

Machine learning, AI & drug development

It seems research could soon be largely taken over by machines



QUANTUM LEAP
DEVANGSHU DATTA

Organic life depends on proteins, complex molecules, which perform many functions. Proteins are made up of amino acids combinations. Amino acids are simple molecules paired and wrapped around each other in three-dimensional configurations. Mis-folded proteins can cause horrible conditions like Alzheimer, Parkinson's Disease, Huntington's Disease, etc.

Developing new drugs, and tackling such conditions would receive a huge boost if we understood protein-folding processes. This is among the biggest

research challenges. Protein folding seems to have simple rules, and we can list the amino acids sequences in a given protein. But the number of folding possibilities are very large, making it impossible to list all 3D configurations, even with super-computers. There are about 20,000 genes which can malfunction in multiple ways, and therefore, huge numbers of possible interactions between resultant proteins.

Researchers use algorithms to compute the likely 3D structure of proteins, inputting amino acids sequence data. They also use methods like X-ray crystallography and nuclear magnetic resonance to image protein structures. But this is an expensive hit or miss process and we still don't know what the structure of a new sequence could be.

In many ways, protein-folding resembles chess, Shogi (a Japanese version of chess) and Go. These games have simple rules, which a child can learn in a few minutes. Each game has complete information. Yet, chess contains more possibilities than atoms in the universe; Shogi has even more possibilities than chess; and Go has orders of magnitude

more possibilities than Shogi. Programs have to find heuristics (strategic rules of thumb) to play these games well.

A program that's good at such games can be adapted for protein-folding. We're seeing demonstrations of this, with DeepMind's AlphaFold. The UK-based artificial intelligence company, DeepMind created a sensation when its "Alpha" algorithms learnt chess, Go and Shogi. In 2016, the first iteration, AlphaGo beat Go world champion, Lee Seedol. A second iteration, AlphaZero was given the basic rules and played millions of games with itself to develop its heuristics. It beat AlphaGo, and thrashed other top chess-playing and Shogi programs.

The self-learning methods DeepMind developed work for other systems of complete information. In December 2018, its program, AlphaFold, was the top performer at a very prestigious competition — the 13th edition of the Critical Assessment of Structure Prediction (CASP).

CASP is a biennial competition that aims to predict 3D protein structures. Competing teams were given the linear

sequence of amino acids for 90 proteins, where the 3D shape is known, but has not yet been published. The physical properties of protein molecules include the linked pairs of amino acids, the distances between linked pairs, and the angles of the chemical bonds connecting the pairs. If you know these, you can work out 3-D shapes.

The CASP competitors compute how those 90 sequences "should" fold and match those against known structures. The debutant, AlphaFold, far outperformed the other 97 entrants. In 43 sequences where nothing beyond linear sequences was known, AlphaFold made the most accurate predictions 25 times. Second place finisher, Zhang Group, succeeded three out of 43 times.

Dr John Moult, CASP's lead organiser, a computational biologist at the University of Maryland in Rockville, says AlphaFold was on average, 15 per cent more accurate than the others. DeepMind's team refined two algorithms pioneered by others.

DeepMind uses "deep neural networks" to learn correlations between the shape of a protein molecule and its amino acid sequence. The AlphaFold model uses two algorithms. It computes a score

that estimates the accuracy of a proposed structure. Then it uses "gradient descent" — an algorithm to find the minimum value of a function — to optimise that score.

AlphaFold compared genomic data on other proteins to derive probabilities for which pairs would end up folding close to each other. "Fold" also worked out probable distances between neighbouring pairs and likely angles at which they joined. This approach combines clever engineering design and vast computer resources to make a contribution to fundamental science.

While DeepMind CEO, Demis Hassabis, says this demonstration is just a beginning, it does marks a shift in research into this key area. Instead of academics with biochemistry backgrounds, or conventional pharma companies, there could be more IT companies moving into studying protein-folding, using artificial intelligence (AI). Facebook has also started up research in this area, publishing a recent paper from its R&D group. That hasn't yet been peer-reviewed.

Academics who were tracking CASP seemed to be stunned by AlphaFold's results, as it seems research into protein folding could be taken over by AI. Machine learning and AI could make a big contribution to accelerating drug development methods and research into many diseases.

CHINESE WHISPERS

Angry BSP
After closely watching the recent developments in Karnataka and Goa, Madhya Pradesh Chief Minister Kamal Nath has asked all Congress MLAs and those supporting his government to stay in the state capital. Nath addressed an MLA meet late on Wednesday and directed them not to travel outside Bhopal. Bahujan Samaj Party (BSP) MLA Sanjeev Kushwaha missed the meeting although he was in the city that day. It is no secret that BSP MLAs Kushwaha and Rambai are unhappy with the state government and do not get along with some of its ministers. Rambai had publicly stated she wanted a ministry. On Thursday, Kushwaha said that some Congress ministers had an "attitude problem" and that he planned to talk to the chief minister about "the behaviour issues".

A nudge from NITI Aayog

So you thought government ads were composed by and aimed at the fuddy-duddies, right? Wrong. A recent NITI Aayog ad caught attention because it was not. The ad, placed on Twitter and saying the government think tank was looking for senior specialists and specialists in behavioural economics, seemed to be inspired by a popular dialogue from Hindi movie *Rang De Basanti*. The NITI Aayog ad started off with *Koi bhi desh perfect nahin hota, usse perfect banana padta hai*; the 2006 sleeper hit had a dialogue, *Koi bhi desh perfect nahin hota... usse behtar banana padta hai*. Now if you said using snappy phrases and taglines was par for the course on Twitter and that NITI Aayog needed something relatable to "nudge" young people into action, you probably wouldn't be far off the mark.

To name or not to name

During the discussion on the Finance Bill in the Lok Sabha on Thursday, Trinamool Congress MP Saugata Roy said the Union Budget's relief to the corporates was intended to help two leading industrial houses. Roy named the two houses, which bear the surnames of their founders. The Bharatiya Janata Party's Nishikant Dubey said Roy, under Rule 352 of the Lok Sabha, had defamed two individuals as also those who had these two surnames. Roy argued that he did not take any first names, but had referred to the two corporate groups. Meenakshi Lekhi, who was at that juncture chairing the proceedings, seemed to agree with Dubey that Roy had taken names of two individuals. However, the Biju Janata Dal's Bhartruhari Mahtab intervened to say that there had been several instances in the past when members referred to two other industrial houses, the Tata and the Birla groups, in their speeches. He said the Lok Sabha secretariat should go through the records to find out if those references were also defamatory and come to a conclusion on the issue. Roy then continued with the rest of his speech as no one countered Mahtab's interjection.

Missing links in India's defence readiness

Since the bulk of the military resources is consumed by revenue expenditure, modernisation will remain a distant dream



PREMVR DAS

We will fight with what we have" is a statement attributed to the then Army Chief when some units of the Pakistan Army surreptitiously captured and then sat astride mountain positions dominating our Kargil lifeline. Twenty years down the line, it will not be surprising if the present Army Chief has to say much the same thing. After all, we did have to field outdated MIG-21s against superior planes of the adversary and lost one of them. Yet, in these same two decades, both the BJP-led NDA and the Congress-led UPA have governed the country for ten years each. Is there something fundamentally missing in our ability to recognise the kind of military power that India needs is the question that needs to be answered.

Only a few days ago, reputed journalist Shekhar Gupta wrote in this paper

that something was seriously wrong in our military planning process. He argued that to constantly decry resources allocated to defence in terms of a less than 2 per cent share of GDP was flawed logic as the government did not have control of that entity. What it did manage was Central Government Expenditure or CGE. This, at 15.5 per cent for FY 2019-20 outmatched the 15.1 per cent that it would spend on health, education and welfare combined. Therefore, to expect the allocation to be increased is clearly far-fetched. Since the bulk of this resource is spent on revenue expenditure, including pay and pensions, modernisation will continue to be a distant dream.

Mr Gupta laid out some other postulations which merit examination. Given their intrinsic strengths, India's Army and Air force could worst those of Pakistan in a long war which he argues we would not be allowed to fight by the international community. In short wars of two or three weeks, the scales would be more or less even except at sea where our Navy could inflict decisive punishment but risk global outrage as freedom of movement was involved. In support of his argument, it may be mentioned that the "surgical strike" across the border was responded to by sponsored terrorist attacks on our military installations at Uri and Pathankot. Even more, the attacks on Balakot camps were met within a few hours, and in broad day-



light, by the Pakistan Air Force which led to the downing of our MIG 21 and capture of its pilot. In sum, short-term confrontations are unlikely to lead either side to a position of dominance. If long and short conflicts are both unlikely to yield great political dividend, what is the option? We have not yet considered what might face us across the border with China where the end result could be no different.

Finally, Mr Gupta talks of the futility of planning for a two-front war for which resources can never be found. This brings us to the fundamentals of national security planning. Broadly, there can be two approaches. One, to formulate plans based on Threat Assessments. Things like two-front war capability, punishing Pakistan, et al fall under this category. There is the Raksha Mantri's Directive which is issued periodically and tells the armed forces what threats are visualised and for which they should be prepared. More recently, a committee has been constituted under the National Security Advisor and comprising the three Service Chiefs and some others presumably to formulate some kind of

a national security strategy. It is very unlikely that it wears away from the Threat Assessment methodology.

The second approach is to evolve national security based on national interests. These are more long term and will provide a stable platform for defence planning over a period of time. For example, if these require us to be the third largest global economy in fifteen years, after the USA and China, with military stature commensurate with that goal, then we must figure out what needs to be done to get there; similarly, our interests in the Indo-Pacific and how they might contribute towards the larger objectives and the capabilities needed to safeguard them. Surely, putting 3,00,000 boots on the ground against Pakistan cannot be the desired end result. Or, for that matter, "readiness" to defeat invading Chinese troops across the foothills. To be the third or fourth ranking global power something different is needed in which, technology, space, sea and air power, informatics and artificial intelligence must merit priority. Only then can limited resources for military modernisation be allocated optimally.

Unfortunately, the approach our planners are following today continues to be threat based in which manpower holds sway as even China, one of our two "threatening powers", is converting its military strength from one based on manpower to one better suited to its longer-term interests.

But how is such a drastic change in mindsets to come? It cannot come from Defence Planning Committees and such like. In the first tenure of the NDA, a high powered Group of Ministers (GoM) was constituted post Kargil to review every aspect of national security. Led by no less a person than the then deputy prime minister, it made a series of recommendations of which the more routine ones have been implemented but the weighty ones remain in orbit. Service Headquarters have been notionally renamed Integrated Headquarters of the Ministry of Defence but with little integration. A Chief of Defence Staff is nowhere in sight. If that GOM could not take us towards the interests based approach, what will? Trying to satisfy several vested lobbies will simply not get anywhere. We now have a Prime Minister who has the chutzpah to do what has not been done before. Only his personal clout will enable us to get away from the status quo just as demonetisation did, in the face of huge criticism. It is time he himself took charge of the national security ethos of the country and put it on lines which will meet our needs commensurate with our aspirations.

The writer has been a member of the National Security Advisory Board

INSIGHT

Rules in cricket and economics are fallible



AMOL AGRAWAL

What a match is an understatement. In times to come, all matches will be measured by this one match which fittingly was played for the World Cup final. Earlier, matches were measured by the World Cup semi-final match in 1999 between South Africa and Australia which ended in a tie as well. The final of 2019 upped the level by a few notches.

In One Day International (ODI) cricket, a team wins by scoring more runs. But what if both teams score equal runs? ICC rule book defines such a match as a tie: "The result of a match shall be a tie when all innings have been completed and the scores are equal. If the scores are equal, the result shall be a tie and no account shall be taken of the number of wickets that have fallen". Though, there were two tied matches where the teams won on account of lesser number of wickets: India vs Pakistan in 1987 and Australia vs Pakistan in 1988. In the first one, India won and the second was won by Pakistan.

In World Cup type tournaments we have stages where you need a winner to move ahead. This requires a result and we have tie-breakers like those seen in football and hockey where we have penalty shootouts (no matter how unfair).

In cricket, ICC has experimented with tie-breakers. For instance, in the

above mentioned semi-final between Australia and South Africa, the former won as it had better performance than latter in the league stage which in turn was based on net run rate. The result drew similar ire as seen now and one felt a tie-breaker should be based on the current match and not past performances.

This led to another type of tie-breaker where the bowlers from the two teams were asked to bowl and strike the stumps. We saw a tied match between India and Pakistan decided in this manner in favour of the former. But again this was not seen as a good way to decide the outcome as there was no role for batsmen and it was really random.

We then had the idea of a Super Over where each team played an additional over and whoever scored the highest runs won the match. Call it a micro-match between the two sides. But what if there is a tie here too? It is here that the rule book gets really dicey and tilts completely towards the batters.

Appendix F of the *ICC Cricket World Cup Qualifier 2018 Playing Conditions* explains the working of a Super Over. In case of a tie in the Super Over, the team which the most number of boundaries combined in both the main match and the Super Over shall be the winner. If this is equal as well, then only boundaries of the main match shall be counted.

If this is equal as well, then we go back to Super Over and figure out from the last ball onwards, and declare the highest scoring ball team as the winner. To explain this last bit, let us see scores a fictional tied match where both scored 14 runs in the Super Over: 3, 2, 4, 2, 2, 1 and 2, 6, 2, 2, 1, 1.

We start with the last ball and compare the scores of the two teams. Sixth ball scores are 1 and 1 which means tie, fifth ball scores are 2 and 1 which means Team 1 is the winner. If the



boundary count rule has created fury, imagine match being settled on this basis. I mean both teams ever so evenly matched that they could have scored equal runs with the same distribution in the super-over. In that scenario, ICC would have actually run out of its rules and awarded the cup to both the teams, a result most deem as fair.

There have been flurry of articles written on the Super Over rules being unfair and unjust. Experts have suggested league performance, net run rate and so on as alternate rules. But England would have won based on all such rules as it did better than New Zealand. This does not imply we should not make better cricket rules but to highlight that all well-intended rules show limitations when tested, showing that randomness of life overpowers everything else.

Take the case of economics where rules are tested all the time. The BIS (Bank of International Settlements) has come up with all kinds of bank capital rules (Basel I, II and III) only to be tested severely in 2008 crisis. Taylor Rule, which helps central banks set interest rates, suggested that Federal Reserve kept policy rates too low before the crisis thus fuelling the housing bubble. This was questioned by Ben Bernanke, then head of Federal Reserve, saying that housing price

bubble cannot be explained by Taylor rule alone. Central banks' own models which rely on some or the other macroeconomic rule book, underestimated financial risks before 2008 crisis and have overestimated inflation risks lately. India and China are often seen as countries which have managed to grow without strictly following the rule book of growth.

To sum up, we have to understand that the rules are made by humans and prone to fallibility. One common rule behind all the rules is that they need to be changed with time, be it cricket or traffic or taxes. Ideally, we should be changing rules periodically but mostly do when rules are either challenged by events or we have some new information. To make solace with the result of the final, one can say it went to a team which has transformed itself beyond anyone's imagination. After poor performance in 2015 World Cup, English sought lessons ironically from New Zealand cricket and repositioned their ODI cricket (see my previous piece English comeback). England captain Eoin Morgan said "rub of the green" did go the English way, perhaps gods deciding to reward them for the sweating of all these years.

The author teaches at Ahmedabad University and blogs at Mostly Economics

LETTERS

Well done, Sebi

This refers to "Sebi chief questions Budget plan for transfer of surplus funds to govt" (July 18). Securities and Exchange Board of India (Sebi) Chairman Ajay Tyagi must be praised for seeking a review of the proposal that mandates transferring 75 per cent of the market regulator's surplus funds to the central government. Tyagi has claimed that the proposed move would affect the functioning of Sebi as well as the securities market while over-emphasising the rationale behind the market regulator keeping a reserve fund for mandatorily protecting the interests of the investors.

As stated in this report, two provisions — one related to the surplus transfer and the other related to seeking prior approval from the finance ministry for raising expenses — haven't gone down well with the markets regulator which considers those as an additional tax. The Department of Economic Affairs' idea behind the proposed move to "address the issue of accumulation of huge surplus funds" with the Sebi could be similar to the government's earlier game plan to corner the so-called surplus funds of the Reserve Bank of India.

S Kumar New Delhi

SC erred on Karnataka

The Supreme Court's interim order that the dissident MLAs cannot be compelled to attend the Karnataka Assembly session convened for the sole purpose of floor test goes to defeat the

very object of the anti-defection law. Obviously, the exemption to the rebel MLAs from participating in the session gives the Bharatiya Janata Party (BJP) an undue numerical advantage in the House. The spirit of the anti-defection law does not permeate the ruling that a party whip cannot be issued to the dissident MLAs to be present in the House and vote reposing their trust in the government. The rationale behind allowing the dissident MLAs to skip the trust vote without attracting the provisions of the anti-defection law is elusive to find out if it is convincing. By granting the dissident lawmakers the freedom to attend or not to attend the session, the apex court has fettered the Speaker.

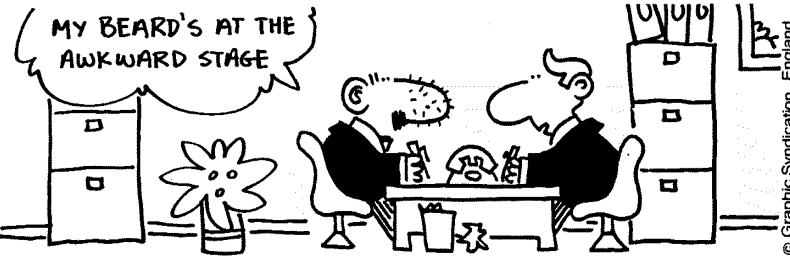
G David Milton Maruthancode

Correction

A Chinese Whispers item published on July 18 said former vice-president M Hamid Ansari was designated to be the keynote speaker at a lecture (Furthering India's Promise) on Thursday. Mr Ansari has clarified that he was never asked to be a speaker at the function and that he has only received an invitation to the lecture to be delivered by former President Pranab Mukherjee. The error is corrected.

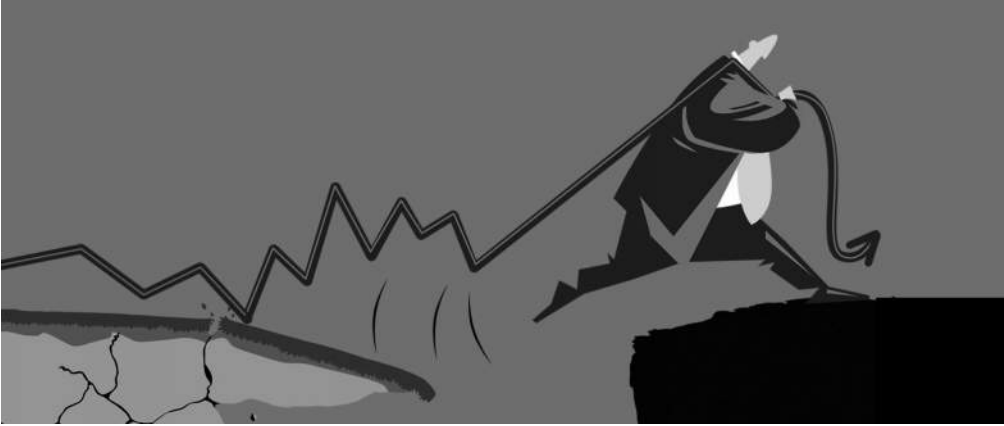
Letters can be mailed, faxed or e-mailed to: The Editor, Business Standard Nehru House, 4 Bahadur Shah Zafar Marg New Delhi 110 002 Fax: (011) 23720201 E-mail: letters@bsmail.in All letters must have a postal address and telephone number

HAMBONE



© Graphic Syndication, England

ILLUSTRATION: BINAY SINHA



Budget 2019 marks a paradigm shift

It quells all doubts about the private sector being the dominant agent for wealth creation in the economy

Finance Minister Nirmala Sitharaman's first Budget will in times to come be seen as marking a paradigm shift in both the pace and nature of economic activity. Her Budget speech included a strong pro-private investment stance and an unequivocal admission of the critical role to be played by private enterprise in the country's march towards a \$5 trillion economy. The Budget itself contains a number of measures for spurring private investment, with the government playing a supportive role and displaying a willingness to share risks in order to make private investment more attractive and feasible.

Before detailing some of these measures, I should point to two pre-conditions for the success of a private sector-led growth strategy, implicit in the Budget. First, it is critical that the bureaucracy wholeheartedly accepts this approach and pro-actively implements the initiatives included in the Budget. For example, it must ensure the higher targets for dis-investment are actually achieved; public-private partnership in the Railways is actualised; and MSMEs have better access to formal credit and are able to avail the 2 per cent interest rate subvention announced in the Budget etc. This calls for further improvement in governance and widely establishing an incentive structure based on output-outcome-based performance evaluation, for which a strong start has been made in the Budget. Budget documents include for the first time, a full-fledged output-outcome performance evaluation framework for all government schemes where allocations are above ₹500 crore, covering more than 90 per cent of

the total public expenditure.

The second pre-condition is to successfully build a trust-based relationship between the government and all other stakeholders who have a role in accelerating economic activity in the country. Such trust existed during the period leading up to—and immediately after— independence. It broke down during the 1970s and '80s in the face of strong government-led promotion of public sector enterprise and the rampant licence inspector raj that converted the interaction between the government and business from a collaborative one to a patron-client relationship. This has to change. A trust-based relationship is an essential condition for India to expand its share in global markets and, indeed, even for the success of the Make in India initiative.

The Budget explicitly recognises that private investment-led growth requires the government to share some of the risks associated with long-gestation infrastructure projects. This can be achieved by encouraging private investors for taking over brownfield public sector assets such as airports, highways and even some gas pipelines and telecom sector infrastructure. This will help attract private investment in infrastructure, which requires additional investment of ₹20 trillion (nearly \$300 billion) each year for the next five years to overcome the infrastructure deficit that currently hobbles the country's global competitiveness.

The Budget also announced that private investment will be invited in the sectors hitherto considered as exclusively public sector monopoly such as the railways and defence production. The Budget esti-



PAHLE INDIA

RAJIV KUMAR

Protecting India's river basins

Inter-state conflicts over sharing of river waters have become endemic in India. Despite decades of effort at resolving them, no solution appears in sight. At the same time, more and more sites for the spiritually significant holy dips have either dried up or been reduced to garbage dumps. This sorry state of India's most hallowed rivers is a matter of grave national shame. It is also a symptom of precisely where we have gone wrong in our approach to water management.

At the root of it is the way we have ignored the basics of water science. As children, we all learnt of the water cycle in school. But policy-makers in India have forgotten this lesson. They have overlooked the integral interconnectedness between the health of catchment areas and the rivers they feed. The healthier their catchments, the better will be the state of rivers. The unique medicinal properties of the Ganga can only be preserved if we protect the pristine Himalayan catchments from where it originates.

This is why the residents of New York pay those in the city's watersheds for the eco-system services they provide by protecting catchment areas, keeping the river basin healthy and green. This is what ensures clean water supply to the city. Such examples have multiplied all over the world, including in China, Brazil, Mexico, Costa Rica and Ethiopia. But if we encroach upon, damage, block or pollute the channels through which water flows into rivers, naturally river flows suffer in quantity and quality. The natural morphology of rivers has taken hundreds of thousands years to develop. Large structural changes to river channels can lead to unforeseen and dangerous hydrological, social and ecological consequences. For example, it has been estimated that in the United Kingdom soil erosion has caused a loss to fisheries of as much as 5 million pounds.

My organisation, Samaj Pragati Sahayog, has implemented watershed programmes in central tribal India for the last 30 years. This has taught us the need to view the economy as inextricably interlinked with the

larger eco-system. Not seeing these inter-connections and not building them into our development plans can lead to a serious aggravation of the water problem. A 2018 study of 55 catchment areas, published in the prestigious international journal *Scientific Reports*, shows that there has been a decline in the annual runoff generated by India's major river basins, including Baitarni, Brahmani, Godavari, Krishna, Mahi, Narmada, Sabarmati and Tapi, and this is not due to a fall in rainfall but because of economic activities destructive of their catchment areas. The fear is that if this trend continues, most of these rivers will almost completely dry up.

So how do we reconcile the imperative of economic development with its negative impacts on water availability and river flows? By adopting a completely different approach to development, one where we weave our interventions into the contours of nature, rather than trying to dominate it. Most of India gets its annual rain within intense spells in a short period of 40-50 days. We need to reduce the speed of rain water as it rushes over the ground by carefully regenerating the health of catchment areas, treating each part in a location-specific manner, as per variations in slope, soil, rock and vegetation.

Such watershed management helps recharge groundwater and increase flows into ponds, dams and rivers downstream. And helps us score multiple win-wins: Reduce soil erosion, regenerate forests, raise water tables, rejuvenate rivers, create employment, raise farmer incomes, reduce indebtedness, and gradually eliminate bonded labour and distress migration. The most important success factor is building capacities among the local people so that they can take charge of the watershed programme from planning, design, and implementation, right up to social audit. We must recast MGNREGA on a watershed basis and use its enormous resources for watershed and river rejuvenation, as also for the restoration of traditional water harvesting systems that still exist in so many parts of India, even if in a state of decay and disrepair.



WATER: REFORM OR PERISH

MIHIR SHAH

the Hindus" and embarked on a social experiment, learning Tamil and Telugu and taking on all aspects of a Brahminical life. Most of us will balk at his casteism, but it is hard not to admire his unorthodox strategy.

A few pages later, you will come across

the extraordinary story of "A Muslim Deity in a Hindu Temple". The story dates back to the "fourteenth century and features a Muslim woman revered to this day as Tulukka Nachiyar (literally, 'Tughlaq Princess' or 'Turkish Princess'), who is said to have fallen in love with a Hindu god." According to the temple chronicles, armies of the Tughlaq sultan in Delhi raid a Vaishnava temple in south India and took back the deity. The temple authorities follow the marauder to Delhi and convince the sultan to return it.

The story is not without a twist: While the deity was in the sultan's palace, his daughter fell in love with it. When the god returns to his temple, he commands his followers to recognise his Muslim consort. Now, she is commemorated in Srirangam as a painting on the temple wall. The conclusion Mr Pillai arrives at: "It tells us once again that while there were moments of tension between India's principal faiths, legend and myth allowed them to see eye to eye and engage on a fresh ground, even while competing in the realm of ideas — a lesson we would be wise to remember in our own contentious times, when revenge is sought from people long dead and gone, and violence justified in the name of so many gods."

A couple of months back, a historian friend wondered why there was suddenly

mates that the railways requires nearly ₹50 trillion over the next 10 years, to upgrade its infrastructure and modernise its rolling stock. Such infrastructure upgrades alone will allow the Indian Railways to recover its share in freight and passenger movement, which it has consistently lost over the past decades. The Budget clearly postulates that such massive investment can be achieved only by encouraging public-private partnership in modernising track infrastructure; manufacturing railway rolling stock and indeed in the running of freight and passenger train services. Increasing the share of domestically produced strategic equipment will similarly also require an increased role of the private sector.

Further, as part of its push to private enterprise, the Budget announced that all firms with a turnover of less than ₹400 crore (compared to ₹250 crore so far) will henceforth pay a corporate tax of only 25 per cent. This measure will apply to 99.3 per cent of all corporate entities in the country, leaving only 0.7 per cent that will still pay the higher tax rate of 34 per cent. Similarly, MSMEs, which are registered under the Goods and Services Tax, have been given a 2 per cent interest rate subvention for all fresh and incremental loans. Shares issued by start-ups to both Category I and Category II Alternative Investment Funds have also been put beyond the scope of income tax scrutiny. The issues relating to angel tax have been addressed as well.

