

Emotional bond with consumers

Companies can't forget the relationship factor in marketing



HUMAN FACTOR

SHYAMAL MAJUMDAR

Relationship marketing isn't anything new. The term coined in 1983 by Leonard Berry essentially means that businesses should focus more on serving existing customers. Berry's basic premise was that companies would be foolish if they thought marketing was only about winning new customers, rarely about retaining them. Companies all over the world have been practising relationship marketing with

varying degrees of success ever since, but marketing guru Jagdish Sheth says the concept needs a reboot. Sheth should know, going by his scholarly contributions in consumer behaviour, relationship marketing, competitive strategy, and geopolitical analysis. The professor who is currently on a short visit to India, says many companies have forgotten the "relationship" part in their obsession with just "marketing", and need to transition from their single-minded focus on capturing share of wallet to capturing share of heart as loyalty programmes, bundled offerings and personalised services become universal and undifferentiated. "Share of heart, as the name implies, goes beyond offering economic or functional value to bond with customers on an emotional plane. The relationship needs to move from business to friendship," Sheth says. He gives an example of how even famous names in the corporate world have forgotten the basic rules of engag-

ing with customers while digitalising their operations. Sheth names at least three leading airlines that have not even called once to find out why he had stopped using the frequent flyer miles he had accumulated. Just one call from them would have signalled that they cared for him as a valued customer. Since they didn't bother, Sheth has shifted to other airlines. Relationship marketing is not just more of data analytics; after all, you are dealing with human beings and their emotions, he says. Relationship marketing stands in contrast to the more traditional transactional marketing approach, which focuses on increasing the number of individual sales. While the importance of the latter can't be undermined, the problem can be this: A customer may be convinced to select that brand one time, but without a strong relationship marketing strategy, she may not come back to that brand in the future. Bonding on an emotional plane with

customers requires a company to be honest, and it doesn't matter if the communication exposes its vulnerable side. Domino's, for example, did that with great effect through a series of ads called Pizza turnaround, in which it showcased a series of negative customer reviews, read by real Domino's employees, before promising a new and improved recipe. By admitting its mistakes, Domino's re-invented its brand as transparent and honest. Some companies do it by using the "scarcity" principle. For example, airlines and ticket aggregators use it with great effect by using a tagline that says "only three seats left at this price!". This scarcity principle goes back to the simple formula of supply and demand: The rarer the opportunity, content, or product, the more valuable it is in the consumer's mind. Of course, this can't be overdone as it would lose the novelty value soon. Others appeal to self-esteem, which is at the top of Maslow's hierarchy of needs pyramid. People

want to feel important; like they're part of an exclusive group. That's why advertising sometimes says: "We're not for everyone." Of course, the challenge of emotional bonding with customers is becoming more intense every day because of technology, and companies will have to walk that extra mile to make it work. For example, earlier, companies could use their engagement strategy with the requirement of a family. That is simply going away because of what Sheth calls "the rise of the roommate nation". Earlier, family members used to eat together, do things together. Today that is not the case. People are becoming a lot more individualistic in their family behaviour. This means, within a family, there are individual preferences for brands. The potential for marketing in such a roommate nation is enormous. But the challenge now is to bond with each member of a family who have their individual brand preferences. While mobile phones have made the job easier, companies would have to realise the need for focused customisation — not through an abstract use of technology, but by using technology to create that emotional bonding so that customers go back to them again and again.

CHINESE WHISPERS

Statue of 'disunity'?



The Trinamool Congress has stolen a march over the Congress. The Dravida Munnetra Kazhagam, a constituent of the Congress-led

United Progressive Alliance, has invited Trinamool chief Mamata Banerjee (pictured) to unveil a statue of the late DMK leader and former Tamil Nadu chief minister M Karunanidhi. The statue will be unveiled at the office of the party organ Murasoli on Karunanidhi's first death anniversary on August 7. DMK chief M K Stalin will preside over the occasion, where National Conference President Farooq Abdullah and Congress leader and Puducherry Chief Minister V Narayanasamy will be present. The Trinamool is not part of the UPA, and with the Congress in turmoil, Banerjee is being seen as the most strident voice in the Opposition. Both West Bengal and Tamil Nadu have Assembly polls in the first half of 2021.

Trinamool vs Trinamool

During the debate on the Right to Information Amendment Bill, the Trinamool Congress's Rajya Sabha leader, Derek O'Brien, was the lead speaker in his party. It so happened that when O'Brien got up to speak, his party colleague and Rajya Sabha member Sukhendu Sekhar Roy was chairing the proceedings of the House. Roy is a member of the six-member panel of vice-chairmen of the Rajya Sabha, and one of them presides over the House in the absence of the chairman and deputy chairman. When O'Brien began to speak on how the government was eroding the authority of Parliament, Roy advised him — more than once — to speak on the issue on hand. As O'Brien continued with what the 70-year-old felt were irrelevant issues, he told O'Brien (58) that his speech was not a "zero hour" mention. O'Brien took the comment in his stride, saying that Roy always played "fair".

Reverse of Karnataka

A day after two Bharatiya Janata Party (BJP) legislators supported the Congress government in Madhya Pradesh on a Bill, self-styled godman Namdev Tyagi alias Computer Baba said on Thursday that four more BJP MLAs wanted to support it. The government has a slim majority, with the support of the Samajwadi Party and Bahujan Samaj Party at that. Computer Baba, who has been appointed chairman of a river trust by the government, had been given minister of state rank by the previous government, run by the BJP. "Four BJP MLAs are in contact with me. I will present them before you (media) when Kamal Nath (chief minister) asks me to do so," he said in Indore. He refused to say who the four were. BJP legislators Narayan Tripathi and Sharad Kol voted for the Criminal Law (Madhya Pradesh Amendment) Bill, 2019, when it was placed in the Assembly. Large defections from the Congress brought down the Karnataka government this week.

Onus on private investment

The focus has to be as much on keeping the risk premium in check as on controlling the levels of the risk-free rate



UDAY DAMODARAN

India has set itself a goal of doubling the GDP in five years. The Economic Survey presents a case for unleashing "animal spirits" and making private investment the key driver of this growth. It outlines the creation of a "virtuous cycle" led by private investment that will drive demand, create capacity, increase labour productivity, introduce new technology, allow creative destruction, and generate jobs.

Private investment: The driver?

Should the focus of economic planners be on private investments? Or should investments by the government (public investments) be the driver? There can be no clear answer. Public investments could have negative or positive impacts on private investments. Huge public investments might necessitate government borrowings that push or crowd-out private borrowers from the capital markets. On the other hand, big public investments could create favourable conditions (for example, through cre-

ation of better infrastructure) that attract — or crowd-in private investments. Like the Economic Survey, the Union Budget 2019 too seems to lean towards letting private investment be the driver; not public investments. The Budget did not lay out big ticket public investment plans that could possibly be used as catalysts to crowd-in private investments. The share of capital spending actually came down from an already low 1.1 per cent of the GDP in the previous year to 1 per cent of the GDP. In fact the attempt seemed to be to avoid a crowding-out of private investments. In her maiden Budget speech, Finance Minister Nirmala Sitharaman announced that the government of India, for the first time ever, will be directly borrowing from the global capital markets through foreign currency denominated sovereign bonds to meet as much as 10 per cent of its total borrowing needs. But where is the driver? So if private investment has to drive the economy, where is the driver? Data compiled by Centre for Monitoring Indian Economy (CMIE) showed a 34 per cent fall in the January-March quarter of 2019 as compared to the same period in the earlier year. At least as of now, the driver is missing. And why may have the driver abandoned her seat? The same CMIE data showed that in value terms an alarmingly high 25.4 per cent of private sector projects under implementation were stalled; put on hold. And why? "Lack of funds" was the most commonly cited reason.

Indian industry has been crying itself hoarse for a long while about what it perceives as a punishingly uncompetitive (high) cost of capital/funds. Emboldened by a period of benign inflation, the Reserve Bank of India (RBI) has been lowering the repo rate (currently at 5.75 per cent), almost continuously over the last five years. Moving in sympathy, the yields on the benchmark 10-year bonds have also been on the decline touching a new low of 6.33 per cent on Tuesday. But this is only a reduction in the "risk-free rate"; the rate at which the sovereign can raise funds. For a private entity, the cost of capital equals risk-free rate of return plus risk premium. If the risk premium remains constant, the reduction in the risk-free rate gets transmitted to the cost of capital. But that is a big 'if'. The risk-premium has touched 130-140 bps for top rated AAA entities; compared to historical levels of 60-70 bps (Business Standard, July 17, 2019; 10-year bond yield hits lowest level since demonetisation, closes at 6.33%). It has not remained constant; it has risen. The arithmetic of the cost of capital means that the 70 bps increase in risk premium effectively wipes off three consecutive, much debated and laboured over 25 bps reductions in the repo rate. It also tells us that even if the RBI were to lower the repo rate further and even if it were to use its might to buy government bonds and bring down risk-free rates, the cost of capital for a AAA rated entity might still end up not reducing if risk premiums were to increase even more. The arithmetic of the cost of cap-



ital also tells us that even by reducing the pressure on domestic markets by borrowing abroad the government can only lower the risk-free rate; not the risk premium. To bring the investment driver back to the seat, the focus has therefore to be as much on keeping the risk premium in check as on controlling the levels of the risk-free rate.

Risk premium, credit crisis and 'animal spirits'

Erroneously, often, excessively high risk premia are attributed to a capital crisis, to a 'lack of funds'. However, they may actually be reflective more of a 'credit crisis': excessively risk-averse, tight-fisted lenders might be sitting on adequate capital but might not be willing to lend out except at high risk premium levels. The global economy struggled with similar problems after the dot-com bust of 2001 and the sub-prime credit crisis of 2007. Prising open the fists of excessively risk-averse lenders is easier said than done. Risk-aversion is about fear; and about trust. It is psychological, behavioural. Animal-linked metaphors come in naturally and easily, thus, when talking about risk aversion. The Economic Survey talks about letting "animal spirits" thrive. Commentators talk about "the Asian tiger", "the Indian elephant", "and the Chinese dragon". Animals are dispirited when they are fearful; when there is uncertainty

and ambiguity. Private investment needs long periods of calm on all fronts — policy, legal, economic, social and political — to be cajoled out of the cage and into the driving seat. Chapters 5 and 6 of the Survey discuss these issues. But there has to be continuous demonstration of intent. Even a single IL&FS like event will get them scurrying back into the cage. Or episodic instances of policy surprises; or social unrest; or political uncertainty. There has also to be a cultural shift; a shift away from the blame culture. Investors need to be assured that they will not be hounded and vilified if they were to fail; by definition private enterprise cannot guarantee successes alone. A voyeuristic environment in which failed investors are taunted and poked-at — like caged animals in a zoo — will only ensure that they remain in their cages. Will risk-aversion come down? Will thus there be easier credit and lower costs of capital? As the survey says "economies are intricately interwoven systems" and we are in a "world of butterfly effects and unintended consequences". Policy stances are often acts of faith that require liberal doses of good luck. Let us hope that we are showered with large doses of good luck and that the driver gets out of the cage and onto the driving seat!

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BUSINESS LIFE

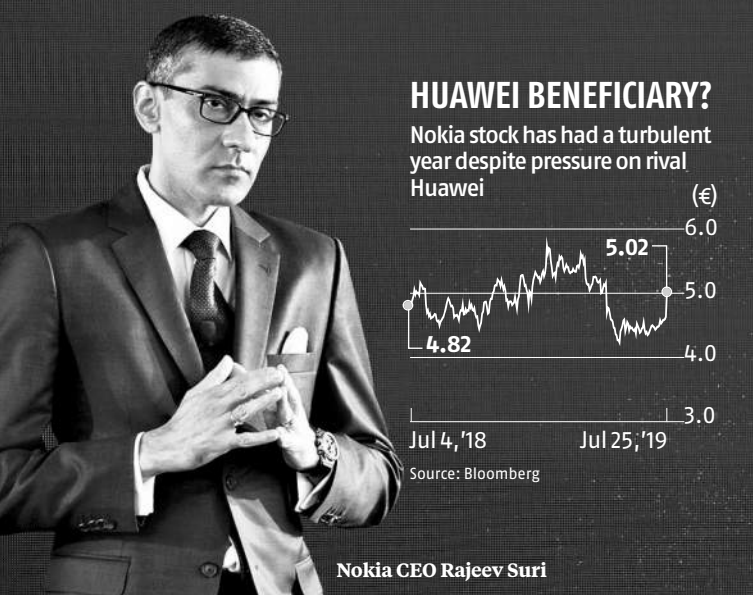
How to climb out of the abyss

Nokia CEO Rajeev Suri has delivered on his promises, and is, amazingly, well on track to meet his full-year goals

ALEX WEBB

Nokia Oyj started as a single paper mill in 1865. In recent years, it's the stock that has been through the mill, as the maker of telecommunications equipment has ebbed and soared with each burst of spending on next generation mobile networks. Chief Executive Officer Rajeev Suri has steadily toiled away to drag the Espoo, Finland-based company through to the next leg of growth promised by 5G. The fruits of that labour appear finally to be paying off. It's early days, but adjusted operating profit hit €451 million (\$502 million) in the three months through June, exceeding analysts' €303-million average estimate. The shares jumped as much as 9 per cent.

At the start of the year, the situation looked tough. Nokia posted an operating loss of €59 million, when analysts had predicted a €283-million profit. Suri stuck by his 2019 targets, though plenty thought him brave to do so. But the scale of the outperformance in the second quarter shows we maybe should have taken him at his word. He predicted a soft first half with a "particularly weak" first quarter, and it was just that. He continues to predict a "soft" third quarter followed by an acceleration on 5G spending towards the end of the year. Suri has communicated clearly and kept his promises, unlike Nordic competitor Ericsson AB. The first half of the year has been characterised by carriers spending to build their underlying fixed networks. These can ferry vast gobs of data through fiber optic cables for 5G



antenna to then chuck across radiowaves to end devices. Spending on the radio equipment will likely pick up towards the end of the year, driven by the US, South Korea and Japan. The surprising second-quarter numbers mean that Nokia can actually afford to perform slightly worse than analysts currently expect in the second half of the year and still meet its full-year goals of a 9 per cent to 12 per cent operating margin, earnings per share of €25 cents to €29 cents, and "slightly positive" recurring free cash flow. Of course there are risks. While Nokia is well positioned to capitalise on Chinese rival Huawei Technologies Co's ostracisation by the US, it's also losing business from Chinese carriers who are preferring their domestic sup-

pliers. Sales in Greater China fell 5 per cent in the first half. The Finnish firm is meanwhile working to shift manufacturing capacity out of China to avoid tariffs on goods made there. But given that China was always likely to start sourcing more from domestic suppliers, irrespective of US pressure, the opportunity presented by Huawei's troubles seems greater than the risks. Nokia is not out of the woods yet. It still needs a blockbuster second half to meet its goals, and the fourth quarter will be crucial. But with good visibility on 5G orders, and a year-to-date that has followed the trajectory Suri predicted, there's every reason to believe he can hit them.

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LETTERS

Youth should take charge



This refers to "The buck stops with the electorate" (July 25) by Yogendra Yadav. Yadav is absolutely correct when he says law can't stop Indian politicians from defecting but voters can. Voters, both literate or otherwise, in general do not think and vote for candidates. The 2019 general election has proven that clearly. People have followed only the PM's appeal and nothing else. Voters in Karnataka and elsewhere have been taken for granted by the parties. First they seek vote in the name of the party they represent and then they switch over and come back under a different party with a promise to serve them better. The new generation of young voters unlike the old ones will have to come forward to vote against defectors regardless of who makes the appeal. Unless the defectors are punished, the anti-defection law will not its ground. N Nagarajan Secunderabad

letter saying "Jai Shri Ram has become a provocative 'war-cry' today". In forcing non-Hindus to chant Jai Shri Ram, Hindutva zealots do not deify Ram, but defile his name. It is a cocktail of bigotry and impiety to force anyone to chant the name of a deity against his will. The creation of an environment of religious intolerance and hatred must be deplored and condemned unequivocally. The problem is not religion per se but religious fundamentalism that is blind to the preciousness of all life. Citizenship cannot be made conditional on chanting any deity's name. Division and disunity in the name of religion take the focus away from the need (and the efforts required) to mitigate widespread impoverishment. The poor are pitted against each other along religious lines so that they do not unite in fighting for their rights. As for 'dissent' and divergence of opinion, they lend substance to democracy. Any political system refusing to allow dissent becomes a tyranny. G David Milton Maruthancode

The new currency

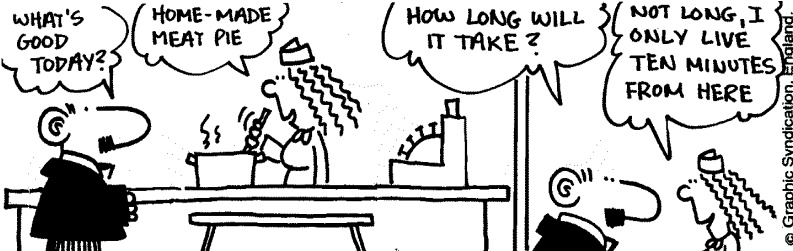
This refers to "Embracing innovation" (July 25). If bitcoin had no apparent moorings, Facebook Libra intends to build one through a financing collective to keep it insulated from wild swings in valuation. It may eventually get linked to a basket of world currencies thus giving cryptos a body. Blockchain, a platform that brings cryptocurrencies into play and serves as the distributed ledger, will be the



soul and form the network. This network will create the means for transacting, and enable transferring of value and information. Falsifying will be virtually impossible. Bitcoin already uses this model for monetary transactions. The crux would be the ultimate design, structure and management of cryptos. Till date, neither progenitors of cryptos nor regulatory agencies have adequate ken and hence, a road map for the future is needed. For all we know, if handled well, cryptos may change the present dollar dominated transactions regime. The world is turning digital. Cryptocurrency, or virtual money, some claim could be the new gold standard. That is what is innovation. R Narayanan Navi Mumbai

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HAMBONE



The telecom divide

Differences in the sector need to be settled swiftly

The Digital Communications Commission's (DCC's) approval of a cumulative penalty of ₹3,050 crore on Bharti Airtel and Vodafone Idea for refusing to provide points of interconnection (PoIs) to Reliance Jio has once again brought out the sharp divide in the industry. The affected telcos have issued statements that legal recourse will be explored. In any case, the DCC, a government panel comprising several top bureaucrats across ministries, is not the last word in the matter. It is for the Department of Telecommunications (DoT) to take a decisive call on the penalty after weighing the arguments of all stakeholders. Incidentally, the DCC (formerly Telecom Commission) and the DoT are both headed by the telecom secretary. The department had set up an expert committee in 2016, when the issue arose, and has been studying the matter for three years.

In October 2016, the Telecom Regulatory Authority of India (Trai) had recommended imposing a penalty of ₹1,050 crore each on Airtel and Vodafone India, and ₹950 crore on Idea Cellular (before the merger of Vodafone and Idea) for allegedly denying PoIs to then new player Reliance Jio. The Trai recommendation followed a complaint by Jio that over 75 per cent of the calls on its network were failing as incumbents were not releasing a sufficient number of PoIs, which are used to connect two operators' networks so that a call can be completed. The Trai recommendation of hefty penalties was based on the premise that incumbents, by denying sufficient PoIs to Jio, went against the public interest. The regulator had called these telcos anti-consumer, saying they were stifling competition. However, the incumbents have argued the requested PoIs were provided within the prescribed time limits, adding that those were more than the numbers requested for.

There has been much back and forth between Trai and the DCC on penalty, and it should be settled once and for all. Given the argument of those facing the fine, the DoT must examine all aspects before slapping the penalty. The DCC last month approached Trai, seeking a review of the amount of fine. After Trai refused to change its recommendation, the DCC approved the original penalty. Meanwhile, the delay in taking a decision on the penalty is under the scanner of the Central Vigilance Commission. The corruption watchdog had earlier this year asked the DoT to investigate the role of certain officials in delaying it. Recently, the DoT submitted its investigation report to the CVC. Since the issue has taken so much time, the DoT should ensure that all aspects are examined. Also, it would do well to assess how differences can be settled swiftly. This will allow the company managements to focus on business. The industry is under severe financial stress and recent consolidation has resulted in making telecom a three-player industry, which once had more than 10 participants. Any further consolidation or exit will mean the industry will be left with no competition. But there is also considerable merit in the argument that the financial condition of the industry should not be the sole criterion in determining the fine if there has been a violation. What is important, however, is that the decision should be just.

Labour migration works

AP law reserving jobs for locals is a bad precedent

On Wednesday, the newly elected Andhra Pradesh Assembly passed legislation that would reserve 75 per cent of industrial jobs in the state for locals. This fulfils an election promise the YSR Congress, the ruling party in the state, had made in this year's Assembly election campaign. Companies have been told they have three years to comply with this law. Only certain factories in sectors such as pharmaceuticals and petroleum will be exempt, and that too only on a case-by-case basis. This is a new development in what has been a long-running conflict — not just in Andhra Pradesh but in many states that have seen substantial migration, such as Maharashtra.

Politicians who operate in states are often tempted to keep their promises of jobs by forcing private companies to hire locally. But the consequences of such legislation are unlikely to satisfy job-seekers. Companies will think twice about locating in Andhra Pradesh. In fact, companies there will see their labour costs rise and the pool of hireable labour shrink, and will in many cases choose to leave for a more satisfactory business climate — whether in another state or outside India altogether. Capital flight will become a reality. This is not a recipe for job creation and growth, but one for stagnation and urban distress.

Andhra Pradesh has long had a reputation for being business-friendly, but this legislation will dampen sentiment considerably. The state government has said a shortage of skilled labour is not an excuse for not hiring locals — the companies themselves will have to train unskilled workers in that case. This passes on the responsibility to build a skilled workforce from the government to the private sector, which has, of course, every incentive now to leave. What is worse is that this legislation may well find imitators elsewhere in India. Indeed, a less expansive variation exists in the industrial policy of the Congress-led government in Madhya Pradesh, which requires that 70 per cent of jobs in any factory set up with financial or other assistance from the government be reserved for locals.

Bad but populist policy can spread like wildfire. It is entirely possible that other states with large pools of migrant labour — such as Maharashtra or Karnataka — will begin to discuss their own variation of this law. It is hard to see this as being in keeping with the principles of the Indian Constitution. It will also severely hamper Indian growth prospects. A basic and well-understood principle in growth theory is that unskilled labour must move to the cities, where it can then feed into the modern economy. In India, with its regional disparities, this process will naturally have to work between states and not merely within them. Restrictions on labour mobility will affect India's growth prospects.

Large countries such as China have done better, partly because of this internal migration effect. Such legislation will also enhance the resentment that is already growing between those parts of India that are more embedded in the world economy, such as the coasts and the south, and the hinterland of north India, which has a large reservoir of unemployed youth with few prospects close to home.

ILLUSTRATION BY BINAY SINHA



Why does India resist mediation on Kashmir?

There is no real pressure on India to address the dispute because we are securing from Pakistan what we want through other means

The question is thrown up because of an exchange, minor and casual for the United States but apparently vital and embarrassing to India, between US President Donald Trump and Pakistani leader Imran Khan. Mr Trump's comment was: "I was with Prime Minister (Narendra) Modi two weeks ago. We talked about this subject and he actually said: 'Would you like to be a mediator or arbitrator?' I said: 'Where?' He said: 'Kashmir'."

This is quite specific and unambiguous. The obvious thing for India to do, assuming Mr Modi did not in fact say this, or even if he said it differently, was for Mr Modi to speak and clarify or deny. He chose not to do this, apparently, because it would be seen as snubbing Mr Trump. The denial came from the foreign ministry and there, the matter has rested. But to return to our question, what could be the possible reasons for our not wanting mediation on Kashmir, while Pakistan repeatedly seeks it? And why is even talk of mediation seen as an important national issue on which the opposition thinks it can embarrass the government? Let's examine the matter.

