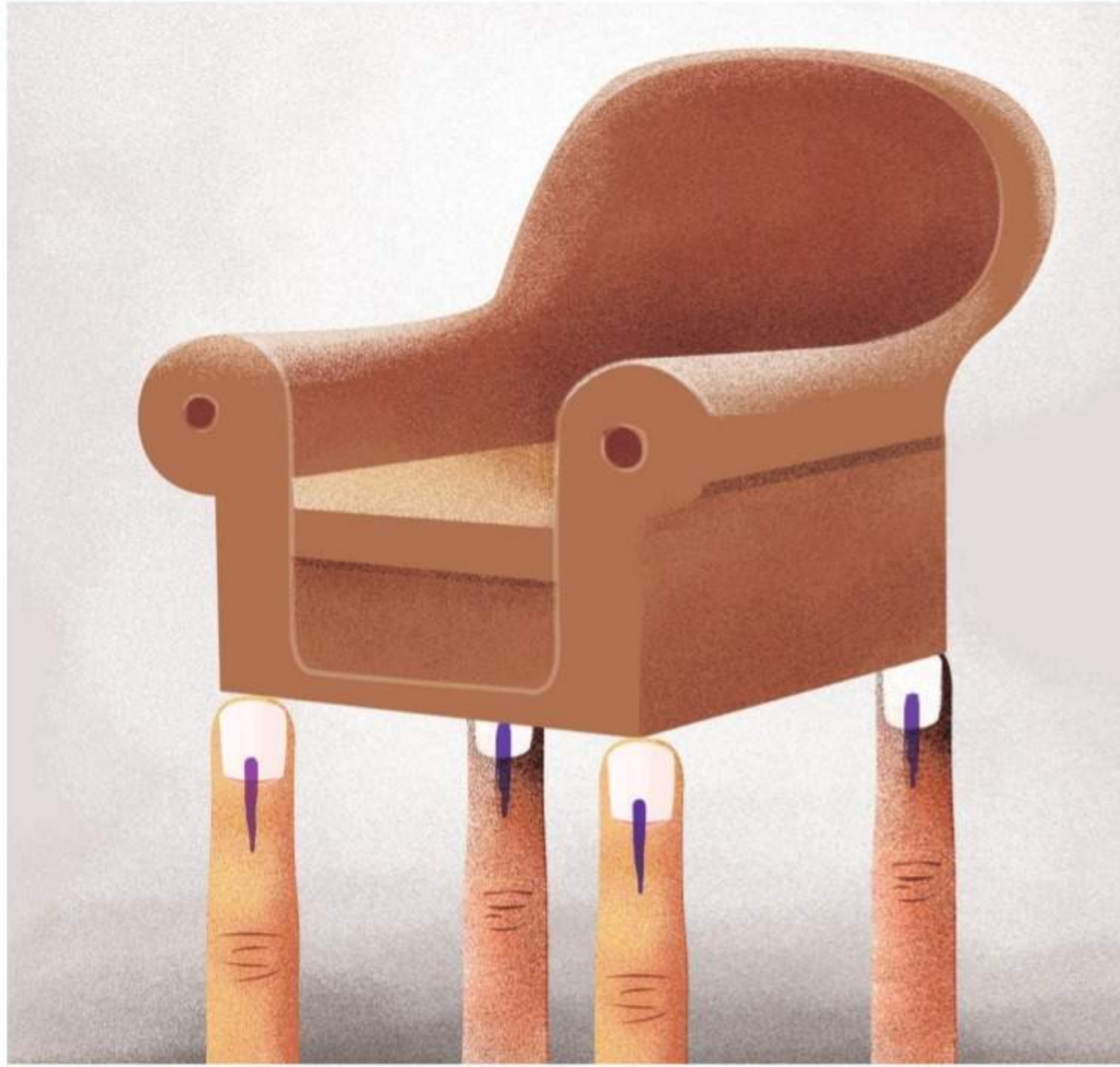
R PARASURAM

IN 'HALF MPS, half votes' (IE, April 20) Nalini Singh makes a compelling case for switching over from the first-past-the-post system (FPPS) to an alternative, which instead rewards a political party with seats in proportion to the number of total votes polled by it. A large number of people share the view that what was at the time of Independence copied from a largely two-party model for elections to the House of Commons has proved increasingly inadequate for capturing the true character of the electorate's verdict in the multi-party context of Indian democracy.