The government's objective of expanding the scope of private enterprise is visible in the higher target of ₹1.05 trillion for disinvestment in fiscal 2019-20. At the same time, the government has announced its preparedness to reduce its equity stake below 51 per cent for successfully completing the strategic disinvestment of particular central public sector undertakings (CPSUs). The Budget reiterated the government's commitment for not only the strategic privatisation of Air India but also other CPSUs, which may benefit from strategic take-over by the private sector.

Even for the NRIs, the Budget has announced an easing of the KYC norms and permitted them to invest in India through the foreign portfolio investment route, thereby reducing compliance requirements. Foreign direct investment (FDI) inflows are sought to be further liberalised in sectors such as single-brand retail, civil aviation, media and insurance, while 100 per cent FDI for insurance intermediaries was explicitly allowed.

The Budget thus provides the clearest statement of the government's intention of accelerating economic growth, based principally on private investment and enterprise. There cannot be any lingering doubt on the government's recognition of private enterprise as the dominant agent for value and wealth creation in the economy. The government will, of course, continue to play its role in improving both the social and physical infrastructure and take steps for ensuring sustainability and inclusion. This is in line with experience from across the world that the success of a private sector-led accelerated growth strategy is contingent on ensuring greater inclusion of those at the bottom of the pyramid and innovatively addressing any trade-off between growth and environment protection.

The writer is vice chairman NITI Aayog. Views are personal

This regenerative work must be integrated with groundwater-related demand management initiatives, outlined in the previous article in this column. It is groundwater base-flows that keep rivers flowing after the monsoon. So river catchments and aquifers must be always managed together within a river basin protection programme. And for this, the structure of crop incentives has to change so that farmers can shift to less water-intensive choices (as explained in the first article). Urban planners also need to understand that if destructive land use and land encroachment continue in catchment areas, the sustainability and quality of their water sources will be negatively impacted. They should, therefore, like New York, aim to leverage this link to solve their own water problems. They must also recognise that the increased frequency of urban flooding in recent years has much to do with our encroaching upon traditional lakes and destroying the natural channels through which excess water flows into the river or the sea. Again, those responsible for cultural events like the Kumbh Mela must protect the catchments of holy rivers. Otherwise, we will continue to repeat the bizarre spectacle of artificially filling up the holy *kunds* with water drawn from completely external sources!

Fundamentally, what all of this demands, is bottom-up participatory management in every river basin in India. The only solution to the Kaveri conflict, for example, is for stakeholders on either side to come together in a joint exercise to restore the health of their shared river basin, through both catchment area treatment and gradually reducing area under water-intensive crops. Each river basin is a shared resource, whose health will determine the future of people throughout the basin and beyond. Any cavalier short-termism by any state, based on the desire to grab as much water as possible, will be against the enlightened self-interest even of those attempting something so thoughtless.

If our river basins survive, we also will. Otherwise, like many great river valley civilisations of the past, we too will perish!

The writer is co-founder Samaj Pragati Sahayog, working for the last 30 years in tribal heartlands of central India on water and livelihood security. Every fortnight, he outlines multiple dimensions of long overdue reforms in the water sector

50 years of nationalisation

Status quo on banks will increase the burden on the exchequer

The Indira Gandhi government's decision to nationalise 14 commercial banks 50 years ago on this day is said to be the most significant economic event after India's independence. Though the decision was given an economic rationale, the underlying reason was more political. In 1980, the government took control of another six banks.

The idea of bank nationalisation, however, was not new. An internal committee of the All-India Congress Committee (AICC) recommended nationalising banking and insurance in 1948, which was endorsed by the AICC later in the year. After independence, the banking system had its problems and there were issues related to the reach and flow of credit to important sectors. For instance, the fragmentation was addressed through consolidation. The number of banks was brought down from 566 in 1951 to 91 in 1967, which made the sector more viable. Before nationalisation, the government tried addressing some of the issues through "social control". The idea was to attain a wider spread of credit and increase the flow to priority sectors.

Although the issue of nationalisation kept surfacing from time to time, rising economic difficulties in the 1960s and the need to retain control in the party after some electoral setbacks prompted Indira Gandhi to nationalise commercial banks. Bank nationalisation resulted in a significant increase in bank deposits and financial savings, and the rising fiscal deficit made the banking sector a captive source of financing. With continued political intervention, profitability suffered. Over the years, this affected operations and a large part of the population remained outside the banking net until the launch of the Pradhan Mantri Jan Dhan Yojana in 2014.

Most public sector banks (PSBs) today are not in the desired position. The government has pumped in over ₹2.5 trillion in the last few years — that includes ₹70,000 crore in the current year— and it still may not be enough. PSBs continue to struggle with a higher level of non-performing assets.

There are multiple issues that need attention. First, the government does not have the fiscal space to continuously pump capital into PSBs. The idea of using recapitalisation bonds has its limits as it is increasing the government's liability. Second, the role of technology in banking and finance is rising rapidly, and PSBs with their weak balance sheets are not in the best position to adapt and compete on this front. Naturally, the business will increasingly shift towards private sector banks. Third, it would be hard to implement the required reforms in PSBs in the present set-up. These banks, which account for 66 per cent of outstanding credit and 65.7 per cent of deposits, need functional and operational independence, which will always be difficult to attain with the government being the majority shareholder. Therefore, it should actively consider bringing down its shareholding in a systematic manner. It can perhaps revisit the recommendation of the Narasimham Committee on banking sector reforms in this context. Bringing down government equity to 33 per cent will not only give banks more functional autonomy but will also enable them to raise capital and compete in the market.

The 50th anniversary is a good opportunity to objectively review the performance of PSBs and take corrective measures. Maintaining the status quo will keep increasing the burden on the exchequer, impede financial intermediation and an efficient allocation of resources, and hamper growth.

Mr Jadhav's reprieve

ICJ ruling demands skilful diplomatic responses from India

The verdict of the International Court of Justice (ICJ) on Kulbhushan Jadhav is a huge relief to India. Former External Affairs Minister Sushma Swaraj is right in congratulating Prime Minister Narendra Modi on his decisiveness in referring the case to the ICJ and praising the defence put up by the legal team, led by Harish Salve, to win Mr Jadhav a reprieve from the kangaroo-court style death sentence by a military court in Pakistan. But the widespread euphoria over the ruling should not overshadow the hard fact that the challenges for the Indian government in securing his release have just begun. In that context, External Affairs Minister S Jaishankar's remarks in Parliament that Pakistan should immediately release Mr Jadhav may sound too optimistic.

The 15:1 ICJ ruling — the Pakistani judge being the only dissenter — concerns violating Article 36 of the Vienna Convention on diplomatic relations, under which Mr Jadhav should have been informed of his consular rights, and consular officials have the right to visit him in prison, custody, or detention, and to arrange for his legal representation. The Indian legal team's principal contention was that Pakistan denied Mr Jadhav 13 requests for consular access between March 2016 (when he was arrested) and March 2017 (when his death sentence was pronounced). It is important to note that in ordering Pakistan to give Mr Jadhav consular access, the ICJ has not overturned the death penalty. It has merely ordered a stay on it till the Pakistan government provides "by the means of its own choosing, effective review and reconsideration of the conviction and sentence of Jadhav, so as to ensure that full weight was given to the effect of the violation of the rights set forth in Article 36 of the Convention". Nor did the ICJ accede to India's demands for Mr Jadhav's release or trial by a civil court since that is outside its remit. That said, the ICJ ruling has admittedly made it difficult for Pakistan to re-impose the death sentence on Mr Jadhav.

If anything, the path to Mr Jadhav's reprieve is more likely to lie in back-channel diplomacy between New Delhi and Islamabad rather than in Pakistan's judicial system. To be sure, the details of the case are murky. The Pakistani authorities claim that Mr Jadhav, a former naval officer, was an Indian spy who had illegally entered Balochistan on a false passport. India contends that Mr Jadhav was arrested by Pakistani security agencies from Iran, where he was working after he retired. Between these contending positions is a gulf of mistrust and opacity implicit in spy cases the world over. But encouraging signs of an easing of India-Pakistan relations have emerged in the past few weeks: The successful talks on the Kartarpur Corridor, the reopening of Pakistan's airspace, and the re-arrest of 26/11 mastermind and Jamat-ud-Dawah chief Hafiz Saeed. Having won the first round, Mr Modi's government must now display similar diplomatic nous in building on this thaw to bring Mr Jadhav home.

Small bites of history



BOOK REVIEW

UTTARAN DAS GUPTA

In this book's afterword, simply titled "An Essay for Our Times", young historian Manu S Pillai quotes a wide range of freedom fighters and intellectuals of pre-Independence India and the debates on nationalism, and arrives at the following conclusion: "Whether or not India's diversity was an asset or a peril, might have read these essays earlier dangerous weakness depended on which when they first appeared in his weekly of these visions was allowed to prevail column, 'Medium Rare' in *Mint Lounge*.

and gain moral influence over the vast majority of the country's people." He warns that any attempt to "reengineer" the unity-in-diversity narrative, which has been official policy since Independence, is likely to result in significant challenges and even disaster.

This conclusion is not plucked out of thin air; to arrive at the final essay in the book, a conscientious reader has to go through 60 essay, neatly divided into two unequal parts — "Before the Raj" (25 essays) and "Stories from the Raj" (35 essays). Those who have followed Mr Pillai's career since the publication of his extraordinary debut *The Ivory Throne* the following conclusion: "Whether or not India's diversity was an asset or a peril, might have read these essays earlier dangerous weakness depended on which when they first appeared in his weekly of these visions was allowed to prevail column, 'Medium Rare' in *Mint Lounge*.

Transforming one's columns into a book might not be the best idea, because, devoid of their immediate contemporary context, the writing can seem dull. Mr Pillai's book, however, does not suffer from this, primarily because each essay is a nugget of well-written history, easily absorbable.

Both parts of the book have some extraordinary stories and characters. For instance, the Italian Brahmin of the title Roberto de Nobili, who set sail from Naples in 1604 and arrived at Madurai two years later. He soon realised that to spread Christianity in India, he would have to convert the upper caste Hindus, who till then rejected European missionaries as unclean, as they ate beef and kept no caste distinctions. Nobili decided very soon, "I will become a Hindu to save

THE COURTESAN, THE MAHATMA & THE ITALIAN BRAHMIN

Manu S Pillai

Context

Pages: 384; ₹599 (hardback)

More clarity on financial creditors, at long last

It is unfortunate it took so long to clarify something as basic as the rights of financial creditors; up to courts now

THE GOVERNMENT HAS done extremely well to come up with amendments to the IBC (Insolvency and Bankruptcy Code) in quick time. The changes are a response to the NCLAT which ruled, in the Essar Steel case, that the Committee of Creditors (CoC) doesn't have the last word when it comes to distributing the recoveries between themselves and operational creditors. It pruned the financial creditors' share of the recoveries to 60% from 90%. The key change ratified by the Cabinet will give the CoC the final say on how the spoils would be shared after the resolution of a stressed asset; the CoC will keep in mind commercial considerations while weighing in on the quantum of funds to be given to operational creditors. Moreover, if the CoC believes a company cannot be revived, it can opt for liquidation immediately rather than wait out the entire resolution process.

Operational creditors will, at the very least, get an amount based on the liquidation value. This time around, the government must ensure the necessary safeguards are built in and that there is no room whatsoever for any ambiguity. This newspaper has argued, financial creditors must get top billing when it comes to sharing the recoveries, else the sanctity of secured debt would be seriously eroded. This is not to say the operational creditors should be done out of a fair share, but they can, by no means, get an equal share. Already, equating home buyers with financial creditors is likely to result in disagreements on various issues, thwarting the resolution process altogether.

Also, the recent NCLT decision to allow provident funds to recover their dues from IL&FS ahead of others violates the IBC. It is true the money belongs to small savers, but that cannot be a reason to dislodge secured lenders from their top position. Rulings cannot be coloured by socialist thinking, these are business and commercial decisions. After all, it can be argued, the health and strength of banks is crucial for the economy which, in turn, is important for the common man. Indeed, how badly the large loan losses of lenders have impacted credit flow these last few years is now well documented. If secured lenders are not sure of their ability to recover their dues, despite having the necessary collateral, they will be compelled to price loans irrationally by building in huge risk premia. That will make loans expensive and out of reach of borrowers large and small; indeed, businesses will become unviable. The world over, secured creditors rank ahead of unsecured creditors in the repayment hierarchy.

Hopefully, the Supreme Court will buy into the clarification on the status of lenders offered by the government and not insist the changes become law before they are applied. Should the apex court not rule in favour of the banks, when hearings in the Essar Steel case kick off early next week, it would be a big blow to the lenders—not just to their finances but also to their stature. Legal experts have pointed out the court can take cognisance of the clarifications and allow the financial creditors the bigger share of the recoveries, acknowledging the intent of the legislature. NCLAT's interpretation of the law has been somewhat socialist and whatever the compulsions of a developing economy, this view must not prevail. Else, it will deal a big blow to commerce and industry. The courts have been slow in disposing of cases which is why the 330-day deadline for closure of the process, inclusive of litigation, is a necessary rule.

Neutering dengue

India to include bacteria in its anti-dengue arsenal

INDIA HAS WOKEN up late to *Wolbachia* as a part of its anti-dengue/chikungunya arsenal, but the fact that the country is moving in the direction—the Indian Council of Medical Research (ICMR) is getting ready to conduct field testing of *Wolbachia*-infected mosquitoes—is itself quite promising. *Wolbachia* is a bacteria that is an obligate intercellular organisms of arthropods (the phylum in the animal kingdom to which insects, including mosquitoes, belong) that can help destabilise mosquito populations. Given *Aedes aegypti*—the main vector for dengue, and with *Aedes albopictus*, for chikungunya—is one of the few species of mosquitoes that are not naturally infected by *Wolbachia*, research in recent years has focused on introducing the bacteria to the mosquito in a manner that helps achieve a reduction of the vector population. It works on multiple fronts—inside the mosquito gut, the bacteria interferes in viral replication by shortening host life-span in *Aedes* sp., ensuring the viral load gets limited; it also causes cytoplasmic incompatibility in an unidirectional or bidirectional manner, i.e., if an *Wolbachia*-infected male *Aedes* mosquito mates with a female mosquito carrying a different strain of *Wolbachia* or is uninfected, then the resulting eggs will not be viable, that is, they will produce no offsprings. The Vector Control research Centre at Puducherry has developed a *Wolbachia*-infected variant for India in collaboration with Monash University in the US.

Wolbachia has been demonstrated, in laboratory conditions, to be effective in malaria control also since the bacteria competes with malarial parasite in the gut of the *Anopheles* mosquito for nutrients, prohibiting the parasite from developing to a stage where it can cause malaria in humans once transmitted. Considering *Wolbachia* research has thrown up promising findings for at least a decade and a half now, it took India considerably long to wake up to its potential. Brazil, which was hit by a Zika epidemic a few years back, ran *Wolbachia*-mediated mosquito control tests—approved by its regulator, CTNBio—as far back as 2014, with a reported 90% fall in local wild *Aedes* population. *Wolbachia* tests are on in Colombia and Indonesia as well while the American state of Florida also sanctioned this. Given how India saw the highest number of dengue cases in 2017 and some 9.6 million malaria cases, with over 16,000 malarial deaths, going forward with *Wolbachia*-mediated vector control seems a great step forward, especially since a cure or vaccine for either disease is yet to be formally announced. This becomes all the more important in light of the fact that climate change effects will cause a surge in the populations of both tropical vectors and their associated pathogens. India should also perhaps look at other vector control solutions like Oxitec's transgenic male mosquitoes—because of the modification, offsprings from a mating of transgenic male (males are non-biting) and a wild female are unable to survive beyond the larval stage.

Just VERDICT

The favourable verdict at ICJ gives India a strong hand in the face-off with Pak over Kulbhushan Jadhav

THE INTERNATIONAL COURT OF Justice (ICJ) gave India much reason to cheer on Wednesday—hearing India's appeal against Pakistan's imprisonment of Commander Kulbhushan Jadhav, the ICJ stayed Jadhav's execution in a 15:1 ruling. It declared that the conditions of his detention were in violation of the Vienna Convention, and ordered Pakistan to hold an effective review and reconsideration of Jadhav's conviction, and allow him consular access. Not only does this signal a significant diplomatic win for India and a resounding triumph for justice but also creates ideal conditions for reopening channels of dialogue between India and Pakistan.

The ICJ-mandated provision of consular access to Jadhav means that diplomatic negotiation between the two countries will begin anew, and, given Pakistan's recent reopening of its airspace to Indian aircraft and Pakistani PM Imran Khan's stated interest in establishing friendly ties with India, this ruling could not have come at a better time. Even though Pakistan claims the ICJ verdict is one in its favour—to the extent that its contention of the military court that tried Jadhav was itself illegal—former finance minister, quoting sections from the ICJ judgement, says that this is patently false and that the judgement doesn't pronounce on the legality of the military courts, but strongly hints that an effective review of Jadhav's conviction will mean that the trial by the military court stands invalidated. Now, Pakistan may or may not choose to implement the ICJ verdict. But, Pakistan can't be sure of its ally China's help now, if the matter reaches the UN Security Council, that is mandated to act if an ICJ verdict is not executed, since a Chinese judge was part of the 15 that upheld India's stand. So, the ICJ verdict may not compel the two neighbours, forever locked in acrimony, to talk peace, but given the relative economic positions of two countries and their global political standing diplomatic channels should be revived.

● GROWTH FORMULA

INDIA MUST TAKE A CUE FROM SILICON VALLEY'S INNOVATION LEADERSHIP, AND CHINA SUCCESSFULLY EMULATING THIS, IF IT IS TO BECOME A \$5 TRILLION ECONOMY

An AI innovation engine for New India

TV MOHANDAS PAI & UMAKANT SONI

Pai is chairman, Aarin Capital & Soni is co-founder, AI Foundry
Views are personal



AI-powered surveillance systems are justifiably controversial in a democratic setup, there is no denying that it is leading the AI pack globally.

While the new Indian government is undertaking big investments in infra to unlock jobs in the short run, we need to learn from China and augment it with three major steps to kick-start our innovation engine. These can propel it to not only a \$5 trillion economy but also a \$10 trillion economy by 2030, by creating long-term value in and for India.

1. Create a large domestic risk capital pool to attract ideas and talent globally: To generate additional \$2.5 trillion assuming capital multiplier of 10, India would need \$250 billion in high-return tech investments. Today, LIC is a \$400 billion giant, and if it allocates 5% of the asset base (\$20 billion, or ₹1,30,000 crore) towards investing in high-end tech like AI, it will be a game changer. We can truly engage with 6 billion people globally with this innovation engine, as AI built for India will work everywhere, given the data diversity in India. In addition, capital flow, rolling out an attractive start-up visa programme will allow us to attract the best and brightest.

2. 'Idea to impact' ecosystem funded with CSR: While Israel and Canada focused on 'idea to impact' ecosystem to kick-start innovation, we can do the same for creating deep tech companies out of India. Today, CSR money (2.5% of

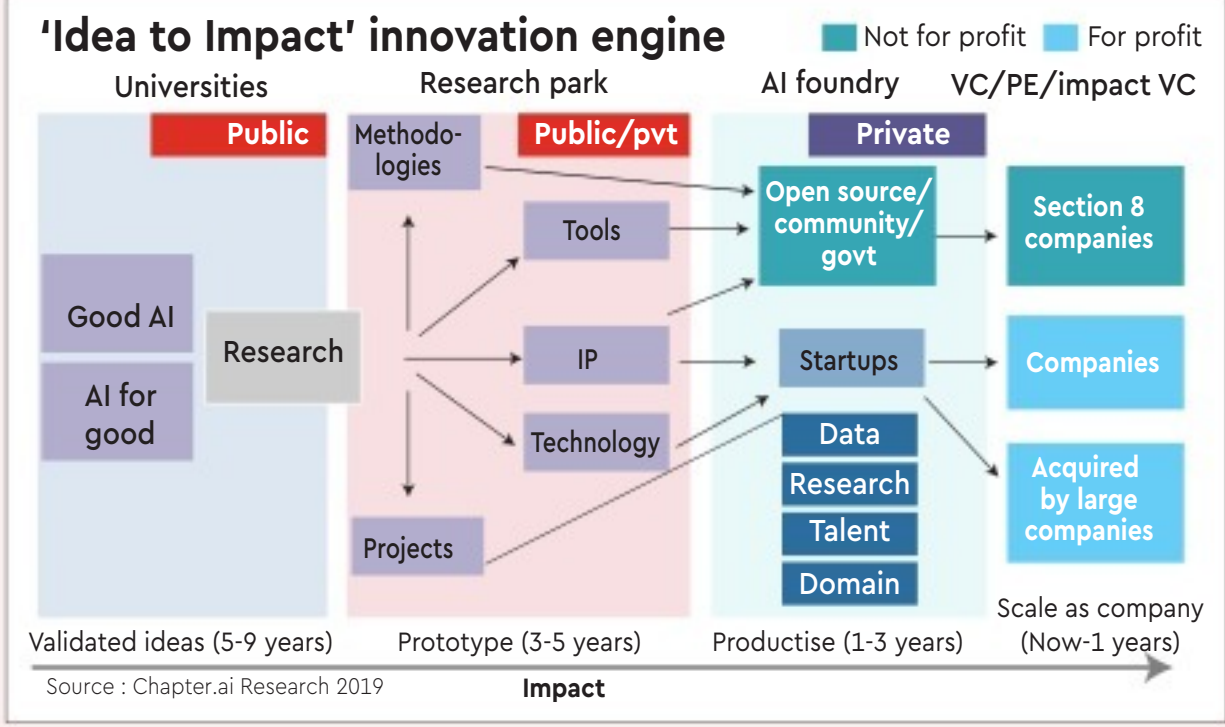
the profit) goes to NGOs, which work on alleviating the effect, not the cause. If we can divert some of that towards creating CSR-grant-driven 'idea to impact' ecosystem for Indian problems, we can fund the creation of:

(a) Strong universities focused on research and not just teaching—this means infusing universities with research-driven faculty;

(b) Research translation parks that take validated research and convert it into prototypes. Examples include Stanford Research Park (grew the core technology behind SIRI) and MILA (Canada);

(c) Foundry or venture studios that create deep tech companies carry high risk and need high upfront capital, in addition to high-end talent. It is difficult to initiate and fund these companies out of angel investments in a 'lean model'. Globally, smart VCs are increasingly creating foundry-like structures—Playground Global started by the android creator Andy Rubin, Tandem Research (Canada), Sinnovation Labs (China)—to kick-start such conversion of deep technology into leading product companies.

(d) Government-owned fund for start-ups: Not many many have heard about In-Q-Tel, an interestingly named evergreen fund (with naming convention from Bond films) funded by the CIA. For every dollar invested by In-Q-Tel, companies receive \$9 investment by other investors. While India has



Essar ruling hurts India's debt market

Many twists and turns taken in the Essar bankruptcy has led to India attracting foreign distressed-debt specialists to help clean up its \$200 billion-plus of bad loans

ANDY MUKHERJEE

Bloomberg

INDIA'S INSOLVENCY TRIBUNAL has made a dangerous decision. Unless its judgment is quashed, credit costs for India Inc will surge, shares of state-run banks will swoon and foreign investors will flee.

The case concerns the country's most high-profile bankruptcy, Essar Steel India Ltd Insolvency, judges recently ruled that creditors whose claims are backed by collateral won't get preferential treatment in the \$6 billion sale of the company's plant to ArcelorMittal. Secured creditors will stand in line with unsecured creditors.

This isn't how it works anywhere in the world, and for good reason. In loans backed by collateral, the lender expects to be paid first out of bankruptcy proceeds. That's why they accept a lower interest rate than unsecured creditors in the first place. For unsecured lenders to receive any of their money back, there must be something left over after paying the secured creditors.

Of the many twists and turns taken in the Essar bankruptcy, this is the most damaging. India has been attracting foreign distressed-debt specialists to help clean up its \$200 billion-plus of bad loans. The ruling, if it survives, may kill that trend. Under an agreement with the Essar creditors' committee, ArcelorMittal's offer would have made secured financial lenders more than 90% whole. While that's a good recovery rate, it is less than 100%, meaning unsecured operational lenders should have had to

go empty-handed. In the insolvency judges' view, though, the committee has no role to play in distributing the sale proceeds. While collateral gives seniority in a liquidation, everyone's equal in a bankruptcy resolution. Or so the judgment says. As a result, financial creditors will see their take shrivel to 60.7% of claims, while that of the operational creditors will swell to the same level.

Those who can expect a bigger share include Standard Chartered Plc, which was complaining about being offered less than 2% of its claim after lending to an Essar Steel subsidiary. Energy companies, power utilities, and even the state tax officer will have the same rank. All operational creditors, who were going to get nothing, will be on a par with State Bank of India and other financial creditors. Consider the implications for future Indian deals. If a secured creditor sells to a distressed-debt specialist, the investor will have overpaid thinking its claim would get settled first and that it would make, say, 40 cents on a 20-cent investment. That won't happen if the bounty is to be shared much more widely, restricting the payout to, say, 10 cents.

State Bank of India, which was expecting full recovery of its ₹110 billion (\$1.6 billion) debt just a few months ago, has approached India's Supreme Court to overturn the ruling. Hong Kong-based investor SC Low also wants to appeal the decision. If the verdict isn't quashed,

credit costs will skyrocket at a time when Indian real-estate developers can't even borrow at 20%.

Borrowers will be willing to pledge assets, but which creditor will be able to put any value on them? Banks will steer most bankruptcies toward liquidation, leading to unnecessary job losses and higher loan-loss provisions in a capital-starved financial system. Global distressed-debt investors have been placing small bets in India, often by standing behind asset reconstruction firms. Now they'll be unable to price the Indian opportunity. The Essar saga has already gone on for more than 600 days, when the original legal limit was 270 days. Since the billionaire Ruia family that founded Essar didn't want to cede its crown jewel to ArcelorMittal, an intense legal skirmish was unavoidable. But if India's 2016 bankruptcy law ends up making matters worse, then the signature reform of Prime Minister Narendra Modi needs an urgent overhaul.

The Modi government, now in its second five-year term, is so desperate to ease the country's financing crunch that it's even willing to sell sovereign dollar debt, something India has always avoided. To seek capital from risk-averse pension funds while simultaneously repelling risk-loving private equity and venture funds is an unfortunate distortion of priorities.

This column does not necessarily reflect the opinion of the editorial board or Bloomberg LP and its owners

LETTERS TO THE EDITOR

SC's Karnataka error

The Supreme Court's interim order that dissident MLAs cannot be compelled to attend the Karnataka Assembly session convened for the sole purpose of floor test goes to defeat the very object of the anti-defection law. Obviously, the exemption to 'rebel' MLAs from participating in the session gives BJP an undue numerical advantage in the House. Law means law and it must be applicable to one and all. Differential treatment based on the political decisions made by an individual goes against the principle of equality before the law. The judiciary cannot let itself be seen to aid in the process of dislodging a government and installing another government. By granting the dissident lawmakers the freedom to attend or not to attend the session, the apex court has 'fettered' the Speaker and rendered him powerless to deal with the legislators playing truant. In a way, the blanket protection to the 'rebel' MLAs legitimises their turning against the government run by their parties. Individual elected representatives cannot be put above the parties they represent in this manner. Characteristically the BJP sees the verdict as a 'moral victory' for the 'rebel' MLAs. Inscrutably, the country's top court has found nothing wrong in the tactical resignations of the turncoats holed up in a Mumbai hotel, though they are tantamount to disguised defection. — G David Milton, Maruthancode

● Write to us at feletters@expressindia.com



ILLUSTRATION: ROHNIT PHORE

ALOK SHEEL

The author is RBI Chair Professor, ICRIER



Behind the Budget numbers

Finance minister Nirmala Sitharaman's Budget speech did not evaluate the extant overall macroeconomic environment, but the Budget numbers only confirm data from other sources that economic growth has slowed down

THE UNION BUDGET is the annual financial statement of receipts and expenditure of the central government. The numbers for the year are for the information of Parliament. And estimates made for the year ahead are for its approval. This should ordinarily be a boring exercise, of little interest to anybody besides subject experts and economists, and market participants looking to the deficits numbers

that can move financial markets. The Indian Budget has, however, attracted wider interest on account of the outsized public sector, wide fluctuations in tax rates from year to year that affect both the middle class and the corporates, and the practice of announcing policy intent, which, strictly speaking, is not part of the budgeting exercise.