The first reason why India resists mediation could be that India is sovereign and independent (as

is Pakistan) and does not need another power to intervene. This could be for reasons for pride and honour or for reasons for suspicion and a lack of trust. This is the "none of your business" argument.

The second reason could be that international mediation or intervention has already been tried and it has failed. After Pakistan's invasion and capture of what we call Pakistan occupied Kashmir (PoK), then prime minister Jawaharlal Nehru went to the United Nations for justice. This happened in the period in which America set great store by the "right to self-determination" worldwide, as Europe was decolonising and the second world war had left many nations occupied by the victorious forces.

Nehru promised Kashmiris a plebiscite which did not materialise because, according to our narrative, the conditions were not met. Older readers may be familiar with the sequence, in which the Security Council asked Pakistan to vacate or demilitarise PoK, which it did not do, blocking the other parts of the sequence leading up to the plebiscite. A few Security Council resolutions ensued but the thing died because of a lack of movement.

The third reason is that there is already a framework for resolving the Kashmir dispute. Former PM



REPLY TO ALL

AAKAR PATEL

These men are dangerous

You could easily imagine Wild West-style posters: "*Wanted, the two most dangerous men for the global economy: Donald Trump and Boris Johnson*". This is not a fancy suggestion considering that the latest forecast of the International Monetary Fund on July 23, cutting global growth to 3.2 per cent from 3.3 per cent this year and 3.5 per cent from 3.6 per cent in 2020, mentions: "The principal risk factor to the global economy is that adverse developments — including further US-China tariffs, US auto tariffs, or a no-deal Brexit — sap confidence, weaken investment, dislocate global supply chains, and severely slow global growth below the baseline."

Both the American president and the new British prime minister are leading deeply divided, polarised countries, uncertain about their future and agitated by strong populist currents. Both men are quite unprincipled, egotistic, focused on their self-interest. However, while Mr Trump has taken control of the Republican Party and does not see any real threat to his power for the time being — and he stands a very good chance at re-election if the present ineptitude of the Democratic Party persists — Mr Johnson is assuming the premiership in an extremely difficult and dicey circumstances.

To a large extent, these circumstances are of his own making. And by repeating his pledge in the first speech as prime minister that Brexit will happen on October 31 "no ifs, no buts" Mr Johnson is pointing out to three possible outcome options — each of them theoretically very implausible:

First option: The Brexit deal negotiated by former prime minister Theresa May with Brussels is remodelled by October 31 to meet the demands of the hard-line Brexiters, among other things with respect to the backstop element ensuring that there should be no

new physical checks or border infrastructure between the two Ireland in case of no agreement reached after Brexit on the future relationships between London and the EU. But it is highly unlikely that, beyond purely cosmetic changes in the political declaration that comes with the Brexit treaty proper, Brussels would agree to reopen a negotiation on any significant part of the agreement reached with Ms May — and rejected three times by the British Parliament.

Second option: Downing Street asks for a prolongation of the deadline of October 31 for Brexit to get more time to convince Brussels to reopen the negotiation. This would be such an about-face for Mr Johnson that it could be a political killer for him; and — given the present mood in the European Union — and the antipathy towards the new British prime minister — it would take a lot of imagination to see the European leaders agreeing to reopen the negotiation and having to go again through the process of getting the new agreement endorsed by the 27 members.

Third option: Facing a deadlock with Brussels, Mr Johnson sticks to a no-deal Brexit happening on October 31. But then he would be confronted by the opposition of the majority of members of the Parliament who don't want a no-deal Brexit. If the prime minister were to close the Parliament to prevent it to oppose a no-deal Brexit, he would then open an unprecedented constitutional crisis. If the no-deal Brexit were to be subjected to a vote then the prime minister could either dissolve the Parliament and go for elections — that he would very likely lose — or call for another referendum.

At this stage these options are of course quite hypothetical and there is no underestimating the



CLAUDE SMADJA

Indira Gandhi defeated Pakistan in war and forced ZA Bhutto to commit to bilateral resolution of all disputes, including Kashmir. The Simla Agreement remains the accepted framework.

The fourth reason for our resisting mediation could be that India prefers the status quo to a resolution. We have seen brave words from our Parliament, which resolved 20 years ago to take back PoK from Pakistan, but there has been no movement on this under three governments. Indeed, unofficial Indian 'solutions' to the Kashmir dispute usually tend to favour converting the Line of Control (LoC) into a border, while it is Pakistan that keeps pushing for something more. It seems that we appear to prefer the status quo. If this is so, it also indicates that we believe our case is weak and we do not want to risk losing the status quo.

The fifth reason could be that we have already secured mediation or intervention on that part of the Kashmir dispute which we are focussed on: Cross-border terrorism. America has been vocal under this administration about Pakistan acting against groups that create mischief in Kashmir, like the Lashkar-e-Tayibba and Jaish-e-Mohammed. The recent locking up of Hafiz Saeed is linked to this pressure from the US. India wants the world to know what is happening on the terror front in Kashmir and seeks intervention in terms of pressure on Pakistan. India keeps nudging multi-lateral bodies such as the Financial Action Task Force to act against Pakistan on the issue of violence in Kashmir. What we do not want is intervention on the other aspects of the dispute, particularly the human rights violations by the armed forces and the suppression of democracy.

This strategy appears to have worked in our favour. Violence in Kashmir dropped 90 per cent between 2002 and 2014. It picked up again under this government but is still well under the historical highs before the incident of 9/11. It may amaze readers to know that only 25 years ago, it was India that was repeatedly asking Pakistan for talks while they showed no interest. Today, it is the opposite.

There is no real pressure on India to move to address the dispute because we are securing from Pakistan what we want through other means.

Internally, there is no honest assessment in India about what the Kashmir issue is, or where its locus is. The blindingly obvious fact is that the problem and the solution to it is in Kashmir and not in Pakistan. If India were to resolve this with its own citizens, there would be no role for Pakistan or anyone else. But we have chosen instead to believe that the problem is limited to that of terrorism and when or if it is managed there is nothing else to talk about.

And it is true that first because of the divisions of the Cold War, then a total lack of interest from boredom and more recently because of India's rise as an economic power, the global community has not been able to step in or keen to step in. All this has helped us avoid the attentions of the world and continue with our internal Kashmir policy.

The fallout of the Trump-Imran meeting in India will convince outsiders that we fear intervention because of some weakness. This may be untrue but it is the message we have sent out.

kind of new rabbit or U-turn an opportunistic Boris Johnson could draw from his hat. For the moment, the purge of 17 ministers opposed — or lukewarm to — a no-deal Brexit and their replacement by hard core Brexiters are meant to show that he means what he says. Who knows? His bet that European leaders will balk because a no-deal Brexit — although more damageable to the United Kingdom than to the EU — will nevertheless be disrupting enough for an EU with a new leadership and beset with other challenges might work after all. We have witnessed so many "unthinkable" developments in the last few years.

But the reality that remains is the kind of uncertainty that the Brexit factor is adding to a global economy which keeps losing steam, with investors all over the world already weary of too many risks and too much volatility. Significantly, the American Federal Reserve is expected to cut interest rates by a quarter percentage point at the end of the month — with maybe an additional cut before the end of the year. Mario Draghi, the president of The European Central Bank, has made it clear that he is prepared to cut interest rates and start a new round of quantitative easing before leaving his position in October to counter the negative impact of economic uncertainties and prevent a further global economic slowdown.

There has never been a time over the last 50 years or more when geopolitical risk has weighed so heavily on economic and business decisions. A time when the ability to fully understand the full ramifications of different risks, to anticipate their potential impact, to assess which factors will tilt the balance one way or the other at the end of the day, has been so crucial for business and the conduit of economic policy. And expect the likes of Mr Trump — and now Mr Johnson — to keep it that way for the foreseeable future.

The writer is President of Smadja & Smadja, a strategic advisory firm; @ClaudeSmadja

Saudi women: A counter-factual story



BOOK REVIEW

HASAN SUROOR

"I did my groceries at Safeway, I bought my shoes from Marks & Spencer, I watched movies on Amazon Prime..."

This is not an excited holidaymaker on the joys of being in London or New York, but the author of this book Nicola Sutcliff writing about her life in Riyadh which, she found, was nothing like the hellhole portrayed by her French compatriots back home. She says she was "surprised...how little culture shock I actually suffered". She went on to live in Saudi Arabia for four years teaching at its first women's university; and her experience bore little resemblance to the unremit-

ttingly "negative" Western narrative about life in Saudi Arabia, especially the status of its women.

"It was a negative narrative cemented by its repetition. Every news article I read on the country seemed to follow the same cut-and-paste formula. The first paragraph outlined the headline issue, the second — regardless of the article's topic — offered commentary on the female driving ban, and the third helpfully informed the reader of any executions ordered during the preceding months," she writes wryly, recalling that when she told her parents that she had been offered a well-paid academic post abroad they were delighted but when they learned that "abroad" was Saudi Arabia their "smile froze".

What she discovered was that the Western perception of Saudi Arabia, especially its attitude towards women, was shaped by a combination of ignorance, wilful prejudice, and "sensationalist" media reportage. Saudi Arabia had become the "pantomime villain of inter-

national media, rivalled only perhaps by North Korea".

The reality, Ms Sutcliff points out, is that once you discount the social and cultural differences unique to all societies the desert kingdom is like any other place. Riyadh is not exactly Paris; Saudi Arabia is a socially conservative society (indeed, illiberal by Western standards); individual freedoms are restricted; even more restricted for women. But it's more to do with deeply-ingrained traditional social and cultural practices than with any Islamic "conspiracy" to oppress women as suggested in the Western narrative.

Ms Sutcliff spoke to hundreds of Saudi women of different groups and from different strata of society — conservative matriarchs, middle-aged housewives, young professionals (journalists, doctors fashion designers), students and rights activists. Most of the interviews for this book were conducted between 2014 and 2017.

Opinion varied but "regardless of

their differing views" they rejected the idea that they were "oppressed" and ridiculed Western campaigns on their behalf as propaganda.

She found that issues such as the driving ban (now lifted), the burqa and gender segregation portrayed in the West as emblematic of Saudi women's second-class status barely bothered most women. Rather than playing the victims, they saw themselves as "queens of the kingdom".

"Queens don't drive," they joked. Ms Sutcliff writes: "These were not the oppressed victims in need of rescue or international intervention I had read about in the papers or online — I was looked at with utter bewilderment when I mentioned...international NGOs campaigning on their behalves."

Yes, they are aware of the barriers they face in a deeply conservative patriarchal society but they are also fighting against them in their own way while remaining "proud of their homeland, their families, and the changes they are witnessing —

and instigating." Notwithstanding profound cultural differences, in essence Saudi women are no different from their counterparts elsewhere when it comes to their everyday concerns, she claims. They have "far more in common" with the global sisterhood than what sets them apart.

"I was reassured in my conviction that ...despite what those attention-grabbing headlines would have us believe, Saudi women's primary concerns are not... patriarchal oppression or the dimensions of the cloth that covers them, but rather of the standard of education enjoyed by their children, the challenges of balancing work and child care," Ms Sutcliff says.

Her impressions, however, must be seen in the context of the timing of her Saudi sojourn. It was a period of profound change — "a remarkable period in Saudi and global women's history," as she points out.

"During this time, women in Saudi Arabia gained the right to vote, to work in retail, to accept employment without their male guardian's permission, and, indeed

to manage their own businesses...a society on the cusp of change."

What she witnessed was in such stark contrast to the "two-dimensional stock images of black-veiled figures" she had been fed, that she felt a compelling need to disseminate it to the wider world.

Ms Sutcliff is a Paris-based linguist, teacher and writer; and the book is as much a product of intellectual curiosity as about a sense of fair mindedness to acknowledge Western prejudices around Islam and the Muslim world. But, she points out, "stereotypes run both ways". And one of them is how women in the West get thrown out from their parents' homes on their eighteenth birthday, spend "every night in a different bed", and that prostitution is "a mainstream career option". It's so widely prevalent that women even "in their most honest moments" fail to mention it. Maybe a topic for her next book?

QUEENS OF THE KINGDOM: THE WOMEN OF SAUDI ARABIA SPEAK

Nicola Sutcliff
Simon & Schuster
374 pages; £14.99

Even a 7% growth looks a bit of a stretch now

Private consumption & investment are flagging, govt alone can’t revive growth; need a big reforms push for that

THE IMF ON Tuesday lowered its growth forecast for India in FY20 to 7%. But, given how private sector capex has been sluggish for nearly four years now and consumption demand has slowed sharply over the past year, most economists expect GDP to grow at just 6.7-6.8% or even more slowly. There are, however, no quick-fixes; sustainable growth comes from big, game-changing reforms, not populist measures. Simply lowering interest rates does not mean businesses will start borrowing. The current slowdown must be viewed against the backdrop of the twin-balance sheet crisis, never easy to recover from in the best of times. The revival is all the more difficult because industry is still grappling with GST and the disruption from demonetisation. While consumption demand has held up the economy in the last few years, having fallen off now, it is unlikely to revive meaningfully without investment picking up. The slowdown in consumption spends are being attributed to stagnant or falling farm incomes, the lack of new jobs and large job losses in industry. Spends are also subdued because consumers aren’t seeing any significant rise in their incomes. ACMA said, on Wednesday, ten lakh jobs were in jeopardy in the auto components sector. In fact, the higher surcharge imposed on high net worth individuals could dampen demand for housing, a key sector for the economy, and one that could have catalysed growth.

The government has not increased the allocation for capital expenditure meaningfully, hamstrung as it is by high revenue expenditure and deficits. The FY20 allocation is ₹3.4 lakh crore, up 12% over FY19, but the total capex, together with PSUs, is smaller than in 2018-19. Also, the government’s share of total capex has been falling over the years and, with several PSUs unable to generate adequate internal accruals, there has been a tendency to resort to extra-budgetary borrowings, which are pressuring their balance sheets. At the end of the day, though, the government’s investment accounts for a relatively small proportion of India’s investment, it is the private sector that needs to invest, and the key to encouraging more private sector investment lies in reforms in the areas of land, labour, regulation, enforcement of contracts, taxation and FDI. It must be recognised that much of the private sector remains over-leveraged and, as the corporate results show, cash flows are weakening. Those industrialists that have the ability to leverage have used this to buy stressed assets via the IBC route. To be sure, routine capex will continue, but given that there is adequate capacity across most sectors, there is no real urgency to create more. Indeed, as R Shankar Raman, CFO at Larsen & Toubro observed, a revival in private sector capex is a good 12-18 months away. As he pointed out, it is as hard to raise money in the capital markets as it is in the debt markets unless companies are highly rated. While the reckless lending by NBFCs needed to be curbed, it has reduced the available liquidity in the system especially for the second- and third-tier borrowers. At the same time, banks have become risk averse, not surprising since the NPA cycle doesn’t seem to have ended yet. Even as it eases regulation for labour and land, the government must worry about credit flow to weaker companies. Without that, a recovery could take years.

Auditors must answer

Sebi proposals will bring transparency, boost investor confidence

IN THE WAKE of IL&FS auditors, Deloitte Haskins & Sells and BSR & Associates, facing regulatory action after the company started defaulting on its debt—IL&FS has a total debt of ₹106,000 crore—and it was found that the auditors didn’t red-flag the problems in time, there have been a spate of resignations by auditors from a host of companies where the ability to service borrowings has come under cloud. Auditors have walked out abruptly from their contracts with Reliance Capital, Manpasand Beverages, Fortis, and Bhushan Steel, among others, recently. While, in many cases, auditors have cited preoccupation with other work, primarily, as the reason for this, it does seem as if the resignations are related to the authorities turning up the heat on auditors. In some cases, it is true, auditors have flagged entries in the books that don’t look *kosher* or even cited the hindrances in accessing relevant information to audit the financial statements of a company. But, largely, auditors haven’t been forthcoming about the real reason for resigning, and this has left investors in the lurch.

The Securities and Exchange Board of India (Sebi) has done well to propose a regime in which auditors can’t resign without spelling out the real reasons for such a decision. Sebi, in a consultation paper, recommends that if an auditor of a listed company wishes to resign, and has completed the audit for all quarters of a financial year except the last, then the auditor will have to finalise the audit report for the entire financial year before walking out. In case the auditor wants to walk out during any quarter other than the last, a limited audit for that quarter has to be submitted. These provisions will also hold for any unlisted subsidiary of the listed entity. And, if the auditor is resigning because the entity isn’t providing the required information, the auditor must provide a disclaimer in the report and, more important, give details of what information was sought—in which case, investors will have a better idea of just how bad things are in the organisation. The auditor also has to give detailed reasons for resignation and state that there are no material reasons other than those provided. Sebi has done well to bring the company’s audit committee into the process; so, if an auditor is not getting information, this has to be brought to the attention of the audit committee.

The financial jugglery that firms with dodgy accounting indulge in, it is true, makes gleaming of facts extremely difficult—a recent report by REDD details how such hard-to-detect masking has been done in some cases—but, the role of the auditors is to uncover this and report it; and, if that is not possible, then at least to flag potential problem areas. That said, meaningful action against corporate fraud will also need the regulators to up their surveillance game and also to bring to book lapses in corporate governance of the kind that happened at IL&FS; the company’s risk-management committee, for instance, met just once in four years (the consolidated debt around doubled during this period). Not allowing the auditor to evade its responsibility is welcome, but more needs to be done to prevent another IL&FS. In that matter, both RBI and Sebi were caught napping.

WastedLIVES

Sewer workers continue to work under dangerous and dehumanising, even illegal, conditions

ACCORDING TO DATA from the National Commission for Safai Karamcharis (NCSK), as many as 50 sewer workers, a subset of manual scavengers who almost exclusively belong to the Scheduled Caste, have died between January and June 2019. Being based on reports submitted by only eight states and UTs, this number is a gross underestimation. Further, based on data reported by 20 states and UTs, 814 deaths related to manual scavenging have occurred since 1993 when the central government outlawed the practice nation-wide by enacting The Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993. The Socio-Economic and Caste Census of 2011 found that 1,80,657 Indian households are involved in manual scavenging, despite legal sanctions against it.

Sewer workers in India, more often than not, receive no gear for personal protection, making their working conditions dehumanising and dangerous. Worse, marginalised castes are forced to undertake sewer work despite the availability of machines that perform the same function more efficiently and the majority of sewer workers are employed indirectly by state government agencies and urban local bodies. This employment is not strictly illegal since the law allows *safai karamcharis* to work only if they have proper protective gear, but how many actually have these? Sanitation being a state subject, the blame for the deplorable working conditions of sewer workers lies squarely with state governments. Except, maybe, for Delhi, not many states have moved to equip sanitation workers with mechanised/safer/more sanitary cleaning tools. Even if not complicit, the Centre, too, is to blame—at the very least, for its complacency, when it comes to protecting the lives of one of India’s most marginalised groups.

AILING HEALTHCARE

THE FAULT LINES OF THE INDIAN HEALTHCARE SYSTEM, ESPECIALLY THOSE OF OUR UNDERSTAFFED AND UNDER-SKILLED HEALTH WORKFORCE, ARE IN URGENT NEED OF REPAIR

Health needs more healing hands

K SRINATH REDDY

President, Public Health Foundation of India
Views are personal



higher investment in a larger global health workforce, as a potent stimulus for economic growth.

If only qualified health workers are counted, based on appropriate educational qualifications, India has 16 health workers per 1,000 population according to a recent analysis of data from the National Sample Survey of 2016. Qualified allopathic doctors are overall 4.5 per 10,000 population, but only 1 per 11,000 in the public sector. While we are short of both basic and specialist doctors, the number of nurses is even lower than needed. The ratio of nurses and midwives to doctors is 1.7, while it should be at least 3:1. Midwifery has been subsumed under general nursing, after independence. While it has been estimated that India needs 2.5 million midwives, there are a total of only 1.3 million nurses overall, with many of them lacking adequate midwifery skills.

How do we overcome these challenges? The reconstituted Medical Council of India, with a nominated Board of Governors, is doing a commendable job in reforming a moribund regulatory system of medical education. While doing so, it has recently increased the number of medical undergraduate seats by 15,000 to reach 75,000. Since it has been estimated that we need 100,000 undergraduate seats, it proposes now to permit consortia of large private institutions of repute to start medical colleges or even partner with existing medical colleges to train more under-

graduate students. Many such hospitals already run postgraduate medical courses affiliated to the National Board of Examinations (NBE).

Even this may not solve the problem of maldistribution, where several states have few medical colleges and not many large hospitals. It is necessary to upgrade district hospitals in these states and make them robust training facilities for undergraduate and postgraduate medical and nursing education as well as allied health professional training. New medical colleges can be started in linkage with such district hospitals for undergraduate training, and postgraduate training can be affiliated to the NBE. The National Health Mission should consider recruiting fresh medical graduates into a 3-year short service commission to provide for flexibility in posting to underserved states and areas.

There is a need to revive midwifery training programmes while continuing to develop the strength of nursing to full potential by enhancing scale, skills, scope, social status and salaries. Nurse practitioners can become the heart and hands of comprehensive primary healthcare in both rural and urban settings. Digital technology, with decision support systems, management algorithms and tele-consult-

ing, can greatly amplify their effectiveness. Along with community health workers, nurses and other categories of mid-level healthcare providers will be the main service delivery resources in primary care, especially in areas where doctors are scarce. People will not need to travel far to distant hospitals, if primary care needs are met closer to home.

Advanced clinical nursing, needed for multiple specialities, can be developed by starting diplomas and fellowships affiliated to the NBE which already has a wide array of such programmes for sub-speciality training in postgraduate medical disciplines. This will ensure that teamwork, whether in intensive care or surgical theatres, is nurtured through connected and complementary training programmes in common clinical settings. Nurse researchers too must emerge through public health and clinical nursing programmes.

These measures will generate jobs in the many categories of the health workforce, for millions of young persons yearning for productive employment. From the current 6.75 million, the workforce

can expand to 11.4 million by 2025. Each year, nearly 3 million youth pass the 12th standard exam in the science stream. A sizeable segment of that group can be channelled into a skilled health workforce. As the numbers swell and the country’s health system needs are saturated, the surplus may also invigorate the global health workforce as countries with ageing populations and shrinking workforce stretch their hands to seek support from India’s demographic bounty. But till then, India and Bihar first!

LETTERS TO THE EDITOR

Trump mediation row

It is widely known that the incumbent US President Donald Trump is given to uttering barefaced lies, falsehoods and half-truths. But then the perception of Donald Trump as a habitual and pathological liar alone does not suffice to dismiss his startling revelation that PM Narendra Modi implored him to mediate on the Kashmir issue. It now lies with PM Modi to clarify that the request for mediation was never made. Since it was a ‘confidential’ discussion in a one-to-one meeting at Osaka, it is only proper and right that PM Modi himself puts the record straight and establish that the so-called most powerful man on the planet lied. Those who ask him to clarify and nail Trump’s lie are not ‘Pakistani proxies’. Nevertheless, it is intriguing that Prime Minister Narendra Modi did not deem it necessary to divulge that the Kashmir issue figured in his talks with Donald Trump. Or it did not crop up at all. It is possible that Trump made the ‘false’ claim to project himself as a big leader and massage his ego. Nevertheless, Trump’s claim and India’s refutation should not be allowed to mar the ‘personal chemistry’ between the two world leaders. Looked at the row at another level, it can be asked why a shift in New Delhi’s Kashmir policy from ‘bilateral engagement only’ top external mediation if the intention and goal is to bring peace to the sub-continent. If Narendra Modi is ‘personally convinced’ that the US can play a mediator or arbitrator to resolve the dispute, he can, given the political capital invested in him, easily convince his compatriots of its rightness. One fifth of humanity cannot live in hostility for all time to come. An amicable settlement of the intractable and thorny Kashmir problem could fetch Narendra Modi the Nobel Prize for Peace despite his chequered political career. — G David Milton, Maruthancode

●Write to us at feletters@expressindia.com

Is it time to impose a carbon tax?