Singh illustrates her point by analysing the voter turnout percentages of various parties in the 2014 elections. The BJP, the winner in 2014, was rewarded, as indeed were other such winners of the past, with seats much larger than it would have secured in an alternative system. This happened at the cost of parties such as the BSP polling 2.03 crore and the DMK polling 96 lakh votes, respectively. Neither won a single seat in the Lok Sabha. Here, I would like to draw attention to some other aspects, which need to be examined and also try and show how rewarding a party with seats proportionate to the votes it captures is not really the solution it might appear to be in the first instance.

First, what goes in favour of a constituency-wise winner is that it allows voters to choose their representative out of those on offer on the ballot. It presupposes a connect between a representative and her constituents. Already much compromised, even this connect will not remain if a party were allowed to "pre-announce a list of potential members" as suggested by Nalini Singh. Ideally, in a representative democracy, it should be the local unit of a party that selects its candidate for a constituency. However, in the absence of any compelling provisions in the People's Representation Act, political parties in India have given a complete go-by to inner party democracy. What actually happens is that the returning officer puts on the ballot the name of the person whom a party authorises him to. So, barring independents, the voter actually chooses one of the many candidates put up by the party headquarters in Delhi or the state capitals, so to speak.

But, at least as of now, some local considerations do go into the decision a political party makes in deciding who its candidate from a particular constituency shall be. At times these are tactical, as when taking into account the caste group a candidate belongs to, or strategic as in when a leader decides to offer himself as a candidate in a constituency far and away from his traditional or home base to send down a message to the electorate, a la Varanasi or Wayanad. Then there are others who go seeking safe havens. Any list-system, unhindered by guarantees for local representation, would only make leaders even more powerful than now. There is every likelihood of a party leadership wanting to pack its list of likely winners top down as per its own preferences rather than as per local aspirations and considerations. A completely unintended consequence arising from a switchover to seats-in-proportion-to-the-votes-polled arrangement, if you like. Look at what has happened in another much-admired piece of legislation, the anti-defection



Suvajit Dey

law. Despite it having helped put an end to the Aya Ram-Gaya Ram era, it has led to party leaderships growing stronger and powerful at the expense of an ordinary member's right to debate and dissent.

Second, the federal character of the Indian Constitution cannot be ignored. A proportionate system of determining the number of seats in the Lok Sabha would in effect repeat what is already in place for the Rajya Sabha, albeit through indirect elections. Every political party has the opportunity of securing for itself seats in the upper house, in proportion to the members it has got in the state assembly. Its also worth noting that if we were to repeat the seats-in-proportion-to-the-votes-polled arrangement for the Vidhan Sabhas as well, inadequacies cited in the previous paragraph shall kick-in in equal measure. As for Parliament, we will have MPs, sitting in either house, without having faced the electorate directly. Here again it will be the leadership of political parties who stand to gain. Theirs will be the only recognisable faces campaigning for votes; not a very healthy prospect for a country as large and diverse as ours!

All alternative arrangements for representation in a democracy shall come with some inherent inadequacies. The debate, therefore, should ideally be on how to seek a balance. Three possible options can be examined. The first, and in my view the most balanced, is a mix of directly elected representatives with a given number of seats secured on the basis of percentage votes polled by a political party. This arrangement shall not entirely take away the representative-constituent connect. It will also respect people's choice of a particular political party, an attribute to capture ideologi-

cal and social considerations. One moot point, which will be for consideration, is whether to count the percentage of votes for a party nationally or state-wise. Both will throw up totally different outcomes.