The Budget numbers, nevertheless, throw light on the priorities of the government, and also on the state of the

wider macroeconomy, since fiscal policy is one of the two well-established policy tools for stabilising the economy. Growth below trend tends to worsen the fiscal deficit on account of, first, revenue compression arising out of lower growth, and second, expenditure growth arising from the need to stimulate the economy by substituting for the decline in private demand and crowding in private investment. In addition, governments tend to window dress the numbers, leaving it to the subject experts to go beyond the colourful window display to the shelves inside.

So, what do the numbers over the two-year period between 2017-18 (actual) and the forward-looking Budget proposals for 2019-20 reveal?

To begin with, corrections in two critical macro-aggregates contained in the Budget document.

First, while the government's Economy Survey of 2018-19 has taken the GDP estimates from the CSO's Press Note of 31.5.2019, the Budget document has, however, worked with an earlier estimate of GDP at current prices for 2018-19 (₹1,88,40,731 crore), instead of the CSO's latest provisional estimate of ₹1,90,10,164 crore.

Second, the Budget has worked with the higher revised revenue estimates for 2018-19 contained in the Interim Budget for 2019-20 presented in Parliament prior to the general elections, and not the latest and more accurate, but lower, provisional actuals of the Controller General of Accounts (CGA), contained in the Economic Survey. Although the past practice has been to use the Interim Budget figures, this time around CGA's figures were available. The difference is non-trivial, as the Budget figure has overestimated revenues by ₹1,66,512 crore. Such a shortfall in revenue collection is indicative of a weakening economy. Consequently, the revenue projected for 2019-20 is

taken at ₹17,73,811 crore, in lieu of the Budget figure of ₹19,62,761 crore. The calculations below use the CSO's Press Note of 31.5.2019, and the CGA's revenue estimates for 2018-19 contained in the Economic Survey 2018-19 as the base, for the calculations that follow, as these approximate closer to reality. The revenue projection for 2019-20 assumes a growth rate of 13.48% over 2018-19, the same rate as projected in the Budget. The forward-looking GDP estimate used for 2019-20 is what is in the Budget document.

In addition, ten outstanding features stand out from the Budget document.

► One, there is a continuing decline in the outlays on health and education (soft infrastructure), both in relation to the overall expenditure (from 6.2% to 5.7%), as well as in proportion to the national income (from 0.8% to 0.7%).

► Two, the outlays on hard infrastructure—comprising of information technology (IT), telecommunications, transport and urban development—have increased marginally from 0.9% of GDP and 7.9% of total expenditure, to 1% and 8.2%, respectively.

► Three, the outlay on agriculture has more than doubled from 0.3% of GDP, and 2.5% of total expenditure, to 0.7% and 5.4%, respectively, mostly for the Pradhan Mantri Kisan Samman Nidhi Yojana (PM-KISAN). During this period, the outlay on rural development, however, declined from 0.8% of GDP and 6.3% of total expenditure, to 0.7% and 5.1%, respectively.

► Four, the transfer of funds to the states for centrally-sponsored schemes has declined from 13.3% of the Centre's budgetary expenditure to 11.9%. On the other hand, the Centre's own outlay under central sector schemes has risen from 27.4% to 31.3%.

► Five, the outlay on major subsidies comprising food, fertilisers and petroleum has increased from 1.1% of GDP to 1.5%, and from 8.9% of total expenditure to 10.8%. The increase is mostly on account of food subsidy.

► Six, capital expenditure, including grants-in-aid by the Union government for creation of capital assets, has remained constant at 2.6% of GDP. It, however, declined from 21.2% of total expenditure to 19.6%.

► Seven, the decline in the outlay on defence is both palpable and surprising. This has declined from 1.6% of GDP to 1.4%, and from 12.9% of total expenditure to 11%. In addition, the outlays on armament acquisitions for the three services have not kept pace with GDP growth.

► Eight, the total central government expenditure as a percentage of GDP has climbed from 12.5% to 13.2%. Read with the seventh point above, it can be deduced that the entire increase is on the revenue rather than the capital side.

► Nine, the fiscal deficit for 2018-19 works out to 3.3% of GDP, as against 3.4% in the Budget document, on account of the lower GDP base in the Budget document. However, the fiscal deficit for 2019-20 works out to 4.3%, since the revenue estimates have been revised downward—as indicated above—while the expenditure estimates remain unchanged.

► Ten, while central government expenditure grew at 14.7% in 2018-19, it is projected to grow at a lower rate of 13.4% in 2019-20. This is indicative of a cyclical, rather than countercyclical fiscal policy, as the sharp fall in revenue collections and the spike in the fiscal deficit for the current year is indicative of an economy in retreat. Finance minister Nirmala Sitharaman's Budget speech did not evaluate the extant overall macroeconomic environment, but the Budget numbers only confirm data from other sources that economic growth has slowed down.

The fiscal deficit for 2018-19 works out to 3.3% of GDP, as against 3.4% in the Budget document, on account of the lower GDP base in the Budget document

Telcos' woes just wouldn't end

VS AILAWADI

The author is a former power sector regulator

TRAI is oblivious to both the poor financial health of the sector and ensuring critical telecom infrastructure

AT THE WORLD Economic Forum in January, former RBI Governor Raghuram Rajan observed that while India's economic numbers are celebrated at different fora, critical infrastructure sectors are facing financial stress and liquidation. Power and telecom, in particular, are unquestionably highly stressed. In fact, ICRIER and CRISIL have released reports showing how debt-ridden telecom companies are—their EBITDA is not sufficient even to service their interest liabilities, with their gross revenues declining to ₹57,827 crore in September 2018 (a drop of 12% year-on-year), as also government revenues declining by 11% and 16% in licence fees and spectrum usage charges, respectively.

Telcos are facing serious financial crisis. While much has been said about the merits and demerits of the policy approach on the allocation of spectrum and on administrative prices, the fact remains that there has been an exponential growth in the number of wireless subscribers—the subscriber base doubled from about 26 crore in 2008 to about 58 crore in 2010. In the next two years, it doubled.

An ICRIER study showed that, during the same period, government revenues also increased—no doubt, through auctions, because the government realised about ₹1.76 lakh crore between 2010 and 2016. But the industry got exposed to a debt burden of ₹5 lakh crore or more. Somewhere, the enthusiasm was found misplaced. Industry health being unstable, the high prices for the next round of auctions for 5G would show little appetite for the existing market players with the exception of one.

TRAI's refusal to review its recommendations on spectrum reserve price for auctions in August 2018 defies a holistic approach. TRAI is not oblivious to the poor financial health of the sector—for which it is as much responsible as for its growth—when revenues are declining. On all accounts, it is undisputed that a high reserve price for 5G spectrum would have a debilitating effect, leaving little for the capex for laying out 5G services. Then why is it that TRAI has stuck to the base price recommended in August 2018? It is not mere unconscionable indifference to the poor health of the sector, because it sees its development from the prism of growth happening on account of one player, and is fascinated by the Darwin theory of 'survival of the fittest'. It appears it is also unmindful in ensuring telecom infrastructure as critical to economic growth. Even unbiased analyses of noted research bodies and press editorials—such as the *FE* editorial 'Telcos need help, govt will decide on penalties first' (July 10, 2019, <http://bit.ly/2LXPJUI>)—have simply been brushed aside. The authority dismisses the review asked for by the Digital Communications Commission (formerly Telecom Commission) with ingenious explanation that "its methodology, assumptions and developments in the intervening period after the last auction in 2016 and August 2018 have been well considered." In response to the DoT's view that TRAI also shared concerns about the sector's financial health, its disavowal is laconic—it was not its view but "expressed by a section of stakeholders" (para 8 of July 8, 2019, recommendations).

What, then, is the option for the government? In its own wisdom, and in the interest of achieving its policy objectives pledged in the National Digital Communications Policy, it can differ with the TRAI recommendations on the valuation of reserve price. The government would be justified in doing so because, firstly, TRAI's approach is manifestly short of reasoned conclusions and, secondly, it has not shared the facts and grounds in public space in effectively elaborating its conclusions in its recent communication to the government. The high-powered commission (DCC) would be competent to deliberate on the TRAI recommendations and arrive at a different reserve price, which would be reasonable and fair in order to revive interest and create effective participation in the forthcoming auctions. It will be wrong to say that the government is stuck with the TRAI base price or is facing dilemma, for the course it chooses will make or mar its policy objective of bringing digitisation to its 133 crore people.

In the interest of achieving its policy objectives pledged in the NDCP, the government can differ with the TRAI recommendations on the valuation of reserve price

BANK NATIONALISATION

AN EFFICIENT AND robust banking system is a *sine qua non* for growth and equitable distribution of financial resources of the economy. Beginning with the nationalisation of banks in 1969, the banking sector contributed significantly towards the well-being of the society and in reducing poverty. In that era, 20 banks were nationalised in two phases—14 banks on July 19, 1969, and six more banks in April 1980 under the Banking Companies (Acquisition and Transfer of Undertakings) Act 1970/1980, thus bringing 91% of the banking system under government control. The reason for nationalisation was to ensure equitable flow of credit to every sector of the economy to avoid lopsided growth. Historically, private banks had a tendency to lend only to large industries and business houses, depriving credit to those at the bottom of the pyramid.

Transformation of banking system: These 27 banks—20 nationalised banks, and SBI and its associate banks—formed a strong force of public sector banks (PSBs), disseminating banking services to the common man. Mobilising deposits and dispensing credit in rural and semi-urban centres in the short term is not cost-effective and hence the private regime was averse to it. But RBI, the government and PSBs worked together to take banking to the masses. The shift has been from 'class banking' to 'mass banking'. The journey of expansion of banking that began modestly after nationalisation picked up speed

The spirit is still relevant

Despite triumphs and tribulations, the move to nationalise banks aided by banking sector reforms contributed towards robust banking outreach

K SRINIVASA RAO

The author is director, National Institute of Banking Studies and Corporate Management, Noida. Views are personal



and efficiency. The commitment to spread banking began with the introduction of the Lead Bank Scheme (LBS) in 1969, and the State Level Bankers' Committee (SLBC), district credit plans, priority sector lending (PSL) norms in 1974, branch expansion policy and the formation of Regional Rural Banks in 1975. These tools speeded up the outreach of banks to transform the village economy by adopting them for integrated development.

Coordinative role of PSBs: Beyond providing banking services, PSBs played a critical role of coordinating with state-, district-, tehsil- and block-level units of the government and district industrial centres, and facilitated in implementing welfare schemes. PSBs served as a conduit to disburse subsidies, implemented govern-

ment-sponsored schemes for integrated rural development, routed interest subventions, facilitated debt-waiver schemes and fulfilled mandatory lending norms. The combined impact improved the economic conditions of rural enterprises.

In the process, the number of bank branches increased from 8,187 in 1969 to 59,752 in 1990 to 1,41,756 in March 2019. The share of rural and semi-urban branches varied from 58.4% to 77.2% to 62.89% during this period. The total network of rural and semi-urban branches stands at 89,144 in March 2019 compared to 4,781 in 1969 and 46,128 in 1990. In addition, 1.26 lakh bank *mitras* (business correspondents) provide branchless banking in villages.

As a result, share of unorganised credit



fell sharply and the economy seemed to come out of the low level of equilibrium trap. In the process, the flip side of social commitment led to inefficiency and poor customers service in some PSBs, taking away the competitive edge. The administered interest rates and the burden of directed lending constrained their autonomy to operate on commercial lines. The mandatory expansion of branches in unbanked centres with low business potentiality impacted the working of PSBs.

With little latitude to decide business mix, profitability took a back seat. PSBs struggling to work under the doctrine of dual regulation suffered from poor governance. Board of directors of PSBs are appointed by the government with no freedom to review their performance or

competency. The expertise with such independent directors rarely passed on to bank management. As a result of poor board oversight and the ability of large borrowers to influence certain decisions, PSBs accumulated huge non-performing assets (NPAs). They had to bear the burden of holding close to 90% of stock of bad loans, further impinging upon their profitability.

Impact of bank reforms: Even after banking sector reforms, PSBs continued to balance their social obligations while working on commercial lines to compete with private peers. Along with integrated technology, PSBs gradually changed their look and feel with modern outfits and better interiors. They also adopted international prudential and capital adequacy standards in line with Basel frameworks

set out from time to time, integrated risk management systems, business process re-engineering, reorganisation of administrative structures, better systemic controls, higher compliance standards and better HR management strategies.

Despite triumphs and tribulations, the move to nationalise banks aided by banking sector reforms has greatly contributed in the robust growth of banking outreach, more importantly in the hinterland, benefiting people at the bottom of the pyramid. Focus on financial inclusion guiding banks to adopt a specific three-year outreach policy since 2010 took aggressive form in 2014 after the implementation of the Pradhan Mantri Jan Dhan Yojana. The combined synergy led to massive connect of the banking system with the people, taking the World Bank Findex 2017 to 80, from a level of 35 in 2011.

Effectively, 80% of adults aged 15-plus have a bank account—a great achievement by any standard. Of the 36 crore new savings bank deposit accounts opened under PMJDY till May 2019, PSBs accounted for 96.6%, reflecting their role in social transformation. The challenges of bank reforms did not dither the spirit of bank nationalisation and PSBs continue to serve the masses even, at times, at the cost of losing competitive edge. As India completes the golden jubilee of bank nationalisation, the purpose still holds relevant, more so when growth aspirations are high, India aims to be a \$5-trillion economy, and the banking sector increasingly needs to stay committed to serve the masses.



@ieExplained
#ExpressExplained

If there are questions of current or contemporary relevance that you would like explained, please write to explained@indianexpress.com

TELLING NUMBERS

Pupils and teachers: the best ratios are in the smaller states

TRIPURA, SIKKIM, and Nagaland have the best Pupil-Teacher Ratio (PTR), according to a report compiled by the Unified District Information on School Education (UDISE) in 2017-18 and tabled by the government in Parliament. The reply covered overall PTR, and compliance with Right to Education (RTE) norms on PTR. Smaller states and UTs showed a better PTR than larger states.

In its reply to an unstarred question in Lok Sabha this week, the HRD Ministry said the PTR norm in the country has been set at 30:1 for primary

level, and at 35:1 for the upper primary level. The report found the PTR at national level 23:1 for primary schools and 24:1 for upper primary schools.

Bihar, with 67.94% primary schools and 77.86% upper primary schools non-compliant with the standards, as well as a PTR of 38:1 and 39:1 in those schools respectively, is at the bottom on all four counts. UP and Jharkhand too have poor ratios and compliance ratios. Among larger states, Kerala has the best RTE compliance, with less than 5% non-compliance at both primary and upper primary schools.

PUPIL-TEACHER RATIO

TOP 5			BOTTOM 5		
STATE	PRIMARY	UPPER PRIMARY	STATE	PRIMARY	UPPER PRIMARY
Sikkim	4	6	Bihar	38	39
Nagaland	7	8	Delhi	35	34
Manipur	8	9	UP	31	30
A&N Islands	10	9	Daman & Diu	29	23
Tripura	10	10	Jharkhand	25	30

GOVERNMENT SCHOOLS WITH ADVERSE PTR

(RTE norms: 23 for primary, 24 for upper primary)

TOP 5			BOTTOM 5		
STATE	PRIMARY	UPPER PRIMARY	STATE	PRIMARY	UPPER PRIMARY
Tripura	0.72%	2.85%	Bihar	67.94%	77.86%
Sikkim	1.26%	0.27%	Jharkhand	50.28%	64.24%
A&N Islands	2.20%	1.96%	UP	41.30%	42.06%
Puducherry	2.99%	1.11%	Andhra	43.13%	14.68%
Nagaland	2.21%	0.85%	Rajasthan	38.85%	16.62%

Source: Unified District Information on School Education, 2017-18, via HRD Ministry

THIS WORD MEANS

WHIP

What compels MPs/MLAs to vote along party lines?

LATE THURSDAY evening, Karnataka Governor Vajubhai Vala asked Chief Minister H D Kumaraswamy to prove his majority on the floor of the Assembly before 1.30 pm on Friday. The vote to decide the fate of the JD(S)-Congress government was not held on Thursday amid a demand by Congress Legislature Party leader Siddaramaiah that the motion be deferred until the Speaker was able to decide on the fate of his whip. The Supreme Court had said the previous day that the 15 rebel MLAs "ought not to be compelled to participate in the proceedings of the... House".

WHAT IS IT? A whip in parliamentary parlance is a written order that party members be present for an important vote, or that they vote only in a particular way. The term is derived from the old British practice of "whipping in" lawmakers to follow the party line. In India all parties can issue a whip to their members. Parties appoint a senior member from among their House contingents to issue whips — this member is called a Chief Whip, and he/she is assisted by additional Whips.

KINDS OF WHIPS: The importance of a whip can be inferred from the number of times an order is underlined. A one-line whip, underlined once, is usually issued to inform party members of a vote, and allows them to abstain in case they decide not to follow the party line. A two-line whip directs them to be present during the vote. A three-line whip is the strongest, employed on important occasions such as the second reading of a Bill or a no-confidence motion, and places an obligation on members to toe the party line.

DEFIANCE OF WHIP: The penalty for defying a whip varies from country to country. In the UK, MPs can lose membership of the party, but can keep their House seats as Independents; in India, rebelling against a three-line whip can put a lawmaker's membership of the House at risk. The anti-defection law allows the Speaker/Chairperson to disqualify such a member; the only exception is when more than a third of legislators vote against a directive, effectively splitting the party.

OM MARATHE

TORA AGARWALA

GUWAHATI, JULY 18

ASSAM IS in the grip of yet another flood, with 57 lakh people displaced, all 33 districts affected, and 36 people killed besides hundreds of animals. This is the first wave of floods this monsoon, and flood control experts expect at least two more. A look at why Assam has traditionally been flood-prone, what measures have been taken over the years, and what has been proposed as a long-term solution:

Why are floods so destructive in Assam?

Apart from incessant rainfall during the monsoon, there are many contributory factors, natural and man-made. At the crux is the very nature of the river Brahmaputra — dynamic and unstable. Its 580,000 sq km basin spreads over four countries: China, India, Bangladesh and Bhutan, with diverse environments.

The Brahmaputra features among the world's top five rivers in terms of discharge as well as the sediment it brings. At 19,830 cubic meters per second (cumec), it ranks fourth in discharge at the mouth, behind only the Amazon (99,150 cumec), the Congo (39,660 cumec) and the Yangtze (21,800 cumec), according to data from a 2008 research paper by retired Gauhati University professor Dulal Chandra Goswami, an environmentalist acknowledged as an authority on the Brahmaputra. In terms of sediment yield, two spots along the Brahmaputra's course were at second and third places in 2008, behind the Yellow River whose annual sediment yield is 1,403 tonnes per sq km. The Brahmaputra's annual sediment yield was 1,128 tonnes per sq km at Bahadurabad of Bangladesh, and 804 tonnes per sq km at Pandu of Guwahati.

How do these characteristics of the river relate to flooding?

The vast amount of sediment comes from Tibet, where the river originates. "That region is cold, arid and lacks plantation. Glaciers melt, soil erodes and all of it results in a highly sedimented river," said Dhrubajyoti Borgohain, a retired chief engineer of the Brahmaputra Board, a central government body functioning under the Jal Shakti Ministry's Department of Water Resources, River Development and Ganga Rejuvenation, and whose responsibilities include flood control in the Brahmaputra basin.

By the time the river enters Assam — a state comprising primarily floodplains surrounded by hills on all sides — it deposits vast amounts of this silt, leading to erosion and floods. "As the river comes from a high slope to a flat plain, its velocity decreases suddenly and this results in the river unloading the sediment," said Borgohain. The river's channels prove inadequate amid this siltation, leading to floods.

Again, because of the earthquake-prone nature of the region, the river has not been able to acquire a stable character. Following the devastating earthquake of 1950, the level of the Brahmaputra rose by two metres in Dibrugarh area in eastern Assam.

Besides these natural factors are the man-made ones — habitation, deforestation, population growth in catchment areas (including in China) — which lead to higher sedimentation. For example, the sediment deposition itself creates temporary sandbars or river islands. It is common for people to settle in such places, which restricts the space the river has to flow.

When rainfall is heavy, it combines with all these factors and leads to destructive floods. This happens very frequently.

How bad is the current flood compared to previous ones?

While floods are a regular annual feature in Assam, some years witness more destruction than others. In terms of impact on human lives, the floods of 1988, 1998 and 2004 were the worst; the 2004 floods alone affected 12.4 million people and claimed 251 lives.

SIMPLY PUT QUESTION & ANSWER

Behind Assam's flood fury

Key reason is the Brahmaputra's nature, with the massive silt it deposits along its long journey. Humans contribute with deforestation and settlements. Measures have been *ad hoc*, a long-term solution elusive



A submerged village in Morigaon district, east of Guwahati, on Thursday. PTI

AREA OF INFLUENCE



The current wave of floods has affected 57 lakh people and claimed 36 lives so far. But experts say that the worst is yet to come. "This is only the first major flood wave this season. We are expected to experience two to three more flood waves until the end of the rainy season, which will last till mid-October. In terms of total annual scale and effect of flooding, we had seen worse floods in 1988, 1998, 2004 and 2012. But if a few more large flood waves hit the state in the next two-and-a-half months, this year could well be recorded as one of the most severe flood years," said Partha J Das, who heads the Water, Climate & Hazard Division of Guwahati-based Aaranyak.

Has the government tried to address the factors that cause floods?

In its master plan on the river in 1982, the Brahmaputra Board had suggested that dams and reservoirs be built to mitigate floods. The idea of dams, however, has traditionally been a double-edged sword. While one of their objectives is to regulate the release of flood waters, the release when it comes can sometimes be beyond the capacity of the channels downstream. In the Brahmaputra basin, locals and environmentalists protested against dam-building plans on grounds of displacement and destruction of evology, preventing the plans from moving forward.

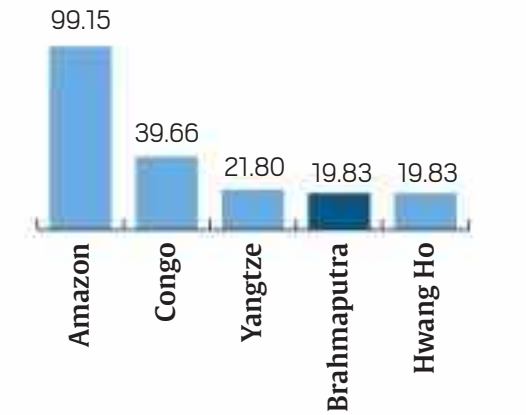
"The Brahmaputra Board proposed a multipurpose dam in the present Gerukamukh site where NHPC (National Hydroelectric Power Corporation) is constructing the Subansiri Lower Hydroelectric Project. But the proposal was scrapped because of objections by the Arunachal government due to submergence [concerns], which included a few small towns as well," said Guwahati-based environmentalist and engineer Pradip Kumar Bhuyan. In fact, the Subansiri project — on which the government spent crores — too has been suspended.

As such, the government has been using only one approach towards floods: building embankments on the river. "Embankments were proposed only as an interim and *ad hoc* measure for short-term mitigation," said Aaranyak's Das. Their lack of durability has often been on display. "Most embankments built in the 1980s are not strong enough. Since they were temporary measures, the government did not spend on high-specification embankments. These are weak and are regularly breached," a government official said.

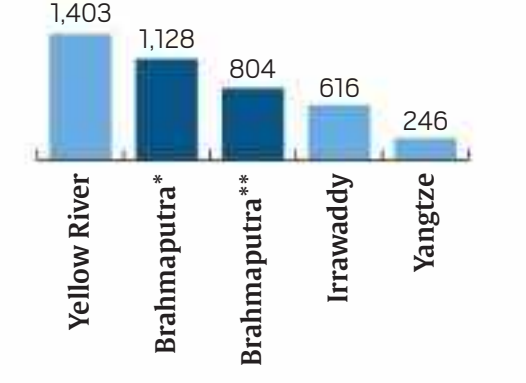
The government also considered dredging, basically digging up the riverbed and making the river "deeper". However, experts have strongly advised against this simply because the Brahmaputra sediment yield is among the highest in the world. "Experts believe that even if we take out all the silt this year, more silt will

STRONGEST & SILTIEST

AVERAGE DISCHARGE AT MOUTH (1,000 CUBIC m/sec)



SEDIMENT YIELD (TONNES PER sq km PER YEAR)



*at Bahadurabad, Bangladesh; **at Pandu, Guwahati

Source: Dr Dulal C Goswami, then Gauhati University, 2008

be deposited the following year, making the very expensive effort futile," said Borgohain, the retired Brahmaputra Board engineer.

Dr Goswami, the retired Gauhati University professor, feels that the government's measures have been "piecemeal" and "short-term". "They are not addressing the problem at the source — they are firefighting," Dr Goswami said.

But, is there a long-term solution?

Dr Goswami said that for a sustainable solution, there needs to be "a basin-wide approach" to the problem. He calls this an "integrated basin management" system that should ideally bring in all the basin-sharing countries on board. "Addressing the issues only in Assam when the flood strikes isn't the solution — one needs the countries to come to an understanding about taking measures in the catchment areas." For that, interstate relationships, political cooperation and the role of the government are important.

Borgohain suggested "flood-plain" zoning, which is done the US. "Depending on the vulnerability of the area, you divide them into categories, and accordingly ban certain activities on it: like farming, building a house etc," he said. "That is one option. We can't help the rain but we can certainly control the damage caused by floods."

How to read the current fall in bond rates; where are yields headed?

UDIT MISRA
NEW DELHI, JULY 18

YIELDS OF 10-year G-secs (or the 10-year government bonds) have been falling sharply and almost continuously of late. At the end of trading sessions on July 16, these yields were trading at a 30-month low.

So why does a fall in government bond yields matter?

The way the bond market functions, the yield, or the interest rate earned, on a government bond — especially the 10-year one — is a good indicator of the prevailing interest rate in an economy. If yields on government bonds (also called government securities or G-secs) are falling, it is reflective of a downward movement in interest rates applicable for the broader economy as well. For the average consumer then, the rate of interest that she will pay for say, a new car this Diwali, will likely be lower than a year ago or indeed, the present.

And what exactly are G-secs?

In simplest terms, a G-sec is an IOU given by the government to anyone who lends it money. Like every entity in an economy, the government too needs to borrow to carry out its functions. The G-sec is the government's vehicle to borrow from the public.

What makes G-secs attractive?

In any investment, apart from the reward (that is, the rate of return or rate of interest), the other key factor is the level of risk. G-secs are appealing because they are considered to be among the safest of investments — the sovereign is not expected to default or go bankrupt. However, as is always the case, the price of a safe investment is modest returns.