The tax can be an effective policy instrument for realising India’s Paris commitments and can substitute the current Clean Environment Cess

IN THE RECENT Union Budget, a major initiative has been taken by the government to promote e-vehicles. However, the initiative is only a small step to curb pollution effectively and give pace to the emissions reduction targets announced in the Intended Nationally Determined Contributions (INDC) during the Paris Climate meet. Other measures, such as a carbon tax, could have been instrumental in this regard.

Local pollutants, particularly particulate matter, cause many health-related problems such as breathing, wheezing, asthma, and aggravation of existing respiratory and cardiac conditions. It has been found recently that air pollution may lead to hypertension risk, particularly in women in India. Further, life expectancy, due to this, has reduced by 2.6 years. Worldwide, more deaths per year are linked to air contamination, particularly from the industrial and transport sectors. The situation is getting worse, particularly in megacities, including Delhi.

As per statistics, India is the world’s fourth-largest emitter of Greenhouse Gases (GHGs) though per capita emission is low due to a large population. Rapid economic growth with little concern for the environment makes this a serious threat. India’s total GHG emissions are more than 3,200 million metric tonnes, which constitute around 7% of the world’s total GHG emissions, with an average growth of 6.3% in 2018. The energy sector has a major role in this and contributes 68.7% of total emissions. Over a span of 24 years from 1990, this emission has increased by 180%.

The growing energy demand and consumption have led to an emergent need to put a price on emissions, directly reducing the exploitation of natural resources and pollution. Putting a price on carbon and taxing it directly is considered far better than deciding the limit of emissions through the ‘cap and trade’ system, under which maximum emis-

sion limits are decided for the firms. Firms are required to buy permits if they pollute more than the prescribed limit. Similarly, firms can sell their permits to others if they pollute less than the limit. Obviously, the carbon tax system has advantages over the ‘cap and trade’ system due to its simplicity, affordability, revenue recycling and predictability of carbon prices. Further, the tax has price certainty, transparency and focuses on direct response as it checks unintended incidence of certain taxes on labour and capital, leading to employment generation, increased output and productivity.

Clearly, the carbon tax has three benefits. It—a) reduces emissions; b) stimulates innovations; and c) raises government revenue. In fact, a carbon tax is the most basic economic instrument which can be used to price carbon and combat CO2 emissions, and correct negative externalities. It works on the principle of ‘the polluter pays’.

The principle has been adapted globally and many countries have successfully introduced a carbon tax. In Europe, a large number of countries, such as Denmark, Finland, Germany, Ireland, Italy, Netherlands, Norway, Slovenia, Sweden, Switzerland, and the UK, had already imposed the tax in the nineties. Among them, Scandinavian countries were the first. Finland initiated this in 1990, followed by Sweden in the subsequent year. Sweden and Norway imposed a comparatively higher rate of a carbon tax at \$27 and \$15 per ton of CO2, respectively. Data shows that these countries generate revenue up to \$1.7 billion annually from the tax. Carbon tax in Finland is based on the energy content of fuels and CO2 emissions. Great Britain, which introduced the tax in 2001, used the revenue on energy efficiency improvements and renewable energy support program. In other countries, it is used to finance public expenditure.

In the case of the United States of America, there is no nationwide tax,

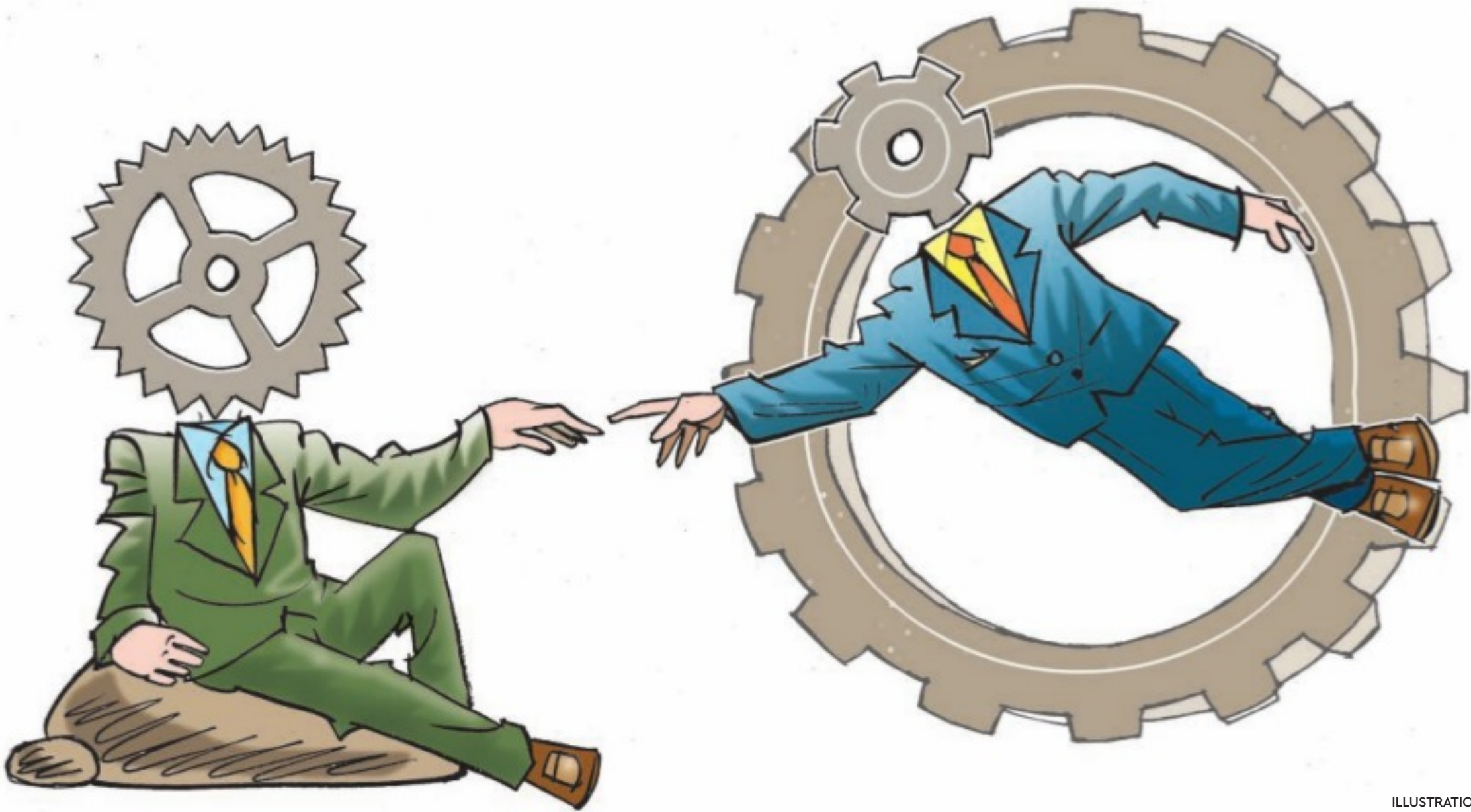
MONIKA GUPTA & VN ALOK

Gupta is assistant professor, BITS-Pilani & Alok is assistant professor, IIPA
Views are personal

but few states—California, Colorado, Maryland and New York—use a carbon tax as an integral part of their strategies to reduce emissions. In Canada, Quebec and British Columbia are two popular provinces which impose the carbon tax. British Columbia’s carbon tax model is considered as a benchmark for many countries. It is estimated that from 2007 to 2015, CO2 emissions reduced by 4.7% and real GDP grew more than 17%. Early this year, Singapore imposed a carbon tax of \$5 per ton of GHG emissions and is planning to increase the rate in the range of \$10 to \$15 per ton of emissions by 2030. Among the developing countries, South Africa has planned to introduce the tax in this year.

It can be argued that a carbon tax can easily be an effective policy instrument in reducing different local pollutants and achieving INDC targets for India. Moreover, the tax can substitute the current Clean Environment Cess, which serves little to no purpose as the it is subsumed under GST. Tax proceeds may be used to a) subsidise clean fuels and fuels used in the agriculture sector, b) promote electric vehicles through subsidy, c) improve public transport, and d) build infrastructure.

The primary aim of the tax is to discourage environment unfriendly production and consumer practices by making the polluting sources costlier without any negative effect on overall employment and output levels. The imposition of a carbon tax with revenue recycling, in terms of earmarking the revenue for related purposes, will help develop synergies and win-win situations. The revenue so generated will also contribute to the dwindling tax revenue, and reduce the fiscal deficit, which is targeted at 3.3% for 2019-20. Time has come when India has to become a pioneer among emerging economies and impose an explicit carbon tax, and let the *polluters pay*.



VK SARASWAT, PRACHI PRIYA & ANIRUDDHA GHOSH

Saraswat is member, NITI Aayog, Priya is a Mumbai-based economist, and Ghosh is a PhD candidate at Johns Hopkins, US

Manufacturing sector's RCEP inhibitions

While our negotiators bargain hard for an inclusive and balanced RCEP, we must focus on eliminating the niggling problems our manufacturing sector and exports are facing. India's plans for the manufacturing sector need support in the form of a new industrial policy that creates incentives for key sectors

WITH A STABLE and full majority government back to power at the Centre, the Prime Minister has already hit the ground running by setting up two key Cabinet panels on growth & investment and employment & skill development. The focus on the manufacturing sector is critical for sustainable economic growth. Manufacturing not only creates strong positive backward and forward linkages in the economy, but, according to estimates, every job created in manufacturing has a multiplier effect of 2-3x additional jobs in other sectors. Industrial revolutions don't happen overnight. They require careful planning, policy interventions, regular upgrades, and innovations and investments at every stage of development.

The contribution of the manufacturing sector to India's GDP has remained stagnant at around 17% since the 1990s, and the sector needs a big push in order to drive potential GDP growth. In the current context of rising trade war tensions and slowing global growth, most countries are cushioning their domestic industry from trade diversion. According to WTO data, trade protectionism has been on the rise both in terms of the number of global trade-restrictive initiatives and import coverage of these measures. In the current scenario, a two-pronged strategy of raising

domestic competitiveness (via a carefully-planned and targeted Industrial Policy) and cushioning the industry from surge in imports due to trade diversion (via carefully-negotiated FTAs) is the need of the hour.

In this regard, India needs to take a cautious approach towards FTAs. A NITI Aayog note ('A Note on Free Trade Agreements and Their Costs', Dr Saraswat, Priya, Ghosh 2018) had earlier highlighted that India's combined trade deficit with FTA partners like the ASEAN, Japan and South Korea has almost doubled in the last eight years. India's trade deficit with the Regional Comprehensive Economic Partnership (RCEP) bloc of over \$100 billion is almost 64% of its total trade deficit, of which China alone accounts for over 60% of the deficit. The report also highlighted that the quality of trade has deteriorated under the ASEAN-India FTA. As per UN's Harmonised System of product classification, products can be grouped into 99 chapters and further into 21 sections like textiles, chemicals, vegetable products, base metals, gems and jewellery, etc (similar to sector classification). The analysis shows that trade balance has worsened (deficit increased or surplus reduced) for 13 out of 21 sectors. This also includes value-added sectors like chemicals and allied, plastics and rubber, minerals, leather, textiles, gems and jewellery, metals, vehicles, medical instruments, and miscellaneous manufactured items. Sectors where trade deficit has worsened

account for about 75% of India's exports to the ASEAN.

Having said that, the RCEP—the 16-country mega Asian FTA—has been viewed with caution by Indian policymakers. Commerce minister Piyush Goyal has held industry consultations over the last few days to ensure all industry issues are considered before the deal is sealed. It should be realised that reciprocity is the key to FTAs. The biggest driver for trading partner countries to sign an FTA with India is the access to a big and booming consumer market. So it's quite logical for India also to assess what it gets in return. That's probably the reason why India has received a lot of backlash at various rounds of RCEP negotiations from other trading partners. As per media reports, in the latest meeting in Bangkok, India's proposal for strict rules of origin requirements was not welcomed by other FTA partner countries. Rules of origin are critical as they determine the source of a product for it to qualify for preferential treatment. India has been demanding a stricter rule of origin criteria for its domestic industry (40-60% of value-added) as it fears that China can easily misuse lax rules of origin, like the 35% value-added rule in order to dump goods into India. The fear is not unwarranted as rerouting of Chinese goods into Indian markets via India's FTA partner countries is quite common. Previously, too, under the India-Sri Lanka FTA, Sri Lanka had started exporting copper to India by under-invoicing of imported scrap in order to show higher value-addition for its goods to qualify for preferential rates under the FTA. Thus, rules of origin norms can easily be circumvented by simple accounting manipulation.

Moreover, the domestic industry has been vocal about its discomfort with respect to opening up of the domestic market to Chinese exports. This is understandable given the massive Chinese overcapacity in key manufacturing industries, and major support programmes in the form of financial, non-financial and trade measures for the domestic industry that give an edge to Chinese producers over other trade partners. China's manufacturing surplus and dumping of goods across the world is well known. China is the recipient of the highest number of anti-dumping duty (ADD) measures in the world, with 926 ADD measures against it (1995-2017), which amounts to almost a quarter of all ADD measures globally.

Policymakers should also be cognisant of the use of non-tariff barriers (NTBs) by China. As per reports, even though China has agreed to open almost 92% of their tariff lines, expecting India to reciprocate in the same manner, India's concerns over China's NTBs merit

serious attention. China's usage of NTBs like complex product certification process, labelling standards, customs clearance, pre-shipment inspection and import licensing have hindered India's access to their markets. Dealing with NTBs is costly and, therefore, we must factor in this associated barrier before we move ahead with trade pacts, the RCEP in particular. Thus, in terms of reciprocity in an FTA, India's exports access to Chinese markets will be limited given China's overcapacity, use of NTBs, and significant financial and non-financial support available to its domestic industry.

Against this backdrop, India must have a plan to deal with the massive support that China offers its industries, leading to overcapacity and price undercutting post-RCEP. Therefore, we suggest that appropriate safeguard clauses must be put in place within the RCEP in case injury to domestic industry is found. A clause on provisional safeguard measures should also be introduced. Within the FTA, a provision should be made for safeguard measures to be invoked if a volume or price trigger for the concerned products is reached.

Given the current state of Indian industry, phased elimination of tariffs is necessary, especially with respect to some key manufacturing industries that have long gestation periods until they start running on full capacity. An example of this kind of negotiation was the India-Japan FTA where India negotiated for most of its tariff lines under sensitive track (almost 63% under sensitive track, 14% under exclusion). This was in contrast to the ASEAN-India FTA wherein 76% of tariff lines were opened up for complete duty elimination. Therefore, at least a 15-25 years' tariff elimination schedule should be negotiated for key sectors like chemicals, metals, automobiles, machinery, food products and textiles, which individually contribute more than 5% to India's manufacturing GDP and employment. Thus, as suggested, phased elimination of few key manufacturing industries is absolutely essential with respect to China, and last but not the least, a rules of origin criteria that ensures a fair amount of value-addition to determine the source of a product.

While our negotiators bargain hard for an inclusive and balanced RCEP, domestically we must fiercely focus on eliminating the niggles our manufacturing sector and exports are facing. India's transformational plans for the manufacturing sector will require support in the form of a new industrial policy that creates the necessary incentives for key sectors to be an active part of this process. These are necessary complements for ensuring maximum leverage out of our trade deals, and especially the RCEP.

Dealing with NTBs is costly and, therefore, we must factor in this associated barrier before we move ahead with trade pacts, the RCEP in particular

Taxes should not be taxing

JAGVIR SINGH

The author is founding partner, Jupiter Law Partners

(Ir)rationale of tax on buyback and dividend distribution

THERE ARE TWO ways of return of money to shareholders by a company as a going concern—dividend and buyback—and both use tax paid profits of a company. So, it's important to understand the mechanism of arriving at the taxable profit of a company. A quick glance at the P&L account of a company will reveal that income of a company is used to meet the legitimate dues to several stakeholders, in a set hierarchy, before profits can be said to have been generated.

First, the operating cost is met, which involves remuneration to employees, payment to third-party vendors for purchase of goods and services, and indirect tax on goods or services sold. Then comes the financial cost—the payment of interest to lenders. Then come depreciation and amortisation, which, though not payouts, yet are treated as expenses in the profit computation process. What remains thereafter is the profit. This residual income should be the rightful share of its shareholders, and none else, after tax incidence has been met, because they remain the only stakeholders who still have their indulgence in the company unrewarded. The company law permits the return of this cash to shareholders in the shape of dividends and as consideration for shareholders' shares if the company offers to buy the same.

A similar, but not identical, hierarchy of priorities is prescribed in a liquidation event when shareholders statutorily participate in the distribution of whatever is left of liquidation proceeds after meeting the dues to different stakeholders. But tax treatment of the two sets of shareholders' receipts ends this similarity. Post-liquidation, asset sales proceeds are not subject to tax in the hands of the company, but only to a capital gains tax from the receiving shareholder. However, the company pays the dividend distribution tax (DDT) on proceeds out of the free reserves (read, accumulated tax paid profits) distributed amongst shareholders.

If we remove all other stakeholders from reckoning, after dues to them are met, shareholders are almost akin to owners of remaining profit (both current and free reserves) and liquidation proceeds, respectively. By this logic, they should be taxed only once, either at company's hands or the shareholders. DDT on the already tax paid (dividend) amount is essentially double taxation and should not be imposed, though India is not the only major country succumbing to the lure of augmenting her tax revenue by resorting to such onerous impositions. Similarly, the tax on buyback amount, extended to listed companies as well in an otherwise forward-looking Budget, is a dampener.

Taxing is tempting, as they say. This government's intent to usher in brisk economic growth is indubitable. It wants investors, both foreign and domestic, to invest heavily in its Make-in-India initiative and boosting infrastructure development. However, if more than 40% of their hard-earned profits are likely to be evaporated owing to the swindling double tax, it daunts the otherwise fervent investors eyeing to harvest a reasonable fortune from a giant economy buoyed by recent reforms and a large demography.

Despite a leap in the ease of doing business, also recognised by the World Bank, a complex federal structure in India resulting in copious rules still has a labyrinthine and difficult-to-navigate business regulatory system, especially to a foreign investor. In an era when nations compete for global investments, investors need to be offered something differentially rewarding that offsets the impact of an intricate legal system. Amidst the China-US trade tensions and due to geopolitical reasons, foreign capital, especially Japanese and Korean, is flying out of China, but has not been landing in India. East Asian nations like Vietnam, Thailand, the Philippines and Indonesia have attracted the bulk of it. The government may do an assessment of the contribution of DDT and tax on buyback to total direct tax collection. If it is not that significant, it will be ingenious of the government to do away with these unsavoury fiscal millstones. It does not take a clairvoyant to predict an imminent surge in inflows of foreign capital only on this count and also a stop to Indian capital's flight to foreign lands. This will help India stand out as an attractive investment destination and help it in garnering the capital it requires for infrastructure development and Make-in-India, which should, in turn, generate employment for the millions entering the workforce every year.

DDT on the already tax paid (dividend) amount is essentially double taxation and should not be imposed

THE 'CARE ECONOMY' is statistically invisible. No effective macro policy coherence is there to ensure and support care economy in India. More often, women as primary caregivers leave the job market to perform the responsibilities, at the peak of their career. This, in turn, can affect economic growth of the country due to productivity loss, emanating from the loss of insights and talent they did bring on board. This also affects the 'potential output' of a country.

Unemployment rate in India reached a 45-year high of 6.1% in 2017-18, as per the recent NSS estimates. The IMF has also highlighted the widening gender gap in labour force participation rates in India. We must explore reasons why the female labour force participation is in India is one of the lowest in the world. The lack of a comprehensive care economy policy is the single-most significant reason for the falling rate of female labour force participation. If we want to reap the demographic dividend before it vanishes, designing a comprehensive care economy policy in India should be the policy mantra.

If the objective of public policy is 'leaving no one behind' as an economy progresses, then designing an intelligent care economy policy should be the first charge on the exchequer. This policy is relevant from an 'efficiency and equity' perspective and also from 'human rights' perspective.

If India is unable to fully attract the talented educated women to the job market

India needs a 'care economy' policy

A comprehensive care economy infrastructure can support women to participate in economic activity

LEKHA CHAKRABORTY

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by ensuring the care economy infrastructure, then will the next best policy be to provide universal basic income (UBI) to the primary caregivers in the economy? UBI to a primary caregiver can enhance their dignity, remove their 'unfreedom', and can ensure social justice to their contribution to the economic growth by supporting the care economy. However, all what I want to highlight here is that UBI to a primary caregiver should not be a tradeoff to designing a comprehensive care economy infrastructure that can support women to participate in economic activity. Here, the basic norm is to give the freedom of choice to a woman 'to work' or 'not to work', but

she should not be constrained to work.

The point we miss often is why care economy is core to macroeconomic policy frameworks. The macro policy decisions—say, fiscal austerity measures—impact men and women differently. For instance, if the fiscal austerity is by reducing the health spending in a country, the reduction in hospitalisation days or in-patient days can directly impact women as they are the primary caregivers in a household. Women, thus, bear the brunt of macroeconomic policy decisions. At the same time, more often, macro policy is not designed to integrate household caregiver's perspectives, which otherwise needs an enormous



attention as we cannot take the support from the care economy system as infinite. If public expenditure compression is the path to achieve fiscal austerity, it can lead to 'humanitarian crisis' through cutbacks in spending on employment, pensions and social security support.

India has designed a fully-paid childcare leave policy for two years—a leading example of such policies in the world. But a 'comprehensive care economy policy' is absent in India. India should be leading the world in designing a comprehensive care economy policy by taking into account all the elements of care. We need innovative statistics like time-use survey to capture

the extent of care economy, which is otherwise absent in the existing Employment-Unemployment Survey rounds.

In Canada, a 'compassionate care leave' policy has been introduced to take care of one's ailing relative, up to six months in discrete or in continuum. Such policies can help the primary caregivers, often women, not to leave workforce when their parent or spouse or a close relative falls ill. If public policy takes it for granted (increasing trend of women leaving the labour market), they are missing the big picture.

Women face huge challenges to earn a living and live peacefully during retirement years. In India, especially when social

security benefits are not well-designed, the permanent or temporary exit of a woman from the job market to take care of a small child or an elderly parent enormously reduces her earning potential and her savings for retirement. To add, if the woman is a single parent or divorced, unless the public policy addresses this vulnerability, as a country we are missing the big picture of how the loss of such human capital can affect the economic growth. Kerala is almost there to design a care economy support structure by the government, which can provide highly-efficient caregivers to the households. This authentic care economy support by the government can increase economic growth.

It is interesting to recall the documentary 'The Swedish Theory of Love', which encapsulates the public policy revolution in Sweden, when policymakers decided 'autonomous individual' (not the 'household') as the unit of analysis of a public policy. The Swedish theory emphasises that when an individual is not dependent on another individual for existence, true love happens, and public policy has a role to ensure this. But when we design a comprehensive care economy policy, country 'context' matters. India has begun designing such policies based on the notion of 'autonomous individual' by providing job guarantee or financial inclusion or cash transfers to an 'individual' rather than a 'household'. However, a public finance revolution in India to support a comprehensive care economy policy is what is needed.



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TELLING NUMBERS

State-by-state: supply of piped water in villages

GUJARAT, WITH 78.46% of its 64,77,917 rural households being provided water through taps at present, has the highest penetration under the National Rural Drinking Water Programme (NRDWP), a reply tabled by the Ministry of Jal Shakti in Parliament shows. Among smaller states, Sikkim has the highest coverage at 99.34% for its 88,013 rural households. West Bengal and Uttar Pradesh are at the bottom of the table with 1.31% (of 1,63,35,210) and 1.33% (of 2,58,81,064) rural households covered respectively.