The second option is for allowing a runoff between the top two candidates, in case the first round winner polls less than 50 per cent of votes polled. This will, however, add to both the already long period of actual polling and to costs incurred for holding the elections.

A third option is to go for preferential transferable votes, with voters marking their second and third and subsequent choice from amongst the list of candidates contesting from a particular constituency. This again shall entail a total re-haul of the election procedures and technology in place, including the present generation of EVMs and VVPATs and the required support infrastructure.

Most importantly, what needs to be factored into the debate is that the first-past-the-post system evolved presupposing a two-party system and a measure of inner party democracy, with local units and their registered members guaranteed a role in selection of candidates. As both these are absent in the Indian context it remains to be seen if political parties, in power at the Centre and in the states at any given time, as direct beneficiaries of the latest outcomes from an election shall want to develop a consensus for any change in the manner we elect our MPs and MLAs.

What goes in favour of a constituency wise winner is that it allows voters to choose their representative out of those on offer on the ballot. It presupposes a connect between a representative and her constituents. Already much compromised, even this connect will not remain if a party were allowed to 'pre-announce a list of potential members'.

The writer is a former chief secretary, Madhya Pradesh and former state election commissioner of Madhya Pradesh

A false discourse

Emotive national security issues are being raked up in the face of the government's failures on the development front



KAPIL SIBAL

THE 2019 Lok Sabha election is bereft of basic issues faced by the common man. The nature of political discourse engineered by the BJP has been given credibility by some key players in the electronic media.

Prime Minister Narendra Modi's thematic refrain is to use India's alleged muscular response in Balakot for electoral gains. The reasons, including the attendant intelligence failure, for the tragic death of over 40 CRPF jawans at Pulwama can await electoral outcomes. Those questioning Balakot and requiring proof of downing an F-16 have been denounced as anti-national. Anyone seeking answers has been called "pro-Pakistan". All outlandish statements on Balakot must be accepted and supported. We all must cheer Modi for having taught Pakistan a lesson.

The "godi" media feeds into this campaign. Pakistan is being used as a punching bag for Modi to retain power. Attempts are afoot to make the Balakot strike a symbol of national pride. All other issues of national concern are brushed aside. This emotive issue cuts across castes. It might help Modi reach out to those for whom caste and other forms of identity matter. But when it comes to the security of the state and national pride, such equations do not matter. The response to Pakistan in Balakot is intended for domestic political dividends. The first-time voters are prime targets of this campaign.

The same strategy was used by the BJP in Assam and the Northeast. The talk of infiltrators is equally emotive. The constant use of the NRC by Amit Shah seeks to create a divide between "us" and "them". Shah's statement that the NRC will be applied throughout the country targets those elements who are considered outsiders. Such statements have a dual impact. One, they breathe hatred and division and two, instill fear in the minds of those targeted.

In fact, this concept of infiltrators is also being applied in states. Given this, alleged infiltrators in Maharashtra are obliged to learn Marathi. Those depriving local residents of jobs are also perceived to be infiltrators. Outsiders become infiltrators. This disturbs the peace. Identity politics becomes the norm and tears asunder the constitutional values we have cherished for years. Demographic changes should help foster societal amalgamation. Societal segregation and ghettoisation, in fact, feed into identity politics. These dangerous trends make people insecure. Ghettoisation of communities builds permanent walls within society. It will take years to break them down.

The BJP's electoral strategy in Kashmir can be viewed through the same prism.

Those seeking to maintain the special status of Kashmir are seen to be opposing national integration. The battle between "us" and the "rest" is now raging. The "us" is a huge majority and the "rest" find themselves confined. The pelting of stones by children is not seen as a breakdown of confidence in the state but as something that is remote-control operated. The hidden hand from outside is allegedly disturbing peace and the strong man is seeking to secure it.