How are yields calculated?

Every G-sec has a face value and a coupon payment. There is also the price of the bond, which may or may not be equal to the face value of the bond. And then there is the yield, which is the effective rate of in-



Representational photo/Getty Images

terest that one earns when one buys a bond.

Now suppose the face value of a 10-year G-sec is Rs 100, and its coupon payment is Rs 5. Buyers of this bond will give the government Rs 100 (the face value); in return, the government will pay them Rs 5 every year for the next 10 years, and will pay back their Rs 100 at the end of the tenure. In this instance, the bond's yield or effective rate of interest is 5%. The yield is the investor's

reward for parting with Rs 100 today, but for staying without it for 10 years.

But say, there was just one bond, and two buyers (people willing to lend to the government). The actual selling price of the bond may in such a scenario go from Rs 100 to Rs 105 or Rs 110 because of the bidding war between the two buyers. Importantly, even if one buys the same bond at Rs 110, the coupon payment of Rs 5 will not change.

Yields of G-secs are at the lowest level since demonetisation. A lower supply of bonds, without a change in demand, has pushed up prices and, in the process, brought down yields

Thus, as the price of the bond increases from Rs 100 to Rs 110, the yield falls to 4.5%.

But what is the relation between G-sec yields and interest rate in the economy?

The way bond yields function implies that they are in close sync with the prevailing interest rate in an economy. With reference to the above example, only if the interest rate in the broader economy is 5% will the bond's selling price be the same as the bond's face value. If there is any discrepancy, the market will ensure it is removed.

For instance, if the prevailing interest rate is 4% and the government announces a bond with a yield of 5% (that is, a face value of Rs 100 and coupon of Rs 5) then a lot of people will rush to buy such a bond to earn a higher interest rate. This increased demand will start pushing up bond prices, even as the yields fall. This will carry on until the time the bond price reaches Rs 125 — at that point, a Rs-5 coupon payment would be equivalent to a yield of 4%, the





The Indian EXPRESS

FOUNDED BY

RAMNATH GOENKA

BECAUSE THE TRUTH INVOLVES US ALL

AFTER VINDICATION

Persuading Pakistan to respect the ICJ ruling on Kulbhushan Jadhav will not be easy. That task remains a political one

THE RULING OF the International Court of Justice on Pakistan’s incarceration of Kulbhushan Jadhav on charges of espionage and terrorism has vindicated India’s faith in seeking international legal relief amid Islamabad’s refusal to respect the basic principles of justice. The ICJ called on Pakistan to take a fresh look at Jadhav’s case, immediately restore his legal rights and provide India consular access. Above all, the ICJ is asking Pakistan to examine the impact of its violation of international law on the principles of a fair trial in the Jadhav case. In a strange but typical official reaction, Pakistan is claiming “victory” at the court’s decision to ask it to reconsider the conviction and sentence of Jadhav “by the means of its own choosing” — Pakistan’s Prime Minister Imran Khan has tweeted, “appreciating” “ICJ’s decision not to acquit, release and return Commander Kulbhushan Jadhav to India”.

Jadhav was arrested in early 2016 and, after a summary trial, a military court ordered his execution in 2017. Having failed in its effort to bilaterally engage Pakistan on the case, Delhi turned to the ICJ. The Court stayed Jadhav’s execution in the summer of 2017. In its final judgement this week, however, the ICJ’s focus was not on the merits of Pakistan’s case against Jadhav. It was on the legal process, the rights of the accused, and the remedies for a likely mistrial. The ICJ declared that Islamabad was in violation of its obligations under the Vienna Conventions on Consular Relations by the failure to inform Jadhav of his legal rights and immediately intimate the Indian embassy about his detention. It also held Pakistan guilty of denying India consular access to Jadhav and preventing it from arranging legal representation for the accused.

The ICJ also offered some remedies. It asked Pakistan to inform Jadhav, without any further delay, of his rights and provide India consular access to him. It called for an “effective review and reconsideration” of Jadhav’s conviction and the sentence against him. It wants Pakistan to ensure that “full weight” is given to the effect of “violation” of Jadhav’s rights on the “principles of a fair trial” and the “prejudice” it might have caused in the sentence of execution. The ICJ also held that a continuing stay on Jadhav’s execution is an “indispensable condition” for an effective review and reconsideration. It also told Pakistan that its obligation to review and reconsider Jadhav’s case must be performed “unconditionally”. Delhi has certainly won the argument about international law and the tragic but deliberate mistrial of Jadhav by the Pakistan army. But the task of persuading Pakistan to respect the ICJ ruling will not be easy. That task in the end remains a political one. While India must continue to utilise all available legal means, it must also seek a quiet conversation with Pakistan to encourage it to do the right thing. The ICJ’s call for a judicial review, in a format chosen by Islamabad, may have opened a small door for bilateral diplomacy that might let Pakistan save face and India secure Jadhav’s life and liberty.

50 YEARS LATER

Banking sector, economy, have transformed since banks were nationalised. Now, government needs to let go

THIS WEEK MARKS 50 years of one of the most important economic decisions taken by a government in independent India. Like the other relatively recent move on November 2016 to withdraw high value notes of Rs 500 and Rs 1,000, the decision to nationalise 14 banks by the Congress government led by Indira Gandhi on July 19, 1969 did not quite rest on economic logic but was politically propelled. The objective, then, was to force banks, many of which were controlled by business groups, to lend to the farm and other sectors, to small firms, offer services in the hinterland and expand credit, especially in rural areas. The decades since then have seen a structural transformation — evident in the countrywide footprint of banks, channelising of savings by them to productive investment, support for industry and to the government to finance its plan investments, deliver on its social banking mandate, generate jobs in the services sector, help reduce regional disparities and broadly enhance growth. That was the start of financial inclusion.

Many metrics capture that phase of the Indian banking industry’s growth. But the loan melas of the 1980s, soon after the second round of bank nationalisation marked by coercive lending to support government programmes, dealt the first deep blow from which it took the country’s state-owned banks years to recover. Later, what hurt PSU banks severely was the foray into infrastructure financing — an area where they had little expertise, the risk of an asset liability mismatch and imprudent lending during the heady growth years between 2005-2009. The Indian taxpayers have so far picked up the tab for repairing bank balance sheets with lakhs being pumped to recapitalise banks and bolster lending over the last few decades without generating enough returns. In its first term, the Narendra Modi government missed an opportunity for governance reforms in the banks it owns. A government with a strong political mandate like NDA 2 should be better equipped to let go of many of its banks after 50 years — with a possible backstop of a 26 per cent or 33 per cent holding to be progressively divested to assuage concerns.

More political molycoddling on separation of ownership from the management of banks will impose huge fiscal costs which will have to be borne again by taxpayers. Importantly, it will also drain resources which should ideally be for delivery of public goods.

TWEET BADSHAH

In making fun of Hema Malini for her sweeping technique and apologising for it, Dharmendra displays mastery of social media

THE HEADLINES GOT it wrong, Dharmendra Deol is not a troll. While pointing out that his wife and BJP MP Hema Malini seemed a bit of an “anaari” (inept) while attempting to use a broom in the Parliament complex as part of the Swachh Bharat campaign, he did not, for example, disrupt an ongoing conversation or derail a debate through abuse. He did, as he admitted later, speak his mind: “Kuchh bhi keh baithta hoon. Kuch bhi ki bhawna ko. Kuchh bhi samajh baithte hain yaar log. TWEET BADSHAH. Kuch bhi kiya... baat jhaadu ki bhi... tauba tauba... Kabhi na ka-roonga.” No, Dharmendra is not a troll. He is Tweet Badshah.

First things first. A broom in hand Hema Malini did look a bit out of sorts — no regular sweeping motion, just a sort of awkward stick dance. Most of her colleagues, and her many fans, were likely too polite to point this out. But Dharmendra has a history of telling truth to power, at least when it comes to family. In May, for example, he was more than forthright about son Sunny not being the most politically astute Lok Sabha candidate: “Sunny cannot debate”, “I told Sunny politics is a difficult thing”.

What makes Dharmendra so endearing on social media isn’t just his forthrightness. It is a genuine innocence, a kind of honesty so rare in an age of image consultants, where even non-celebrities carefully curate every word and photograph they put out. In all caps, with ellipses galore, Dharmendra shares across social media platforms his idyllic retired life at his farmhouse. Then there’s the fact that this whole “rural gentleman” thing might just be one big punchline. His apology tweet, after all, has a sarcastic ring, more sorry for offending the “jhaadu” than the person wielding it.



TILAK DEVASHER

IF EVER PROOF were needed that India and Pakistan lived in parallel universes, the reaction to the International Court of Justice (ICJ) judgement in the Kulbhushan Jadhav case provides it. The vital difference, however, is that while India’s universe is rooted in reality, Pakistan’s is quite delusional.

The key issue that the case dealt with was the sanctity of the Vienna Convention on Consular Relations (VCCR). The Indian case was the “egregious violations” of the convention by Pakistan, inter alia, by not granting consular access to Jadhav. Pakistan’s defence was that the VCCR was not applicable to alleged spies. In addition, Pakistan sought to deny the jurisdiction of the ICJ in the case, and deny the admissibility of India’s application, citing a 2008 bilateral agreement with India that held that consular access in matters of national security would be decided “on its merits”.

The ICJ rejected Pakistan’s contention on each of these issues and upheld that of India either unanimously or by an overwhelming 15-1 margin — the dissenting judge being a Pakistani. The majority included a judge from China. The judgment held that the court had jurisdiction, India’s application was admissible, there was no provision in the VCCR to deny alleged spies consular access and that the bilateral agreement could not displace obligations under international conventions.

The court also asked Pakistan for “effective review and reconsideration of the conviction and sentence of Mr Jadhav”, so as to ensure that full weight was given to the effect of the violation of the rights set forth in Article 36 of the VCCR and guarantee that the violation and the possible prejudice caused by the violation are fully examined. The court directed that “the continued stay of execution constituted an indispensable condition for the effective review and reconsideration of the conviction and sentence.” This specific direction was a source of relief for India and a clear containment of Pakistan’s national jurisdiction.

The ICJ went further. It reprimanded Pakistan by saying that it “was under obligation to cease internationally wrongful acts of

Pakistan’s violations of international covenants in Kulbhushan Jadhav case have come crashing down

a continuing character.” This is as strong a condemnation of Pakistan as the court could make and would remain a stain on Pakistan for years to come.

The court also upheld India’s contention that Pakistan should have informed it about Jadhav’s arrest immediately and not after three weeks; that Pakistan failed to inform Jadhav of his rights including his right to communicate with and access to India’s consular officers; India was entitled to obtain consular access as soon as his detention was made public by Pakistan; India’s consular officers had the right to visit Jadhav, to converse and correspond with him and to arrange for his legal representation.

Pakistan’s argument that alleged spies were not entitled to consular access was actually dangerous. It not only sought to emasculate Article 36 of the VCCR but, if accepted, would allow states, if they so wished, to charge citizens of another country with espionage and so deny them consular access.

An important point India had hammered home was that the trial of a civilian in a military court failed to satisfy the minimum standards of due process on at least three counts: Jadhav was denied a fair and impartial trial, in which he could be represented by a lawyer of his choice; his conviction and death sentence by a military court was farcical and based on “confessions” taken in captivity without adequate legal representation and he was denied consular access that would have enabled India to assist him in realising due process. All this was in total violation of the rights and protections provided under the VCCR and the International Covenant on Civil and Political Rights (ICCPR).

In Pakistan’s delusional parallel universe, victory has been claimed on two grounds: Jadhav’s death sentence was not annulled and the ICJ did not order his release. Some in Pakistan have even claimed that by not releasing Jadhav, the ICJ has accepted that he is a terrorist and that implicitly India is a state sponsoring terrorism! For example, the Pak daily, *The Express Tribune*, quoted Major General Asif Ghafoor, the Director General of Inter-Services Public Relations (ISPR), stat-

ing that the ICJ’s decision has declared India a terrorist state: “They are certified to undertake state-sponsored terrorism.”, he said.

Much has also been made about Pakistan’s judicial system. Thus, according to Foreign Minister Shah Mehmood Qureshi, by not annulling the military court’s verdict, “the ICJ showed its confidence in Pakistan’s judicial system which is very fair and transparent”. Brave words indeed!

Where such statements are delusional is that the ICJ is not a Criminal Court of Appeal. India was appealing against Pakistan’s violation of the VCCR. Hence, there were no arguments on the merits of the actual case or the evidence adduced. In fact, even though India had asked for a copy of the military court’s judgement, Pakistan did not provide it. The ICJ’s focus was limited to determining whether there was a breach of international covenants and here its findings were crystal clear and a victory for India.

Jadhav is an important element in Pakistan’s narrative of a “foreign hand” behind the troubles in Balochistan. Given its failure to tackle the fifth insurgency in the province, Pakistan has sought to divert attention by claiming that India was fomenting terrorism. Hence, the charade that Jadhav was involved in terrorist activities. In reality, media reports indicate that the terrorist outfit, Jaish ul-Adl, linked to the Jundullah, actually kidnapped Jadhav from Iran and sold him to the ISI.

During the trial, Pakistan’s counsel had likened India to Humpty Dumpty who sat perched on his flimsy wall of lies, which would soon come crashing down. In reality, it is Pakistan’s web of lies and egregious violations of international covenants that have come crashing down.

Devasher is author of Pakistan: Courting the Abyss; Pakistan: At the Helm; and Pakistan: The Balochistan Conundrum. He is a former special secretary, Cabinet Secretariat, Government of India, and currently member, National Security Advisory Board and consultant, Vivekananda International Foundation

DISHONOURING THE MANDATE

Legislators who change party affiliations must seek re-election



AMRITH LAL

THE RECENT DEFECTIONS of Congress legislators in Goa and Telangana to the BJP and the TRS respectively and four TDP MPs in the Rajya Sabha joining the BJP seem to pass the anti-defection law test. In all the three cases, the rebels had the required numbers — two-third members of the legislature party — to escape disqualification. One of the MLAs who joined the BJP in Goa had been elected on a Congress ticket defeating the BJP nominee only two months earlier. It’s not been even a year since elections were held in Telangana and almost all the defectors had defeated TRS candidates. It takes an instrumentalist reading of the law to justify these defections as a normal political activity. The fact is these are a violation of political and constitutional morality.

Parliamentary politics in India revolves around political parties in the main. Candidates in an electoral contest are seen as representatives of political parties, and not as autonomous agents with a voice distinct from the party they represent. The primary identity of a candidate is political, which is derived from the history and ideology of the party that has fielded him. For the voters, the candidate is the voice of the party. The party symbol, election manifesto, etc. embellish his claims to represent a party and an ideology. The candidate seeks endorsement from the electorate on behalf of the party, and also for the party. There may be times when a leader becomes the face of the party and votes are sought in his name, as in the 2019 general election.

For the voters, the candidate is the voice of the party. The party symbol, election manifesto, etc. embellish his claims to represent a party and an ideology. The candidate seeks endorsement from the electorate on behalf of the party, and also for the party.

This being the case, a defection of a legislator is a betrayal of the mandate; it is a breach of the trust forged through the election process. A legislator is well within his rights to change party; in fact, he must if he loses trust in his parent party or finds another ideology more attractive. But any shift in political affiliation would mean the right to represent the mandate is lost. Political morality demands that he resign his seat and seek re-election. For instance, when V P Singh fell out with the Congress under Rajiv Gandhi, he resigned his Lok Sabha seat and sought re-election. Ramakrishna Hegde resigned as chief minister of Karnataka when the Janata Party was wiped out in the 1984 Lok Sabha election — though he was under no compulsion to do so — on the ground that he has lost the moral authority to head the government. Singh won the Allahabad bypoll and Karnataka voted Janata and Hegde back to office in the following assembly election. In 2012, R Selvaraj, a CPM MLA in Kerala who defected to the Congress, resigned his seat and sought a fresh mandate from the new platform.

The defections in Goa and Telangana have been blamed on the Congress leadership’s failure to shield its flock — presumably by offering cash, office or other incentives. The defectors also take cover behind hollow terms such as development and governance to explain their political shift. Whatever be the reason, the legislator is duty-bound to explain his defection to the electorate; the first step towards that is to quit the seat.

Is this likely to happen if a defector is not censured by the electorate? The changes in political economy have transformed political parties as well as the political process. The influx of big money into elections has turned electoral contests into an expensive, lopsided affair. Political parties have long ceased to be about beliefs and have become platforms that dispense patronage. In some of the southern states, candidatures have become a privilege of the very rich, who court political parties as a means to to keep the law away and use the privileges the association confers to further business interests. The patron-client relationship that gets established between the party leadership and legislators is thus mutually beneficial — it ensures funds for the party, which, in return, provides protection and privileges for the affiliate.

Occasionally, this system is challenged by the people. Radical left-wing uprisings, the J P Movement, V P Singh’s Jan Morcha, the anti-corruption movement led by Anna Hazare, etc. were expressions of public anger with the corruption of parliamentary democracy. The phenomena of New Social Movements, which mobilised people on issues such as land, livelihood, ecological concerns, too owes its existence to the people’s disillusionment with electoral politics. All these took a toll on the Congress, which was instrumental in the degeneration of parliamentary democracy. It may be the turn of the BJP soon.

amrith.lal@expressindia.com

JULY 19, 1979, FORTY YEARS AGO

CONGRESS’S CHANCE

AFTER THREE DAYS of consultations with leaders of various parties, President N Sanjeeva Reddy invited the Leader of the Opposition Y B Chavan, to explore the possibility of forming a stable government to replace Morarji Desai’s caretaker government. The invitation, which boosted Congress morale, but caused varied reactions among other parties, was extended to Chavan by the President at Rashtrapati Bhavan. Chavan told newsmen as well as the Congress Working Committee later that he is confident he will be able to form a government. Chavan has asked for three to four days time for making efforts to seek support from other parties so

that he can form a coalition government.

POWER DREAMS

THE CONGRESS HAD a dream today. The dream of ruling the country again. The Congress Working Committee, which met in Delhi, was “highly excited” when Y B Chavan broke the news that he had been asked by the President to explore the possibilities of forming a government. Even CWC members who had earlier opposed the idea of joining a coalition government changed their stand. As a senior party leader put it: “Our leading a government is quite different from our joining a coalition government.” The CWC has given Chavan and Swaran Singh a free hand

in the “exploration”.

DESAI WON’T QUIT

PRIME MINISTER MORARJI Desai is unlikely to resign as leader of the Janata parliamentary party. This indication was available from sources close to the PM. The Janata Party President Chandra Shekhar, declined to comment on Jayaprakash Narayan’s reported letter advising Desai to step down. Asked to comment, Chandra Shekhar said: “What can I say unless I get the letter?” JP, according to reports from Patna, had written to Desai suggesting that he should relinquish the leadership of the Janata parliamentary party and help elect Jagjivan Ram in his place.



THE IDEAS PAGE

The original sin

Fifty years after bank nationalisation, banking is still seen as an enterprise driven by social purpose and political considerations — not depositors’ interests. This needs to change



SHAJI VIKRAMAN

FIFTY YEARS AGO, after her government issued an ordinance on July 19, 1969 to nationalise 14 banks which had deposits of over Rs.50 crore, Prime Minister Indira Gandhi addressed the custodians of these banks at the end of September 1969. In that meeting, she told them that banks, being closely linked with the development of the economy, could not remain uninfluenced by the needs of the political situation. “The political situation in our country today demands that banking facilities should be extended in an increasing measure to backward areas, to agriculture, to small-scale industry and so on and perhaps banking operations should be informed by a larger social purpose. But if this is what is meant by political consideration, certainly, there is political consideration. But if by that phrase they mean that in their day-to-day working, those in charge of the banks might be influenced by extraneous considerations, unrelated to public welfare or economic development, then I have no hesitation in assuring you that as long as I am in charge, such considerations will not be allowed to interfere with your work,” she said.

The Prime Minister went on to tell the custodians of those banks that within the broad policy framework laid down by the government, they would have the necessary freedom and latitude to function as efficient and professional bankers, guided solely “by your conscience and the canons of the profession to which you belong”.

Her political survival instincts — with the challenge from the old guard in the Congress to her leadership — prompted Indira Gandhi to embark on this move at a time when a law on social control of banks had just kicked in, ignoring the views of Deputy Prime Minister and Finance Minister Morarji Desai and the industry, which was opposed to the state taking over private banks. But as she said in her broadcast to the nation on July 19, “Control over the commanding heights of the economy is necessary, particularly in a poor country where it is extremely difficult to mobilise adequate resources for development and to reduce inequalities between different groups and regions”.

Over the last five decades, control over some important parts of the so-called commanding heights of the economy has been eased by successive governments. Indian banking too has changed in terms of reach and penetration, formalisation of credit, channelising savings for investment and for funding anti-poverty programmes, products offerings, service quality, efficiency, credit support to industry and other segments including in rural areas, helping to reduce regional disparities and boosting economic growth. Consider this: In July 1969, at the time of nationalisation of banks, there were just 8,262 bank branches in the country. At the end of June 2018, state-owned banks alone had built a network of branches or a franchise of over 90,000 (over 29,000 in rural areas) and over 1.45 lakh ATMs while private banks had 28,805 branches.

Some of the objectives of that political move in 1969 may have been achieved in the first decade or two. But what has remained unaltered in the last 50 years despite economic reforms is the political philosophy and belief echoed by Indira Gandhi on banking — a commercial enterprise driven by a larger social purpose and political considerations. It is on this that there has been a strong political consensus across successive governments irre-



Suvajit Dey

spective of ideology, oblivious of the fact that the fundamental obligation of banks is to depositors. The political pay-offs are evident when the government retains control over these lenders. A case in point: The repeated instances of waiver of farm debt.

In the era of brick-and-mortar banking-administered interest rates and monetisation of debt, these may have worked. But not in a world where besides competition, rapid technological changes and innovation are transforming the way banks operate and when the government is struggling to cope with competing demands such as funding infrastructure projects, social sector programmes and delivering public goods. The result: Private banks have managed to chip away at the share of PSUs.

However, the political philosophy reflected in the continuing ownership of many banks has come at a huge fiscal cost and poses a risk to financial stability. In the last five years alone, the recap tab at over Rs 3 lakh crore is far in excess of the aggregate funds, which many governments had infused over close to three decades, indicating the scale of the problem. Key financial indicators of many of these public-listed banks reflect the deterioration. At the end of March 2019, gross non-performing assets as a percentage of total advances rose to 11.2 per cent while the return on assets for PSU banks in FY 2018 was - 0.8 per cent with return on equity, another metric to measure the performance of banks, also being negative. Interestingly, last fiscal, the opening of new branches declined by 25 per cent according to RBI data, as banks chose to rationalise and cut spending to contain costs. The consequences of all these are not just an aversion to risk but also an unwillingness to reduce lending rates sharply even when the RBI has cut interest rates by 75 basis points this year because of the need to set aside funds for potential loan losses — all of which defeats monetary policy signaling or transmission or the provision of adequate credit, and the broader aim of reviving investment.

As the dominant shareholder, the government has to constantly find resources to capitalise and strengthen banks given that the returns on such investment are now negative. It is that pressure which is now forcing the government to push the Indian central bank to transfer a good part of its reserves to limit its fiscal deficit.

The Vajpayee-led government did make an attempt to break from the past. Finance Minister Yashwant Sinha sought to introduce a bill in Parliament seeking to lower the government’s equity in banks to 33 per cent. That

The Vajpayee led government did make an attempt to break from the past. Finance Minister Yashwant Sinha sought to introduce a bill in Parliament seeking to lower the government’s equity in banks to 33 per cent. That he reckoned would enable banks to raise fresh capital without any major dilution of management control. The proposal was jettisoned by the government, with the UPA government which succeeded it, reinforcing through law sovereign control over state owned banks.

he reckoned would enable banks to raise fresh capital without any major dilution of management control. The proposal was jettisoned by the government. The UPA government which succeeded it, reinforced sovereign control over state-owned banks through law. If the original sin was nationalisation, as some would put it, the second sin was allowing universal banking in early 2000, prompting banks to foray into infrastructure financing in the space vacated by development financial institutions, inflicting serious damage to their balance sheets.

Subsequent regimes have tried to pursue consolidation of banks. This is a politically less fraught affair compared to the option of privatisation but does not address the fundamental issue of governance, incentive structures for bankers, dual control and the separation of ownership or the distancing of the owner, the government from the management of the bank.

The model of banking being driven by political considerations and ownership control worked up to a point. It will now have to be undone. Social control may work with a regulatory fiat irrespective of the ownership structure. The emergence of more efficient channels of intermediation, driven by technology and marked by cashless transactions and which can reach out to unbanked families to offer credit and new financial products, better regulation and supervision and using the private sector to deliver services competitively, should help as the government makes the transition. The grand bargain politically could be to retain control of India’s largest bank, State Bank of India, while divesting shareholding in most banks.

The history of reforms in India show that the toughest policy changes have often been carried out in the first two years of a government as in 1991-92 during the Narasimha Rao government and later, during the Vajpayee and UPA governments. There has been little political appetite for reforms since. Shortly after the global financial crisis, the-then US President, Obama in a speech in 2009 said, “Governments should practice the same principle as doctors: First do no harm. So rest assured, we will do whatever is necessary to get credit floating again, but we will do so in ways that minimise risks to taxpayers and to the broader economy”. Surely, 50 years is a good time to review-bank nationalisation. India’s tax payers would also want its government to adopt the principle of doctors.

The writer is consulting editor, The Indian Express

WHAT THE OTHERS SAY

“The US president’s bigotry has a political purpose: to distract voters and energise his base. He doesn’t care about the damage he might inflict in the process.” — THE GUARDIAN

Just window dressing

By ignoring final numbers for 2018-19 in formulating budget estimates, government has presented incorrect data



ARUN KUMAR

ANOTHER CONTROVERSY HAS broken out about official data. This time it is the budget data. The finance minister in her reply has tried to explain it but issues remain. It is more serious than the earlier controversies because it is related to data presented to Parliament. The earlier controversies about the correct GDP, unemployment-employment data, Mudra loan data and farmers’ suicide data did not pertain to what is placed before Parliament.

The Union Budget consists of major items that are mandated by the Constitution. Article 112 mandates that the Annual Financial Statement be placed in Parliament. It contains the data on expenditures and receipts of the Government of India for the coming year (in the present case the continuing year 2019-20). It is also to give the data for the current year (which is still provisional and called the Revised Estimate) and in the present case, the year 2018-19. It also gives the actual figures for the earlier year (2017-18). Why are these figures important?

The budget figures for the next year are prepared a year in advance. So, the figures for 2019-20 are estimated in 2018-19 (the current year). Since the year is yet to start, one can only give the estimates for the coming year. That is why the figures given are called Budget Estimates. How are these estimates arrived at? The data for 2019-20 is prepared on the basis of the data for 2017-18 and 2018-19.

But, there is a problem. While 2017-18 is fully over and its actual figures are available, the year 2018-19 is still in progress so data is provisional. It is called the Revised Estimate — revised compared to what was estimated in the budget when it was presented.

In brief, the budget document gives the Budget Estimates for the year for which the budget is made, Revised Estimates for the current year in which the budget is formulated and the actual figures (though still not fully final) for the one year prior to the current year. The accuracy of the actual figures and the revised estimates determines the accuracy of the Budget Estimates. So, if the Revised Estimates are not correct, there would be an error in the Budget Estimates for the next year. If the Revised Estimates are incorrect then even the current year’s budget arithmetic would turn out to be incorrect with serious consequences for the economy and more importantly for the accountability to Parliament.