The data on individual household tap connections through Piped Water Supply (PWS) was provided by the Integrated Management Information System (IMIS) of the Ministry of Jal Shakti. The information was provided to Lok Sabha by Minister of State for Jal Shakti Rattan Lal Kataria.

The reply said that as per the Union Budget Speech 2019-20, it had been envisaged to ensure piped water supply to all rural households by 2024 under the Jal Jeewan Mission. It added that the Programme, under the Department of Drinking Water and

Sanitation, would “focus on integrated demand and supply side management of water at the local level, including creation of local infrastructure for source sustainability like rainwater harvesting, groundwater recharge and management of household wastewater for reuse”.

% OF TOTAL HOUSEHOLD CONNECTIONS WITH PWS AS ON 18/07/2019

TOP	
Gujarat	78.46
Himachal Pradesh	56.27
Haryana	53.47
Punjab	53.28
Karnataka	43.81

BOTTOM	
West Bengal	1.31
Uttar Pradesh	1.33
Bihar	1.88
Assam	2.21
Odisha	3.94
ALL INDIA	18.33

Source: IMIS, DDWS

THIS WORD MEANS

FAST FASHION

Cheap, smart clothing but which also hurts the Earth

FAST FASHION refers to clothing that is mass-produced inexpensively, coming straight from the catwalk to deliver the newest trends to consumers at low prices. The defining characteristic of fast fashion is its affordability, and in recent years, major fast fashion retailers such as H&M and Zara have set up major businesses in India.

The reason why fast fashion has increasingly been in the news – and controversy – however, is the impact it has on the environment. Before the fast fashion boom, the industry had two production cycles: the so-called ‘spring’ and ‘fall’ collections. Fast fashion production, however takes place in as many as 50 to 100 ‘micro-seasons’, with consumers discarding garments very quickly.

According to a McKinsey report, the lowest-priced fast fashion garments may be discarded after being worn just seven or eight times. Consumers are now retaining clothing for only half as long as they did in 2000, resulting in a vast increase in the amount of waste generated by the fashion industry. In fact, after oil, fashion is the world’s second-most polluting industry. And as the scale of production grows, so does the scale of pollution.



In 2015, the clothing industry was responsible for 1.714 billion metric tonnes of carbon dioxide emissions, and used 141 billion cubic metres of water. Water-dyeing textiles have resulted in the industry also being the second-largest polluter of clean sources of water globally, after agriculture.

How are fast fashion retailers enabled to keep prices down? The primary way is through utilising innovations in supply chain management and relying on cheap labour – generally overseas from where the company is based. Several large fashion houses have been criticised for sourcing their products from “sweatshops” employing “slave labour” in Asian countries, including India and Bangladesh.

SIMPLY PUT QUESTION & ANSWER

What Imran said, what he meant

This is the first time an elected Pak leader has admitted to the presence of jihadists in such huge numbers. As the international community tightens the screws, Imran may have been sending the world a message

NIRUPAMA SUBRAMANIAN
MUMBAI, JULY 25

ON WEDNESDAY, Pakistan Prime Minister Imran Khan told an audience at the United States Institute of Peace, a Washington-based think tank, that there were “30,000 to 40,000 armed people” in his country “who have been trained to fight in some part of Afghanistan or Kashmir”.

India has described the statement as a “glaring admission”, and demanded that Pakistan take “credible and irreversible action” against terrorist groups.

How is Imran’s statement different from Islamabad’s earlier public positions?

Imran did not reveal a state secret. The presence of jihadists and jihadist organisations is well known in Pakistan, and to the international community.

What is new is that for the first time an elected Pakistani leader, that too a Prime Minister, has spoken about it candidly. Previous leaders have alluded only indirectly or in a veiled manner to the presence of jihadist groups – that is, groups other than the Tehrik-e-Taliban Pakistan, which carries out attacks on Pakistani targets inside Pakistan and is, therefore, alleged to be a creation of India. For years, Pakistani leaders have been far more likely to complain that “Pakistan is the biggest victim of terrorism”, than to declare that there are up to 40,000 terrorists in their country.

Those in positions of political power and influence, who have previously made bold to talk about jihadist groups in Pakistan, have been removed from office, or sidelined, or hounded. This is because from the time of the first Afghan war, the jihadist project has belonged to the Pakistan Army, and its espionage arm, the ISI, the country’s most powerful organisations. Elected politicians were required only to support the project, or to keep quiet if they opposed it.

Nawaz Sharif was ousted by the judiciary on corruption charges, but his troubles truly began after he started to take on the Pakistan Army for nurturing jihadist groups that had



Imran Khan with President Donald Trump in the US this week. Reuters

pushed Pakistan into a corner internationally. Dawn, the newspaper that reported one such confrontation, found its circulation restricted, and the reporter dragged to court for treason.

In an earlier instance, after the 2008 Mumbai terrorist attacks, then National Security Adviser Mahmud Ali Durrani had to resign after he acknowledged that the attacks were carried out by Pakistan-based militants. Paradoxically, even though the presence of these groups is not officially mentioned, from time to time, Pakistan’s security agencies have been forced to act against them, usually under international pressure.

After the Mumbai attacks, the investigation by the Pakistani FIA concluded that it was planned in Pakistan and carried out by terrorists trained in Pakistan, though even that did not mention their affiliation to the Lashkar-e-Taiba. Several individuals linked to the group and to its front organisation were arrested at the time.

Pakistani politicians openly consort with jihadist groups like Lashkar-e-Jhangvi, Sipah-e-Sahaba and Jamaat-ud-Dawa, but such associations are not questioned or discussed in public, except in the odd media report.

The closest a top Pakistani leader had earlier come to conceding the largescale presence of jihadists in that country was in 2004,

when military ruler Pervez Musharraf signed a joint statement with Prime Minister Atal Bihari Vajpayee pledging not to permit terrorist groups to operate from Pakistan.

Is there nothing new for India in Imran’s statement, then?

The numbers that Imran has presented are a surprise. NACTA, Pakistan’s nodal counter-terrorist agency, has on its website a list of 40 organisations proscribed under the country’s Anti-Terrorism Act, and another list of 8,307 proscribed individuals. This smaller number is what has been submitted by the Pakistan government to the Financial Action Task Force (FATF), which is monitoring the progress on Islamabad’s commitments to crack down on terrorism financing.

For India, the numbers are important, but more important is Imran’s admission that the militants fought in Kashmir. It vindicates India’s position on cross-border terrorism in Kashmir from Pakistan.

But Lashkar is a proxy for the Pakistan Army, and isn’t Imran essentially the generals’ man in government?

Imran has repeatedly stressed that he has no differences with the Army on any aspect of government policy. But his admission does

put the Army in some embarrassment. While Imran blamed previous governments for not telling the truth and doing nothing to rein in the jihadists, there is no getting away from the fact that civilian governments have had zero say in this matter, which has been the exclusive remit of the Pakistani Army.

However, there has been no apparent falling out between him and the Army, at least for now. Imran has returned home to much media admiration for his skilful handling of President Donald Trump, who showered praise and gratitude on Pakistan for its role in the Afghan peace talks. His statements on the number of armed jihadists has not found much space in Pakistani media.

But complications might yet arise. The FATF, which wants to see substantial progress by Pakistan on terrorist financing by October this year, is bound to raise questions about the numbers.

So, what is the big picture? Who was Imran speaking to, and why?

Imran’s statements came against the backdrop of a general tightening of the screws on Pakistan by the international community. The FATF means business about blacklisting it later this year, if it does not meet commitments. That would mean a squeeze on Pakistan’s access to international lending, a restriction on remittances and banking channels, at a time when its economy is in terrible shape.

During the Pulwama-Balakot episode, Pakistan found no supporters in the international community, and the designation of Masood Azhar of Jaish-e-Mohammed only brought that into sharper focus. There seems to be a realisation in Pakistan that something has to give. Ahead of the June meeting of the FATF, it took some actions to demonstrate it was not reneging on its commitments. Later, it also arrested the JuD leader Hafiz Saeed.

Seen in this context, Imran may have been trying to convey the enormity of the clean-up task that his government had inherited from previous governments, and to underline that it may be impossible to achieve results demanded by the international community within deadlines.

Why big tech firms are under scrutiny in US

SHRUTI DHAPOLA
NEW DELHI, JULY 25

THE REGULATORY scrutiny around the big technology firms is going to widen with the US Department of Justice announcing a probe to review the practices of “market-leading” online platforms. Technology giants such as Google, Facebook, Apple, and Amazon will likely be impacted by this broader review.

The Justice Department wants to know if the leading online players are “engaging in anti-competitive practices and depriving users of benefits”. The probe comes at a time when there are increasing calls around the world for regulating these companies.

What is being reviewed?

The Justice Department’s press release states that it will be reviewing “whether and how market-leading online platforms have achieved market power”. It will also check whether these players “are engaging in prac-

tices that have reduced competition, stifled innovation, or otherwise harmed consumers”.

The review will consider “widespread concerns that consumers, businesses, and entrepreneurs have expressed about search, social media, and some retail services online”. The department will be seeking information from the public and “industry participants who have direct insight into competition in online platforms”.

While it does not name the big tech companies, the dominance of Google in search, Facebook in social media, and Amazon in online retail is unparalleled, and all three will likely face a review of their market practices.

But why are these firms being reviewed?

In the US, Google has close to 90 per cent market share in search. Amazon’s share in the online market space is around 37 per cent, according to a report by EMarketer in June 2019. In social media, Facebook remains dominant with its apps such as Instagram and WhatsApp having more than a billion users each.

In the past, Facebook has also been accused of stifling competition by either buying out rivals or by introducing features that are a direct copy of its biggest rivals.

Is it the first time that these companies are facing scrutiny?

The call for regulation is not new; indeed, there have been such demands across the world in the past.

Facebook was recently fined \$5 billion by the US Federal Trade Commission (FTC) for violating and misusing user privacy. Democratic presidential hopeful Elizabeth Warren has called for big tech companies such as Facebook to be broken up. There is a worry that these companies are completely monopolising the online space and killing all competition.

The European Union (EU) has hit Google with three separate fines since 2017; all fines have been on account of antitrust and anti-competitive practices. In March 2019, it was a €1.5 billion fine for Google misusing its AdSense technology. In 2018, the fine was a

record €4.3 billion for misusing its dominant position with Android, and in 2017, the number stood at €2.4 billion for dominating shopping search results with its own pages and stifling competition.

Germany opened investigations into Amazon’s dealings with third-party sellers in 2018 and, in 2019, Austria and Italy opened antitrust investigations against the e-commerce giant. On July 17, the EU opened a separate investigation into anti-competitive practices by Amazon.

Apple will face an antitrust inquiry from the EU as a formal probe will begin over music-streaming service Spotify’s complaint that the technology giant was effectively charging a tax on its competitors by demanding a 30 per cent fee for in-app subscriptions and payments.

In India, Google was fined \$21.1 million for search bias by the Competition Commission of India (CCI) last year. In June this year, Reuters reported that Google was again being investigated for misusing its Android dominance in India.

India on the move: What data from Census 2011 show on migrations

SHYAMLAL YADAV
NEW DELHI, JULY 25

CENSUS 2011 data on migration released last week show Maharashtra had more migrants from Madhya Pradesh than from Bihar, and Gujarat had almost double the number of migrants from Rajasthan than from Bihar.

Data from Delhi show only 2,321 persons declared Bangladesh as their last place of residence. Over 1.17 lakh said Pakistan – not surprising given the history of Partition.

The data come at a time when migration is a major phenomenon across the world, and “illegal Bangladeshis” is a hot-button political issue in India. The data are also very late – it’s almost time for Census 2021 – and do not reflect the current situation.

Over 45.58 crore Indians were found to be “migrants” for various reasons during the enumeration exercises of Census 2011. The previous Census (2001) had recorded the number of migrants at 31.45 crore – more than 30% lower than the 2011 figure.

According to the website of the Registrar General & Census Commissioner, India, “When a person is enumerated in Census at a different place than his/her place of birth, she/he is considered a ‘migrant’.” Migration data began to be collected with the Census of 1872, but was not very detailed until 1961. Changes introduced in

MIGRATIONS TO, FROM SELECTED STATES (2011)									
STATE	TOTAL MIGRANTS*	MIGRANTS FROM OTHER STATES							
		UP	BIHAR	RAJASTHAN	ODISHA	WEST BENGAL	MP	PUNJAB	TOTAL
Maharashtra	5.74 cr	27.55 L	6.68L	5.17 L	1.24L	3.10L	8.24L	73,951	90.87 L
Uttar Pradesh	5.65 cr	—	10.73 L	2.84 L	35,269	2.34L	6.68 L	1.42 L	40.62 L
West Bengal**	3.34 cr	2.39 L	11.04 L	57,668	1.42 L	—	15,815	18,154	23.81 L
Gujarat	2.69 cr	9.29 L	3.61 L	7.47 L	1.76L	89,040	2.75 L	27,549	39.16 L
Kerala***	1.79 cr	12,203	9,904	8,893	12,223	30,470	8,345	3,402	6.54 L
Punjab	1.37 cr	6.50 L	3.53 L	2.02 L	11,717	46,958	32,869	—	24.88 L
Assam***	1.06 cr	35,441	1.47 L	27,778	5,153	94,724	2,478	3,617	4.96 L
All India*	45.58 cr								5.43 cr

*Total Migrants includes intra-state migration, migrants from other states, and migrants from outside India.
**West Bengal: Last residence of 20,05,945 individuals shown as outside India; 18,96,585 in Bangladesh
***Kerala: Last residence of 1,53,454 individuals shown as outside India; mostly in Saudi Arabia, UAE, Kenya
***Last residence of 1,10,314 individuals shown as outside India; 64,117 in Bangladesh

Source: Census of India, 2011

1961 continued until 2001; in the Census of 2011, a more detailed format for collecting information on migrants was adopted.

Marriage and employment are the major reasons for migration, Census data show. The bulk of the migration takes place within individual states – out of the total number of persons registered as “migrants” in the 2011 Census, only 11.91% (5.43 crore) had

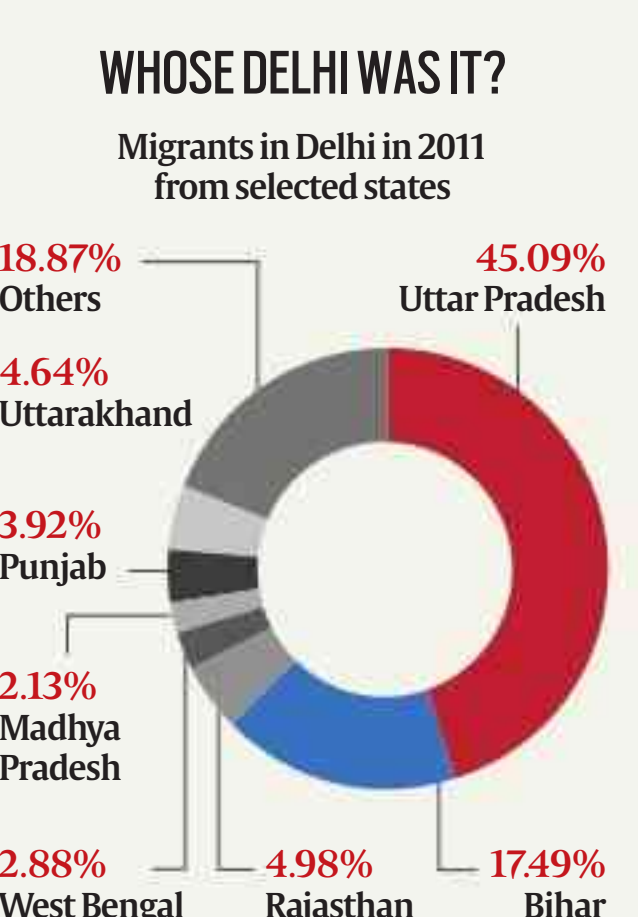
moved to one state from another, while nearly 39.57 crore had moved within their states.

Migration data to and from some major states are given in the table above. Some key highlights of the Census numbers:

■ Of the 5.74 crore migrants in Maharashtra, 27.55 lakh reported their last place of residence to be Uttar Pradesh; 5.68

lakh said Bihar. Internal migration from within Maharashtra had the lion’s share of migrants: 4.79 crore.

■ UP, from where people travel to all over India in search of work, itself was host to 5.65 crore migrants. As many as 5.20 crore were, however, internal migrants; among the 40.62 lakh from other Indian states, 10.73 lakh were from Bihar.



■ The number of migrants in Punjab from other states was 24.88 lakh, a relatively large percentage of its total 1.37 crore migrant population. Of these, 6.50 lakh reported their previous residence to be in UP; 3.53 lakh said Bihar.

■ Over 42% of the 39.16 lakh ‘outsiders’ (from other states) in Gujarat (out of the total migrant population of 2.69 crore) were



THE EDITORIAL PAGE

WORDLY WISE

BY NOT GOING TO SCHOOL, I LEARNED THAT THE WORLD IS A BEAUTIFUL PLACE AND NEEDS TO BE DISCOVERED. — RUTGER HAUER

The Indian **EXPRESS**

FOUNDED BY

RAMNATH GOENKA

BECAUSE THE TRUTH INVOLVES US ALL

IT TAKES TWO

Opposition's demand for sending bills to parliamentary panels must be heard by a government that wants 'sabka vishwas'

IN THE LAST few days of the (now extended) first session of the 17th Lok Sabha, the Opposition's demand in Rajya Sabha that seven key bills should be sent to parliamentary panels is a call for attention. It points to a disquieting trend: The government is using its overwhelming majority in Lok Sabha to push legislation through Parliament without adequate discussion and debate. Of the several bills that have already been passed in this session, not one has been referred to a select or standing committee — on Thursday, Rajya Sabha passed the Right to Information (Amendment) Bill, 2019, which has widely sparked apprehensions of a dilution of the RTI, after voting against sending it to a select panel, and Lok Sabha passed the triple talaq bill. This should be seen as alarming for several reasons. Because it denies important and consequential bills their due scrutiny, which can happen only in the parliamentary committee. Because it suggests that the government is turning a deaf ear to the voice of an already diminished Opposition. And because this could be an omen of things to come. After all, if the first session of the new Lok Sabha is so inhospitable to the Opposition, despite all the government's promises of winning "sabka vishwas", can the sessions to come be far behind?

In a Lok Sabha such as this one, where the numbers are so steeply tilted against the Opposition, it means that it must fight for every inch of its space. But in a parliamentary democracy which goes not just by the bare-knuckled rule book, but is also guided by unwritten grace, convention and norm, it is the responsibility of the government to reach out across the aisle, be generous and accommodating to those on the other side of the political fence. The government must hear out the Opposition, and not be quick to label it as obstructionist. It must ensure that the law-making exercise does not become reduced to a brutish numbers game, but strives, instead, to be the deliberative process that the people of India deserve, which draws in a plurality of vantage points and views. The government, even one that has a large majority, and especially one that has a large majority, must be open to the questions, suggestions and checks of the Opposition in Parliament.

It is important for the NDA government to review its stance and to strike the right note vis a vis the Opposition in this session of Parliament. It would be gravely misreading the mandate if it uses it as a weapon against the Opposition. The trust of the people enables it to be more self-assured. It would be letting them down if it makes it more intolerant.

IMRAN SAID IT

His admission, in the US, to armed militants in Pakistan, is an important moment. There will be consequences

IT IS NO secret that Pakistan has a large number of armed militants affiliated to a smorgasbord of jihadi groups, many of them UN designated terrorist organisations. Since the end of the first Afghan war, Pakistan has been awash with militants — "good" terrorists, or those who target India in Kashmir, and "bad" terrorists, or those who carry out attacks inside Pakistan; sectarian terrorists, meaning those who specialise in targeting the Shia and Ahmadi; mujahideen, meaning those who fought in Afghanistan; Afghan Taliban, Pakistani Taliban, Punjabi Taliban and so on. Yet Imran Khan's remark, during his visit to the US capital, that Pakistan has 30,000-40,000 militants, is important. It is the first time that a Pakistani leader in the country's highest elected office has made an admission openly, provided a number and the places where they fought — Kashmir, Afghanistan. But he is being more than economical with the truth in blaming previous governments for doing nothing to disarm them. There are armed jihadists in Pakistan today because of the Pakistan Army, which saw in them an opportunity to achieve its strategic objectives by unleashing them as proxies in Afghanistan and in India, specifically Kashmir.

In 2016, the mere discussion of the presence of armed groups by members of the Nawaz Sharif government with the then Pakistan Army chief and other brass at a closed door meeting, and a media report on the proceedings, set off a chain of events that led to Sharif's ouster, and prompted an Army-led crackdown on the newspaper that published it and the journalist who wrote the story. This Pakistan PM loses no opportunity to assert that his government and the Pakistan Army are on the same page. The question, now, is: Did he have the go-ahead to make this admission?

Pakistan is under so much international scrutiny now on terrorism, especially by the Financial Action Task Force, that even the military leadership of the country is no longer confident of brazening it out on inaction against the jihadist groups. The arrest of Hafiz Saeed would have been unthinkable had it not been for an imminent FATF blacklisting. Even so, Imran Khan's admission is bound to be embarrassing for the country's most powerful institution. It was also the Pakistan Army that claimed to have broken the back of the terrorists through Operation Zarb-e-Azb. It remains to be seen how Pakistan and its Army contain the fallout now, including at the FATF. The rapturous response that Imran Khan returned home to, after what has been hailed as a successful US visit, may prevent immediate political consequences for him. But the last word on this may not have been said.

LIKE TEARS IN RAIN

For millions of fans, Rutger Hauer was the real protagonist of 'Blade Runner', the film that burned him into our race memory

LENGTHY OBITUARIES OF Rutger Hauer have appeared in publications the world over. But his *Blade Runner* co-star, Daryl Hannah, spoke for the grieving fans of the Dutch actor in just three words: "Tears in rain." It is a fragment from the most powerful death soliloquy ever seen on screen, where Hauer's character, Roy Batty, prepares to die in the Los Angeles of the future in driving rain, after hand to hand battle with the cop Deckard (Harrison Ford). He holds a white dove in one hand, recalling memories from a short life in space: "Attack ships on fire off the shoulder of Orion. I watched C-beams glitter in the dark near the Tannhäuser Gate. All those moments will be lost in time, like tears in rain. Time to die." His fingers loosen, and the dove takes wing.

Hannah had played Pris, the love interest of Roy Batty. Two dispensable replicants created for dangerous missions, with no sense of identity, programmed to die before they can develop it. But they do, and know that they must succumb either to their rigged biological clock, or the cop pursuing them. In the film, Hauer played a humanoid, but explored what it means to be human. It outshined his other appearances in *Escape from Sobibor* (which got him a Golden Globe), *Batman Begins*, *Blind Fury* and dozens of other roles from 1969 to 2019. Only his portrayal of a cannibal priest in *Sin City* came even close.

Hauer shone in dark roles. But as sci-fi fans know, the left hand of darkness is light. In *Blade Runner*, Roy Batty's maker tells him: "The light that burns twice as bright burns half as long, and you have burned so very, very brightly, Roy." That quote, from a film that seared Hauer into the race memory of cinema, is an apt epitaph.



MANISH SISODIA

IN 2003, THREE years after Arvind Kejriwal, now the chief minister of Delhi, launched Parivartan to help citizens get access to services without having to pay bribes, a spark was lit in a *jhuggi* of Sundar Nagri. Nannu, a daily wage worker, had lost his ration card. Despite applying for a fresh copy with the Food and Supplies department, there was no movement on his application for six months. I had joined Kejriwal's organisation around that time.