All this suggests that the 2019 Lok Sabha election is without a rational discourse. The only feel good factor is the strike at Balakot. It is in this sense that the election has become a conflict between Modi and others. Modi no longer represents one who promised to transform India. He no longer talks about the change that has been brought about in the last five years because he has nothing to show for it. The achievements of scientists — of sending a mission to the moon, the anti-satellite missile tests, the levels of excellence achieved in certain quarters — are all achievements of Modi. Modi appropriates successes of Indians as his own. He is all pervasive. The Election Commission dares not question his conduct and that of Amit Shah. Almost all other institutions do his bidding.

He has sought to use both the state machinery and enormous money power to infiltrate the minds of all Indians. There is no visual space in this country which does not showcase him. The headlines and ads in newspapers, his omnipresence in the electronic media, his nauseating interviews, and his jibes at opposition leaders are seen as highlights of this national discourse.

The poor must rise above the state of their hopelessly mundane existence. They must laud Modi for having saved India by striking at Balakot. Those running small businesses must rise above their declining fortunes and associate themselves with a leader who all the world leaders hug and who dared Pakistan. No one can question the failings of this government in the last five years. It seems that Balakot has more symbolic relevance than Pokhara-I and Pokhara-II. It seems to have done India proud, much more than the breakup of Pakistan in 1971. All of India must be thankful to a man who taught Pakistan a lesson. Yet terror rages on and our jawans continue to die. Balakot has changed nothing on the ground.

The issue of "Hindu terror" raised in the course of this election is again fed into this campaign. The candidature of Sadhvi Pragna and its justification contains the message that anyone who alleges a terrorist act must associate it only with the "other". This communal tinge to the discourse is the running thread throughout this election.

Democratic India deserves better. Balakot is projected as a metaphor for triumph. What we need and need desperately is the triumph of democracy in which false discourses do not matter, but people do.

The writer, a former Union minister, is a senior Congress leader

A dangerous sophistry

Equating restriction on highway in Kashmir with Centre's excess is illogical



UDAYAN MUKERJI

THE ARTICLE BY Waheed ur Rahman Para ('Democracy vs militarisation', IE, April 22) appears to lack direction. Linking restrictions on the use of the national highway with the alienation and exclusion of Kashmiris is disingenuous. Branding a single measure to secure convoy movements as a "total siege" of Kashmir is not only hobbled logic but also borders on dangerous sophistry.

Para is equating a restriction of just two days in a week (now done away with entirely) on general movement, to prevent a recurrence of the Pulwama tragedy, with the "unfreedom" that has bolstered the azadi movement.

Para jumps nimbly between the government and "Hindutva" groups, an agility which he apparently shuns when speaking of mainstream Kashmiri parties to the exclusion of secessionists and terrorists. Having used the restrictions on the highway to protect convoy movement as a launching point, the author extrapolates this to purported Hindutva designs towards "dismantling the minority character of J&K". He fails to explain how the movement of forces to fight Pakistan-based, trained and funded terrorists has any connection with demographic changes in Kashmir. While quite a few of the

Hindutva groups are certainly expansionists in saffron clothing, the author possibly forgets that the current demography of J&K is the outcome of terrorism, coercion and blatant threats by separatists and terror groups that caused Kashmiri Pandits to leave their homes and hearths.

Para then turns to television anchors who "misrepresent and spread venom against Muslims". Thereby he makes the third facile transition in his postulates. The first postulate began with describing the government reserving the national highway for two (now none) days a week for troop movement as "unfreedom". He then transitioned to the broad postulate of demographic undermining of Kashmiri Muslims and he now moves on to speaking for the entire Indian Muslim community. Perhaps the author overlooks that for every freak publication accused of spewing distrust there are scores of others which hold, cherish and propagate liberal ideals.