Article 113 of the Constitution requires that the Lok Sabha vote on the estimates of expenditure from the Consolidated Fund of India, which is a part of the Annual Financial Statement and which is presented as Demand for Grants. There is usually one

Demand for Grant for each ministry and department. Thus, if incorrect figures are placed before Parliament, the vote would also be on these incorrect figures.

The problem that has arisen with Budget 2019 is that the Ministry of Finance has put out incorrect figures for expenditures and revenue. As already stated, a budget contains estimates for the coming year so the figures that are presented can change — estimates going wrong is not the issue. The issue is actual available data is not utilised for preparing the estimates for the coming year. It can be argued that there is deliberate attempt to mislead the Parliament. Let us try to understand this.

The full budget for 2019-20 had the full data for 2018-19, since the year was over on March 31. This data was audited by the CGA, which is the government auditor. In its report presented in early June, it gave the final figures given to it by the Ministry of Finance. So, the data put out by the CGA, at least a month before the budget was presented, was available to the Ministry of Finance officials.

The data for 2018-19 showed that revenue was short by Rs 1.6 lakh crore. One could argue that when the interim budget was presented on February 1, the full data for 2018-19 was not available so the Revised Estimates did not reflect the shortfall in revenue. However, even this could have been anticipated if the fact that the fiscal deficit in December had already exceeded the annual target was taken into account. The interim budget showed that GST collections were short by Rs 1 lakh crore, so revenue shortfall was already known.

Can there be any excuse to just reproduce the interim budget figures in July when the Ministry had the data given to the CGA? Further, the data was presented in the Economic Survey, so why not in the budget?

If expenditures are kept at the level earlier planned and revenue is short then the revenue deficit and fiscal deficit will turn out to be larger, but that is not the case in the final budget. This can only imply that the expenditures were cut. This leads to a demand shortfall in the economy.

There is further non-transparency when the incorrect figures are used to calculate the budget estimates for 2019-20. For instance, revenue projection is that it would grow by 25.6 per cent on the correct revenue figure for 2018-19. Is that feasible in a slowing economy? The budget is also drawn on the basis of a GDP growth of 12 per cent while the interim budget assumed it would grow at 11.5 per cent, while the economy is known to be slowing down (to about 9 per cent nominal growth).

In brief, if analysts argue that data has been window dressed to show a better performance of the economy, they are not wrong. But, what should parliamentarians make of it, unless the ministry puts out another set of figures for the vote in Parliament?

Kumar is Malcolm Adiseshiah Chair Professor, Institute of Social Sciences and author of Indian Economy since Independence: Persisting Colonial Disruption

LETTERS TO THE EDITOR

UNSAFE CITIES

THIS REFERS TO the editorial, ‘The crumbling city’ (IE, July 18). In the last 10 years, building collapses in several cities have claimed the lives of many people. The blame for these accidents falls on municipal authorities who do not take action against owners of unsafe buildings. But at times, the hands of municipal authorities are tied due to political intervention. There should be clear cut laws about old buildings so that tragedies like the one in Mumbai due not reoccur.

Sanjay Chawla, Amritsar

READING TOO MUCH?

THIS REFERS TO the article, ‘Towards social politics’ (IE, July 17). It was pleasure to read the article, especially because the author finds green shoots of social politics in the toxic soil of current politics. The toxicity is aggravated by acts of people who are supposed to water these shoots. The reference to the 1970s is apt. That was when Indira Gandhi tinkered with the funding norms for political parties, forcing the political establishment to veer towards “other” funding sources. Social politics may, however, not survive. The overtures being “read” by the good performer may actually be the machinations of shrewd politicians. It is essential to correct the funding norms.

Vinod Dhall, Gurugram

IT’S SUPER

THIS REFERS TO the review of *Super 30* by Shubhra Gupta (IE, July 12). The re-

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

view was disappointing. First, referencing “#me too” in relation to the film’s director was not in good taste. Second, people across the country have admired the movie for the performances by Hrithik Roshan and its cast of actors, as well as for its direction. The film brings out with great dexterity the aspirations of the less privileged for quality education. By giving the film just two stars, your critic may be depriving your readers the experience of watching a good film.

Lalit Bhasin, New Delhi

THE Urdu PRESS

THE NIA BILL

THE BID TO “strengthen the NIA” and the debate on the bill has received the attention of Urdu dailies.

An editorial in *Inquilab* on July 17 argues that giving more powers to the NIA is problematic. It asks, “What are the negative and positive dimensions of this?” It describes the debate on the matter in the Lok Sabha as unimindful of Parliament’s “stature and traditions”. The paper writes that “the Home Minister told an MP, a representative of India’s largest minority, that ‘you are scared’ of the bill...when he should have been trying to win the confidence of the minorities”. This, the paper points out, gave a terrible impression of India to the world outside. “We need to understand that strong laws don’t end the problem, if the enforcers are not good. The best and the most fair of laws go after the most disadvantaged...The trend of doing everything in the name of national interest must be pushed back. Else, the country and its people will have to suffer serious consequences.”

Munsif on the same day also dwells on the NIA. It says with just six MPs voting against the amendments, a far stronger NIA will come into force. The paper says there is “fear that in the name of the law, innocents will be made victims. POTA should not be repeated.” The paper notes that the home min-

ister has said that “the government will not allow innocents to be hurt, but *doodh kajala, chanchh ko phi phoonk ke peeta hai* (once bitten, twice shy). It is the government’s responsibility to ensure that the vastly enhanced powers of the NIA are not abused.”

Etemad, the Hyderabad-based daily of the AIMIM speaks of the “misuse of the TADA and POTA in the past” (July 17). “Our experience is that people’s religious identity does play a part in them being charged for terror. The NIA getting more powers is worrying. If the government is serious about tackling terror, it must not see the accused in the Hindu versus Muslim frame, but purely through the lens of law and order. But that does not seem possible.” The paper concludes: “The NIA is now stronger to fight terror. But when the terror accused are discharged, the government does not appeal. This reveals its two-faced nature”.

BUDGET

THE GOVERNMENT’S FIRST budget has been received with disappointment.

Sahara’s editorial on July 9 focuses on the share bazaar taking a massive hit.

Inquilab’s editorial on July 7 is titled: “What does the budget have? Nothing much.” It elaborates: “There is nothing for tackling unemployment. And this coming from party that was voted to office in 2014

on the promises of creating two crore jobs a year. After re-election, it carries noting for the youth.” The paper comes down sharply on what it calls, “conditional talk”. The argument that if investments rise, jobs will also increase is flawed, the paper contends.

Siasat on July 6 speaks of the budget “ignoring some important sections such as the middle-classes and the minorities”. The Budget doesn’t have new plans or new schemes. “Jumlas have been focused on to try and make the budget attractive but it has ignored the expectation and hopes of the masses,” the paper argues.

POLITICS

MUNSIF ON JULY 11 speaks of the “lust for power” in Karnataka.

Siasat has carried a series of editorials on the issue. Its editorial on July 7 predicts that “Operation Kamala is nearing completion”. On July 10 it talks about “the end of political values”. It has another edit which argues that the “political tug of war must end”.

There is anguish on the problems faced by the Congress. *Munsif* on July 13 talks about the “Gandhi family’s ‘self-destructive’ strategy.” It holds that “the Gandhi family cannot leave the party mid-stream and cannot escape its responsibilities. Today, the country needs a strong opposition like never

before..In being stubborn, the Gandhi family could help the BJP realise its dream of Congress-free India.” It elaborates: “What is happening in Karnataka and Goa can spread to other states.”

Siasat on July 9 talks about the 1990s, “when (PV Narasimha) Rao controlled the Congress but after the demolition of the Banbri Masjid, there was a question mark over the Congress’ future.” The paper speaks of the two groups within the party, one close to the “Hindu right-wing and another close to the Nehruvian secularism.” It speaks of the “several mistakes” made by senior leaders that hurt the party and how the party finds itself “speechless in the face of Modi.

TAILPIECE

THE PORTRAYAL OF cricket as war was criticised by the *Munsif* the day after the cricket World Cup semi-final, which India lost. The paper is critical of the home minister invoking the “surgical strikes” to describe India’s victory against Pakistan. It says the use of war rhetoric in sports puts unnecessary pressure on the teams and also leads to demonisation of Indian Muslims. It criticises a section associating Prime Minister Narendra Modi with India’s World Cup campaign.

Compiled by Seema Chishti





A reprieve

Pakistan must recognise India's resolve in securing the safety of Jadhav

The judgment of the International Court of Justice at The Hague in the Kulbhushan Jadhav case has come as major relief for India, providing space and direction for Pakistan to reconsider the ill-formed process it pursued in convicting and sentencing to death the former naval officer. In its judgment, the ICJ ruled in favour of India's petition on six counts, finding that Pakistan was in breach of its own commitments to the Vienna convention on consular relations, and also rejecting its contention that the convention doesn't apply to the charges of espionage and terrorism levelled against Mr. Jadhav. Put plainly, the judgment castigates Pakistan's legal process against Jadhav *ab initio*: from the initial failure to inform India of the arrest, besides the failure to inform him of his rights, to provide him legal representation, and to provide him an open and fair trial. Pakistan's leadership may choose to publicly rejoice over the fact that the ICJ didn't annul the trial or direct a release, but the order should give it pause for thought, and allow saner minds within its establishment to order a comprehensive review of the trial process, if not a full retrial. The ICJ has worked with precedents in the cases of *Germany vs the United States (LaGrand)* and *Mexico vs the United States (Avena)*, both cases where it had ruled that the U.S. was in violation of the Vienna convention, and ordered a "review and reconsideration" of its process. Pakistan must realise that it cannot now emulate the example of the U.S., which defied the ICJ's ruling, and work instead in good faith to implement the ICJ's detailed recommendations for an effective process of justice for Mr. Jadhav.

Those recommendations, however, can only ensure a fair trial process for Mr. Jadhav in Pakistan, and not his release or eventual return home. For its part, New Delhi must recognise that the verdict is only a breather, a window of opportunity in which to open talks with Islamabad, parallel to the trial review on Mr. Jadhav's future. Pakistan must recognise India's resolve in securing the safety of its citizen, and any rash move to try and put his sentencing into effect will cause deep and lasting damage to its own attempts to restart bilateral talks. This will be even more difficult to do than it was when Mr. Jadhav was arrested in March 2016, as at the time Prime Minister Narendra Modi had just visited Lahore, and despite the Pathankot attack the National Security Advisers had maintained their backchannel negotiations. India had yet to call off its participation in the SAARC summit in Islamabad (which it did after the Uri attack in September 2016), and the Foreign Secretaries had met in Delhi to discuss the summit in April that year. None of those avenues exists today, and new ones will need to be built, if not for the sake of a larger dialogue process, for the sake of Mr. Jadhav, who has secured a reprieve but still faces an uncertain future.

The threat of Ebola

The health emergency declared by the WHO can counter the risk of a global spread

After holding itself back on three occasions, the World Health Organization has declared the Ebola virus disease outbreak in the Democratic Republic of the Congo a Public Health Emergency of International Concern. The outbreak in Congo, officially declared on August 1, 2018, has killed nearly 1,700 people and made more than 2,500 people ill. While cases in other areas are reducing, Beni is the new hotspot. The announcement of the health emergency comes amid renewed concerns that the virus could spread to other countries. A single imported case of Ebola in Goma, a city in Congo with two million people and with an international airport bordering Rwanda, served as a trigger to finally declare a global emergency. Surprisingly, the spread to neighbouring Uganda last month did not seem to change the way the WHO assessed the situation. Even when a handful of Ebola cases were confirmed in Uganda, all the infected people had travelled from Congo and there had been no local transmission or spread within Uganda – one of the criteria used by the WHO to assess if an outbreak is a global emergency. This is the fifth time that the WHO has declared a global emergency. The earlier occasions were in February 2016 for Zika outbreaks in the Americas, August 2014 for Ebola outbreaks in western Africa, the spread of polio in May 2014, and the H1N1 pandemic in April 2009. Declaring an event as a global emergency is meant to stop the spread of the pathogen to other countries and to ensure a coordinated international response.

There have been several challenges in interrupting the virus transmission cycle and containing the spread – reluctance in the community, attacks on health workers, delays in case-detection and isolation, and challenges in contact-tracing. But compared with the situation during 2014-2016, the availability of a candidate vaccine has greatly helped. Though the vaccine has not been licensed in any country, the ring vaccination strategy where people who come into contact with infected people, as well as the contacts of those contacts are immunised, has helped. Of the nearly 94,000 people at risk who were vaccinated till March 25, 2019, only 71 got infected compared with 880 unvaccinated who got infected. The vaccine had 97.5% efficacy; a majority of those who got infected despite being vaccinated were high-risk contacts. Owing to vaccine shortage, the WHO's expert group on immunisation has recommended reducing the individual dose to meet the demand. What is equally important is for the G7 countries to fulfil their promise to the WHO to contain the spread. The agency received only less than half of the \$100 million that was requested to tackle the crisis. The global emergency now declared may probably bring in the funding.

Inappropriate template for a legitimate target

The Economic Survey, while rightly calling for a rise in private investment, incongruously invokes the East Asian model



RAMKISHEN S. RAJAN
SASIDARAN GOPALAN

The recently-released Economic Survey either glosses over or ignores many acute challenges faced by the Indian economy – like the severe agrarian crisis; the troubles of loss-making and debt-ridden public sector units; and the issues plaguing public sector banks.

While the Survey is not incorrect in highlighting the importance of incorporating insights from psychology into economics, it is odd that this has been done so late in the day. Many other countries like the U.K., Australia and Singapore have for long been applying such points to policy design and implementation areas and the issue has been discussed in India over the last few years as well. It is unclear what added value the report truly has to offer here.

One issue that the Survey rightly underlines is the need for India to revive private investment if it is to achieve the magical \$5-trillion economy status by 2024-25. However, what is odd here is that to stress this, the document invokes the age-old comparison between India and East Asian countries. It is rather strange that the Survey brings up something that has been taught in economic development classes over the last two decades.

How the NIEs prospered

Here, a question that arises is: Can the East Asian model help revive India's floundering investment rates? Some crucial reminders are worth underlining.

The East Asian model was largely a story driven by the newly in-

dustrialised economies (NIEs) of Singapore, Hong Kong, South Korea and Taiwan, and Japan earlier.

Specifically, the prime goal in various NIEs from 1960s through to the 1990s (prior to the Asian Financial Crisis) was to raise gross savings rates. While the rise in household savings was partly due to the positive demographic dividend, a variety of other factors, including macroeconomic stability, low inflation, lack of social safety nets, inability to leverage (due to a highly regulated banking system) and forced savings (fully-funded Provident Funds) also played a role. State-owned enterprises had to operate with budget constraints. This, coupled with the fiscal discipline practised by the economies, ensured that the public sector did not crowd out private savings and, in some cases, actually added to national savings.

Another goal was to ensure that the private savings were actually intermediated into the formal financial system, failing which the cost of capital would remain high and the availability of capital for investment would be low. To achieve this, importance was given to the establishment of a safe and secure public sector banking system (usually in the form of postal savings networks) where deposits were guaranteed by the central bank and interest incomes was taxed lightly, if at all. The state-owned banks were tightly regulated as financial stability was the cornerstone of overall macroeconomic stability.

Financial inclusion was encouraged, though the focus was on actual use of the deposit accounts rather than just their opening. While the manufacturing sector was viewed as a growth engine and open to export competition, the banking sector, in all economies apart from Hong Kong, remained tightly regulated and



GETTY IMAGES/ISTOCKPHOTO

closed to foreign banks. Even Singapore initially adopted a dual banking structure that sheltered the domestic economy largely from significant short-term bank flows. It resorted to a calibrated policy to allow fully licensed foreign banks only in the late 1990s.

Tight financial oversight

So, while these economies were generally successful in encouraging savings, the cost of capital was rather high, not unlike the problem in India today. To tackle this, the East Asian economies undertook financial repression – conventionally understood as a ceiling price keeping lending rates lower than market equilibrium.

This, in normal circumstances, would have led to disintermediation from the formal financial system, a consequent reduction in the quantity of financing and the creation of a shadow banking system. However, central banks of these economies maintained tight oversight, and selective capital controls ensured that the low-yielding savings did not leave their countries of origin, while limited financial development forestalled the possibility of people looking

for savings alternatives.

Along with these, the governments undertook sophisticated industrial policies to promote domestic investment, much of which was export-led (though not necessarily free-market based). The governments understood that a vertical industrial policy (of 'picking winners') would not work without a sound horizontal industrial policy (dealing with labour and land reforms, bringing about basic literacy and raising women's participation in the labour force). Besides, incentives also had clear guidelines and sunset clauses and mechanisms were in place to phase out support. Thus, winners prospered while losers were allowed to fail.

In addition, the bureaucracies of these East Asian economies had what Berkeley sociologist Peter Evans referred to as "embedded autonomy". This allowed the state to be autonomous, yet embedded within the private sector and enabled the two to work together to develop policies or change course if the policies did not work. This made industrial policy operate as a process of self-discovery, as emphasised by Harvard economist

Dani Rodrik. It is the lack of this embedded autonomy in the next-tier NIEs of Malaysia, Thailand and Indonesia that has been partly responsible for them being stuck in the 'middle income trap'.

Heterodox policies, reforms

Thus, much of the investment and export acceleration in East Asian countries was due to heterodox policies and reforms that were carefully calibrated, well-sequenced and implemented at a time when the external environment was far less hostile than it is today. These measures allowed the nations to benefit from their demographic dividends and transform themselves into developed economies in record time.

In contrast, due to political and other compulsions, India's reforms since 1991 have been rather haphazard and of a 'stop-and-go' nature with perverse consequences, all of which has made it much more challenging for the country to take full advantage of its demographic dividend.

Successful governments have neither had the tool-sets and the policy space nor the embedded autonomy needed to drive the industrial transformation as in the East Asian countries.

Though measures like reducing policy uncertainty; ensuring that the fiscal expenditures do not crowd out private savings and investment; enhancing the efficiency of financial intermediation; and dealing with land acquisition and environment clearances are all essential to reignite investment, we do not need to invoke the East Asian example to understand the importance of these.

Ramkishan S. Rajan is a Professor at the Lee Kuan Yew School of Public Policy, Singapore. Sasidaran Gopalan is a Senior Research Fellow at the Nanyang Business School, Singapore

OIC's curious record on Xinjiang

While the bloc has made repeated references to Kashmir, it has been ambivalent about China's treatment of Uighurs



SUJAN R. CHINOY

In an epochal development, India became the 'Guest of Honour' at the 46th session of the Council of Foreign Ministers of the Organisation of Islamic Cooperation (OIC) held in Abu Dhabi in March. The final declaration eschewed the customary reference to Jammu and Kashmir. This can be considered unique since the previous Dhaka Declaration in May 2018 had contained this reference. Credit must go to the strong personal and state-to-state ties built by the Narendra Modi government with important OIC states, especially the UAE. At the same time, one of the resolutions did refer to Kashmir and expressed concern at the situation of Muslims in India.

The OIC, representing 57 member states and a population of about 1.8 billion people, is the world's second-largest intergovernmental organisation after the UN and is committed to protecting the interests of the Muslim world. It routinely expresses solidarity

with Palestine, Iraq, Afghanistan, Syria and Bosnia, as well as with the peoples of the Turkish Cypriot state, Kosovo and Jammu and Kashmir.

However, the organisation, while making repeated references to Jammu and Kashmir, has traditionally disregarded the fact that India is a democratic and secular country, where every citizen is protected by the Constitution and is free to practise one's religion. It has also conveniently disregarded the fact that India regularly holds State and general elections, including in Jammu and Kashmir.

Turning a Nelson's eye

On the other hand, it has turned a Nelson's eye to the human rights violations committed by its own members, like the actions of the Pakistani state in Balochistan.

However, the organisation's record on China's Xinjiang province, which is in the news on account of alleged violations of human rights and curbs on religious freedom of Uighurs and other Muslim ethnic groups, is far more curious.

The main Abu Dhabi declaration, like the Dhaka Declaration, made no reference to China or its Muslim minorities. Further, it is intriguing that one resolution passed at Abu Dhabi chose to



AFP

"commend the efforts of the People's Republic of China in providing care to its Muslim citizens". This would have come as a huge relief to Beijing, especially after a review held by the United Nations Committee on the Elimination of Racial Discrimination in 2018 had claimed, citing credible reports, that Beijing had turned the Uighur autonomous region into "something that resembles a massive internment camp".

Earlier, a Human Rights Watch report issued in September 2018 had also criticised Beijing's policies in Xinjiang.

On its part, China has defended its policies and claimed that its so-called 'internment camps' are actually vocational centres meant to "to educate and save [the local people of Xinjiang] who were influenced by religious extremism". In its White Paper in November 2018, Beijing had projected Xin-

jiang's culture as an integral part of Chinese culture.

Anodyne appeals

All nations have a right to reject external interference in their internal affairs. However, while the OIC remains critical of India, it is wary of treading on China's toes. Various OIC resolutions have, in the past, referred only superficially to the matter. For instance, the Islamabad OIC meeting in May 2007 made only an anodyne request to its Secretary General "to make contact with the Government of China" on the matter "and to subsequently report on these consultations". The Baku OIC resolution of June 2006 made an appeal "to give special attention to the conditions of Muslims in East Turkistan (Xinjiang) and to examine the possibility of working out a formula for cooperation with the Chinese Government".

China has resented the use of the term "East Turkistan" in OIC documents, reminiscent of the banned East Turkistan Islamic Movement of separatist Uighurs from Xinjiang. Yet, Beijing has engaged the OIC and just before the Abu Dhabi meeting, it welcomed an OIC delegation to Xinjiang, a development which perhaps played a role in the OIC 'com-

mending' China.

The organisation remains mindful of how far it can go with its criticism of Beijing considering that China is a major power, a permanent member of the UN Security Council, a large market for hydrocarbons and a source of arms and investment. Moreover, China refrains from preaching to others about human rights or systems of governance.

As China's continued import of oil from Iran suggests, countries under U.S. pressure and sanctions often turn to China for relief. In return, they do their best to guard China's interests at the OIC.

However, OIC countries, under the influence of Pakistan, support resolutions against India despite having excellent bilateral ties with the country. Recent developments – a call from Pakistan's Minister for Religious Affairs Pir Noor-ul-Haq Qadri urging China to lift restrictions on Muslims in Xinjiang and Jamaat-e-Islami Pakistan chief Sirajul Haq's raising concerns about the Uighur issue with the Chinese Ambassador – must, hence, have come as deep embarrassment to the OIC.

The author is director general of the Institute for Defence Studies and Analyses, New Delhi. Views expressed are personal

LETTERS TO THE EDITOR

Letters emailed to letters@thehindu.co.in must carry the full postal address and the full name or the name with initials.

ICJ verdict

The International Court of Justice (ICJ)'s verdict directing Pakistan to "review and reconsider" the conviction and death sentence of Kulbhushan Jadhav is baffling on several counts (Front page, "Review Jadhav sentence, grant consular access, ICJ tells Pak," July 18). Despite having held unequivocally that Islamabad committed gross violation of both the Vienna Convention and the International Covenant on Civil and Political Rights, it is surprising that the court still thought it fit to only suspend the execution, instead of annulling the sentence. Also, by refraining from spelling out how Pakistan should go about ensuring a review, the court has allowed the country to conduct another trial in a military court.

Given Islamabad's intransigent position on the issue and the strained nature of India-Pakistan relations, it would require extraordinary political and diplomatic acumen to ensure justice for Mr. Jadhav. Euphoria on the ICJ judgment is thus a bit too premature.

S.K. CHOUDHURY,
Bengaluru

■ Thanks to the Vienna Convention and a well-coordinated legal defence before the ICJ, India was able to realise the immediate objective of getting a stay on the death sentence handed out to the former Indian naval officer Kulbhushan Jadhav by a Pakistani military court. While celebrating the ICJ's verdict, India should take care to avoid any triumphalist drum-beating because there is a long way

to travel, legally and diplomatically, before the ultimate goal of securing Mr. Jadhav's release can be secured. Once India exhausts the remedies provided for by international laws, the ICJ will have no option other than tossing the case back to Pakistan's civilian courts. It is not known whether India possesses any trump card in the form of a bargaining chip, but in the end, only a thaw in the frozen India-Pakistan ties can open the doors for Mr. Jadhav's return.

V.N. MUKUNDARAJAN,
Thiruvananthapuram

■ The ICJ verdict is only a temporary relief for Mr. Jadhav as his fate now depends on what Pakistan's arbitrarily assembled military courts decide. While consular access could provide moral support, it is not difficult to foresee the

outcome of a 'review and reconsideration' by a military court. India should continue to make all out efforts through diplomatic channels and put pressure on Pakistan to free the retired Naval officer.

KOSARAJU CHANDRAMOULI,
Hyderabad

SC decision

In this struggle among parties for political power, the interests of voters have been totally forgotten (Editorial, "Balance and tilt," July 18). A legislator gets elected by people as a representative of a given party. Once chosen, he has to obey the party's whip. Further, if he wants to join some other party, he should resign from membership of the legislature and seek re-election. The Supreme Court, by giving an interim order that the dissident

legislators cannot be compelled to attend the Assembly, has only considered the rights of the MLAs and overlooked the rights of the voters. The ruling will undermine India's multi-party democracy and promote horse-trading.

S.S. RAJAGOPALAN,
Chennai

Extra run

The two on-field umpires during the World Cup final should have halted the game for a moment if they had any doubt on the total number of runs to be awarded after the overthrow. That they did not consult the television umpire is a bit puzzling. 'Cricketing sense' did not prevail at that crucial stage and it is unfortunate that such a bizarre incident enabled a team that was probably losing to win the World Cup. Ben Stokes should also have

insisted on an intervention by the third umpire ("Did cricketing sense prevail in World Cup final," July 18).

V. LAKSHMANAN,
Thirupur

Tech-averse state

The knee-jerk manner in which the Indian government reacts on being confronted with technological changes needs a rethink. While other nations are formulating progressive policies on the use of technology, India suffers from the ailment of technological parochialism, whose cure lies in education of policymakers and greater involvement of entrepreneurs in policymaking. ("The benefits of blockchain," July 18).

SUPREETH K.,
Bengaluru

MORE LETTERS ONLINE:
www.hindu.co.in/opinion/letters/

Does the anti-defection law serve any purpose?

PARLEY

The law is against the principles of representative democracy and needs to be reformed

The Supreme Court has held that it is the Speaker's discretion to decide on the resignations of the 15 dissident MLAs belonging to the Congress-Janata Dal (Secular) coalition government of Karnataka as and when he considers appropriate. What is the right course of action for the Speaker? Srinivasan Ramani discusses the political saga in the State with P.D.T. Achary and M.R. Madhavan. Edited excerpts:

Mr. Achary, the Supreme Court has said that the Speaker has complete discretion in deciding on the resignations of the MLAs. While the Speaker has the duty to verify the voluntary nature of the resignations, does this mean he can question the letters of resignation that were handed over to him in person even if they were in the prescribed format?

P.D.T. Achary: Yes, certainly. Under Article 190(3) of the Constitution, the Speaker has to satisfy himself that the resignations are voluntary and genuine and can reject them if he feels they are not. The Speaker has absolute discretion in this matter.

In this case, the legislators have filed sworn affidavits in the court saying they have resigned voluntarily. Should this not put the matter to rest?

PDTA: The Constitution is clear on this. Only the Speaker has the discretion to decide whether the resignations were voluntary or genuine. No other constitutional authority can decide this.