After Nannu approached Parivartan for help, Kejriwal drafted an RTI application for him (Delhi had a state-level RTI Act at that time), demanding to know the name of the official whose job was to process the ration card, and the time within which the official was expected to have performed his duty. The answers to these questions would have been an admission of guilt. Instead, the food inspector arrived at Nannu's doorstep to deliver his ration card.

It was a eureka moment for many of us who were then working as activists, trying to secure citizen's rights to basic services from the government. Many years later, Kejriwal would mention Nannu in his acceptance speech at being awarded the Ramon Magsaysay Award in 2006.

The enactment of the national RTI Act in 2005 was an important moment in the history of our democracy, a milestone in our journey towards building an empowered citizenry. The dilution of the Act by the present NDA government is also an important moment, but in the opposite direction. The opposite of democracy is authoritarianism.

All democracies evolve, and that is their strength. A dialectical process in the early 2000s that involved a spirited social and political campaign for the right to information, countered by the establishment's distaste for transparency, finally led to the conclusion that India must give its citizens access to information about the state and its functions. Even at that point, the resistance to RTI was strong. For a system accustomed to

BJP, which used RTI against the Congress regime, now looks terrified of it

The measure of progress of any democracy is the level of empowerment of ordinary citizens. When the state seeks to take away power from ordinary citizens, it is at the cost of democracy itself. The RTI movement was born out of the view that people are the masters and the government exists to serve them. For the five year period after elections concluded, there was no mechanism to hold governments accountable. The RTI plugged this loophole. The RTI has now become the backbone of our democracy.

rule over people, the idea of citizens asking questions of the government did seem a little bizarre.

Once a senior officer, who was speaking at an RTI orientation programme asked, how can any Tom, Dick or Harry question the wisdom and authority of a well-educated and qualified bureaucrat? How can an auto-rickshaw driver be allowed to pose questions to officers? We would reply, your salaries are drawn from the taxes people are paying. Do we exempt an auto-rickshaw driver from paying taxes? If not, the auto driver is effectively the employer of government officials.

A few months after the enactment of the national RTI, Kejriwal's Parivartan led a national campaign called "ghoos ko ghoosa". The spark lit by Nannu's successful use of RTI needed a catalyst to spread the fire across the country. Parivartan set up camps across several cities and as many as 60,000 to 70,000 people were assisted in filing RTIs to expedite their access to services like power, water connections, and ration cards.

There are a number of such RTI success stories which led to the citizens of this country being able to lead dignified lives, promised to them by our Constitution. Cases of corruption in road construction around the country suddenly started coming to the fore. Ordinary citizens became "inspectors" of the government, and social audits of government works became popular, thanks in large part to the work done by stalwarts like Aruna Roy and others.

The wheels were turning in the direction of a deepening of democracy. The measure of progress of any democracy is the level of empowerment of ordinary citizens. When the state seeks to take away power from ordinary citizens, it is at the cost of democracy itself. The RTI movement was born out of the view that people are the masters and the government exists to serve them. For the five-year period after elections concluded, there was no mechanism

to hold governments accountable. The RTI plugged this loophole. The RTI has now become the backbone of our democracy.

The NDA government is seeking to control the appointment and salaries of Information Commissioners with the amendment it passed in Parliament. The authors of the RTI law, including Arvind Kejriwal, had chosen to place Information Commissioners at par with Election Commissioners because both offices are mandated to protect, preserve and promote the cause of democracy. By bringing Information Commissioners under the control of the executive, the government is striking a decisive blow at the independence of the institution.

I am no longer an RTI activist, but the weakening of the law has pained me. I have now been on the other side of this tug rope for almost five years as Deputy Chief Minister of Delhi. I have been the subject of several RTI queries from the Opposition over the years. Of course, they can be inconvenient at times, misused and misrepresented by vested interests to create an adverse narrative. But not once did it bother us because we stand by the strength of our convictions. That it causes the political executive inconvenience is actually the strength of RTI. In the face of an apathetic government, it gives citizens access to justice, a commodity in short supply.

An honest government would never be scared of information being made accessible. Even a corrupt UPA regime deserves credit for introducing RTI in the first place. But the Bharatiya Janata Party, a party that used RTI exposes against the Congress, and has now taken its place in the national political landscape, is ironically, terrified of it. This speaks volumes about the intent of this government. We are entering a disturbing phase, where the wheels of democracy are being forced to stop in their tracks.

The writer is Deputy Chief Minister of Delhi



KUNAL AMBASTA

THE BILL TO amend the National Investigation Agency (NIA) Act, 2008, has been passed by both Houses of Parliament and awaits the Presidential assent and notification prior to becoming law. It seeks to widen the authority of the NIA in terms of the crimes that it can investigate irrespective of the place of occurrence of the crime. The NIA was created as a special investigative agency under the control of the Union government which was meant to investigate crimes which affect the national security of the country, and those against institutions that were under national, as opposed to state government, control. Terror offences, offences against atomic and nuclear facilities, and offences such as waging war against the country, amongst others, were included in this list of offences. Though this may appear to be a technical point, it was clear that the agency was created to investigate crimes against the country, as opposed to ordinary criminal offences.

The reason for restricting the scope of the NIA to a category of offences as previously stated is simple. Under the Constitution, the maintenance of public order and police forces are matters upon which state governments, and not the Union, may legislate. Criminal law and procedure are matters, which may be legislated upon by both the Union as well as state governments. However, as far as ordinary crim-

FREE REIN TO POWER

NIA amendment bill infringes upon state authority, must be reconsidered

On the face of it, it appears that the Union government has encroached upon the rights of the states to conduct investigations into a class of cases which may affect public order, but may not have implications nationally. This goes against the notion of Indian federalism which guarantees states autonomy within a national framework. It further renders the state police forces redundant and centralises even ordinary prosecutions with the Union government.

inal investigations and prosecutions are concerned, it is clear that the state governments have the authority to prosecute such crimes. Not every criminal offence is a threat to national security and sovereignty and consequently, states have the competence to deal with the same.

However, with the recent amendment to the NIA Act, the Central government gets the authority to have the NIA take over the investigation of crimes, which involve allegations of human trafficking, offences under the Explosives Act, and certain offences under the Arms Act. The rationale for effectively allowing the Union government to prosecute such offences is unclear. Not all offences related to explosives may be a threat to national security, nor does an offence under the Arms Act automatically become related to terror activity. A state government would be well within its right to prosecute such offences alone. Further, even under the unamended NIA Act, if offences related to the above-mentioned legislation were committed in connection to a terror offence, the NIA would have had the authority to prosecute them.

On the face of it, it appears that the Union government has encroached upon the rights of the states to conduct investigations into a class of cases which may affect public order, but may not have implications nationally. This goes against the notion of Indian

federalism which guarantees states autonomy within a national framework. It further renders the state police forces redundant and centralises even ordinary prosecutions with the Union government.

One cannot forget that the NIA is effectively under the control of the Union government and its recent prosecution of certain cases has been questioned due to allegations of bias. The amendment to the NIA Act also gives the agency authority to investigate crimes committed by persons which are against Indian citizens or "affecting the interest of India". This term is undefined and is a recipe for misuse by governments which may conflate critical voices and dissent with adversely affecting India's interests. Further, the laws under which the NIA has the authority to investigate themselves do not mention "affecting the interest of India" as an offence. What we are seeing is the creation of a substantively new (and vague) offence under the guise of giving more procedural powers to an agency under the control of the Union government.

Therefore, the NIA Amendment Bill, 2019 is neither sound on the principles of Indian federalism nor on the established principles of criminal law. It deserves reconsideration.

The writer is assistant professor, National Law School of India University, Bangalore

JULY 26, 1979, FORTY YEARS AGO

TEST FOR DESAI

AT 3:50 PM, from his office in south block, Morarji Desai, makes phone calls to Rashtrapati Bhavan. Minutes are ticking by and the list of MPs supporting his candidature for premiership is not yet ready. The deadline for the submission of the list, set by the President, is 4 pm. Ravindra Varma, Murli Manohar Joshi and Digvijai Narain Singh, among others, flit in and out of the Prime Minister's office, like characters in the old bioscope being run at quick speed. Meanwhile, the president considers it prudent that a conversation with the PM at this juncture should not be conducted on the open line, so an effort is made to get Sanjiva Reddy on RAX (Restricted Automatic Exchange), which would obviate eaves-

dropping. But, as luck would have it, RAX at the president's end is out of order. Finally by about 4:15 pm, a list of 278 is ready. "Of this, 254 are our hard core supporters and that figure tips the scales in our favour" a party boss says with some relief

MORE PAK HANGINGS

FOUR MEN CONVICTED with Bhutto in a political murder case were executed in West Punjab. They are: Mian Muhammad Abbas, Soofi Gulam Mustaffa, Arshad Iqbal and Rana Iftikhar Ahmed. Mustaffa and Ahmed were hanged in Faizalabad district jail and the other two in Kotlakhpat in Rawalpindi. The four belonged to the former Federal Security Force (FSC), created by Bhutto for allegedly thrashing political opponents. The

executions followed the rejection by President Zia-ul-Haq of their mercy petition.

SKYJACKER CAUGHT

THE SKYJACKING OF the Bangladesh Biman aircraft from Jessore to Dum Dum airport in the morning ended with the skyjacker being nabbed by the police. A dark-complexioned young man of medium build and average height, the skyjacker was identified by an intelligence man as he walked to the lounge from the passenger coach. Immediately, senior police officials grabbed him by the collar of his bushshirt on the stairs of the lounge. They searched his person for the pistol and the knife which he was brandishing the whole day, but could find neither.



The Article that binds

I am a National Conference worker, my father sacrificed his life for a political belief...
The constitutional guarantees that bind J&K with the Indian Union cannot be unilaterally discarded



IMRAN NABI DAR

THERE HAS ALWAYS been a campaign based on falsehood and narrow sectarian motives to question Jammu and Kashmir's special constitutional status. The main reason for this vilification has always been based on a complete aversion to the state's Muslim majority and a denial of the constant struggle by its people for political empowerment. But the proponents of such a demand have generally couched it in polite language and tried to hide their communal agenda. Now the gloves are off. The views expressed by a senior IPS officer, Abhinav Kumar, who serves as Inspector General of Police BSF in Kashmir, in a recent article in this paper ('A new deal for Kashmir,' IE, July 5) are not only appalling, but also in total disregard of the Constitution.

"The expectation is that a war-weary and traumatised population will tire out," writes Kumar while advocating a status quo in the "current level of casualties and economic costs". The statement is a reflection of how an officer, expected to protect and champion human rights, is cheering the escalating trauma and continuing misery of Kashmir's common people.

Kumar indulges in scaremongering with the thought of how it would be for Jammu and Ladakh, and the secular ethos of J&K, if the iron fist Kashmir has borne the brunt of is softened and an ear is actually lent to the voices from Kashmir. This approach, he claims, ironically, "ignores the repercussions for the idea of India". He ridicules and lambasts Article 370 and 35A of the Constitution: "Without dismantling this structure, separatism and militancy will always strike a chord among a large section of the population in the Valley." The Muslim majority of Kashmir favours either aazadi or merger with Pakistan, Kumar claims, while going on to question the legal status of these constitutional guarantees.

I am a National Conference (NC) worker and the party's candidate for Kulgam assembly constituency. At 11 am on July 8, 2006, my father Ghulam Nabi Dar — a two-time legislator from Kulgam and a prominent National Conference leader — was killed in a grenade blast along with his four party colleagues, Mohammad Yousuf Shah, Mohammad Yousuf Wani, Ali Mohammad Zargar and Azad Ahmad Wani. Our family was devastated; it is a trauma that will never end. I was 25 years old then and the moment I heard the shrieks of my mother, I decided to join mainstream politics. Each day, during these 13 years while going to work in Kulgam, I am aware that I could meet my father's fate as well. But, this fear hasn't stopped me.

My father sacrificed his life for a political belief. He believed that the only way forward for our people is in Sheikh Mohammad Abdullah's idea of an all-inclusive J&K that decided to become part of a secular Indian Union after constitutional guarantees ensured it a special status within the Union. He saw a future for our people in it and fought for it till the end. Like my father, more than 5,000 workers and leaders of the National Conference have been killed in the last 30 years for the same reason. Sheikh Abdullah had joined Gandhi's India, and my father and thousands of other NC workers shed their blood for that commitment. Unfortunately,



Suvajit Dey

the idea of India in Kashmir that the senior IPS officer espouses is Nathuram Godse's India. There is no way we will accept it.

Ordinarily, views such as those of Kumar's don't deserve a response. But because it is a senior serving IPS officer, who has spoken publicly, it is important to rebut them. J&K's special status isn't a concession given to the state by the Union government. It is an outcome of a solemn compact between two sovereign entities in 1947. Unlike other princely states, J&K negotiated the terms and conditions of its entry into the Indian Union. While J&K acceded to the Indian Union on defence, foreign affairs and communication, it was the only state that wanted its own constitution drafted by its own constituent assembly. Article 370, that determines the contours of J&K's relations with the Centre, and is the constitutional link between Kashmir and New Delhi, was introduced in the Indian Constitution only after the then Prime Minister of J&K, Sheikh Abdullah, and Prime Minister Jawaharlal Nehru, discussed it for five long months — between May and October 1949. Article 370 and Article 35 A were not concessions. They were the outcome of an agreement.

Nehru wrote to Sheikh Abdullah: "It has been the settled policy of the Government of India, which on many occasions has been stated both by Sardar Patel and me, that the Constitution of Jammu and Kashmir is a matter for determination by the people of the state represented in a Constituent Assembly convened for the purpose."

The consistent turmoil in J&K, too, isn't without reason. On August 9, 1953, Sheikh Abdullah's government was summarily dismissed and he was arrested. The tallest leader of the people of J&K, who had fought valiantly against autocratic rule to establish democracy — the leader who had changed the name of his party from Muslim Conference to

Unlike other princely states, J&K negotiated the terms and conditions of its entry into the Indian Union. While J&K acceded to the Indian Union on defence, foreign affairs and communication, it was the only state that wanted its own constitution drafted by its own constituent assembly. Article 370 that determines the contours of J&K's relations with the Centre, and is the constitutional link between Kashmir and New Delhi, was introduced in the Indian Constitution only after the then Prime Minister of J&K Sheikh Abdullah and Prime Minister Jawaharlal Nehru discussed it for five long months.

National Conference so that the ideals of inclusiveness and rights of minorities are safeguarded; the leader who had decided to support J&K's accession to India and not go with Pakistan, despite the state being an overwhelmingly Muslim majority — was betrayed. That was the beginning of the problem in J&K. Soon, New Delhi abolished the post of prime minister of J&K and elected Sadr-e-Riyasat. The view that holds that Article 370 can be done away with ignores the fact that it is this very Article that binds J&K with the Indian Union.

The reference to the Jammu and Ladakh region is nothing more than a ruse to divert attention from the main targets: The Muslim majority of the state. In Jammu province's Hindu majority districts of Jammu city, Sabha and Kathua, supporters of the current government are openly demanding the ouster of the Muslim minority from these areas. The rallies organised in support of the rapists of a Muslim Bakerwal child in Kathua were led by two then-serving BJP ministers from Jammu. An outfit was set up to defend the rapists, the Hindu Ekta Manch.

The Sangh Parivar that spearheads the demand for the repeal of Article 370 and Article 35 A is against the Muslim majority character of J&K. While repealing the two articles will agitate all in J&K, it is beyond doubt that Muslims in the Jammu province, especially in the Chenab valley and the Pir Panjal region, will resist such plans. Moreover, Ladakhis across the board are conscious of the demographic make-up of their region, and won't accept any change.

If the constitutional guarantees that bind J&K with the Indian Union can be unilaterally discarded, what is left to discuss.

The writer is a leader of the National Conference in South Kashmir and party's spokesperson

WHAT THE OTHERS SAY

The US must acknowledge that its 'shock-and-awe' tactics in Afghanistan, and its attempts to engineer a political and social structure, have utterly failed. —DAWN

Unmatched valour

Soldiers who laid down their lives in Kargil are an inspiration, especially to young Indians



RAJEEV CHANDRASEKHAR

TODAY, THE nation commemorates the 20th anniversary of Kargil Vijay Diwas, a day when our armed forces successfully completed Operation Vijay and delivered a crushing defeat on yet another military misadventure by Pakistan — 28 years after the last humiliation was inflicted on them during the 1971 War.

From mid-May to July 1999, Operation Vijay saw infantry battalions of the Indian Army fight some of the fiercest battles to take back the high-altitude posts captured by the Pakistani forces. While artillery fire was instrumental in clearing the way for the infantry soldiers, the Indian Air Force supported the men on ground with its Operation Safed Sagar that included never attempted before air strikes on bunkered posts. Despite the treacherous terrain and icy heights, our armed forces demonstrated a relentless resolve to throw back the Pakistanis, and prevailed.

Twenty years on, the memories haven't faded. The over 60-day conflict was a saga of unmatched valour, grit, and determination that ended on July 26, 1999. It also had the political leadership of a determined kind in Atal ji who signalled unambiguously India's determination to throw out the Pakistan army. It was the first war to be televised and the images have remained etched in our memory.

Even today, we feel the anger at the torture that Lt Saurabh Kalia and five other soldiers on patrol had to endure in Pakistan Army captivity — this violated every norm of a civilised nation. We feel awestruck when we read about the extraordinary acts of courage of soldiers like Captain Vikram Batra, Captain Vijayant Thapar, Captain Haneef Uddin, Major Sonam Wangchuk, Grenadier (now Subedar Major) Yogendra Yadav, Lance Naik Ghulam Mohammed Khan, Captain Neikezhakuo Kenguruse, Squadron Leader Ajay Ahuja and so many others — diverse as they are because they come from different parts of India — represent the deep resolve, grit, and determination to fight for and defend India's people and territory.

The men who never returned from the conflict lived and walked among us 20 years ago. These bravehearts were all young, most just into their 20s and yet their courage was that of veteran warriors. These men and their lives are inspirational — especially to the young Indian that account for the majority of our population.

Today 20 years on, while the 527 bravehearts who laid down their lives during Operation Vijay may not be among us today, but their parents and families are,

and they owe our deepest respectful gratitude. Captain Vikram Batra's identical twin Vishal recently visited Pt 4875, now named Batra Top, and one could easily mistake him for Captain Batra at the location. Colonel V N Thapar still makes his annual pilgrimage to Knoll at the spot his 22-year-old son Captain Vijayant Thapar laid down his life to fulfill his last wish. Diksha Dwivedi, the daughter of Major C B Dwivedi, who laid down his life at Kargil, published a book, *Letters from Kargil* in which she tells the story of the Kargil war through the letters of the soldiers who were there at the battlefield. They carry forward the legacy of their sons, fathers, brothers, and husbands who fought and sacrificed in Kargil.

The 20th anniversary of the victory at Kargil is being celebrated with the theme, "Remember, Rejoice and Renew". Today we "remember" our bravehearts by revisiting their stories of service and sacrifice, "rejoice" by celebrating the victory and honour these brave men brought their country and "renew" our resolve to remember, honour and commemorate their sacrifices and safeguard our nation.

Today, Kargil Vijay Diwas is being celebrated across the country, but it wasn't always so. I remember how under the Congress-led UPA government, from 2004 to 2009, the Kargil War victory was not celebrated at all. It was after my persistent demand that the then Defence Minister A K Antony started the tradition of laying a wreath on the occasion of Kargil Vijay Diwas from 2010. Since then, Kargil Vijay Diwas has been observed and celebrated by every citizen, and the government of India officially.

This 20th anniversary of Kargil Vijay Diwas is a big milestone in the history of our proud nation. It is a day which reinforces the support of every Indian to the service and lives of our men and women in uniform and their families. On this day, we must once again pledge to do whatever is necessary for our bravehearts — including pursuing Pakistan over the torture and killing of Captain Saurabh Kalia and five other soldiers, as well as pursuing with Pakistan the issue of 54 missing war heroes from 1971. Their families have not yet found closure.

Ever since India became Independent, we have had to deal with threats from across our borders. Pakistan, in particular, has launched many battles and has been inflicted humiliating defeats in all of them, including the recent Balakot strike, approved by Prime Minister Narendra Modi, and delivered by our air warriors. Seventy two years after Independence, the threats from Pakistan remain — albeit of a different kind. Men and women of our armed forces serve and sacrifice every day fighting terrorism. So, as we celebrate 20 years of inflicting a crippling defeat on Pakistani forces, let us also salute the men and women who served then and those that serve today to keep us safe and our country secure. Jai Hind.

The writer is a Rajya Sabha MP

LETTERS TO THE EDITOR

TURMOIL IN GOA

THIS REFERS TO the article, 'The BJP I knew' (IE July 25). The writer's anguish over recent happenings in the BJP across the country in general, and Goa in particular, is justified. He implies that had the voters anticipated the turncoats will be won over by the lure of office, they would not have voted for them. If the Goans wish to teach these turncoats a lesson, they must ensure that they do not win any future election.

RK Vijay, Jaipur

HERO OR VILLAIN

THIS REFERS TO the article, 'Clinging to patriarchy' (IE, July 25). The issues raised by the author do exist in society and young girls have to bear the brunt of the patriarchal retaliation against women's empowerment. That explains much of the harassment faced by women. Arjun Reddy's character typifies hooliganism.

Gajendra Saini, via e-mail

BJP'S OVERKILL

THIS REFERS TO the editorial, 'A dismal frame' (IE, July 25). Unsurprisingly the all-powerful BJP is resorting to horse trading to destabilise the few state Congress governments which could survive its onslaught. It has no qualms in admitting in its ranks even those Opposition leaders whom it accused of corruption and other improprieties. But to be fair to the BJP, it is doing so only to pay back the Congress of yore in the same coin. In its heyday, the Congress toppled non-Congress state governments. Anyhow, the BJP's overkill does not augur well for democracy.

Tarsem Singh, Mahilpur

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

IDEAS FOR SCHOOLS

THIS REFERS TO the article, 'How not to educate India', (IE, July 24). The new National Education Policy has suggested the National Tutors Programme and Remedial Institutional Aides Programme and advanced ideas like peer learning, supportive instruction, and community participation in the teaching process. All this could neutralise the menace of the private coaching industry. But schools have been left to implement these ideas. Is that possible with teacher's attendance still an issue in the country? It's high time that this issue is paid attention.

Sudip Kumar Dey, Kolkata



RAJESH M KAYAL

AN IMPORTANT announcement in the finance minister's budget speech pertains to the introduction of a system of faceless tax scrutiny assessment. Such an assessment is commendable because in the first place, it means that the assessing officer would not know the taxpayer's identity and would use only the online filing, and technology platform, to scrutinise the details of the tax payer. Second, there won't be any personal interaction between the tax payer and the tax officer. This step aims to eliminate corruption in the tax department. However, there are questions over whether faceless scrutiny can end the harassment of taxpayers.

For faceless tax scrutiny to be successful in all respects, the most important rule is that tax rules ought to be drafted with utmost clarity. Unfortunately, in our Indian tax system, legal disputes ensue because tax laws are not drafted with clarity and are hence misused by tax officers. Such litigation adds to cases in the country's already overburdened courts. Take for example section 115BBD. Under this section, dividend of more than Rs 10 lakh received by a resident tax payer from domestic or other companies is taxable. However, the online assessment order makes the dividend received by a non-resident taxable as well; dividends from mu-

Making anonymity work

Faceless tax scrutiny assessment requires clarity in law, accountable officers

tual funds are also taxable. Online rectifications are rejected, leaving taxpayers with no option but to file a tax appeal and then wait for years to get justice. Even a brochure issued by the tax department to clarify the issue of taxing non-residents wrongly mentions that such people have to pay tax for a dividend above Rs 10 lakh.