Para describes the restriction, by the Centre on the use of the national highway as "hegemonic". How can a step taken by the Centre to preserve the lives and limbs of security personnel be interpreted as the domi-

nance of the state? Then the author broadens this cautionary measure to reflect "the deprivation of Kashmiris at the hands of jingoistic decrees". He does not explain why he regards a purely defensive security protocol as a deprivation of Kashmiris or how this administrative step can be construed as jingoistic.

Para attributes the genesis of "the current phase of conflict" in Kashmir to the Amarnath crisis of 2008, which arose from the transfer of a 0.40 sq km of land to the Shri Amarnathji Shrine Board (SASB) sparking huge protests and withdrawal of PDP support to the then Congress-led government. A solution was devised involving the then NSA (M K Narayanan), whereby the SASB would temporarily use this kherchief of land during the Yatra period. Para's diatribe omits the fact that the protests, orchestrated by the Hurriyat, richly served Pakistan's anti-India Goebbelsian propaganda.

The author contradicts himself by saying "India that places Jammu & Kashmir, its only Muslim majority state, as an emblem of its secular credentials". A secular state cannot, by definition, have provinces defined and their legitimacy based on religious grounds. It is only the post-independence democratic

India that bows to the will of such a majority. Before then, Kashmir was ruled by the Sikhs, the British and the Dogras, without much fuss over the religious persuasion of the populace.

Thereupon Para dilates liberally on the excesses suffered by Muslims countrywide. It goes without saying that Muslims in India and globally are often at the receiving end of harsh and patently cruel prejudices. But then, is he trying to say that if the "senas" are subdued, the seditious groups in Kashmir will reconcile to the idea of India?

Like a smorgasbord of complaints laid out before him, the author picks up one, savours it and then moves on to another. Thus, having sampled restrictions on the national highway, secularism in peril, apprehensions and depredations suffered by the minorities and India and the Amarnath crisis, Para moves on to lifting of the security cover hitherto afforded to "mainstream politicians" in Kashmir. It is baffling that Para fails to differentiate between genuine mainstream politicians and separatists like Hashim Qureshi, Mirwaiz Umar Farooq, Abdul Ghani Bhat and Shabir Shah.

The writer is a retired IPS officer

LETTERS TO THE EDITOR

WEST ASIA DEMANDS

THIS REFERS TO the article, 'The Iran conundrum,' (IE, May 2). By pleasing its West Asian allies including Saudi Arabia and Israel, the US administration is displaying a myopic vision. Iran can retaliate by withdrawing from the Nuclear accord, it could ratchet up tensions through the use of its proxies in West Asia, and in the most trying situations can enforce a blockade of the Strait of Hormuz, which will lead to a sudden spike in oil prices. Having said that, India must tread carefully. New Delhi has to keep in mind its interest in the Chabahar port as well as trade relationship with the US. It should stand up to the sanctions imposed by the US.

Pranay Shome, Kolkata

COURT'S CRISIS

THIS REFERS TO the article, 'Listen to her' (IE, May 2). The Supreme Court is facing an unprecedented crisis. When the three-member panel, with two women, was appointed, it looked like the complainant will receive a fair hearing. But her walking out of the process due to the fear of not getting justice has raised a few questions. The panel has requested the CJ to appear before it. But the complainant's exit casts a shadow over the process. The sooner the full court intervenes, the better it would be for this sensitive case. The truth should be out in open and the guilty should be punished.

Bal Govind Noida

LETTER OF THE WEEK AWARD

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

THE WINNER RECEIVES SELECT EXPRESS PUBLICATIONS

EVM AGAIN

THIS REFERS TO your editorial, 'Pushing buttons' (IE, May 1). The authenticity of electoral results depend upon the accurate working of Electronic Voting Machines (EVM). The complaints against working of EVMs should be dealt with seriousness by the Election Commission. If there is defect in the EVM in any part of country, it should be probed thoroughly and a re-election held there.

Sanjay Chawla, Amritsar