Mr. Madhavan, in the specific case of Karnataka, the legislators have resigned saying they do not have confidence in the current government. The argument being made by their detractors is that these resignations are a ruse to evade disqualification. What is your position on this?

M.R. Madhavan: There are far more fundamental issues to be discussed here. All the institutions including the legislature and the judi-

ciary follow certain rules based on the Constitution. But beyond that, there are certain conventions and assumptions under which these institutions operate. For example, the Speaker... there are only a certain set of rules to be followed by him/her. Beyond that, there is an assumption that the Speaker is a neutral person and acts in good faith. Unfortunately, that assumption has been broken into pieces in our country.

In the last Parliament, there was a no-confidence motion tabled by a set of MPs. The Speaker refused to consider this saying there was too much disturbance in the Lok Sabha, but during the same period allowed the Finance Bill to be passed without discussion. In the elected House prior to this, a similar incident occurred in the way the Reorganisation Bill [that bifurcated Andhra Pradesh] was passed. In the States, in the last Andhra Pradesh Assembly, for example, four MLAs who officially belonged to the YSRCP were in the Cabinet led by Chandrababu Naidu [of the TDP]! Yet the Speaker did not act on their disqualification. What more proof was required to prove that they had switched sides? There is therefore the problem of lack of ethics, and the judiciary cannot do much about this.

In the Karnataka case, the Supreme Court would have embroiled itself in a political crisis and did the right thing by allowing the Speaker the discretion to rule on the resignations.

Mr. Achary, as Speakers generally belong to the ruling party, they have tended to act less as neutral institutions. In some instances, despite clear cases of defections, Speakers have refused to act. Is this not against the spirit of the anti-defection law?

PDTA: Yes. Speakers have not acted as impartial umpires generally on issues related to defection. There is a basic assumption in the Tenth Schedule that the Speaker will decide things on merit and be impartial. Invariably, they come from ruling parties – Somnath Chatterjee being the Speaker in UPA-I was an exception. There have been many issues on



K. MURALI KUMAR

which Speakers have not acted – sitting on cases of defection, the way they have conducted proceedings, etc. The anti-defection law is handled by politicians. Also, there have been demands that it should be handled by the Election Commission; politicians have resisted it. They [politicians] being what they are, they have dealt it in their own way.

In the case of Karnataka, there are issues which are quite important. The Supreme Court has said that the Speaker will have the discretion to decide upon the resignations and after that, he has to convey it to the Supreme Court. I have some reservation about this. The Speaker has the authority to decide upon the resignations and no outside authority should come into the picture. Merely because the matter was brought to the Supreme Court and the court has given an interim order doesn't mean that the Speaker's decision should be conveyed back to the court. What happens if the Speaker rejects the resignations – and I think there are reasons for doing so in this case? What does the Supreme Court do?

The other part of the order was that the members are free and nobody can be compelled to enter the House. The ruling party and other parties have the right to issue a whip to their members to attend the House and vote on a measure. I am not able to understand this part of the order. Suppose the MLAs who have resigned do not attend the proceedings despite the whip, they should be bound to face the consequences. I think this part of the Supreme Court order is problematic.

Mr. Achary, the penalty for defection is disqualification. Doesn't the member, therefore,

be between two parties and two-thirds of the members will agree to the merger. Now the practice is the other way around – two-thirds of the members or more move out and then merge with the new party

have the right to join another party after resignation? Can a Speaker prevent the member from resigning only to hold him guilty for defection?

PDTA: I think the petitions under the Tenth Schedule in these cases were given much before the resignations. Cases for anti-defection were filed before the resignations came up. Suppose the Speaker refuses to accept the resignations, they will continue to remain members of the ruling party [the Congress] and the party has the right to issue a whip. And if they don't attend the House, they will face the consequences. That is the law. But in Karnataka, every day something new emerges – a trust vote followed by a possible fall of the government and so on. It is difficult to know what lies ahead in such a fluid situation.

Mr. Madhavan, considering the Speaker is not an impartial person in practice, shouldn't the anti-defection law be implemented by an authority such as the Election Commission? Or should there be a time frame to decide upon actions related to the anti-defection law?

MRM: The Election Commission being impartial is another assump-

tion, probably a reasonable one. But I think looking for another institution to decide on this process is to look for a bureaucratic solution to what is essentially a political problem. The whole problem arises in the anti-defection law itself, which goes against the principles of representative democracy.

If you go back to 1774 to Edmund Burke's famous speech on representation, he said that the representative should think of what is good for the country and not just for his constituents. Similarly, there is a famous speech by Winston Churchill. For him, first came the nation, then the constituents, and then the party. What we have done with the anti-defection law is that we have made every MP or MLA a slave of the party leadership. Invariably, we have converted a parliamentary system to a de facto presidential system because the head of the executive who happens to be the Prime Minister also controls the majority party in the legislature. In essence, the executive and the legislature seem to have merged. We have chosen the parliamentary system, but the anti-defection law has hollowed out the deliberative aspect of representative democracy. To me, there is one solution: delete the Tenth Schedule.

Mr. Madhavan has a strong view that the anti-defection law has reduced the legislator to a figurehead of the party leadership and is against the deliberative nature of parliamentary democracy. But at the same time, there is an expectation that legislators delineate themselves on ideas and issues, which is why they go to elections for a mandate on the party ticket. Defections reduce them to individuals who seek the loaves of power to move from one party to another. Mr. Achary, how would you address these two aspects and what is your view on the anti-defection law as it exists?

PDTA: When the anti-defection law was passed, people were very afraid about the curbs on freedom of expression and speech of the legislators. The evil that was staring us in our face then was the "Aaya Ram, Gaya Ram" business which was shaking up the entire party system.

In order to put an end to this and to preserve the party system, the law came about, with some important weapons for the political party. But there are some provisions that are problematic. The law says, for example, that even if a legislator has been expelled by a party and continues to be a member in the legislature, he/she will still be held against the party whip and could be disqualified if he/she voted against the whip's directions. This is illogical.

The Supreme Court has said that when the party issues a whip, it must be for a very important legislative measure or a trust vote on which the government's survival is at stake, for example. For all occasions, parties need not issue a whip. I don't think parties are clearly aware of this. I know instances when the Parliament Secretariat had to circulate this decision by the court to parties. Whips should be used only for crucial issues.

So, both of you agree that there is a problem with political culture that well-thought-out laws or institutional corrections cannot address?

MRM: I agree to an extent. We certainly need well-thought-out laws. But I think on the question of defections and other acts, the larger society and the electorate need to act on this kind of political culture. Legislators who act in unscrupulous ways should be voted out in subsequent elections. That is how democracy is supposed to work.

PDTA: The anti-defection law needs to be looked into again by the lawmakers and reformed in light of the experience of its implementation since 1985. There have been a large number of cases of defections and [look at] how they have been handled. Lately, we have seen people moving out of parties in large numbers and eluding disqualification by suggesting that they have merged with a new party. The law is clear: mergers are between two parties and two-thirds of the members will agree to the merger. Now the practice is the other way around – two-thirds of the members or more move out and then merge with the new party. The law is made to stand on its head by the legislators. In the light of this, if the law, the way it is, has to go, I would agree with that.



P.D.T. Achary
is former
secretary-general
of the Lok Sabha



M.R. Madhavan
is president of PRS
Legislative Research

A journalist's right to loiter

The intent of the Finance Ministry seems to be to know which official met which journalist and when

ANURADHA RAMAN

Any reporter worth her beat will tell you that the fine art of loitering is a very useful tool in journalism. It is cultivated with patience and honed with experience. Even before the notepad and pen are fished out for a briefing, it is the wait in corridors that helps 'beat' reporters forge relationships with the powers-that-be.

When journalists loiter around a Ministry, they get to speak to a range of people – the support staff who fetch tea for the Minister's guests, the people meeting the Minister, and the senior officials in the Ministry. Sometimes, eye contact with an official allows a journalist access to the official. We journalists earn our spurs when the support staff of a Minister recognise us enough to share dribbles of information that others don't hear. Familiarity with the ecosystem comes from pottering about.

So, it came as a shock when Finance Minister Nirmala Sitharaman made permanent a diktat which was meant to be temporary – namely, keeping the media out as deliberations on the Budget were under way – and said that a procedure has been put in place for "streamlining and facilitating" the entry of media persons inside the Ministry of Finance. She later clarified that there was "no ban in place" for journalists, including those accredited by the Government of India, to enter the Ministry, but that journalists cannot meet officials without prior appointment. This is an unfortunate development. It is the fundamental right of the citizens of this country to be informed about the government, and there are professionals trained in the dissemination of news.

Anonymous sources
During the Atal Bihari Vajpayee regime, senior Ministers of the Cabinet did not bother about journalists waiting around in the corridors of Shastri Bhawan. Often, a Minister would call a reporter loitering in the corridor in for a chat that was informal and completely off the record. We could get

Ministers to comment on issues and report on them. We could write about the meeting without attributing the information to the Minister. Secretaries would inform Ministers when they saw us waiting. Joint secretaries would not shoo us away.

All this was made possible for journalists with accreditation. A Press Information Bureau card is given after the credentials of a reporter – a minimum of five years of work experience in a news organisation and residence proof – are vetted by the Ministry of Home Affairs and verified by the police.

No journalist walks into an official's office unless she is allowed. At best, journalists keep a watchful eye on the visitors walking in with appointments and even throw a question at them as they came out of their appointments. Journalists do this after making calls to their sources to check the visitor's list.

Keeping watch

The intent of the Ministry seems to be to know which official met which journalist and when. One of the tricks of the profession is to call on the information officer and on that pretext meet the source. But what the Finance Ministry wants to do is to track down critical news to the source. Often, officials are willing to part with information only if they are not named in the report. The Ministry's decision will not only curtail press freedom, but also prevent officials from revealing any information to journalists they trust.

As the Editors Guild said, there is "no dispute with the Ministry that journalists should behave with restraint and responsibility while enjoying their access to the Finance Ministry" but "a blanket order is not the answer". It is a pity that the Ministry has issued such an order, especially at a time when India's ranking in the World Press Freedom Index has fallen by two ranks to 140 out of 180 countries.

The writer is an Associate Editor at The Hindu



NOTEBOOK

Rising above sports fandom

Wimbledon ensures that reporters conceal their loyalty towards a player

N. SUDARSHAN

To be a Rafael Nadal fan is to be an underdog. It feels unreasonable, for Nadal is an 18-time Grand Slam champion and a serial winner. But in a universe full of Roger Federer supporters, I have often felt like a mere speck. The American writer David Foster Wallace didn't help matters, as his famous 2006 essay, published in *The New York Times*, titled 'Roger Federer as Religious Experience', made it unfashionable to root for Nadal. "A classic is something that everybody wants to have read and nobody wants to read," Mark Twain once said. Wallace's classic was something I didn't go anywhere near.

Wimbledon 2019, though, changed certain things. Federer and Nadal were drawn to meet in the semifinals for what could potentially be their first on grass since that iconic clash

in 2008. Once the draw held good, friends and family told me to feel "blessed" and "privileged" that I could watch it live. To be sure, I was. But as a reporter deputed to cover it, I had to shed the mask of a fan. In fact, 13 of the duo's 40 meetings have come after I turned a journalist and I have had to write about many of them dispassionately. But not once before was I pressured to look the part even as the spectacle was unfolding.

In a way, sports journalism, more than others, can tolerate some subjectivity but not of the kind that clouds perspective. As my previous Sports Editor, the late Nirmal Shekar, once wrote to all of us, "Sports stories are by nature subjective. They need you to editorialise. Even the smallest things, putting down a wicket to poor judgment instead of sloppy execution, for example, is a judg-

ment call – drawn, of course, from a thorough understanding of the sport you are writing about."

To rise above sports fandom is to be accountable, shed biases and provide a fair, comprehensive account of events and act independently. On that Friday, I had to suspend the disbelief that Nadal could lose, even on Federer's favourite surface, despite the Swiss being better on the day, disregard the queries from fellow Nadal fans – there were, of course, only three of them – as to what had come over their hero, and report on it.

Wimbledon, which prizes its etiquette more than any other sporting event, thankfully had a way of settling such nerves. "No cheering or clapping from the press box please," a security officer never tired of telling us. Appreciating a well-executed stroke, be it by any player, shouldn't

ideally cast aspersions on your professional integrity. But Wimbledon's way of ensuring fairness is by shutting down even a modicum of applause from the media. So much so that the press was forced to watch even the rise of the irresistible 15-year-old American Cori Gauff in relative silence.

That probably helped me during the Federer-Nadal match. The Spaniard lost a manic first set, but like him, I was engrossed in finding answers, with an unforgiving deadline also looming. The ending was climatic, but it was important to stay detached and worry only about fitting all the important details into the copy. It was not until I sat in the Nadal press conference that the result truly sunk in. The irrational sense of loyalty, however, never made a reappearance and I can only thank Wimbledon for it.

The Hindu

FROM THE ARCHIVES

FIFTY YEARS AGO JULY 19, 1969

Meagre rise in profits of banks

The working results of scheduled commercial banks for the first six months of 1969 are yet to be published by many banks as there has been some delay in finalising the accounts. But the earnings of two major institutions, which have been published, seem to indicate that even with a spectacular growth in deposits, it has not been possible to improve profitability significantly as working expenses have been rising and heavy expenditure is also being incurred on the opening of new branches. But there would have been a higher level of gross income if available funds could be used. As the heavy expansion of credit against foodgrains has been effected mainly by the State Bank of India, the credit-deposit ratio of other banks particularly has tended to decline and there has been a heavy accumulation of surplus resources. The banking system, however, is in a position to derive good benefit out of the sizable additions to working funds, if as a result of a revival in economic activity there was an increase in demand for funds.

A HUNDRED YEARS AGO JULY 19, 1919.

Hockey at Madras. Y.M.C.A. vs. Y.M.I.A.

A rather tame game was witnessed in this match, which came off last evening [July 17] on the Y.M.C.A. grounds, the visitors eventually scoring an easy win by 4 goals to 1. They no doubt proved a bit too good for their rivals, but it was by no means a high standard of hockey that they displayed, for, as it was, the forwards all with the exception of Kesavan looked lifeless, while the defence too were not without their faults, the halves particularly being out of place time and again. As for Kesavan he was however lively all and tricky too but it was all not to much avail for he seemed to think that he alone could do the trick and failed more often than not naturally. Now about Lakshman Rao, he was slow, in fact very slow, and uncertain too in front of goal for want of practice obviously, but he was unquestionably the least selfish of the lot and made some very good passes now and again. Coming now to the halves Ramaswami was without doubt the stand out man, but he must give up the idea of mixing with the forwards on the half chances of scoring, if he really means to serve his side best. Then regarding the backs M.V. Ramanjulu and Sankaran, they looked safe enough last evening, but they have yet to be tested however to know their real mettle.

बिज़नेस स्टैंडर्ड

वर्ष 12 अंक 131

बैंक राष्ट्रीयकरण के 50 वर्ष

पचास वर्ष पूर्व आज ही के दिन इंदिरा गांधी की सरकार ने 14 वाणिज्यिक बैंकों का राष्ट्रीयकरण करने का निर्णय लिया था। उस घटना को आजाद भारत की सबसे बड़ी आर्थिक गतिविधि कहा जाता है। हालांकि निर्णय के पीछे आर्थिक आधार दिया गया था लेकिन इसकी वजह राजनीतिक ज्यादा थी। सन 1980 में सरकार ने छह अन्य बैंकों का

नियंत्रण अपने हाथ में ले लिया।

बैंक राष्ट्रीयकरण का विचार नया नहीं था। अखिल भारतीय कांग्रेस कमेटी की एक आंतरिक समिति ने सन 1948 में ही बैंकिंग और बीमा क्षेत्र के राष्ट्रीयकरण की अनुशंसा की थी जिसे आगे चलकर समर्थन भी मिला। स्वतंत्रता के पश्चात बैंकिंग व्यवस्था की अपनी दिक्कतें थीं और अहम क्षेत्रों तक ऋण की

पहुंच और प्रवाह को लेकर कुछ मसले भी थे। उदाहरण के लिए टुकड़ों में बंटे होने की समस्या को समावेशन से दूर किया गया। बैंकों की तादाद 1951 में 566 से घटाकर 1967 में 91 कर दी गई। राष्ट्रीयकरण के पहले सरकार ने कुछ मसलों को सामाजिक नियंत्रण के जरिये हल करने का प्रयास किया था। मूल विचार था ऋण की व्यापक पहुंच सुनिश्चित करना और प्राथमिकता वाले क्षेत्रों में आवक बढ़ाना।

राष्ट्रीयकरण का मुद्दा समय-समय पर सर उठाता रहा लेकिन सन 1960 के दशक में बढ़ती आर्थिक कठिनाइयों और कुछ चुनावी झटकों के बाद पार्टी पर नियंत्रण बनाए रखने की आवश्यकता ने इंदिरा गांधी को बैंक राष्ट्रीयकरण के लिए मजबूर किया। इसके परिणामस्वरूप बैंक जमा में इजाफा हुआ और

वित्तीय बचत बढ़ी। बढ़ते राजकोपीय घाटे ने बैंकिंग क्षेत्र को फाइनेंसिंग का एक अहम जरिया बना दिया। निरंतर राजनीतिक हस्तक्षेप के बीच मुनाफे पर असर पड़ा। आगे चलकर बैंकों के परिचालन पर भी असर पड़ने लगा और सन 2014 में प्रधानमंत्री जन धन योजना के आगमन के पूर्व तक देश की आबादी का एक बड़ा हिस्सा औपचारिक बैंकिंग से दूर बना रहा। राष्ट्रीयकरण के 50 वर्ष बाद अधिकांश सरकारी बैंक उस स्थिति में नहीं हैं जैसा सोचा गया था। बीते कुछ वर्ष में सरकार ने बैंकों में 2.5 लाख करोड़ रुपये की राशि डाली है। चालू वर्ष में भी 70,000 करोड़ रुपये की राशि बैंकिंग में डाली जा रही है और शायद अभी और राशि की आवश्यकता होगी। सरकारी बैंक फंसे हुए कर्ज की समस्या से भी जूझ रहे हैं।

ऑफ बड़ौदा में विलय कर दिया। इस तरह

के कई और विलय भी किए जाने की तैयारी चल रही है। क्या बैंकों का एकीकरण ही जवाब है? क्या इससे सार्वजनिक बैंक अधिक सक्षम हो पाएंगे? एकीकरण योजना के साथ शाखाओं के दोहराव, विभिन्न तकनीकी प्लेटफॉर्म की मौजूदगी और कर्मचारियों के समायोजन जैसी चुनौतियां भी हैं। अगर बैंकिंग क्षेत्र इन बाधाओं को सफलतापूर्वक पार कर लेता है तो भी समग्र बैंकिंग उद्योग में सरकारी स्वामित्व वाले बैंकों की हिस्सेदारी तो कम नहीं होगी। आज यह हिस्सेदारी 70 फीसदी से थोड़ा ही कम है जो अधिकांश बाजारों से काफी अधिक है।

सार्वजनिक बैंकों की मौजूदा हालत के लिए किसे जिम्मेदार ठहराया जाए? इसका जवाब खुद बैंक और उनमें बहुलांश हिस्सेदारी रखने वाली सरकार है। नब्बे के दशक में नए निजी बैंकों के आने के बाद सार्वजनिक बैंकों को पहली बार प्रतिस्पर्द्धा का सामना करना पड़ा। इन बैंकों को लोगों से पैसे जुटाने की मंजूरी देकर सरकार ने उन्हें प्रतिस्पर्द्धा एवं तकनीकी दक्ष बनाने की कोशिश की थी।

वह एक अच्छी पहल थी लेकिन दो नाजुक वजहों से बैंक पंगु हो गए। पहली, परियोजनाओं को वित्त मुहैया कराने वाले संस्थानों को समेट दिया गया और कार्यशील पूंजी देने से अधिक ज्ञान नहीं रखने वाले सार्वजनिक बैंकों के पास भारतीय कंपनियों को दीर्घावधि कर्ज देने के सिवाय कोई चारा नहीं था। उससे ही कर्ज फंसने की समस्या शुरू हुई। दूसरी, सरकार ने अपनी बहुलांश हिस्सेदारी कम करने के बाद भी बैंकों पर नियंत्रण बनाए रखा। वह अब भी इन बैंकों के मुख्य कार्याधिकारियों (सीईओ) को नियुक्त करती है, उनके बोर्ड गठन में अहम भूमिका निभाती है और जरूरत पड़ने पर गैर-बैंकिंग कार्यों के लिए भी उनके आधारभूत ढांचे का इस्तेमाल करती है। वह बैंकों की बाजार के अनुरूप वेतन-भत्ते भी नहीं देती है। और अब तो बैंकर लगातार जांच एजेंसियों के भी रडार पर हैं। उनके दोनों हाथ बांधकर आप उनसे किसी करिश्मे की उम्मीद नहीं कर सकते हैं।

प्रधानमंत्री जनधन योजना के तहत 36.06 करोड़ नए बैंक खाते खुले हैं। इनमें सार्वजनिक बैंकों का अंशदान 28.65 करोड़ है जबकि निजी बैंकों ने केवल 1.25 करोड़ जनधन खाते खोले हैं। बाकी खाते क्षेत्रीय ग्रामीण बैंकों में हैं। सरकारी-नियंत्रण वाले बैंकों को जो भी काम दिया जाता है वे उसे अच्छी तरह पूरा करते हैं लेकिन कारोबार के मामले में अधिकतर बैंक नाकाम हैं।

बैंक राष्ट्रीयकरण की 50वीं वर्षगांठ भविष्य के बारे में फैसले का इन्हें अधिकार देने का उपयुक्त अवसर है। क्या उन्हें ढांचागत आधार के लिए कर्ज देने और तथाकथित राष्ट्र-निर्माण में योगदान देकर फंसे कर्जों की समस्या पैदा करने के लिए पूंजी देते रहना चाहिए या कुछ बैंकों को खत्म हो जाने देना चाहिए या उन्हें निजी हाथों में सौंप दिया जाए? उन्हें अतीत की याद में कब तक सोते रहने देना चाहिए? वह वक्त जश्न मनाने का है या विलाप करने का?

(लेखक बिज़नेस स्टैंडर्ड के सलाहकार संपादक, लेखक एवं जन स्मॉल फाइनेंस बैंक लिमिटेड के वरिष्ठ परामर्शदाता हैं)

कई ऐसी बात हैं जिन पर ध्यान देना आवश्यक है। पहली बात, सरकार के पास इन बैंकों में निरंतर पूंजी डालने की राजकोपीय गुंजाइश नहीं है। पुनर्पूँजीकरण बॉन्ड के प्रयोग की अपनी सीमाएं हैं क्योंकि इससे सरकार की जवाबदेही बढ़ती है। दूसरी बात, बैंकिंग और फाइनेंस में तकनीक की भूमिका तेजी से बढ़ रही है और कमजोर बैलेंस शीट वाले सरकारी बैंक इस स्थिति में नहीं हैं कि वे इस क्षेत्र में प्रतिस्पर्धी रह पाएं। जाहिर है निजी बैंक बढ़त बना रहे हैं। तीसरा, सरकारी बैंकों में मौजूदा स्थिति में जरूरी सुधार लागू करना भी मुश्किल है। कुल बकाया ऋण का 66 फीसदी इन बैंकों के पास है और कुल जमा का 65.7 फीसदी इन बैंकों के पास है। ऐसे में इन्हें परिचालन और कार्य के स्तर पर

स्वायत्तता की आवश्यकता है। सरकार के बहुलांश हिस्सेदार रहते ऐसा होना मुश्किल है। ऐसे में सरकार को व्यवस्थित ढंग से अपनी हिस्सेदारी कम करनी चाहिए। सरकार नरसिम्हन समिति की अनुशंसाओं पर पुनर्विचार कर सकती है। सरकारी हिस्सेदारी को 33 फीसदी करने से न केवल बैंकों को अधिक स्वायत्तता मिलेगी बल्कि वे पूंजी जुटाकर बाजार में प्रतिस्पर्धी भी बन सकेंगे।

पचासवीं वर्षगांठ सरकारी बैंकों के राष्ट्रीयकरण के बाद के प्रदर्शन के आकलन के लिए उचित अवसर है। इसके आधार पर सुधार के उपाय किए जा सकते हैं। यथास्थिति बरकरार रखने से न केवल सरकारी बाजारों पर बोझ बढ़ेगा बल्कि संभावित वृद्धि पर भी बुरा असर होगा।

मोदी सरकार में कमी संख्या और लोक उपक्रमों को धनराशि बढ़ी



दिल्ली डायरी

ए के भट्टाचार्य

वर्ष 2014 में प्रधानमंत्री नरेंद्र मोदी को अपने पूर्ववर्ती प्रधानमंत्री मनमोहन सिंह से एक ऐसी सरकार मिली थी जिसमें कर्मचारियों की कुल तादाद 34.5 लाख थी। यह तथ्य कम ही लोगों को पता होगा कि मोदी ने अपने कार्यकाल के शुरुआती तीन वर्ष में विभिन्न केंद्रीय मंत्रालयों में सरकारी कर्मचारियों की तादाद घटाकर 32.3 लाख कर दी।

बाद के वर्षों में इस कमी की दर घटती गई। 2014-15 में कर्मचारियों की तादाद 4 फीसदी घटाकर 33.1 लाख करने के बाद 2015-16 में यह दर 1.6 फीसदी रही और कर्मचारी घटकर 32.5 लाख हुए। अगले वर्ष 0.44 फीसदी की कमी के साथ यह आंकड़ा 32.3 लाख का रहा। इसके बावजूद महाज तीन वर्ष में कर्मचारियों की तादाद में तकरीबन 2.5 लाख की कमी उल्लेखनीय थी। हालांकि इस कल का आकार वर्ष 2000-01 में अटल बिहारी वाजपेयी द्वारा की गई 13 फीसदी की कमी या 2011-12 में मनमोहन सिंह द्वारा की गई 6.5 फीसदी कमी से कम था लेकिन फिर भी यह प्रदर्शन प्रभावी था।

चिंता की बात यह है कि मोदी सरकार ने शुरुआती तीन वर्ष में कर्मचारियों में कमी से जो लाभ हासिल किया था, वह अगले दो साल में इसमें इजाफे के साथ गंवा दिया गया। वर्ष 2016-17 के 32.3 लाख से बढ़कर 2017-18 में इनकी तादाद 34.9 लाख हो गई यानी 7.8 फीसदी का इजाफा। 2018-19 में 3.7 फीसदी की बढ़ोतरी के साथ यह आंकड़ा बढ़कर 36.1 लाख हो गया।

सन 2017-18 में जो 2.50 लाख कर्मचारियों का इजाफा हुआ उसका बहुत बड़ा हिस्सा सरकार के कर विभाग में बढ़े 70,000, असेन्य रक्षा कर्मचारियों में बढ़े 45,000 और गृह मंत्रालय के पुलिस विभाग में बढ़े 61,000 कर्मचारियों के रूप में था। वर्ष

2018-19 में हुई 1.28 लाख की बढ़ोतरी में भारतीय रेल में शामिल किए गए 99,000 नए कर्मचारियों की प्रमुख हिस्सेदारी थी। भारतीय रेल के कुल कर्मचारियों की तादद बढ़कर 13.7 लाख हो गई है। यह संयोग हो सकता है कि कर्मचारियों की तादाद में कमी सरकार बनने के शुरुआती दो वर्ष में आई जबकि आखिरी दो

क्योंकि ये बैंक फंसे हुए कर्ज के दबाव में थे और इन्हें उबारना जरूरी था ताकि ये बेहतर कामकाज करके आर्थिक गतिविधियों को बढ़ावा दे सकें।