One can give a number of such examples. In the past, section 80HHC was the best example of misinterpretation of tax provisions by tax officers. It meant that almost every taxpayer who availed benefits under the section had to undergo litigation on various grounds. Such cases took years to settle. It is, therefore, more important to draft tax rules with clarity before embarking on faceless tax scrutiny.

The tax department should be more taxpayer friendly. The department's object should not be to maximise tax revenue by making unlawful additions to the taxable income of tax payers or by denying them timely tax refunds. Even though we follow the online tax assessment system, tax payers are not issued large refunds in time. One receives an assessment order or an order giving effect to tax appeals but refunds are issued at end of the financial year — that too without interest from the date of the order to the date of the issue of refund. So before

resorting to faceless scrutiny, it would be desirable to make the current online assessment more taxpayer friendly.

Last year, the CBDT issued a circular stating that the commissioners of appeal will be rewarded for issuing more orders in favour of the taxpayers. This was totally uncalled for. It could be construed that the intent of this circular was to pass more unfavourable orders against taxpayers without considering their legality. It is important to fix accountability of tax officers and ensure that they pass assessment orders according to the tax statutes.

In an earlier article in this paper, (Ease of doing investments for NRIs, November 24, 2017), I had written, "It is not easy for NRIs to sell their property in India. After finding the buyer, they have to get a tax clearance under section 195 or 197 for each sale transaction before registering the sale deed. Such deals often fall through due to delay in securing tax clearance." To avoid harassment of NRI taxpayers, a circular was issued setting a time limit of 30 days to issue a clearance certificate. The process also allowed the submission of online applications with required papers. But that has not been of much help, because of the corruption in the department and the unfriendly attitudes of tax officers. Taxpayers are

issued online notices to submit affidavits or papers, which are not relevant to the determination of the tax or the TDS amount.

A person registering a sale deed without obtaining a tax clearance certificate — by accepting a token amount — can be subject to harassment. For example, the tax department can raise an objection for receiving a token amount without the deduction of tax. The tax payer is ultimately left with no choice but to approach the tax officer personally.

At present, tax scrutiny assessments are done online. Tax payers receive notices asking them to submit irrelevant details and papers. They are issued notices stating that the required details have not been submitted in time. Tax payers could be subject to penalty, prosecution or an income tax survey. Even senior citizens are not spared. Facing the threat of a survey, the tax payer approaches the tax officer personally to manage the assessment. Faceless scrutiny will definitely put an end to corruption as the personal interaction between a taxpayer and tax officer will not happen. But before that, the government must ensure that tax officers do not pass unlawful orders online. Tax statutes too need to be drafted with clarity.

The writer is a chartered accountant



The terrorist tag

India needs tough laws to combat terror, but the proposed amendments could be misused

The idea of designating an individual as a terrorist, as the latest amendments to the Unlawful Activities (Prevention) Act propose to do, may appear innocuous. However, designating an individual as a terrorist raises serious constitutional questions and has the potential for misuse. The practice of designating individuals under anti-terrorism laws, prevalent in several countries, is seen as being necessary because banned groups tend to change their names and continue to operate. However, there is no set procedure for designating an individual a terrorist. Parliament must consider whether an individual can be called a ‘terrorist’ prior to conviction in a court of law. The absence of a judicial determination may render the provision vulnerable to invalidation. There ought to be a distinction between an individual and an organisation, as the former enjoys the right to life and liberty. The likely adverse consequences of a terrorist tag may be worse for individuals than for organisations. Further, individuals may be subjected to arrest and detention; even after obtaining bail from the courts, they may have their travel and movements restricted, besides carrying the taint. This makes it vital that individuals have a faster means of redress than groups. Unfortunately, there is no change in the process of getting an entity removed from the list. Just as any organisation getting the tag, individuals, too, will have to apply to the Centre to get their names removed.

A wrongful designation will cause irreparable damage to a person’s reputation, career and livelihood. Union Home Minister Amit Shah’s warning that his government would not spare terrorists or their sympathisers, and his reference to ‘urban Maoists’, are portentous about the possibility of misuse. It has been argued by some members in Parliament that the Bill contains anti-federal features. The provision to empower the head of the National Investigation Agency to approve the forfeiture of property of those involved in terrorism cases obviously overrides a function of the State government. At present, the approval has to be given by the State police head. Also, there will be a section allowing NIA Inspectors to investigate terrorism cases, as against a Deputy Superintendent of Police or an Assistant Commissioner. This significantly enhances the scope for misuse. The 2004 amendments to the Unlawful Activities (Prevention) Act, 1967, made it a comprehensive anti-terror law that provided for punishing acts of terrorism, as well as for designating groups as ‘terrorist organisations’. Parliament further amended it in 2008 and 2013 to strengthen the legal framework to combat terror. While none will question the need for stringent laws that show ‘zero tolerance’ towards terrorism, the government should be mindful of its obligations to preserve fundamental rights while enacting legislation on the subject.

Boris days

Britain’s new PM should abjure his dangerous brinkmanship in seeing Brexit through

Boris Johnson, Britain’s new Prime Minister, has achieved one of his life’s ambitions. His defiant speech at Downing Street on Wednesday, pledging a “no ifs, no buts” exit from the European Union before October 31, is clear indication that he will pursue a hard Brexit. “Doubters, doomsters and gloomsters,” would be defeated, he declared in characteristic style. Several ministers from the previous government, who have either resigned or have been dropped, are all presumably among them. Conversely, the induction of several eurosceptics, most notably Jacob Rees-Mogg from the European Research Group, leaves no doubt that the Johnson team is nothing if not a Brexit cabinet. The other is Dominic Raab who, during the Conservative leadership race, advocated proroguing Parliament to ensure MPs did not stop a no-deal exit. Mr. Johnson’s rhetoric is reminiscent of Theresa May’s uncompromising early stance that no deal was better than a bad deal. While she was forced to back down from several unrealistic positions, Mr. Johnson’s place in Downing Street is far more precarious than her’s. His majority in the House of Commons could drop to just two seats if, as the polls forecast, the Tories lose the by-election in August. This arithmetic is crucial in what is a sharply polarised Parliament now. Party hardliners have threatened to vote out the government if the exit deadline was breached for a third time. With Brussels ruling out a renegotiation of the withdrawal agreement, the chances of leaving on October 31 seem remote.

Mr. Johnson has for too long painted the other 27 nations in the bloc as hostile adversaries that have undermined Britain’s sovereignty. He has paid scant regard to mounting evidence, most recently from the International Monetary Fund, of the crippling economic impact of Britain leaving the union. Mr. Johnson has even dismissed the risks to the integrity of the Good Friday agreement between the U.K. and Ireland, in the absence of the prevailing soft borders connecting Dublin and Belfast. But as Prime Minister he can ill-afford to indulge the populist instincts of the narrow nationalists among the Conservatives. Instead, he must reckon with the real and grave consequences for the nation and even his party, of abruptly walking out on London’s closest partners. The contradictions of that approach were laid bare this week in London’s bid to coordinate with Brussels to protect European commercial shipping in West Asia. Clearly, London’s interests lie in redoubling efforts to resurrect the multilateral order that U.S. President Donald Trump seems so keen to undo. The special relationship between the principal trans-Atlantic partners is nothing if it did not encompass a more universal vision. Mr. Johnson must abjure his dangerous brinkmanship. That would be in Britain’s interest.

In white nation talk, the voice of the Squad

How the Democratic Party positions itself in the poll run-up cuts to the very heart of its identity and America’s future



SANKARAN KRISHNA

For the first time in over 100 years, the U.S. House of Representatives passed a non-binding resolution on July 16 condemning the President of the United States, Donald Trump. Just days earlier he had tweeted that if four Democratic Congresswomen did not like the state of affairs in the U.S., they could “go back” to the countries they came from, countries whose governments were “a complete and total catastrophe, the worst, most corrupt and inept anywhere in the world.” He went on to tweet, “Why don’t they go back and help fix the totally broken and crime infested places from where they came. Then come back and show us how it is done.”

Vote and politics

All four Congresswomen [they have given themselves the nickname, the “Squad”] are persons of colour; three of them (Rashida Tlaib, D-Michigan; Ayanna Pressley, D-Massachusetts; Alexandria Ocasio-Cortez, D-New York) were born in the U.S., and the fourth (Ilhan Omar, D-Minnesota) was a refugee from Somalia and a naturalised U.S. citizen. The resolution “strongly condemns President Donald Trump’s racist comments that have legitimized and increased fear and hatred of new Americans and people of color by saying that our fellow Americans who are immigrants ... should “go back” to other countries, by referring to immigrants and asylum seekers as “invaders,” and by saying that Members of Congress who

are immigrants ... do not belong in Congress or in the United States of America.”

The vote condemning the President (240 Democrats for, 187 Republicans against) was overwhelmingly along party lines. The Democrats were a united bloc and only four Republicans (one black Congressman from Texas, two others possibly either retiring or not seeking re-election, and the fourth a naturalised citizen of Polish origin) and the sole independent in the House (a Michigan Congressman forced out of the Grand Old Party, or GOP, for his opposition to Mr. Trump) joined them.

Leader, party and vision

In publicly telling these Congresswomen to “go back”, Mr. Trump was explicitly saying the U.S. was a white nation in which coloured people and racial minorities irrespective of their citizenship status, place of birth, or length of residence, did not belong. And in refusing to join the Democrats in supporting the resolution, the GOP was clearly on board with his vision of a white nation. In the 1990s, faced with the demographic reality that the U.S. would in course of time become a white-minority nation, sections of the GOP had sought to broaden its appeal to Hispanics, Asian-Americans, middle-class Blacks, and other minorities. With the rise of a nativist and white supremacist fringe (epitomised by the Tea Party) the GOP has decided it can dispense with minorities.

Between gerrymandering constituencies, preventing minorities from voting through myriad restrictions, and legalising all this through increasing control over both the judiciary and various state legislatures, the GOP has anchored itself firmly in a white nation. Mr. Trump is both a symptom of this process and its great accelerator.



erator. Far from being an aberration or outlier in the U.S. political landscape, he epitomises a considerable section of it only too well.

Mr. Trump was reportedly delighted at the display of Democratic unity on the resolution condemning him for his comments on the Congresswomen. It played fully into his hands for next year’s Presidential elections wherein he would position himself as the candidate of a white nation under threat from a rising tide of minorities, immigrants, and various other un-American ‘outsiders’ living off government handouts and crime. The sight of House majority leader, Nancy Pelosi, standing shoulder-to-shoulder with the four coloured Congresswomen was precisely the sort of photo-opportunity that was dynamite as far as Mr. Trump was concerned. (The weeks prior to this show of unity had been marked by bitter differences between the centrist Pelosi and the more progressive Congresswomen on issues such as socialised health care, immigration reform, border control, and Israel-Palestine, to mention the most prominent).

Poll-centric theme

It is obvious that Mr. Trump intends to make the upcoming Presidential elections a contest about race, and paint the Democratic party as beholden to unpatriotic,

radical socialist, non-white minorities.

How the Democratic party positions itself *vis-à-vis* Mr. Trump’s idea of a white nation cuts to the very heart of its own identity and the nation’s future. There is the temptation to seek an increasingly evanescent middle ground through the candidacy of someone such as Joe Biden. With a track record that includes opposition to busing early in his career; shepherding draconian anti-minority laws through Congress (by securing the bipartisan support of southern racists, no less) on the pretext of getting “tough on crime”; serving as Vice President to Barack Obama as the latter consolidated an unprecedented carceral state (with 5% of the world’s population, the U.S. is home to around 25% of the world’s prison population); and as a white male, Mr. Biden might cut into Mr. Trump’s core constituency of angry whites threatened by a loss of privilege. Yet, for those same reasons he is unlikely to make any headway with the young, with minorities, and those who have stayed away from the polls in the post-Obama period. There is the added danger that the “Trump Democrats” in the rust-belt may prefer the unvarnished bigotry of their man to the triangulated message of a Biden.

With their more progressive and articulate economic agenda, the likes of Elizabeth Warren, Bernie Sanders or Kamala Harris are likely to offer a much better prospect for the Democrats. If a hide-bound party leadership does not stymie their chances (as it did with Mr. Sanders for the nomination the last time around), a ticket comprising two such leaders might offer the best bet. Yet, the obstacles are likely formidable. Precisely because of their accomplishments, intellect and articulateness, Ms.

Warren and Ms. Harris are likely to evoke the sort of misogyny that clearly contributed to Hillary Clinton’s defeat, while Mr. Sanders’ avowal of social democracy often bafflingly alienates many underclass people who need it most. That his socialism is seen as a problem while Mr. Trump’s practically treasonous and utterly pusillanimous relations with Russia’s President Vladimir Putin does not deflect his followers simply beggars belief.

A thread of hatred

More importantly, as with a host of other countries (India, Turkey, the United Kingdom, the Philippines, Brazil – to mention only a few) right-wing strongmen and their supporters riding on a cocktail of racist, casteist, majoritarian and misogynistic ideologies seem to be winning everywhere. A visceral politics of hatred for racial minorities and other putative outsiders, energised by social media resonance machines we still poorly understand, has returned incumbent regimes that would have been swept out of power in times past. It may not matter what the Democrats do and Mr. Trump may yet be re-elected. But in confronting his racism and misogyny, in making a forceful case for progressive taxation, for reforming a dysfunctional health-care system, in bringing the U.S. back into conformity with international law on asylum seekers, and in derailing the endless war machine that it has become, whoever wins the Democratic nomination would be well advised to listen to the four minority Congresswomen: they represent the future, however cloudy that may seem at this moment in time. And it would be the right thing to do.

Sankaran Krishna teaches politics at the University of Hawaii at Manoa in Honolulu, U.S.

The minutiae of Trump’s mediation claim

Governments pursue their national interests single-mindedly without allowing sentiment to influence their judgment



CHINMAYA R. GHAREKHAN

U.S. President Donald Trump’s claim on Monday, during a press conference with Pakistan’s Prime Minister Imran Khan in Washington, that Prime Minister Narendra Modi had told him at the G-20 summit in Japan in June, in so many words, that he wanted the American President’s help, either through mediation or arbitration, in resolving the Kashmir dispute is a claim that has understandably raised hackles in India and jubilation in Pakistan. The Indian External Affairs Minister has denied that Mr. Modi had made any such request to Mr. Trump.

The Opposition is not satisfied with the Minister’s denial and wants Mr. Modi personally to clarify the situation, which he seems reluctant to do; it is very difficult for the Prime Minister to call Mr. Trump a liar because that in effect is what he would be saying if he contested the latter’s claim.

It hardly needs stating that Mr. Modi did not make any such request to Mr. Trump. The President’s love for truthfulness in his own country is suspect. It is entirely possible that he thought of making such a statement, which he must have known was not true, to

please his guest; perhaps he was confident that he would be able to placate the Indian leader on some subsequent occasion, by for example, extending the deadline for reducing import of Iranian oil to zero.

The bottom line

The main lesson for us in India in this is not that we cannot trust the American President – we should not trust any foreign leader in such matters. It is an object lesson how other governments pursue their national interests single-mindedly without allowing sentiment to influence their judgment. At this point in time, the U.S. is desperate for Pakistan’s help in ‘extricating’ the American military from Afghanistan.

The use of the word ‘extricate’ was most suggestive; it indicates that the U.S. feels itself in a quagmire in that unfortunate country and is eager to pull out with some face-saving formula. Mr. Trump is thinking only of his country’s interest; he is not bothered about India’s reaction. If India feels offended, so be it. He knows that Pakistan is the only country with clout with the Taliban that can help him in reaching this objective. If Pakistan does manage to persuade the Taliban to engage in direct talks with the Afghan government, it can expect substantial dividends from Mr. Trump – beyond the \$1.3 billion that was mentioned at the presser.

Imran Khan too has played his cards well. He did not allow him-



self to act hurt or annoyed at Mr. Trump’s pungent criticism of Pakistan’s ‘lying and cheating’ just days before his visit. On the other hand, he took some steps, including lifting the ban on overflights through Pakistan’s airspace to create an impression of reasonableness in time for his Washington visit.

We Indians do not take kindly to such strong words from foreign leaders. We feel hurt and show our hurt publicly. In the old days, what Mr. Trump said would have led to demonstrations in front of the American embassy. We also get carried away by flattery. As they say, even god loves flattery, but governments cannot afford to take praise at face value. Thus, our ego gets inflated when we are told that India has a major role to play in the Indo-Pacific.

The concept of the Indo-Pacific is nothing but containment of China by another name. The Japanese Prime Minister takes credit for coining the phrase, suggesting that the name implies the importance of India in this region. He has his own problems with China, and Japan is a close ally of America. The two no doubt work closely with

each other and coordinate their actions in this area. But India has its own interests and concerns about China which are not shared by others. All ‘strategic’ experts are of one view, namely, in the event of a major crisis with China, we shall have to depend solely on ourselves; no other country will come to our help in any meaningful way. This calls for a certain amount of distancing ourselves from the game that other powers are playing. Surely, the experts in the government are conscious of these factors, especially now that we have a seasoned diplomat at the helm of Foreign Office.

The ‘K’ word

To come back to Kashmir, we are justified in our position that there can be no talks with Pakistan unless and until Islamabad effectively stops cross-border terrorism emanating from its territory. The question is: does either country really want to resolve the issue? It is not enough for either country to say that it wants to solve the problem.

When Pakistan says this, it means withdrawal of all Indian forces from the whole of Jammu and Kashmir, followed by a referendum. When India says it wants to resolve the problem, it means the vacation by Pakistan of its presence from the whole of Jammu and Kashmir. Pakistan’s interpretation of the UN resolution is patently wrong; the resolution calls for withdrawal of all forces under Pakistan’s control first. But it has managed to create a narrative of

self-determination for the Kashmiri people which is largely swallowed by other countries.

It makes sense for the Pakistan military not being keen on resolving the conflict, because it will lose its relevance and pre-eminent position in society once the Kashmir problem is out of the way. Surely that is not the case with the Indian military. India’s military is highly disciplined and apolitical and will follow whatever the civilian government decides.

If each country wants to solve the problem only on its terms, it will never be solved. In any negotiation, both sides have to compromise, which means neither side will get all it demands. The only realistic and practical way out is the conversion of the Line of Control into an international boundary, with suitable, minor adjustments.

We did make this offer during the Bhutto-Swaran Singh talks in 1962-63. We even offered an extra 1,500 sq.km to Pakistan, but the latter wanted the whole State, except for the district of Kathua. It is obvious that neither country has the political courage or the mandate to officially put forward this proposal now or ever. Thus, the issue will not be solved bilaterally and will remain with us for a long, long time. And some might say ‘so be it’.

Chinmaya R. Gharekhan, a former Indian Ambassador to the United Nations, was Special Envoy for West Asia in the Manmohan Singh government

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.

Panel scrutiny

The demand by Opposition leaders that the government must refer seven key Bills, which include the Unlawful Activities (Prevention) Amendment Bill, 2019, the Right to Information (Amendment) Bill, 2019, and the DNA Technology (Use and Application) Regulation Bill 2019, for further scrutiny by a Select Committee of Parliament is reasonable and justified (Page 1, July 25). The government should not bulldoze things merely because it has a political majority. The essence of democracy is debate and discussion. The system of select committees is fully utilised in the Westminster system of parliamentary democracies. Since the

committee comprises both ruling and Opposition members there can be discussions at leisure. The services of experts can also be used. In the past, several useful suggestions have been offered by Opposition members, incorporated before the Bill was tabled. This way, precious time in Parliament can be saved.

S.V. VENKATKRISHNAN, Bengaluru

Population curbs

India is a democracy and cannot afford to pursue an authoritarian policy on population control (Editorial page, “Having the last word on ‘population control’,” July 25). However, I feel India’s demographic dividend can be utilised only if the population growth does not outpace

the growth of infrastructure. On the contrary, such growth will only add to the burden as far as public health and education are concerned and result in greater unemployment. Economic growth will be unequal too.

DIVYA SHARMA, Dehradun, Uttarakhand

■ A prominent feature of population control in India is that it has been achieved without coercive measures, examples of these measures being the Emergency phase or the rigorous norm of one-child per couple in China in the past. Voluntary efforts have been engendered by the spread of education as shown by the best total fertility rate (TFR) results in Kerala. Besides, greater awakening about the

importance of small family among the poor seems to be growing. However, we do need to bring down the total fertility rate (TFR) even further, from 2.2. For this, education, health care and infrastructure have to be in tandem. There needs to be better awareness, quality education and more incentives for adhering to a small family.

■ Pockets of Indians across all religious denominations and economic brackets have been deriving direct and palpable benefits by adopting ‘small family norms’, as seen in terms of overall prosperity, quality of life and better rankings in the social indices of these nuclear units. But population

as an asset is not a theory that India can afford to buy. It may not be an exaggeration that all the progress achieved in the 70 years of Independence has been overshadowed by an unbridled population explosion. We do not need a rocket scientist to tell us that excess population is India’s bane. Let us not fight shy of the truth.

SIVAMANNI VASUDEVAN, Chennai

Other sources of power
Amidst the acute water crisis India is facing in many parts,

it is inevitable that all of us should be vigilant about the judicious use of water (OpEd, “Making the water-guzzling thermal plants accountable”, July 24). Thermal power has its place but the focus must be towards non-conventional sources of energy production. Tidal energy is one such source that has not been tapped in full. Solar energy too needs huge funding in technological research.

DANISH UMAR, New Delhi

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CORRECTIONS & CLARIFICATIONS:

In the Sports page story titled “Melissa Tapper – making the most of her disadvantage” (July 22, 2019) both the photo caption and the text erroneously said: “Born with *brachial plexus* – which means the nerves between her right neck and shoulder were torn apart...” This should be corrected to read *brachial plexus injury*.

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How to make the Surrogacy Bill more inclusive?

PARLEY
The government need not restrict the surrogacy option to married couples only

The Surrogacy (Regulation) Bill was introduced in the Lok Sabha earlier this month with the intent of facilitating altruistic surrogacy in the country. The Bill stipulates that a surrogate mother has to be a 'close relative' of the intending couple. The government claims that regulating surrogacy will put an end to rampant commercialisation of the practice. But in the process, it has left a lot of women from underprivileged backgrounds who lend their wombs worse off. In a conversation moderated by Ramya Kannan, gynaecologist Dr. Kakoli Ghosh Dastidar (KGD) and author Gita Aravamudan (GA) look at the Bill's shortcomings.



Dr. Kakoli Ghosh Dastidar is a gynaecologist and Trinamool Congress MP



Gita Aravamudan is a journalist with a special interest in gender issues



Scan the QR code to listen to the full interview online

How will the Bill impact surrogacy in the country? Will it increase or decrease the chances for people to choose from the many reproduction options?

KGD: I would like to mention that I have spoken to Union Health Minister Harsh Vardhan. I have also, in fact, written to him that it looks like we are putting the cart before the horse. For surrogacy to happen, we need embryos, and embryos are cultured in various In-Vitro Fertilisation (IVF) laboratories. So, before speaking of surrogacy, we should have brought in the Assisted Reproductive Technology (ART) Bill, which has been lying in cold storage for years now. We should have formulated rules and regulations for ART because there is a mention of 'donor eggs' in the Surrogacy Bill; and it is the donor eggs that are used for the IVF procedures. Second, the Bill specifies that the intending couples should be married Indian couples. There is no mention of Non-Resident Indians working or studying abroad who may want to come back home to have a baby. As far as the other provisions go, they are mostly okay, but we need to be able to debate the Bill at length.

Are there any problems with the Bill?

GA: There are a lot of problems. First, as Dr. Kakoli said, we are put-

ting the cart before the horse because there is a whole process involved, and surrogacy is only the ultimate end of it. There are many other points in the Bill that are very problematic. First, it leaves out a lot of people in case they want to have a baby through IVF, including unmarried couples who want to have a baby through surrogacy, gay couples and single men and women.