सरकारी क्षेत्र का पूंजीगत आवंटन जिसमें आंतरिक संसाधन, ऋण और सरकारी प्रतिभूति शामिल है, वह 2014-15 के 2.96 लाख करोड़ रुपये से बढ़कर मोदी सरकार के कार्यकाल के अंतिम वर्ष यानी 2018-19 में 8.43 लाख करोड़ रुपये तक पहुंच गया। यह बढ़ोतरी कितनी ज्यादा है, इसका अंदाजा इस बात से लगाया जा सकता है कि सरकार के कुल व्यय में सरकारी आवंटन की हिस्सेदारी 2014-15 के 18 फीसदी से बढ़कर 2018-19 में 34 फीसदी हो गई।

सरकारी क्षेत्र के आवंटन में लगातार इजाफे के बीच सरकार ने इन सरकारी उपक्रमों के आरक्षित भंडार पर भी हाथ डालना शुरू कर दिया। 2014-15 में सरकार ने इन कंपनियों से लाभांश के रूप में 31,692 करोड़ रुपये की राशि ली। बाद के वर्षों में भी लाभांश प्राप्ति बढ़ती रही और 2018-19 में इसके 45,124 करोड़ रुपये रहने का अनुमान है। यह तब है जबकि इन सरकारी उपक्रमों की वित्तीय स्थिति या मुनाफे में कोई बड़ा सुधार होने की खबर नहीं है।

मोदी सरकार की सार्वजनिक क्षेत्र के साथ बढ़ती संबद्धता के अन्य पहलू भी हैं। वर्ष 2014-15 से 2018-19 के बीच पांच वर्षों में मोदी सरकार ने कई तरीकों से इन उपक्रमों की हिस्सेदारी बेची और इससे 2.88 लाख करोड़ रुपये की राशि जुटाई। परंतु इसमें की गई घटना निजीकरण की एक नहीं थी। मनमोहन सिंह की सरकार ने 2009-10 से 2013-14 तक के पांच साल में केवल 99,367 करोड़ रुपये जुटाए थे। उसने भी निजीकरण नहीं किया था।

मोदी सरकार ने जिस प्रकार कर्मचारियों की तादाद में इजाफा किया या आवंटन, लाभांश अथवा राजस्व के मामले में सार्वजनिक क्षेत्र के साथ संबद्धता बढ़ाई, उसकी कई वजह हो सकती हैं। परंतु यह भी मोदी सरकार का एक ऐसा पहलू है जहां यह अटल बिहारी वाजपेयी की सरकार से अलग है। अक्सर इस बारे में बात नहीं होती।

कानाफूसी

प्रियंका का नाम अग्रणी

राहुल गांधी के कांग्रेस अध्यक्ष का पद छोड़ने के बाद से नए अध्यक्ष के नाम को लेकर अटकलों का दौर लगातार चल रहा है। ताजा नाम है पार्टी की महासचिव और राहुल गांधी की बहन प्रियंका गांधी वाड्ढा का। प्रियंका उत्तर प्रदेश में पार्टी की प्रभारी हैं और राज्य के कई कांग्रेस नेताओं ने मांग की है कि उनको पार्टी का अध्यक्ष बना दिया जाए। पार्टी के कई लोगों का मानना है कि महाराष्ट्र, हरियाणा और झारखंड जैसे तीन प्रमुख राज्यों में पार्टी को विधानसभा चुनावों की कड़ी परीक्षा से गुजरना है। ऐसे में कहा जा रहा है कि इससे पहले वह पार्टी अध्यक्ष का पद संभाल सकती हैं। पार्टी सत्रों के मुताबिक चूंकि पार्टी के नेता किसी नाम पर सहमत नहीं हो पा रहे हैं इसलिए पार्टी महासचिव मुकुल वासनिक को अंतरिम अध्यक्ष बनाया जा सकता है। इस बीच प्रियंका गांधी ने बुधवार को 22 वर्ष पहले हुए अपने विवाह के दिन की एक तस्वीर पोस्ट की। राहुल गांधी का ट्विटर अकाउंट जहां अन्य लोगों द्वारा उनकी सहमति से संचालित किया जाता है वहीं प्रियंका गांधी हिंदी और अंग्रेजी में खुद ट्वीट करती हैं।



आपका पक्ष

देश में कहीं सूखा तो कहीं बाढ़ से आफत

देश के पूर्वोत्तर राज्य मिजोरम में बाढ़ का कहर जारी है। बाढ़ के कारण 5,000 से अधिक लोग राहत शिविर में रह रहे हैं। भारी बारिश के कारण 4,000 से अधिक लोगों को सुरक्षित जगहों पर पहुंचाया गया है। मिजोरम में बाढ़ की वजह से 205 गांवों के करीब 2,000 परिवार प्रभावित हुए हैं। इसके अलावा आठ जिलों के करीब 1,500 घर क्षतिग्रस्त हुए हैं। देश के कई राज्यों में बाढ़ से काफी नुकसान हुआ है। असम, पश्चिम बंगाल और बिहार में भी बाढ़ के कारण लोग बेघर हो गए हैं। इन राज्यों में बाढ़ से काफी नुकसान हुआ है। सरकार राहत और बचाव का कार्य कर रही है लेकिन प्रभावित होने वाले लोगों की संख्या काफी अधिक है। यह देश का दुर्भाग्य है कि किसी जगह पानी की कमी होती है तो किसी जगह बाढ़ के कारण नुकसान उठाना पड़ता है। सरकार को देश की भौगोलिक स्थिति के अनुसार कार्ययोजना बनानी चाहिए। किसी राज्य के



भौगोलिक स्थिति के अनुसार योजनाएं बनानी चाहिए जिससे बाढ़ से होने वाले नुकसान को कम किया जा सके। वहाँ देश के कई राज्यों में सूखे की स्थिति बनी हुई है। कई राज्यों में समय पर मौनसून नहीं पहुंच पाने से बारिश नहीं हुई है जिससे फसल की बुआई समय पर नहीं हो पाई है। मौनसून आने के 40 दिन बाद भी दिल्ली तथा दिल्ली

बिहार के सीतामढ़ी में लोगों को सुरक्षित जगह ले जाता एसडीआरएफ दल -*पीटीआई*

से सटे राष्ट्रीय राजधानी क्षेत्र में मौनसूनी बारिश नहीं हुई है। दो तीन दिन पहले ही दिल्ली में मौनसून का आगमन हुआ है। इससे पहले यहां पानी की कमी के लिए

पाठक अपनी राय हमें इस पते पर भेज सकते हैं : संपादक, बिजनेस स्टैंडर्ड लिमिटेड, 4, बहादुर शाह जफर मार्ग, नई दिल्ली - 110002. आप हमें ईमेल भी कर सकते हैं : lettershindi@bsmail.in
उस जगह का उल्लेख अवश्य करें, जहां से आप ईमेल कर रहे हैं।

त्राहिमाम मचा हुआ था। देश के कई क्षेत्रों में भूजल स्तर में भारी गिरावट आई है। यह समय बारिश के पानी को संचय करने का है। सरकार के साथ-साथ लोगों को भी जल संचयन में अपना योगदान देने की जरूरत है।

नेहा शर्मा, नोएडा

भारत में कुपोषण एक गंभीर समस्या

बुधवार को राज्य सभा में महिला एवं बाल विकास मंत्री स्मृति इरानी ने माताओं एवं बच्चों के कुपोषण पर पूछे गए प्रश्न का उत्तर देते हुए बताया कि करीब 15 मंत्रालय कुपोषण की समस्या से निपटने के लिए एकजुट होकर काम कर रहे हैं। आंगनवाड़ी को और सशक्त करने के लिए उनके बजट में और इजाफा किया गया है। यह बजट लगभग 19,000 करोड़ रुपये का

है एवं पूरक पोषण के लिए 8,000 करोड़ रुपये से ज्यादा इस वित्तीय वर्ष में दिए जा चुके हैं। हाल ही में जारी संयुक्त राष्ट्र की एक रिपोर्ट में कहा गया है कि देश में कुपोषण की संख्या में कमी आई है। रिपोर्ट के अनुसार देश में अब भी 19 करोड़ 44 लाख लोग कुपोषण के शिकार हैं। देश आज भी भुखमरी, कुपोषण तथा गरीबी से लड़ रहा है। देश की सरकार इन समस्याओं से निपटने के लिए करोड़ों रुपये खर्च करती है लेकिन बढ़ती आबादी एवं भ्रष्टाचार के चलते इन समस्याओं में गिरावट मंद गति से हो रही है। प्रशासन को सरकारी योजनाओं का क्रियान्वयन मुस्तैदी से करना चाहिए। आदिवासी क्षेत्र में कुपोषित बालक एवं माताओं की संख्या अधिक है। अतः केंद्र एवं राज्य सरकार को कुपोषण से लड़ने के लिए एक सटीक रणनीति बनानी चाहिए। आंगनवाड़ी सेविकाओं को जरूरी प्रशिक्षण मुहैया कराया जाए ताकि वे माताओं एवं बच्चों की पोषण से जुड़ी समस्याओं का निदान करने में सक्षम हों।

सच का साथ

पाकिस्तान की जेल में बंद कुलभूषण जाधव के मामले में आखिरकार अंतरराष्ट्रीय न्यायालय ने भारतीय पक्ष को सही करार देते हुए पाकिस्तान को जाधव के मामले में फिर से विचार करने को कहा है। निस्संदेह यह भारत की एक बड़ी कामयाबी है। कुलभूषण जाधव को पाकिस्तानी खुफिया एजंसी ने जासूसी और आतंकवादी घटनाओं में लिप्त रहने के आरोप में गिरफ्तार किया था। पाकिस्तानी सैन्य अदालत में उन पर मुकदमा चला और उसने खुफिया एजंसी के आरोपों को सही ठहराते हुए जाधव को फांसी की सजा सुना दी। भारत ने बहुत प्रयास किया कि इस मामले में उसका भी पक्ष सुना जाए, जाधव को कानूनी सलाहकार उपलब्ध कराया जाए और इस प्रकरण में भारतीय राजनयिक से जाधव की मुलाकात कराई जाए। मगर पाकिस्तान ने इन मांगों को ठुकरा दिया। जबकि वियना संधि के अनुसार ऐसे मामलों में दूसरे देशों के बंदियों को उनके देश के राजनयिकों से मुलाकात और कानूनी सलाह की सुविधा उपलब्ध कराना अनिवार्य है। इस पर भारत ने अंतरराष्ट्रीय अदालत में गुहार लगाई कि पाकिस्तानी सैन्य अदालत ने पक्षपातपूर्ण तरीके से जाधव को फांसी की सजा सुनाई है। पाकिस्तान ने अपने पक्ष में दलीलें रखीं, पर अंतरराष्ट्रीय अदालत ने उसकी सारी दलीलों को खारिज कर दिया। इस तरह सोलह में से पंद्रह न्यायाधीशों ने भारत के पक्ष को सही माना। कुलभूषण जाधव से पहले भी अनेक मामलों में पाकिस्तानी सैन्य अदालत कई भारतीय नागरिकों को जासूसी और आतंकवादी गतिविधियों में शामिल बता कर दंड सुना चुकी है। इस तरह पाकिस्तान अंतरराष्ट्रीय मंचों पर कहता रहा है कि भारत उसकी सीमा में अस्थिरता फैलाने वाली गतिविधियां संचालित करता है। जब भी भारत, पाकिस्तान पर आतंकी गतिविधियों को बढ़ावा देने का आरोप लगाता रहा है, पाकिस्तान उन मामलों के जरिए साबित करने की कोशिश करता रहा है कि दरअसल, भारत खुद ऐसी गतिविधियां उसके विरुद्ध संचालित करता है। ऐसे ही आरोप में सरबजीत सिंह को भी फांसी की सजा सुनाई गई थी। पंजाब के सीमावर्ती गांवों से कई बार लोग गफलत में पाकिस्तान सीमा में प्रवेश कर जाते हैं और जब वहां के सुरक्षाबलों की गिरफ्त में आते हैं, तो वे उन्हें भी ऐसे ही आरोपों में फंसा देते हैं। कुलभूषण जाधव मामले में अंतरराष्ट्रीय अदालत के फैसले से पाकिस्तान के झूठ पर से परदा उठ गया है। यह भी साबित हुआ कि वहां की सैन्य अदालतें किस तरह दुर्भावनापूर्ण और मनमाने तरीके से काम करती हैं। उन्हें अंतरराष्ट्रीय कानूनों तक की परवाह नहीं है।

छिपी बात नहीं है कि पाकिस्तान अपने यहां चल रहे आतंकवादी प्रशिक्षण शिविरों और वहां पनाह पाए आतंकी सरगना की करतूतों पर परदा डालने की गरज से उल्टा भारत के खिलाफ ऐसे सबूत जुटाने का प्रयास करता रहा है, जिनसे अंतरराष्ट्रीय बिगारी के सामने साबित कर सके कि आतंकवाद के मामले में असल दोषी भारत है। इसी मंशा से वह आतंकवादी घटनाओं से जुड़े भारत की तरफ से पेश सबूतों को लगातार खारिज करता आया है। कुलभूषण जाधव मामले में एक बार फिर उसकी कलाई खुली है। निस्संदेह इसमें भारतीय राजनयिक प्रयास भी सराहनीय रहे। सरबजीत मामले में जो कमजोरियां रह गई थीं, उनसे सबक लेते हुए भारत ने हर तरह से अपने सबूत और तर्क पुख्ता रखे। इस मामले में अंतरराष्ट्रीय फैसला इसलिए भी महत्वपूर्ण है कि इससे आतंकवाद से निपटने के मामले में पाकिस्तान के झूठ पर से परदा उठाने में भी मदद मिलेगी और पाकिस्तान शायद भारत के खिलाफ ऐसे फर्जी मामले जुटाने से भी हिचके।

अराजकता की हिंसा

उत्तर प्रदेश के सोनभद्र में बुधवार को जो हुआ, उससे एक बार फिर यह सवाल उठा है कि क्या राज्य में कानून-व्यवस्था की स्थिति पर किसी का नियंत्रण नहीं रह गया है और क्या अपराधियों को बेलगाम होकर मार-काट मचाने से रोकने वाला कोई नहीं है! घोरावल इलाके के उंभा गांव में दर्जनों ट्रैक्टरों पर सवार खतरनाक हथियारों से लैस कई सौ लोग जमीन पर कब्जा करने पहुंचे और जब गांव वालों ने विरोध जताया तो निहत्थे ग्रामीणों पर हथियारबंद लोगों ने खोफनाक तरीके से हमला कर दिया। धारदार हथियारों और असलहों से किए गए इस हमले में नौ लोगों की हत्या कर दी गई और दो दर्जन से ज्यादा लोग गंभीर रूप से घायल हो गए। अब पुलिस ने कई आरोपियों को गिरफ्तार किया है और अन्य की तलाश करने का दावा किया है, गांव में भारी संख्या में पुलिस बल तैनात है। लेकिन सरकारों और पुलिस की नींद तभी क्यों खुलती है जब मामला तूल पकड़ लेता है। सवाल है कि क्या यह समूचा मामला इतना गोपनीय था कि पुलिस को कोई पूर्व तैयारी करने का मौका नहीं मिला ? क्या राज्य का पुलिस और खुफिया तंत्र इस तरह लाचार हालत में है कि इसके बारे में उसे कोई भनक नहीं लगी ?

गौरतलब है कि उस इलाके में बसे आदिवासी समुदाय के लोग लंबे समय से सरकारी जमीन पर खेती करते आ रहे थे। यहां की ज्यादातर जमीन वनभूमि है और इस पर कब्जे को लेकर अक्सर विवाद सामने आते रहे हैं। जमीन के जिस मामले में ताजा कल्लेआम को अंजाम दिया गया, उस पर भी काफी समय से विवाद चल रहा था। गांव के प्रधान और आदिवासी समुदाय के लोगों के बीच किस तरह के टकराव की स्थिति बनी हुई थी, यह भी कोई गोपनीय जानकारी नहीं थी। बल्कि खबरें यहां तक आई हैं कि इस कल्लेआम को जमीन विवाद का नतीजा बता कर असली बात से ध्यान हटाने की कोशिश की जा रही है और यह भूदान की जमीन से आदिवासियों को बेदखल करने का मामला है। फिर इन विवादों को किन वजहों से इस हद तक पहुंचने के लिए छोड़ दिया गया था, जिसमें किसी एक पक्ष को सैकड़ों लोगों के साथ गांव पर हमला और लोगों की हत्या कर देने का मौका मिला ? खतरनाक हथियारों से लैस इतनी बड़ी तादाद में लोगों के भीतर वहां बिना किसी बाधा के पहुंचने और कल्लेआम करने की हिम्मत कहाँ से आई ? उनके भीतर इस भरोसे का क्या आधार था कि ऐसी हिंसा और अराजकता फैलाने से उन्हें कोई नहीं रोक सकता ?

पिछले विधानसभा चुनाव के दौरान भाजपा ने राज्य में अपराध और कानून-व्यवस्था की स्थिति को ही मुख्य मुद्दा बनाया था और जनता से वादा किया था कि उसके सत्ता में आते ही सब दुरुस्त कर दिया जाएगा। लेकिन हालत यह है कि पुलिसकर्मियों तक की हत्याएं हो रही हैं। राज्य में मौजूदा भाजपा राज में कानून-व्यवस्था की स्थिति और अपराधों की तस्वीर क्या रही है, यह किसी से छिपा नहीं है। मुठभेड़ों में अपराधियों को मार गिराने का दावा जरूर किया गया, लेकिन उन पर तीखे सवाल उठे। सच यह है कि राज्य में पिछले काफी समय से अपराधों की तस्वीर में कोई बड़ा फर्क नहीं आया है। ऐसा लगता है कि अपराधी तत्त्वों के बीच कानून का खौफ नहीं रह गया है। जिस दौर में अपराधों पर काबू पा लेने का दावा किया जा रहा है, उसमें इस तरह का मध्ययुगीन हमला अकल्पनीय लगता है।

कल्पमेधा

इस विश्व में स्वर्ण, गाय और पृथ्वी का दान देने वाले सुलभ हैं लेकिन प्राणियों को अभय दान देने वाले इंसान दुर्लभ हैं।

–भर्तृहरि

जनसत्ता

सतीश कुमार

गांधीजी के शब्दकोश में विकास के लिए कोई जगह नहीं है। गांधी के अनुसार विकास के बिना भी सामाजिक परिवर्तन संभव है। सामान्यतः विकास शब्द ही विनाश का कारण है। हम विकास के नाम पर बड़ी-बड़ी परियोजनाओं को स्थापित करने की बात करते हैं, नदियों का रास्ता मोड़ देना चाहते हैं। नतीजा 2013 में उत्तराखंड में आई जल प्रलय के रूप में सामने है।

पिछले दिनों जापान के शहर ओसाका में संपन्न जी-20 की बैठक में अमेरिका के विरोध के बावजूद पेरिस समझौते को लागू करने की बात हुई। अमेरिका और पश्चिमी देशों की हठधर्मिता की वजह से मौसम का मिजाज बिगड़ता जा रहा है। फ्रांस में इस बार तापमान पैंतालीस डिग्री के पार चला गया। अगर दुनिया के ताकतवर देश अपने स्वाथों पर अड़े रहे तो मानव सभ्यता को विनाश का विकराल दृश्य झेलना पड़ेगा। भारत की स्थिति तो और बदतर है। चेन्नई का जल संकट बता रहा है कि आने वाले वर्षों में देश को किस भीषण जल संकट का सामना करना पड़ेगा। लेकिन विकास की अवधारणा की अबूझ पहली भारत के लिए चुनौती बनी हुई है। सवाल तो यह है कि यह विकास आखिर है किसके लिए, क्या सिर्फ शहरों के वीआइपी इलाकों को हर तरह की सुविधाओं से युक्त बनाने के लिए ? गांधी विकास की अवधारणा को ही नकराते थे।

अनूप कुमार बडोला

यह सिलसिला हर साल चलता रहता है। मौजूदा ढांचे में इससे अलग और होगा भी क्या! रिजल्ट के बाद नंबर के हिसाब से स्कूल, प्रवेश के लिए कई कॉलेजों की विवरणिका फीस, दाखिले के लिए भी प्रवेश परीक्षा, नाम निकल जाने पर स्कूल के हिसाब से किताबों की लंबी-चौड़ी सूची। एक खेल, जो सालों से सरकारों की नाक के नीचे खेला जा रहा है निजी स्कूलों द्वारा तथ्याकथित गुणवत्तापूर्ण और अच्छी शिक्षा के नाम पर। इस पूरी प्रक्रिया में वह बच्चा भूकदर्शक बना रह जाता है, जिसे शिक्षा प्राप्त करनी है। वह दब जाता है स्कूल, अभिभावक और समाज की अपेक्षाओं के तले।

जो खुद को सबसे अलग दिखाने की कोशिश में वह सब कर डालते हैं जो शिक्षा की कसौटी पर कहीं खरा नहीं उतरता है। ठीक वैसे ही जैसे आजकल के टीवी समाचार चैनल सबसे तेजे, सबसे पहले के चक्कर में सभी मर्यादाएं भूल जाते हैं। उन्हीं की तरह इस देश में शिक्षा के भी कुछ गिने-चुने चैनल चलते हैं। सबसे अच्छा कौन है- इसके लिए अच्छे भवन, अच्छी सुविधाएं, अच्छी गाड़ियों के साथ-साथ अच्छी किताबों की भी प्रतिस्पर्धा की कसौटी बना लिया गया है। किताबों की इस होड़ में किसकी किताबों

कुपोषण के विरुद्ध

बुधवार को राज्यसभा में महिला एवं बाल विकास मंत्री स्मृति ईरानी ने माताओं और बच्चों के कुपोषण पर पूछे गए प्रश्न का उत्तर देते हुए बताया कि करीब पंद्रह मंत्रालय इस समस्या से निपटने के लिए एकजुट होकर काम कर रहे हैं। इसके साथ ही आंगनवाड़ी को और सशक्त करने के लिए बजट में इजाफा किया गया है। यह बजट लाभग्रा 19000 करोड़ का है और पूरक पोषण के लिए 8000 करोड़ से ज्यादा मौजूदा वित्त वर्ष में दिए जा चुके हैं। हाल ही में जारी संयुक्त राष्ट्र की एक रिपोर्ट में कहा गया है कि देश में कुपोषण में कमी आई है लेकिन अब भी 19 करोड़ 44 लाख लोग कुपोषित हैं। यह दुर्भाग्यपूर्ण है कि मुक्त को आजाद हुए सत्तर साल से ज्यादा बीत गए मगर देशवासी अब भी भुखमरी, कुपोषण, गरीबी से लड़ रहे हैं। सरकार इन समस्याओं से निपटने के लिए करोड़ों रुपए खर्च करती है लेकिन बढ़ती आबादी और भ्रष्टाचार के चलते इन दिशा में अपेक्षित प्रगति नहीं हो रही है।

इसके मद्देनजर कुपोषण से निपटने की सरकारी योजनाओं का क्रियान्वयन मुश्तदी से होना चाहिए। लचर रणनीति के चलते अनेक क्षेत्रों में ये योजनाएं पहुंच ही नहीं पातीं। नतीजतन, अभी भी कई राज्यों में हालात जस के तस हैं। विशेष तौर पर आदिवासी क्षेत्रों में कुपोषित माताएं और बालक अधिक संख्या में पाए जाते हैं। गौरतलब है कि किसी व्यक्ति को कुपोषण इस वजह से नहीं होता कि उसे भरपेट भोजन नहीं मिल पाता बल्कि उसके आहार में पोषक तत्त्वों की भारी कमी होती है। इससे शरीर बहुत कमजोर हो जाता है। कमजोरी और खून की कमी के चलते माताओं की प्रसव के समय मौत भी हो जाती है। अनेक बच्चों की पांच वर्ष की उम्र से पूर्व ही मृत्यु हो जाती है। इसलिए केंद्र और राज्य सरकारों को कुपोषण से लड़ने के लिए

गांधी, पर्यावरण और विकास

उनकी नजर में आधुनिक विकास की शैली और परिभाषा दोनों ही दुषित हैं। गांधीजी शहरों के नेटवर्क से भी क्षुब्ध थे। उन्होंने कहा था- कोलकाता, मुंबई और दिल्ली जैसे शहरों के जाल भारत के गले की फांस बन जाएंगे। गांधीजी ने अपने जीवन में ही नेहरू की विकासवादी अवधारणा से मुंह मोड़ लिया था। बाद में स्थिति बदतर होती चली गई। पर्यावरण को लेकर कोई बुनियादी सोच विकसित नहीं हो पाई है। हम राष्ट्र को सैन्य और आर्थिक रूप से तो मजबूत बना देंगे, लेकिन उसका आधार पोलियो ग्रस्त रहेगा जो अपने शरीर का भार भी उठाने में सक्षम नहीं होगा।

वर्ष 2019 की गर्मी यादगार रहेगी। गर्मी के कारण किसी शहर में धारा 144 अभी तक नहीं लगी थी। बिहार सहित पूरे उत्तरी हिस्सों में तापमान पचास के करीब पहुंच गया था। यहां तक कि कश्मीर घाटी और हिमाचल प्रदेश जैसे राज्यों में इस गर्मी का असर दिखा। वातावरण में इस तरह के आकस्मिक परिवर्तन के कारण क्या हैं ? क्यों असंतुलित मौसम मानव सभ्यता के लिए मुसीबत बनता जा रहा है ? अगर इसकी विवेचना गांधी के नजरिए से की जाए तो कारण स्वतः ही स्पष्ट हो जाते हैं। गांधी कोई पर्यावरण के पुरोधाय विशेषज्ञ नहीं थे, न ही उन्हें पर्यावरण की कोई डिग्री हासिल थी। लेकिन दुनिया में उनसे बेहतर पर्यावरण का हितैषी कोई भी नहीं हुआ। उनकी सोच और सिद्धांत बिल्कुल व्यावहारिक सच्चाइयों पर टिकी हुई थी, जिसको एक अनपढ़ व्यक्ति भी समझ सकता है और अनुकरण कर सकता है। गांधीजी से जब एक पत्रकार ने पूछा कि आजादी के बाद क्या आप भारत की प्रगति अंग्रेजों के नक्शे कदम पर करना पसंद करेंगे, तो उनका जवाब था, ‘बिल्कुल नहीं’। गांधीजी ने कहा कि अंग्रेजों ने अपनी विलासिता की भूख मिटाने के लिए तकरीबन दुनिया के बड़े हिस्से को अपने कब्जे में कर लिया, इसके बाद भी उनकी तुष्टि नहीं हुई। अगर इसी नक्शे-कदम पर भारत चलता है तो पृथ्वी जैसे कई ग्रहों की जरूरत पड़ेगी।

आज दुनिया के सामने खतरे की घंटी बज चुकी है। दुनिया जलवायु संकट को लेकर परेशान है। ओजोन परत का छेद बड़ा होता जा रहा है। समुद्र का जलस्तर बढ़ता जा रहा है और तटीय शहरों के डूबने की स्थिति बनती जा रही है। यह सब कुछ मानव जगत की जीवनशैली की वजह से हुआ है। गांधीजी ने कहा था कि अगर पर्यावरण को सुरक्षित

सतत विकास की ओर

आर्थिक वृद्धि दर के पैमाने पर भारत आज विश्व का अग्रणी देश है. विकास के साथ संसाधनों के समुचित उपयोग तथा समावेशीकरण का संतुलन बनाना एक बड़ी चुनौती होती है. परंतु, भारत ने अपनी विकास यात्रा में इस संतुलन को साध कर आर्थिक उपलब्धि को विशिष्ट बना दिया है. वर्ष 2015 में संयुक्त राष्ट्र ने आर्थिक, सामाजिक और पर्यावरण के क्षेत्र में सतत विकास के लिए 17 वैश्विक लक्ष्यों तथा 160 संबद्ध उद्देश्यों को निर्धारित किया था, जिन्हें 2030 में पूरा किया जाना है. प्रधानमंत्री नरेंद्र मोदी के नेतृत्व में केंद्र सरकार ने विकास कार्यक्रमों से समाज के हर वर्ग, विशेष रूप से वंचित और निर्धन तबके, को जोड़ने का निरंतर प्रयास किया है. संयुक्त राष्ट्र कार्यक्रम निदेशक एसिम स्टीनर ने भारत को उपलब्धियों पर आश्चर्य जताते हुए कहा है कि जिन लक्ष्यों को पाने में कई देश संघर्ष कर रहे हैं, उनके संबंध में भारत महत्वाकांक्षी पहलें कर रहा है तथा सतत विकास के मानकों को पूरा करने के उच्च अपने देश के निवासियों के जीवन में बदलाव कर रहा है. जन-धन, उज्जवला,

लाभुकों को सीधे भुगतान, वित्तीय सहयोग, बीमा, आधार का उपयोग जैसी योजनाओं ने बड़ी संख्या में वंचितों, निर्धनों और निम्न आयवर्ग के लोगों को देश की विकास यात्रा से जोड़ा है. पेयजल, स्वास्थ्य सेवा, शिक्षा, पेंशन आदि के संबंध में विभिन्न योजनाएँ प्रारंभ की जा रही हैं. अंत्योदय योजना केंद्र सरकार की नीतिगत दृष्टि को ईंगित करती है. स्वच्छ ऊर्जा, तकनीक का उपयोग, कार्बन उत्सर्जन में कमी, वन क्षेत्र बढ़ाना, अधिक पारदर्शिता जैसे अनेक

कारक हैं, जिनसे हमारा देश अपने विकास के साथ विश्व के अन्य कई देशों की सहायता कर सकता है. स्टीनर ने भी अन्य देशों को भारत की पहलों का अध्ययन करने की कलाह दी है. उन्होंने अपनी संस्था द्वारा कुछ दिन पहले जारी रिपोर्ट का हवाला भी दिया है, जिसमें बताया गया है कि 2006 से 2016 के बीच भारत ने 27 करोड़ से अधिक लोगों को गरीबी से बाहर निकाला है. वर्तमान और प्रस्तावित योजनाओं से इस सफलता के व्यापक होने की आशा है. लेकिन इन उपलब्धियों और प्रशंसाओं के बीच भारत को चुनौतियों और समस्याओं का संज्ञान भी लेना चाहिए. इसी महौने संसद में प्रस्तुत निवेन्द्रक और महालेखा परीक्षक (सीएजी) की रिपोर्ट में सतत विकास की दिशा में हो रहे प्रयासों की कमियों को रेखांकित करते हुए इस संबंध में नीतिगत तैयारी करने तथा स्पष्ट उद्देश्य निर्धारित करने का सुझाव दिया गया है. नीति आयोग द्वारा गठित पैनल की बैठकें नहीं होना भी चिंताजनक है. इस कारण लक्ष्यों को ठीक से चिह्नित नहीं किया जा सका है. आशा है कि केंद्र और राज्य सरकारों परस्पर सहयोग से नये सिरे से सतत विकास के मानकों पर खरा उतरने की पहल करेंगी. संयुक्त राष्ट्र का यह विश्वास संतोषजनक है कि वर्तमान संकल्प और गति से भारत 2030 तक अधिकतर लक्ष्यों को पूरा कर लेगा.