Also, the Bill allows only altruistic surrogacy; this provision is very problematic as far as I'm concerned. I spent two years with surrogate mothers, clinics and intending couples; what I found is that the people who are lending their wombs in order to bear children for somebody else - they are doing a job which is very creditable because they want to help somebody, but it doesn't mean that they should put their life on hold for it, or that they should not be paid for it.

Altruistic surrogacy has, in fact, failed in other countries, and has resulted in various other forms of assistance being given, though money may not be paid. If we are going to rely on relatives alone, many may not come forward. Surrogacy should be declared as a kind of profession - the person providing a womb must have a contract, must be paid properly and get insurance and proper medical checks.

Both of you sound quite agitated at the exclusion of certain groups of people.

KGD: I would like to mention here that our group, led by my husband, Dr. Sudarshan Ghosh Dastidar, was the first in the country, possibly globally too, to help a single-male parent have a baby through IVF surrogacy in 2005.

We have been working on IVF since 1986-87, so we have had so many experiences of dealing with people who seek surrogacy. Thus, I strongly speak in favour of transgenders and same-sex couples. I think they should have been included in this Bill.

But as far as the experience of surrogate mothers is concerned, some women had been exploited so much that the government was



A foreigner couple with their child, which was born through surrogacy, in Hyderabad in 2013. P.V. SIVAKUMAR

forced to bring this proposal. The mothers were not being given good food or medical treatment and post-partum care was non-existent.

While in my own experience, I have always dealt with close relatives who came forward as surrogates, I am all for including other groups of people too in the Bill, if couples are unable to, or cannot bear children due to medical reasons. However, I'm strictly against 'fashion surrogacy', where women who feel their figure would be disturbed if they carry a baby opt for surrogacy.

GA: In the case of LGBTQI couples and single parents, when medical facilities are available, surrogacy should be allowed, because otherwise how will they have a baby? They will need the womb of a surrogate. Living in has become acceptable now, and live-in couples should also be allowed to have surrogate babies. All these archaic rules, I think, should be shed from the Bill.

Surrogate mothers have indeed been exploited, because there is no process to monitor the clinics or any law to ensure that the mothers are not defrauded by the clinics or the intending couples. The question is, will this Bill manage to ensure a fair and just process?

Before speaking of surrogacy, we should have brought in the Assisted Reproductive Technology Bill, which has been lying in cold storage for years

GA: So, I agree with Dr. Kakoli that there are certain places where surrogates were thoroughly exploited and it was the agents, the middlemen, who did that. However, instead of removing the means of livelihood from them, you should have a contract that all surrogates and the commissioning parents have to sign.

The contract should include details of the payment to be made, specify insurance coverage, and give an assurance that the mothers will be treated properly even in the post-partum stage. I have come across a couple of surrogate homes in Gujarat, in Bengaluru and Hyderabad, where the surrogates are actually treated very well.

Surrogates are actually not very attached to the babies they are carrying in their wombs, because it is a means for them to get a livelihood. If the government can only ensure that everything is done legally, we don't need this kind of a Bill that is so non-inclusive and superficial, in the sense it doesn't delve deep into the problems.

So, it seems logical that ART is the key to surrogacy. Is it possible that the ART Bill will be fast-tracked now?

KGD: We are trying to solve the problems by talking, and we are going to discuss this next week. Only at the end of the discussion will we be able to see how many amendments the government has accepted.

If you have a surrogate pregnancy, it should be preceded by an IVF. That is why IVF should be discussed first. IVF clinics have mushroomed all across the country, and malpractices are happening, for instance, in dichotomy or seed-splitting. There are also advertisements where celebrities falsely claim to provide a 100% success rate, whereas the internationally acceptable rate for women is about 35%, and it can never be more than 40%.

We do have, in certain age groups, a 70% success rate; but it might be just 30% for the next age group, so the cumulative rate comes to 35%-40%. But these IVF units are claiming a 100% success, so more patients are going to them. Costs are also going up. While an IVF procedure earlier used to cost less than ₹1 lakh, it now costs ₹4 lakh-₹5 lakh. So, the ART Bill should be tabled before the Surrogacy Bill.

GA: The ART Bill has been in cold storage. But the Surrogacy Bill, which deals with the end of the process, is being touted as very important. It is not. What is important is to take note of the fact that malpractices are taking place in these IVF laboratories, to the extent that somebody else's embryo can be put into you saying that it is yours. These fly-by-night operators have to be regulated. ART Bill has to be taken up again, and discussed first, after being tabled in Parliament, and passed. Otherwise, are going to have a very messy situation.

Have all points of view been represented in the Bill? Did a consultative process precede the introduction of the Surrogacy Bill?

KGD: When the ART Bill was drafted in the late 1990s, an expert committee was constituted by the Indian Council for Medical Research. It held public debates in all four

parts of the country and we involved the public. We put out advertisements in newspapers and asked the public to speak out. Only after this, did the ART Bill come about. Even for surrogacy, the public should have its say, because this is a democracy.

Couples with infertility problems, transgender people, single women, divorced women, and widows should be involved in the public debate and only then should the Bill be brought in.

GA: Exactly! I agree with you on that. The Constitution gives a woman the right to reproduce, or not to reproduce, as she wishes, and she has the right to privacy when she makes her reproductive choices. So, this has to be incorporated into the Bill - If I have a right to reproduce, that means I can hire a surrogate, I can go in for IVF whether I'm a transgender, a lesbian or a divorcee, I have this right as I wish. A woman who has lent her womb also has these rights.

Any closing remarks?

GA: We need a law, but passing the Surrogacy Bill without looking at the whole process - I think this means we are heading for disaster.

The whole Bill has been drafted without taking into consideration the many physical and emotional factors at stake. Meanwhile, there are many people who don't know whether or not they can hire a surrogate. There are people who have already hired surrogates. What will happen to their baby? There is a lot of doubt in these areas now.

When the government banned surrogacy for foreigners, some foreigners who were here earlier had already put some embryos in deep freeze thinking that they would come back and have another baby through the viable embryos. Following the ban, they asked for the embryos to be returned. They had gone through a lot to produce a life form, but the government said there can be no export and import of embryos any more. So what will happen to those embryos? You cannot put everything in jeopardy at the last moment, and then say 'let me think about it and get back to you after a year'. This is a very complicated issue.

Making national legislatures more gender-balanced

Quotas can ensure more number of women MPs

ARCHANA DATTA
The Global Gender Gap report for 2018 said that the widest gender disparity is in the field of political empowerment. To cite the Inter-Parliamentary Union 2018 report, women legislators account for barely 24% of all MPs across the world.

However, the experience of the top-ranked countries in the IPU list does give an indication of how women's presence in political spaces took an upward turn in those nations.

Rwanda, a landlocked nation with a population of 11.2 million, tops the list, with 61.3% seats in the Lower House and 38.5% in the Upper House occupied by women. Since 2003, the country has implemented a legislated quota of 30% in all elected positions, which has enabled a steady inflow of women parliamentarians after successive elections. Its Constitution has also set a quota of 30% in all elected offices. However, some believe that the higher representation of women in the country cannot be attributed solely to quotas - women were thrust into the political limelight due to the huge vacuum that emerged in the aftermath of the 1994 genocide, which resulted in a large chunk of the country's male population getting killed.

Leader in the Caribbean

Cuba, the largest Caribbean island nation with a population of about 11.1 million, holds the second rank, with 53.2% seats of its 605-member single House being occupied by women representatives. The Communist dispensation in Cuba did not opt for legislated gender quotas, but does follow a practice akin to voluntary quota systems. However, Cuban women are less represented at the local level, where candidates are selected by the local communities that often overlook women candidates.

Sweden, the fifth-rank holder in the IPU, has a professedly feminist government and has maintained a women's parliamentary representation of at least 40% since 90s. The

349-member single House, Swedish Parliament, now has 161 women with 46.1% representation. Sweden does not have any constitutional clause or electoral law earmarking representation for women in elected bodies. The issue of compulsory gender quota didn't find favour in Sweden as it was believed that such a quota will create reverse discrimination and violate the principles of equal opportunities. Almost all political parties there have adopted measures to ensure a fair representation for women at all levels. In 1993, the Social Democratic Party adopted the 'zipper system', described as "a gender quota system whereby women and men are placed alternately on all party lists." This further boosted women's seat share.

Nepal's example

Closer home, Nepal occupies the 36th position in the IPU and its 275-member Lower House has 90 women, about 32.7% of the total strength. The Nepal Constitution stole a march over many others in the South Asia by earmarking 33% seats for women in all state institutions, including the

legislature.

India, at 149 among the 192 countries in the IPU list, had barely 11.8% women's representation in the 16th Lok Sabha, which improved to 14.5% in the current Lower House. At least seven out of the 29 States have not sent a single woman MP. The 108th Constitutional Amendment Bill stipulating 33% quota for women in the Parliament and in State Assemblies remains in political cold storage. The system of voluntary party quotas, which has worked well in many countries, is not likely to cut much ice in India's deeply embedded patriarchal society. As has happened in the case of panchayats and municipalities, only a legally mandated quota could perhaps ensure a large-scale entry of Indian women into the higher echelons of political power.

The writer is a former Indian Information Service Officer and media educationist



NOTEBOOK

The dramatic ambulance ride that wasn't

How an idea for a 'perfect Mumbai feature story' failed to materialise

JAYANT SRIRAM
I try to plan my life around traffic but there was one instance when I was actually counting on it being busy. This was for what I imagined would be the 'perfect feature story'.

A couple of years ago, while working in Mumbai, I was commissioned to do a story about traffic jams. Classic big city reporting cliché yes, but this story had a twist. I would aim to do it while travelling in an ambulance as it navigated its way through traffic.

What I hoped to achieve was a kind of forensic analysis of how disorganised the Mumbai traffic might be, or if there was a sense of order behind the apparent chaos. I wanted to see if vehicles had the space to manoeuvre themselves out of the way when an ambulance needed to cut through and if there were systems in place, like traffic police stepping in, that could help ease the situa-

tion. I also wanted to observe what kind of skills an ambulance driver needed to display.

Armed with this 'perfect image' of what my story should be, I managed to get the help of a government hospital located in the centre of the city and began hanging out with the ambulance dispatch unit from early morning.

What followed, however, was a sobering contrast between the dramatic image in my mind and the reality. Between 7 a.m. and 2 p.m., the unit was dispatched about nine times to different places, and each time, I eagerly geared myself up to report.

It turned out however, that an ambulance is not dispatched only in times of emergency. There are numerous trips it takes just to cater to the basic logistics of running a hospital. For instance, a patient may have to be transferred from one building to another, or

equipment or food may have to be moved between facilities. Members of the ambulance unit were initially sceptical of my idea but, as the day wore on, were totally into the story.

Waiting for emergency

By mid afternoon, we were all in the amusing position of hoping for an emergency call. "It can happen any time," they said, though I suspect now that they just felt sorry for me as I sat quietly in a corner of the dispatch room, looking 'hopeful' every time the phone rang.

More trips between hospital facilities followed and, towards the evening, there was even a trip to transfer a patient to another hospital a few kilometres away, one that proved to be largely uneventful.

I didn't get my 'perfect feature story' but was left with this lingering sense of 'what if'. Traffic jams are so common in Mumbai that

anyone there can recall several instances when he may have heard an ambulance, sirens blaring, trying to cut through. I was so convinced that this would be a great story that I went back thrice to hang out with the same unit.

Members of the unit thought I was a bit crazy and assumed that I must have been particularly jobless to spend hours with them, just waiting. However, they never discouraged me though, predictably, I never got the perfect scenario of that dramatic ambulance ride through busy traffic I assumed was commonplace in Mumbai.

The experience gave me a vague guiding principle, especially when it comes to writing features or other long form stories - never have the perfect scene in mind beforehand and be prepared to write, with a clean slate, on what you see. And, of course, never count on the traffic.

The Hindu

FROM THE ARCHIVES

FIFTY YEARS AGO JULY 26, 1969

Apollo men in good shape

Back from the moon, but isolated from the world the Apollo 11 astronauts to-day [July 25] underwent their first physical examinations since their historic moon trip and showed no signs of having picked up germs on the lunar surface. Dr. William Carpenter of the National Aeronautics and Space Administration said Neil Armstrong, Edwin Aldrin and Michael Collins were in "very good shape", despite a minor inflammation in one of Armstrong's ears. The doctor said the men of Apollo 11 were in a better condition than the previous Apollo astronauts. After 11 hours of examination of the spacemen, Dr. Carpenter said Armstrong, Aldrin and Collins showed less deterioration in the condition of heart and blood vessels than other Apollo men have had. He was not sure why it was so. But he was sure that the inflammation in one of Armstrong's ears was not important. He said there may have been a build-up of fluid in the ear due to the pressures of re-entry and that the fluid was draining. The men will be under painstaking medical scrutiny for 21 days. Dr. Carpenter, has also been quarantined with the astronauts in the trailer-like facility aboard this recovery ship.

A HUNDRED YEARS AGO JULY 26, 1919

Birth of a Prince in Mysore.

A Mysore Government order says: The Government of His Highness the Maharaja desire that the auspicious event of the birth of a son to His Highness the Yuvaraja should be suitably celebrated and observed as a day of rejoicing throughout the State on the 29th, public holiday, in honour of the event, and flags should be flown and special thanksgiving services should be arranged to be held in principal temples and mosques. For this purpose a sum of Rs. 100 for the districts of Bangalore and Mysore including the two cities, and Rs. 50 each for other districts, will be placed at the disposal of the Deputy Commissioner through muzr department. All prisoners under sentence of one month and less will be released and all other prisoners will be given a month's remission for every year or fraction of a year of sentence they have yet to undergo provided their conduct in jail has been satisfactory. Prisoners sentenced to transportation for life who have only one year or less out of their sentences to serve in jail and whose conduct in jail has been uniformly good and civil prisoners who have been confined in jails and look up for a debt not exceeding Rs. 100 and who are through poverty unable to pay the same will also be released.

बिज़नेस स्टैंडर्ड

वर्ष 12 अंक 137

श्रम प्रवास से वृद्धि

आंध्र प्रदेश विधानसभा ने गत बुधवार को एक ऐसे कानून पर मुहर लगाई जो राज्य के उद्योगों में तीन-चौथाई नौकरियां स्थानीय लोगों के लिए आरक्षित करने का प्रावधान करता है। मुख्यमंत्री वाई एस जगन मोहन रेड्डी की पार्टी वाईएसआर कांग्रेस ने विधानसभा चुनावों के दौरान इसे चुनावी मुद्दा बनाया था और यह कदम उसी वादे को पूरा करने की दिशा में

उठाया गया है। आंध्र प्रदेश में कारोबार कर रही कंपनियों को तीन वर्षों के भीतर इस कानून का पालन करने के लिए कहा गया है। केवल दवा एवं पेट्रोलियम जैसे कुछ खास क्षेत्रों की कंपनियों को ही इससे छूट दी जाएगी और वह छूट भी मामला-दर-मामला तय होगी। आंध्र प्रदेश और महाराष्ट्र समेत कई राज्यों में अन्य राज्यों से रोजगार की तलाश में आने वाले लोगों

की बढ़ती संख्या के चलते लंबे समय से टकराव की स्थिति बनती रही है और जगन मोहन सरकार का यह फैसला उसी का नतीजा है।

राज्यों में नेता अक्सर रोजगार का वादा पूरा करने के लिए निजी क्षेत्र पर स्थानीय लोगों को काम पर रखने का दबाव बनाते हैं। लेकिन ऐसे कानून से रोजगार की तलाश कर रहे लोगों के संतुष्ट हो जाने की संभावना नहीं होती है। दरअसल बदले हुए हालात में कंपनियां आंध्र प्रदेश में काम करने से पहले दो-बार सोचेंगी। वहीं पहले से मौजूद कंपनियों की श्रम लागत बढ़ जाएगी, काम पर रखे जा सकने लायक लोगों की संख्या कम हो जाएगी। फिर वे अधिक संतोषजनक कारोबारी माहौल वाली जगह जाने का रास्ता चुनने लगेंगी, चाहे वह जगह किसी अन्य

राज्य में हो या किसी दूसरे देश में। पूंजी का पलायन हकीकत बन जाएगा। वह स्थिति रोजगार सृजन एवं वृद्धि की नहीं बल्कि गतिहीनता एवं शहरी अशांति को जन्म देगी। आंध्र प्रदेश में लंबे समय से कारोबार के प्रति दोस्ताना रवैया रखने वाली सरकारें रही हैं लेकिन नए कानून से इस धारणा पर तगड़ी चोट पहुंचेगी। राज्य सरकार ने कहा है कि कुशल कामगारों की कमी को स्थानीय लोगों को काम पर नहीं रखने का बहाना नहीं बनाया जा सकता है और ऐसा होने पर कंपनियों को उन लोगों को खुद ही प्रशिक्षण देना होगा। इस तरह यह कानून कामगारों को कुशल बनाने का दायित्व सरकार से लेकर निजी क्षेत्र पर डाल देता है। इससे भी बुरी बात यह है कि इस कानून को अन्य राज्यों में भी लागू करने की आवाज जोर

पकड़ सकती है। वैसे मध्य प्रदेश की कांग्रेस सरकार की औद्योगिक नीति भी इससे खास अलग नहीं है जिसके मुताबिक सरकार की वित्तीय एवं अन्य मदद से स्थापित किसी भी कारखाने में 70 फीसदी नौकरियां स्थानीय लोगों के लिए आरक्षित रखनी होंगी।

बुरी लेकिन लोकलुभावनी नीति जंगल में लगी आग की तरह फैल सकती है। इसकी काफी संभावना है कि प्रवासी श्रमिकों की बड़ी संख्या वाले महाराष्ट्र एवं कर्नाटक जैसे राज्य भी इस तरह का कोई कानून लाने के बारे में चर्चा शुरू कर दें। ऐसा होना भारतीय संविधान के सिद्धांतों के अनुरूप नहीं है। इसके अलावा यह भारत की वृद्धि संभावनाओं पर भी गहरी चोट करेगा। आर्थिक वृद्धि के सिद्धांत में एक बुनियादी एवं स्पष्ट नियम है कि अकुशल

श्रमिकों को शहरों का रख करना चाहिए ताकि वे अर्थव्यवस्था को आगे बढ़ाने में योगदान दे सकें। अपनी क्षेत्रीय विषमताओं की वजह से भारत में यह प्रक्रिया स्वाभाविक तौर पर राज्यों के बीच भी घटनी चाहिए। ऐसे में श्रमिकों की आवाजाही पर पाबंदी लगने से भारत की वृद्धि संभावनाएं प्रभावित होंगी। चीन जैसे विशाल देशों ने इस आंतरिक प्रवास के चलते काफी अच्छा प्रदर्शन किया है।

ऐसे कानून से भारत के तटीय एवं दक्षिणी राज्यों और उत्तरी राज्यों के बीच असंतोष भी बढ़ेगा। दरअसल तटीय एवं दक्षिणी राज्य विष्व अर्थव्यवस्था से अपना तालमेल बिठा चुके हैं जबकि उत्तरी राज्यों में बेरोजगार युवाओं की भरमार है और उनके पास रोजगार के लिए नजदीकी विकल्प भी नहीं है।



अजय मोहंती

रक्षा तैयारी को लेकर बदलना होगा नजरिया

समय आ गया है कि प्रधानमंत्री खुद आगे आकर राष्ट्रीय सुरक्षा की प्रकृति तय करें जो आकांक्षाओं के साथ जरूरतों में भी तालमेल बिठाए।
सैन्य रणनीति की समीक्षा कर रहे हैं प्रेमवीर दास

जब पाकिस्तान सेना की कुछ टुकड़ियों ने करगिल की कुछ पहाड़ियों पर चोरी-छिपे कब्जा कर लिया था तो भारतीय सेना के तत्कालीन प्रमुख ने कहा था कि ‘हम उन्हीं हथियारों से लड़ेंगे जो हमारे पास हैं’। उस घटना के बीस साल बाद भी भारतीय सेना प्रमुख का कुछ उसी तरह का बयान अधिक चौंकाता नहीं है। आखिरकार हमें जरूरत पड़ने पर दुश्मन के अत्याधुनिक विमानों के मुकाबले पुराने हो चले मिग–21 विमानों को ही तैनात करना पड़ा जिनमें से एक को मार गिराया गया। इन दो दशकों में भारतीय जनता पार्टी (भाजपा) की अगुआई वाले राजग और कांग्रेस की अगुआई वाले संग्रग ने आधे-आधे समय तक देश पर शासन किया है। क्या हम भारत के लिए जरूरी सैन्य ताकत की पहचान कर पाने में बुनियादी तौर पर कुछ बातों को नजरअंदाज कर रहे हैं?