ब्रह्म कुमारि

कुछ अलग

मैंने तुझे लाइक किया, तू भी मुझे कर !

फेसबुक गजब की दुनिया है. ‘गजब’ शब्द को लोग आजकल कुछ अच्छे अर्थ में इस्तेमाल करने लगे हैं. जैसे कोई फेसबुक पर अपनी कविता चिपकाये, जिसके कविता होने का पता उसके इस आग्रह से ही लग पाता हो

कि मैं अपनी इस कविता पर आपका आशीर्वाद चाहता हूँ, और कोई आशीर्वाद-स्वरूप ही कमेंट में लिख दे- गजब ! और कवि फिर इसके लिए उसका आधार व्यक्त करे. लेकिन मूल रूप में ‘गजब’ का अर्थ बिल्कुल भी अच्छा नहीं है. जो कि आफत, अंधेर, जुल्म आदि होता है. कमेंट करनेवाला अगर इसी अर्थ में ‘गजब’ का इस्तेमाल कर रहा हो, तो बात अलग है. पर उस हालत में कवि उसका आधार व्यक्त करके गजब कर देता है. फेसबुक का अर्थ इहलोक और परलोक के बीच कहीं पड़ता है और इसलिए इसे इहलोक की तर्ज पर ‘उहलोक’ कहा जा सकता है. कहने को इसे परलोक की तर्ज पर ‘अपरलोक’ भी कहा जा सकता है, पर उसमें ‘अपर’ को लेकर कुछ वैसी ही भ्रांति होने की संभावना है, जैसी नूरजहां के हाथ में दो के बजाय एक ही कबूतर देखकर जहांगीर को गो गयी थी- एक कबूतर देख हाथ में, पूछा, कहां अपर है ? उसने कहा, अपर कैसा, वह उड़ गया सपर है.

फेसबुक पर लोग लाइक और कमेंट पाने के लिए गजब दाते हैं. वे किसी की पोस्ट को लाइक करने का बदला फौरन अपनी पोस्ट लाइक किये जाने के रूप में चाहते हैं. ‘मैंने तुझे लाइक किया, तू भी मुझे कर’ ही उनकी जिंदगी का एकमात्र

संपादकीय प्रभात

कर्नाटक मामले से उपजे सवाल

कर्नाटक में विधायकों के इस्तीफा एवं सरकार के विश्वासमत का प्रकरण अंतहीन बनता जा रहा है. राजनीतिक फलाफल से निरपेक्ष

इस क्रम में कुछ महत्वपूर्ण बातें उपरकर सामने आयीं. राजनीतिक लाभ या हानि जिस दल का भी हुआ, इस प्रकरण से संबद्ध संवैधानिक संस्थाओं पर इसके प्रभाव का आकलन आवश्यक है. सर्वविदित है कि कर्नाटक के कांग्रेस और जनता दल (एस) के 16 विधायकों ने विधानसभा की सदस्यता से त्यागपत्र दे दिया और गोवा चले गये. इसके बाद विधानसभा अध्यक्ष ने व्यक्तिगत रूप से मिलकर त्यागपत्र सौंपने का निर्देश दिया तथा कुछ विधायकों के त्यागपत्र सही प्रपत्र में नहीं होने की बात भी बतायी. उसके बाद विधायकों ने अध्यक्ष के सामने उपस्थित होकर सही प्रपत्र में अपना त्यागपत्र सौंपा. अध्यक्ष ने त्यागपत्र देने की परिस्थितियों की समीक्षा की बात कहकर निर्णय लेने में न सिर्फ देर की, बल्कि इसकी कोई समय सीमा भी निर्धारित नहीं की.

किसी खेल की आशंका के मद्देनजर त्यागपत्र देनेवाले विधायकों ने उच्चतम न्यायालय का दरवाजा खटखटाया. तीन सदस्यीय पीठ, जिसमें मुख्य न्यायाधीश रंजन गोगई के साथ दीपक गुप्ता और अनिरुद्ध बोस शामिल थे, ने इस मामले पर सुनवाई की. बागी विधायकों एवं विधानसभा अध्यक्ष के वकीलों ने अपनी-अपनी दलीलें रखीं. बागी विधायकों के वकील की मुख्य बहस यह थी कि उन्होंने अध्यक्ष से व्यक्तिगत रूप से मिलकर इस्तीफा दिया और संविधान के अनुच्छेद 190 (3) (बी) के तहत अध्यक्ष को इस्तीफा स्वीकार करने के अलावा कोई दूसरा विकल्प उपलब्ध नहीं है. दूसरी ओर, अध्यक्ष के वकील ने अपना पक्ष रखते हुए कहा कि प्रावधानों के मुताबिक त्यागपत्र की स्वीकृति से पहले यह सुनिश्चित करना आवश्यक है कि त्यागपत्र बिना किसी दबाव के दिया गया है. दोनों पक्षों को सुनने के बाद न्यायालय ने अगले चार दिनों तक

यथास्थिति बनाये रखने का निर्देश दिया और फिर 16 जुलाई को सुनवाई पूरी कर 17 जुलाई को निर्णय सुनाया. न्यायालय ने अध्यक्ष के फैसले लेने में स्वतंत्रता की बात कर कोई निर्देश देने से इनकार किया. दूसरे, न्यायालय ने कहा कि बागी विधायकों को सदन में उपस्थित होने के लिए बाध्य नहीं किया जा सकता.

शुरू में विधानसभा अध्यक्ष द्वारा विधायकों को स्वयं उपस्थित होकर निर्धारित प्रपत्र में इस्तीफा देने की बात करना बिल्कुल उचित था. क्योंकि विधायकों के स्वयं उपस्थित नहीं होने पर इस्तीफ की सत्यता प्रमाणित नहीं हो पाती. परंतु जब विधायकों ने उपस्थित होकर त्यागपत्र दिया, तब विधानसभा अध्यक्ष के पास कोई विकल्प नहीं बचता. अगर यह भी मान लें कि उन्हें यह सुनिश्चित करना था कि त्यागपत्र बिना किसी दबाव के दिया गया है, तो जिस समय विधायकगण उनके सामने उपस्थिति रहे, उसी समय वे हर एक से अलग-अलग मिलकर इस बात को सुनिश्चित कर सकते थे. परंतु ऐसा न करके बाद में सारी स्थितियों की समीक्षा करने की बात कर निर्णय लेने में हीला-हवाला

करना अनुचित लगता है. इसके अलावा निर्णय लेने के क्रम में अध्यक्ष द्वारा राज्य की जनता की भावना का भी ख्याल रखने की बात करना स्थिति की और भी संदेहास्पद बना दिया. इससे अनावश्यक उलझन पैदा हुई. यह तरीका



विजय कु. चौधरी

अध्यक्ष, बिहार विधानसभा

vkumarchy@gmail.com

इस तरह के विवादास्पद घटनाक्रम में कोई राजनीतिक दल जीते अथवा हारे, निष्पक्ष विवेचकों के लिए तो हर हाल में संवैधानिक संस्था की प्रतिष्ठा का ही क्षरण होता है .

मामले में फैसला लेने में स्वतंत्र हैं. संवैधानिक प्रावधानों के तहत यह उनके क्षेत्राधिकार में आता है. फिर, न्यायालय द्वारा तय समय-सीमा के अंदर फैसला नहीं देने का निर्देश देने की बात समझ से परे है. किसी संवैधानिक

मामले में फैसला लेने में स्वतंत्र हैं. संवैधानिक प्रावधानों के तहत यह उनके क्षेत्राधिकार में आता है. फिर, न्यायालय द्वारा तय समय-सीमा के अंदर फैसला नहीं देने का निर्देश देने की बात समझ से परे है. किसी संवैधानिक

सही है जाधव के पक्ष में फैसला



प्रो सतीश कुमार

अंतरराष्ट्रीय मामलों के जानकार

singhsatis@gmail.com

अगर अंतरराष्ट्रीय नियमों को पाकिस्तान द्वारा ताक पर रखा जाता है, तो दुनिया में पाकिस्तान की ही फजीहत होगी . इसलिए पाकिस्तान के लिए बेहतर होगा कि वह जाधव को रिहाई देकर संबंधों को और तल्ल होने से बचा ले .

पाकिस्तान की जेल में बंद भारतीय नागरिक कुलभूषण जाधव के मामले में भारत को बड़ी कामयाबी मिली. सदन में विदेश मंत्री ने इस कामयाबी को बखूबी बयान किया. हर दल ने इसके लिए भारतीय टीम की सराहना की. इंटरनेशनल कोर्ट ऑफ जस्टिस (आइसीजे) ने सुनवाई करते हुए जाधव की फांसी की सजा पर रोक लगा दी. सोलह जजों की बेंच जिसमें अलग-अलग देशों के प्रतिनिधि थे, सबने भारत के पक्ष में निर्णय लिया. यहां तक कि चीन ने भी भारत के पक्ष में वोटिंग की. केवल पाकिस्तानी प्रतिनिधि अलग रहे. इस पूरे घटनाक्रम को समझने के लिए चार बातों को जानना जरूरी है. पहला, कुलभूषण जाधव भारत के नागरिक हैं, जो 2001 में नेव्ही से पदमुक्त होने के उपरांत अपने व्यवसाय में सक्रिय थे. उनका अक्सर ईरान आना-जाना होता था. तीन मार्च, 2016 को पाकिस्तान की सेना ने बलूचिस्तान से उन्हें पकड़ा और उन पर जासूसी और आतंकवाद जैसे गंभीर आरोप लगा दिये. उसके बाद पाकिस्तान की सैन्य अदालत ने उन्हें फांसी की सजा सुना दी. भारत सरकार को अपने नागरिक के अपहरण की सूचना 25 मार्च को मिली. भारत ने तहकीकात की, तो पता चला की पाकिस्तान की दलील थोथी है. पाकिस्तान की सैन्य अदालत कंगारू न्यायालय से भी बदतर है, जहां किसी नियम-कानून और तर्क के लिए कोई स्थान नहीं होता. यह व्यवस्था पूरी तरह से बंद कमरे में सेना के आला अफसरों द्वारा चलायी जाती है, जहां घोर अन्याय के सिवा कुछ भी नहीं है. साक्ष्य की कमी को देखते हुए भारत ने कूटनीतिक सहायता की मांग रखी, जो पाकिस्तान ने नहीं दी. भारत ने पाकिस्तान को यह हिदायत दी कि सुनवाई नागरिक कोर्ट में की जानी चाहिए. विपना समझौता- 1963 के अंतर्गत कानूनी प्रक्रिया को पूरा किया जाना चाहिए, जैसा कि भारत ने कसाब के साथ किया था. लेकिन पाकिस्तान अपनी दलील पर अड़ा रहा कि उसकी सैन्य अदालत निष्पक्ष और मुस्तेद है. पाकिस्तान ने कहा कि जाधव ने खुद कबूल किया है कि वह पाकिस्तान में भारतीय जासूस के तौर पर काम कर रहा था.

अब सवाल यह उठता है कि आइसीजे का फैसला किसी देश पर कितना बाध्यकारी होता है ? संयुक्त राष्ट्र चार्टर के अनुच्छेद 94 के मुताबिक, संयुक्त राष्ट्र के सदस्य देश आइसीजे के उस फैसले को मानेंगे, जिसमें वे स्वयं पक्षधर हैं. वह फैसला अंतिम होगा और उस पर कोई अपील भी नहीं सुनी जायेगी.

ऐसे मामले भी आ चुके हैं, जब आइसीजे के आदेश का पालन नहीं किया गया. सबसे प्रसिद्ध मामला 1986 का है. उस समय निकारागुआ ने अमेरिका के खिलाफ शिकायत की थी कि एक विद्रोही संगठन की

मदद करते हुए अमेरिका ने उसके विरुद्ध छत्र युद्ध छेड़ा है. निकारागुआ के पक्ष में फैसला देते हुए आइसीजे ने अमेरिका को क्षतिपूर्ति देने का फैसला सुनाया था. लेकिन, अमेरिका ने आइसीजे के अधिकारक्षेत्र से खुद को बाहर कर लिया. संयुक्त राष्ट्र चार्टर के मुताबिक, सुरक्षा परिषद् को अदालत का फैसला लागू करवाने का अधिकार है, लेकिन तब अमेरिका ने वीटो लगाते हुए फैसला मानने से इनकार कर दिया था.

जाधव को पाकिस्तान की सैन्य अदालत ने जासूसी और आतंकवाद के आरोप में अप्रैल, 2017 में फांसी की सजा सुनायी थी. भारत इस मामले को आइसीजे में ले गया था, जहां यह मामला तकरीबन दो वर्ष दो महीने तक चला. इस बीच भारत और पाकिस्तान के रिश्तों में काफी तल्ल्ही आने से अंतरराष्ट्रीय स्तर पर भी यह मामला काफी उछला. भारत ने जाधव के खिलाफ पाकिस्तान में दायर मामले को निरस्त करने और उन्हें पाकिस्तान की जेल से रिहा करवाने की मांग भी की थी, जिसे आइसीजे ने खारिज कर दिया है.

संकट अभी टला नहीं है. भारत-पाकिस्तान के बीच संबंध आतंक को लेकर ही खराब हुए हैं. जाधव पाकिस्तान के लिए एक ऐसी कड़ी बन रहे थे, जिसके बुरे पर वह भारत को बदनाम करने की कोशिश में था, ताकि दुनिया भारत को मुख्य दोषी मान ले. लेकिन, भारत की तरफ से प्रमुख वकील हरीश साल्वे ने पाकिस्तान की हर उस कड़ी को तोड़ दिया, जिसके आधार पर वह कुलभूषण जाधव को दोषी मान रहा था.

बहरहाल ! कानूनी और कूटनीतिक जीत के बाद मुख्य सवाल यह है कि क्या पाकिस्तान यहीं रुक जायेगा या इसको पुनः सुरक्षा परिषद् में ले जाने की कोशिश करेगा, जहां पर उसे चीन की मदद मिलने की उम्मीद होगी. लेकिन, इस निर्णय में चीन ने भी भारत का साथ दिया है, इसलिए वह अपनी ही दलील को पुनः झुठला नहीं सकता. यहां दूसरा तथ्य और बढ़ा है. विगत में अमेरिका द्वारा आइसीजे के निर्णय को नहीं मानने का उदाहरण है. लेकिन यह भी सच है कि पाकिस्तान अमेरिका नहीं है और न ही भारत निकारागुआ है. भारत की वर्तमान सरकार अपने नागरिकों के हितों की रक्षा के लिए किसी भी हद तक जा सकती है. प्रधानमंत्री मोदी ऐसा कई बार कर चुके हैं. अगर पाकिस्तान कुलभूषण जाधव के मुद्दे को और तूल देता है, तो भारत-पाकिस्तान संबंध और खराब होंगे. अगर अंतरराष्ट्रीय नियमों को पाकिस्तान द्वारा ताक पर रखा जाता है, तो दुनिया में पाकिस्तान की ही फजीहत होगी. इसलिए पाकिस्तान के लिए बेहतर होगा कि वह जाधव को रिहाई देकर संबंधों को और तल्ल होने से बचा ले. दोनों देश के लिए यह एक अवसर भी बन सकता है, जहां से रुका हुआ संबंध हिचकोले खाकर आगे बढ़ने लगेगा.

देश दुनिया से

ब्रिटेन में अफ्रीकी वीजा आवेदकों के साथ भेदभाव

इस वर्ष हुए एक संसदीय जांच ने इस बात के सबूत पेश किये हैं कि ब्रिटेन आने की चाह रखने वाले अफ्रीकी आवेदकों को दूसरे महाद्वीप से आने वाले आवेदकों की तुलना में दो बार गैर-आप्रवासी वीजा देने से इनकार किये जाने की संभावना है. वीजा आवेदन को अस्वीकार करने का आधार अक्सर मनमाना और अपमानित करनेवाला होता है. सांसदों ने इस मामले की जांच की मांग की है. इसी सप्ताह संसदीय जांच के निष्कर्ष प्रकाशित किये गये थे.

theguardian ब्रिटिश वीजा सिस्टम में स्पष्ट रेखांकित था कि वे उद्देश्य के योग्य नहीं हैं. इस संबंध में लेबर सांसद ची ओनबुराह ने कहा कि इस समय जब ब्रिटेन को व्यापार के लिए खोले जाने की आवश्यकता है, ब्रोकन विजा सिस्टम विभिन्न क्षेत्रों में ब्रिटेन-अफ्रीकी संबंधों को गंभीर नुकसान पहुंचा रहा है. यह अफ्रीकी आवेदकों के लिए शर्मानाक और अपमानजनक है. साथ ही यह ग्लोबल ब्रिटेन के नारे को खोखला और अर्थहीन बनाता है. इससे शिक्षाविद् विशेष तौर पर पीड़ित हैं. जिन लोगों के वीजा ठुकराये गये, उनमें वे लोग शामिल थे, जिन्हें विधे-पोषित पद प्रदान किये गये हैं. यहां तक कि इन्में वे शोधार्थी भी शामिल थे, जिन्हें अफ्रीकी थीम वाले शिखर सम्मेलन और कांग्रेस के लिए आमंत्रित किया गया था.

नसरीन मलिक

कार्टून कोना



साभार : कार्टूनमूवमेंटडॉटकॉम

पोस्ट करें : प्रभात खबर, 15 पी. इंडस्ट्रियल एरिया, कोकर, रांची 834001, **फैसल करें :** 0651-2544006, **मेल करें :** eletter@prabhatkhabar.in पर ई-मेल संक्षिप्त व हिंदी में हो. लिपि रोमन भी हो सकती है

पद पर बैठे व्यक्ति को उसके अधिकारों के अधीन कार्य करने से कोई दूसरा प्राधिकार रोक नहीं सकता है. ऐसा करके न्यायालय ने विधायिका के अधिकारों का अतिक्रमण किया.

पुनः 17 जुलाई को अध्यक्ष के अधिकार क्षेत्र में हस्तक्षेप से मना करके सही एवं स्वागतयोग्य निर्णय दिया. परंतु न्यायालय द्वारा विधायकों के सदन में उपस्थिति को बाध्यकारी नहीं बतानेवाली बात अनावश्यक थी. वैसे भी कोई विधायक सदन में जाये अथवा न जाये, यह उसी का निर्णय हो सकता है. बाध्यता की तो बात ही उत्पन्न नहीं होती. आश्चर्य है कि कई प्रतिष्ठित मीडिया समूहों ने इसे ही निर्णय का महत्वपूर्ण अंश मानकर अकारण इसकी व्याख्या की. लगा जैसे इसके बाद विधायकों को अनुपस्थित होने की अनुमति मिल गयी.

यह बात सही है कि ऐसी स्थिति विधानसभा अध्यक्ष द्वारा त्यागपत्र पर फैसला लेने में किये गये इशदलन विलंब के कारण ही उत्पन्न हुई. अपने अधिकार क्षेत्र के विषयों या प्रश्नों पर समयमय फैसला नहीं लेना भी अधिकारों के दुरुपयोग की श्रेणी में ही आता है. आखिर अध्यक्ष के फैसले में विलंब के कारण ही संदेहास्पद स्थिति पैदा हुई और न्यायपालिका के दरवाजे तक मामला पहुंचा और उसे हस्तक्षेप करने का अवसर उपलब्ध हुआ.

इस तरह के विवादास्पद घटनाक्रम में कोई राजनीतिक दल जीते अथवा हारे, निष्पक्ष विवेचकों के लिए तो हर हाल में संवैधानिक संस्था की प्रतिष्ठा का ही क्षरण होता है. इस मामले में अध्यक्ष द्वारा समय पर वांछित फैसला नहीं लेकर न सिर्फ विधायिका की साख में बड़ा लगाया गया, बल्कि न्यायपालिका के अनावश्यक हस्तक्षेप का मार्ग प्रशस्त किया गया. पदधारक को बदलते रहते हैं, परंतु पदासीन अधिकारी संस्थाओं की प्रतिष्ठा धूमिल कर जनतांत्रिक प्रणाली को ही कमजोर करते हैं. ऐसी स्थितियां न आये, यह तो सभी को देखना होगा.



आपके पत्र

आइसीजे के फैसले से राहत

हेग स्थित अंतरराष्ट्रीय न्यायालय (आइसीजे) द्वारा 15-1 के बहुमत पर भारतीय नौसेना के पूर्व अधिकारी कुलभूषण जाधव की फांसी पर रोक का फैसला भारतीयों के लिए एक बड़ी राहत लेकर आया है. स्वयं प्रधानमंत्री मोदी ने इस निर्णय पर अपनी खुशी जताते हुए इसे सच और न्याय की जीत बताया है. परंतु, यह जीत अंतिम नहीं. अगर हमें यह सुनिश्चित करना होगा कि आइसीजे के निर्देशों के आलोक में कुलभूषण को उचित काउंटेरल एक्सेस मिले. वह अपनी मर्जी से वकील का चुनाव कर सके और उनका मामला वहां के सैन्य कोर्ट में न चला कर सामान्य कोर्ट में चलाया जाये. कुलभूषण के मामले को भारत सरकार के द्वारा जिस तत्परता से आइसीजे में ले जाया गया, विशेषकर सरकार के वकील हरीश साल्वे ने जिस कुशलता और तैयारी से इस पूरे प्रकरण में पाकिस्तान की कानून व्यवस्था की कलई खोली और भारत का पक्ष रखा, इसके लिए उन पर गर्व है.

चंदन कुमार , देवघर

समेकित विकास की नीति जरूरी

दुनिया के कुल 130 करोड़ गरीबों में से आधे 18 साल से कम उम्र के बच्चे हैं और उनमें भी दस साल से कम उम्र वाले बच्चों के जो तादाद लगभग एक तिहाई है. क्या इन नये आंकड़ों के आलोक में भारत सरकार अपनी आर्थिक विकास पर आधारित नीतियों की जगह समेकित विकास की नीति लाने की कोशिश करेगी ? ऐसा करने का मतलब होगा कि किसी गांव या शहर की गरीब बस्ती में आय बढ़ाने के साथ ही बिजली, पानी, शिक्षा, रसोई गैस, अस्पताल आदि की सुविधा मुहैया कराना. हैरानी की बात है कि नयी परिभाषा के तहत गरीबी केवल निर्धन, मिन्न या निम्न-मध्यम आय वाले देशों में ही नहीं, माध्यम आय वाले देशों में भी बड़ी संख्या में है. यानी 130 करोड़ में 88.6 करोड़ गरीब हैं. यह सरकारों के लिए संदेश है कि आय तो बढ़ाएं, लेकिन इसके बहुआयामी अभाव को भी कम करने के लिए प्रयास करें.

हैंडॉमन कुमार , भागलपुर

कोर्ट ने बदला फैसला

रांची की निचली अदालत द्वारा ऋचा को पांच कुरान बांटने की जो सजा सुनाया उसको लेकर पूरे भारत में उठे ज्वरदस्त जनाक्रोश के कारण कोर्ट को दी गयी सजा का निर्णय बदलना पड़ा है. उसे अपनी भूल का एहसास हो गया. कोर्ट ने पुर्व निर्णय को बदलते हुए न्यायपालिका पर लोगों के विश्वास को खोने से बचाने में सफलता पायी है. वास्तविकता में यह विजय जाग्रत नागरिकों की है. देश की जनता अपने अधिकारों के प्रति कितनी जागरूक है. यह ऋचा ने साबित किया है. कोई भी पक्ष हमारी धार्मिक स्वतंत्रता पर विवश नमान कर सकता. कोर्ट के निर्णय सभी पक्षों के लिए समान होने चाहिए. इस देश की संविधान में धार्मिक स्वतंत्रता की बात स्पष्ट रूप से कही गयी है. ऐसे ही बेबुनियादी निर्णयों के कारण न्यायपालिका अपना विश्वास खो देती है. इस तरह के निर्णय देश के लोकतंत्र के लिए खतरनाक साबित हो सकते हैं.

मंगलेश सोनी, मनावर,धार