कुछ दिन पहले चर्चित पत्रकार शेखर गुप्ता ने इस समाचारपत्र में प्रकाशित अपने एक लेख में कहा था कि हमारी सैन्य तैयारी की प्रक्रिया में कुछ गंभीर खामियां हैं। उनका कहना था कि सकल घरेलू उत्पाद (जीडीपी) का महज दो फीसदी आवंटन रक्षा क्षेत्र के लिए किए जाने पर लगातार विलाप करना एक दोषपूर्ण तर्क है क्योंकि

सरकार का उस आवंटन पर कोई नियंत्रण नहीं होता है। वह केवल केंद्र सरकार के गुप्त–दोष पर भी विचार करने की जरूरत है। भारत की थल सेना एवं वायु सेना अपनी अंतर्निहित ताकत के बूते लंबी लड़ाई में पाकिस्तान पर भारी पड़ेगी लेकिन दो–तीन हफ्तों वाली सीमित लड़ाई में दोनों पक्ष कमोबेश समान स्तर पर होंगे। हालांकि इसमें नौसेना निर्णायक भूमिका निभा सकती है लेकिन निर्बाध समुद्री परिवहन में बाधा आने के राजस्व व्यय (वेतन एवं पेंशन) पर खर्च होने से आधुनिकीकरण एक सपना ही बनकर रह जाता है।

शेखर गुप्ता की कुछ अन्य संकल्पनाओं के गुप्त–दोष पर भी विचार करने की जरूरत है। भारत की थल सेना एवं वायु सेना अपनी अंतर्निहित ताकत के बूते लंबी लड़ाई में पाकिस्तान पर भारी पड़ेगी लेकिन दो–तीन हफ्तों वाली सीमित लड़ाई में दोनों पक्ष कमोबेश समान स्तर पर होंगे। हालांकि इसमें नौसेना निर्णायक भूमिका निभा सकती है लेकिन निर्बाध समुद्री परिवहन में बाधा आने के उर से वैश्विक स्तर पर हंगामा मचने का जोखिम भी होगा। उनकी इस दलील के समर्थन में यही कहा जा सकता है कि उड़ी और पठानकोट के सैन्य ठिकानों पर प्रायोजित आतंकी हमलों के जवाब में सीमापार

‘सर्जिकल स्ट्राइक’ किया गया। बालाकोट के आतंकी शिविरों पर हमले के कुछ घंटों बाद ही पाकिस्तानी वायुसेना ने दिन के उजाले में पलटवार कर दिया था जिसमें हमारा एक मिग–21 विमान गिरा दिया गया और उसका पायलट भी पकड़ लिया गया। कुल मिलाकर, सीमित अवधि की तनातनी से किसी भी पक्ष का दबदबा बन पाने की संभावना नहीं है। अगर लंबे एवं संक्षिप्त टकराव दोनों से ही बड़ा राजनीतिक लाभ नहीं मिलेगा तो फिर क्या विकल्प है? हमने अभी तक इस बात पर भी गौर नहीं किया है कि चीन के साथ सीमा पर किस तरह की स्थिति पैदा हो सकती है? गुप्ता दो मोर्चों के लिए तैयारी की निरर्थकता का जिक्र करते हुए कहते हैं कि उसके लिए कभी भी संसाधन नहीं जुटाए जा सकते हैं।

यह राष्ट्रीय सुरक्षा की तैयारी से जुड़ी बुनियादी बातों को रेखांकित करता है। इस बारे में मोटे तौर पर दो नजरिया रहा है। पहला है खतरे के आकलन के आधार पर योजना बनाना। एक साथ दो मोर्चों पर जंग लड़ने की क्षमता हासिल करना और पाकिस्तान को सबक सिखाने जैसी बातें इसी श्रेणी में आती हैं। समय–समय पर जारी होने वाली ‘रक्षा मंत्री निर्देशिका’ सैन्यबलों को आसन्न खतरों के बारे में तैयार रहने को कहती है। हाल ही

में राष्ट्रीय सुरक्षा सलाहकार के नेतृत्व में एक समिति बनाई गई है जो राष्ट्रीय सुरक्षा रणनीति के बारे में विचार करेगी। तीनों सैन्य प्रमुखों एवं कई रक्षा विशेषज्ञों को भी जगह दी गई है। लेकिन इसकी उम्मीद कम ही है कि यह समिति खतरा आकलन वाले नजरिये से दूर हो सकेगी।

दूसरा नजरिया राष्ट्रीय हितों पर आधारित राष्ट्रीय सुरक्षा की रणनीति बनाने का है। यह दीर्घावधि लक्ष्य वाला होता है और इसमें एक समय के भीतर रक्षा तैयारी के लिए टिकाऊ ढांचा प्रदान करने पर जोर होता है। मसलन, अगर राष्ट्रीय सुरक्षा के लिए भारत को अगले 15 वर्षों में दुनिया की तीसरी बड़ी अर्थव्यवस्था बनना जरूरी है तो हमें इसके लिए जरूरी कदमों के बारे में सोचना होगा। इसी तरह हिंद–प्रशांत क्षेत्र में अपने हितों को सुरक्षित रखने के लिए जरूरी कदमों के बारे में भी सोचना होगा। निश्चित रूप से जमीन पर तीन लाख सैनिकों को उतार देना इसका नतीजा नहीं हो सकता है। दुनिया की तीसरी–चौथी सैन्य शक्ति होने के लिए कुछ अलग करने की जरूरत है जिसमें तकनीक, अंतरिक्ष, समुद्र और हवाई शक्ति, सूचना–विज्ञान और कृत्रिम मेधा को पूरी तवज्जो देनी होगी। ऐसा होने पर ही सैन्य आधुनिकीकरण के लिए सीमित संसाधनों का अधिकतम इस्तेमाल किया जा सकता है।

दुर्भाग्य से, हमारे सैन्य योजनाकारों की मौजूदा रणनीति अब भी खतरे पर आधारित है जिसमें सैनिकों की संख्या मायने रखती है। ऐसा तब है जब खतरा पैदा करने वाले दो देशों में से एक चीन आज के समय में अपनी सेना को संख्या के बजाय लंबी अवधि के हितों के हिसाब से ढालने में जुट गया है।

सवाल है कि भारत के सैन्य रणनीतिकारों की सोच में ऐसा आमूलचूल बदलाव कैसे आएगा? पक्षा नियोजन समिति जैसे ढांचे से तो यह एकदम नहीं हो सकता है। राजग सरकार ने करगिल युद्ध के बाद राष्ट्रीय सुरक्षा के सभी पहलुओं की समीक्षा के लिए मंत्रियों का एक उच्चाधिकार प्राप्त समूह (जीओएम) बनाया था। उप प्रधानमंत्री की अध्यक्षता में गठित उस समूह ने तमाम सुझाव दिए थे जिनमें से सामान्य प्रकृति के सुझाव लागू कर दिए गए लेकिन व्यापक सुधार वाले सुझाव रखे रह गए। सेना मुख्यालय को सांकेतिक तौर पर ‘रक्षा मंत्रालय का एकीकृत मुख्यालय’ नाम दे दिया गया लेकिन सही अर्थों में समेकन बहुत कम हुआ है। तीनों सेनाओं के मुखिया ‘चीफ ऑफ डिफेंस स्टाफ’ की तैनाती अब तक नहीं हुई है। अगर वह जीओएम हमें हित–आधारित नजरिया अपनाने की तरफ नहीं ले जा सका तो फिर कौन कर पाएगा?

निहित स्वार्थ रखने वाले समूहों को संतुष्ट करने की कोशिश हमें कहीं नहीं ले जाएगी। अब हमारे पास एक ऐसा प्रधानमंत्री है जो पहले नहीं हो पाई चीजें कर पाने का भी दुस्साहस दिखाता है। केवल उनका व्यक्तित्व प्रभाव ही यथास्थिति को तोड़ पाने लायक बनाएगा जैसा नोटबंदी के समय हुआ था। समय आ गया है कि प्रधानमंत्री खुद आगे आकर राष्ट्रीय सुरक्षा की प्रकृति तय करें जो हमारी आकांक्षाओं के साथ जरूरतों में भी तालमेल बिठाए।

(लेखक राष्ट्रीय सुरक्षा सलाहकार बोर्ड के पूर्व सदस्य हैं)

क्षेत्रीय भाषाओं में अदालती फैसलों का अनुवाद नहीं आसान

साहित्यिक पुस्तकों के बारे में कहा जाता है कि उनका अनुवाद उतना मजेदार नहीं होता है। अनूदित संस्करण में उस रचना की खूबसूरती काफी हद तक कम हो जाती है। लेकिन अंग्रेजी में सुनाए गए अदालती फैसले का अगर कई भारतीय भाषाओं में अनुवाद होता है तो वह एक डरावने सपने जैसा होगा। पश्चिमी न्यायशास्त्र संबंधी अनुवादों के साथ भारत का संपर्क बहुत पुराना नहीं है, लिहाजा स्थानीय भाषाओं में अदालती फैसलों का अनुवाद करना खासा चुनौतीपूर्ण होगा।

न्यायपालिका ने हाल ही में एक महत्वाकांक्षी कार्यक्रम शुरू किया है जिसमें सर्वोच्च न्यायालय और उच्च न्यायालयों के फैसलों का स्थानीय भाषाओं में भी अनुवाद किया जाएगा। लेकिन केशवानंद भारती, न्यायाधीश नियुक्ति एवं निजता के अधिकार संबंधी कई मामले सैकड़ों पृष्ठों के होते हैं जिन्हें पढ़ना आसान नहीं होता है। पृष्ठ के निचले हिस्से में फुटनोट और संदर्भों का जिक्र भी होता है। इन फैसलों में प्राचीन शैली वाली अंग्रेजी के साथ लातिन एवं फ्रांसीसी शब्दों एवं उद्धरणों की भरमार होती है। अमेरिका एवं राष्ट्रमंडल देशों के कानूनी फैसलों का भी जिक्र होता है।

कई न्यायाधीशों में मुखर होने की प्रवृति होती है जिसके लिए उनकी आलोचना भी होती है। स्वर्गीय न्यायमूर्ति वी आर कृष्ण अय्यर अपने अहम फैसलों में लगातार लंबे वाक्यों का इस्तेमाल करते रहे। कई दूसरे न्यायाधीश भी लच्छेदार शब्दों एवं वाक्य–विन्यास का इस्तेमाल करते हैं। हाल ही में मुख्य न्यायाधीश रंजन गोगोई ने अहम फैसलों का संक्षिप्त सारांश मुहैया कराने की एक परियोजना का कथित तौर पर खाका तैयार किया है लेकिन इस पर काम शुरू नहीं हो पाया है।

हमारी न्यायपालिका डिजिटल तकनीक के इस्तेमाल में उतनी सहज नहीं है। हालांकि वह खुद को पूरी तरह कागज रहित करने का ऐलान कर चुकी है। उसने सर्वोच्च न्यायालय परिसर के एकदम पास में स्थित अप्पू घर के पुराने परिसर में 12 एकड़ से अधिक जमीन अपने कागजात रखने के लिए ली है। न्यायपालिका में अनुवाद के लिए जरूरी कंप्यूटरों की भी कमी है।



अदालती आईना

एम जे एंटनी

अगर इस काम में कृत्रिम मेधा (एआई) आधारित तकनीक का इस्तेमाल किया भी जाता है तो न्यायाधीशों की भाषा–शैली से पार पाना आसान नहीं होगा।

मशीनी अनुवाद में होने वाली भयंकर भूल को लेकर एक कहानी काफी मशहूर है। अमेरिकी जांच एजेंसी सीआईए ने रूसी भाषा से कुछ कागजात अंग्रेजी में अनुवाद करने के लिए कंप्यूटर की मदद ली थी। उस कागज में एक जगह बाइबिल से जुड़ा एक वाक्य ‘स्पिरिट इज विलिंग बट फ्लेश इज वीक’ आया तो कंप्यूटर ने ‘स्पिरिट’ के लिए ‘वोदका’ और ‘फ्लेश’ के लिए ‘मीट’ शब्दों का इस्तेमाल किया गया। इसका मतलब है कि सटीक अनुवाद के लिए बड़ी संख्या में प्रशिक्षित अनुवादकों को काम पर लगाना होगा।

अदालतों में ‘होमा’ और ‘हो सकता है’ जैसे सरल शब्दों को लेकर भी अंतहीन बहस चलती है जिनका उल्लेख फैसलों में भी होता है। लंबी एवं जटिल चर्चाओं के बाद किसी कानून में अंग्रेजी के ‘शैल’ शब्द को ‘मे’ के तौर पर पढ़ा जा सकता है जबकि ‘मे’ का मतलब ‘शैल’ लगाया जा सकता है। कानूनी फैसलों के जर्नल में एक अलग खंड होता है जिसमें साधारण शब्दावलियों की भी अदालतों ने अलग व्याख्या की होती है।

फैसले तो अनुवाद से जुड़ी समस्या का महज एक हिस्सा हैं। कानूनों को लिखने वाले लोग अक्सर न्यायाधीशों के गलत उद्धरण से हैरान हैं। कुछ कानूनिवादों का मानना है कि सुनवाई करने वाली अदालतों में आने वाले आधे मामले तो गलत ढंग से कानून लिखे जाने के कारण पैदा होते हैं। जब फैसले लिखे जाते हैं तो कई पृष्ठों तक फैले प्रावधानों का उसी तरह उल्लेख किया जाता है। इससे अनुवाद

करने वाले शख्स के लिए काम दोगुना मुश्किल हो जाता है। पिछले हफ्ते सर्वोच्च न्यायालय को संतुष्ट करने के लिए झारखंड के एक झराब बिक्री संबंधी कानूनी प्रावधान का अनुवाद दो बार करना पड़ा। दरअसल उस कानून के प्रावधानों का उल्लेख मिली–जुली भाषा में नियम 106 (ठ) किया गया था। ऐसे में समस्या तब और गंभीर हो जाएगी जब फैसलों का संविधान की आठवीं अनुसूची में शामिल 23 भाषाओं में अनुवाद करना होगा जिनमें बोडो, संथाली और संस्कृत भी शामिल हैं।

सर्वोच्च न्यायालय ने कानून–निर्माताओं की कई बार खिंचाई भी की है कि वे टाइपिंग के दौरान की गलतियों की तरफ ध्यान दिलाने के बावजूद उन्हें सुधारते नहीं हैं। ऐसे में न्यायाधीशों को कानून के बेढंगे प्रावधानों को हटाना पड़ता है। उत्पाद शुल्क अधिनियम के चार प्रावधानों के बारे में न्यायालय ने कहा, ‘समय–समय पर संशोधन होने के बाद ये प्रावधान इतने जटिल हो गए हैं कि उनका मतलब समझने के लिए उन्हें आगे–पीछे कर कई बार समझना पड़ता है’। कुछ ऐसी ही स्थिति में एक ब्रिटिश न्यायाधीश ने कहा था कि उन्होंने मतलब समझने के लिए कई बार उस प्रावधान को पढ़ा लेकिन कामयाबी नहीं मिली। अगर न्यायाधीशों को इस तरह की स्थिति का सामना करना पड़ता है तो फिर एक अनुवादक के साथ क्या होगा? कानूनी पेशे में तो शब्दों को कानून और फैसलों को धर्मग्रंथ के तौर पर देखा जाता है।

उस पुरानी कहावत को याद रखना सही है कि नरक की तरफ जाने वाला रास्ता बढ़िया इरादों से भरा होता है। अदालती फैसलों का स्थानीय भाषाओं में अनुवाद कराना राजनीतिक तौर पर सही हो सकता है लेकिन तात्कालिक जरूरत इन फैसलों का सारांश मुहैया कराने की है। करीब एक हजार पृष्ठों वाले केशवानंद निर्णय में खुद न्यायाधीशों को भी यह लगा था कि इसका सारांश सही जाए। लेकिन वह सारांश भी विवादों में आ गया। कहा जाता है कि संविधान के मूल ढांचे की संकल्पना दरअसल इस सारांश की ही उपज है जबकि मूल फैसले में इसका उल्लेख नहीं है। कानून की दुनिया में ऐसी फंसाने वाली चीजों की भरमार है।

कानाफूसी

इरानी की आपत्ति

ऐसा कम ही देखने को मिलता है कि कोई केंद्रीय मंत्री अपनी ही पार्टी के किसी सांसद के भाषण पर आपत्ति प्रकट करे। बुधवार को राज्य सभा में बाल यौन अपराध संरक्षण (संशोधन) विधेयक पर चर्चा के दौरान विधेयक पेश करने वाली केंद्रीय महिला एवं बाल विकास मंत्री स्मृति इरानी ने भाजपा के ही नेता हरनाथ सिंह यादव के भाषण पर आपत्ति जताई। 78 वर्षीय यादव राष्ट्रीय स्वयंसेवक संघ के पूर्व प्रचारक हैं। उन्होंने कहा कि टेलीविजन, फिल्मों और सोशल मीडिया के बढ़ते प्रभाव के कारण महिलाओं और बच्चों के खिलाफ अपराध बढ़ रहे हैं। उन्होंने कहा कि फिल्मों की नायिकाएं टेलीविजन पर कंडोम बेचती हैं और एक जानेमाने अभिनेता को शैंपू बेचने के नाम पर महिलाओं को लुभाने के तरीके बताते देखा जा सकता है। यादव ने समाजवादी पार्टी की सदस्य जया बच्चन के विरोध की अनदेखी करके अपनी बात कहनी जारी रखी। उन्होंने कहा कि हाल ही में उनके एक मित्र ने उन्हें पोन के बारे में बताया। उन्होंने कहा कि वह पॉपकॉर्न के बारे में तो जानते हैं लेकिन यह पोन क्या है? इस पर इरानी ने यादव से कहा, ‘आप बुजुर्ग हैं। यहां महिलाएं बैठी हैं। समूचा देश देख रहा है। आप अपनी आपत्ति को अधिक शालीन शब्दों में भी दोहरा सकते हैं।’



आपका पक्ष

प्लास्टिक के सभी उत्पादों पर लगे रोक

सरकार ने प्लास्टिक के थैलों पर प्रतिबंध लगाया है लेकिन क्या सिर्फ प्लास्टिक के थैलों से इस समस्या का हल संभव है। देश में प्लास्टिक का निपटान एक गंभीर चुनौती बनी हुई है क्योंकि प्लास्टिक को नष्ट होने में करीब 200 साल का वक्त लगता है। भारत ही नहीं दुनिया के कई देश प्लास्टिक कचरे के निपटान के लिए परेशान हैं। नदियों में प्लास्टिक के कचरे बह रहे हैं तो वहीं समुद्र तट पर भी प्लास्टिक के कचरे का भंडार दिख जाता है। प्लास्टिक के कचरे के कारण नाला जाम हो जाता है जो बारिश के दिनों में जलजमाव की मुख्य वजह बनती है। भारत में प्लास्टिक की थैलियों पर प्रतिबंध लगाया गया है। लेकिन प्लास्टिक का उपयोग सिर्फ थैलों में ही नहीं बल्कि कई वस्तुओं के निर्माण में होता है। हजारों ऐसे उत्पाद हैं जिनमें प्लास्टिक का इस्तेमाल होता है। घरों में इस्तेमाल होने वाले कई उपकरणों से लेकर



साफ सफाई करने वाले उत्पाद में भी प्लास्टिक का उपयोग होता है। घरों में इस्तेमाल होने वाला झाड़ू भी प्लास्टिक का बनने लगा है। कई उपकरण या वस्तुएं ऐसी हैं जिनके बाहरी ढांचा प्लास्टिक का बना होता है। खाने पीने की वस्तुओं को भी प्लास्टिक के बोतल या प्लास्टिक के डिब्बे भर कर बेचा जा रहा है। आज इतनी वस्तुएं

सरकार को प्लास्टिक के सभी उत्पादों तथा पुर्जों पर पूरी तरह से प्रतिबंध लगाना चाहिए

प्लास्टिक से बन रही हैं जिसका विकल्प अभी तक नहीं खोजा जा सका है। अगर प्लास्टिक पर प्रतिबंध लगाना है तो प्लास्टिक से निर्मित सभी वस्तुओं पर प्रतिबंध

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।

भारत आतंकवादियों तथा उन्हें समर्थन करने वालों पर कड़ी कार्रवाई कर रहा है। सरकार को जम्मू कश्मीर समस्या का हल राजनीतिक नहीं बल्कि सैन्य कार्रवाई करके करना चाहिए। घाटी में आतंकवादी घटनाओं को अंजाम देने के लिए भले ही सीमा पार से आतंकी आते हों लेकिन वह बिना शह के ऐसी घटनाओं को अंजाम नहीं दे सकता है। सरकार को आतंकियों को शह देने वालों का पता लगाना चाहिए तथा उन पर राष्ट्रद्रोह का मामला दर्ज कर कार्रवाई करनी चाहिए। पिछले कई दशक से घाटी अशांत है और इसका कारण पड़ोसी देश पाकिस्तान है। खबरों के मुताबिक घाटी में व्यापार कर रहे कुछ कारोबारी व्यापार के बहाने पाकिस्तान से बड़ी मात्रा में धन ला रहे हैं जिसे आतंवदियों की फंडिंग हो रही है। आज भारत तकनीक क्षेत्र में काफी आगे निकल गया है। सरकार को घाटी में सैटेलाइट का सहारा लेना चाहिए तथा आतंकियों को खोज कर कार्रवाई करनी चाहिए।

दैनिक जागरण

समाधान के लिए जरूरी है कि पहले हम समस्या को समझें

विशेष अदालतों का गठन

बाल यौन उत्पीड़न की बढ़ती घटनाओं से चिंतित सुप्रीम कोर्ट ने यह आदेश देकर सही किया कि उन जिलों में विशेष अदालतों का गठन करके ऐसे मामलों का निस्तारण किया जाए जहां इस तरह के सौ से अधिक मामले सामने आ चुके हैं। कहना कठिन है कि ऐसे जिले कितने हैं, लेकिन इसे लेकर संदेह नहीं कि बालक-बालिकाओं से दुष्कर्म की घटनाएं तेजी से बढ़ रही हैं। इसे इस आंकड़े से अच्छे से समझा जा सकता है कि इसी वर्ष एक जनवरी से 30 जून तक देश भर में बच्चों से दुष्कर्म की 24 हजार से अधिक घटनाओं को एफआइआर के रूप में दर्ज किया जा चुका है। चूंकि सुप्रीम कोर्ट ने अपने आदेश में यह भी स्पष्ट किया है कि केंद्र सरकार के खर्च पर गठित होने वाली विशेष अदालतें साठ दिन के अंदर काम शुरू कर लें इसलिए यौन उत्पीड़न से बच्चों को संरक्षण देने वाले अधिनियम उचित यह भी होगा कि यह सुनिश्चित किया जाए कि ये अदालतें फैसेले देने में तत्परता का परिचय दें। यह अपेक्षा इसलिए, क्योंकि कई बार विशेष अदालतें भी धीमी गति से काम करती हुई दिखती हैं। नि:संदेह यह भी आवश्यक है कि निचली अदालतों के फैसलों की सुनवाई में देर न हो। इन मामलों का अंतिम स्तर पर जल्द निस्तारण करके ही यौन अपराधियों को कोई सही संदेश दिया जा सकता है।

कई जग्यों ने बाल दुष्कर्म के दोषियों के लिए मृत्यु दंड की सजा का प्रावधान कर रखा है। इसका उद्देश्य कठोर दंड के जरिये दुष्कर्मों तत्त्वों के मन में भय का संचार करना है। इसकी जरूरत केंद्र सरकार ने भी महसूस की और इसीलिए यौन उत्पीड़न से बच्चों को संरक्षण देने वाले अधिनियम अर्थात पोक्सो को संशोधित कर यह प्रावधान किया गया है कि बच्चों से दुष्कर्म के गंभीर मामलों में फांसी की भी सजा दी जा सकती है। इसके पहले दुष्कर्म गैधी कानून को भी संशोधित कर मौत की सजा का प्रावधान किया जा चुका है, लेकिन इसकी अनदेखी नहीं की जा सकती कि देश को देहान्त वाले निर्भया कांड के गुनहगारों को दी गई फांसी की सजा पर अमल अभी तक नहीं हो सका है। कठोर कानूनों का महत्व तभी है जब उन पर अमल भी किया जाए। यह केवल सुप्रीम कोर्ट और केंद्र अथवा राज्यों सरकारों के लिए ही नहीं समाज के लिए भी गंभीर चिंता का विषय है कि बाल दुष्कर्म के मामले थमने का नाम नहीं ले रहे हैं। कोशिश केवल इसकी ही नहीं होनी चाहिए कि बाल दुष्कर्म के दोषियों को जल्द सजा मिले, बल्कि इसकी भी होनी चाहिए कि ऐसे घृणित अपराध होने न पाएं।

राज्य के नाम की खातिर

पिछले कई वर्षों से मुख्यमंत्री ममता बनर्जी पश्चिम बंगाल का नाम बदलकर बांग्ला करना चाहती हैं। पिछले वर्ष इस बाबत विधानसभा में नाम परिवर्तन का प्रस्ताव कर केंद्र सरकार को भेज दिया गया था, लेकिन केंद्र सरकार नाम परिवर्तन को तैयार नहीं है। इसका एक उदाहरण बुधवार को तब देखने को मिला, जब तृणमूल कांग्रेस के एक सांसद के सवाल के जवाब में केंद्रीय गृह राज्यमंत्री नित्यानंद राय ने राज्यसभा में कहा- ‘किसी भी राज्य का नाम बदलने के लिए संविधान में संशोधन करने की जरूरत होती है। फिलहाल इस मामले में संविधान संशोधन का कोई प्रस्ताव नहीं है।’ वहीं नाम बदलने की मांग को लेकर बुधवार को ही तृणमूल के 12 सांसदों के एक प्रतिनिधिमंडल ने प्रधानमंत्री नरेंद्र मोदी से मुलाकात की और पश्चिम बंगाल का नाम बदलने की मांग की। राज्यसभा में तृणमूल संसदीय दल के नेता डेरेक ओ’ब्रायन के मुताबिक पहले से ही पश्चिम बंगाल की सीएम केंद्र सरकार को इस बारे में 2011 से 2019 तक कई बार लिख चुकी हैं। जुलाई में ही गृह मंत्रालय ने सदन की बैठक में जवाब में कहा था कि नाम बदलना संभव नहीं, क्योंकि

इसके लिए संविधान में संशोधन की जरूरत है। वहीं तृणमूल का कहना है कि ये टालने वाली बात हो गई है, क्योंकि उसको भी पता है कि ऑडिशा की ही तरह इसके लिए संविधान में संशोधन करना होगा। अब पार्टी चाहती है कि इसी सत्र में या फिर अगले सत्र में इस संशोधन को लाया जाए। दरअसल बंगाल विधानसभा में पहले ही सर्वसम्मति से प्रस्ताव पारित हो चुका है। राज्य का नाम बदलकर बांग्ला करने को लेकर ममता बनर्जी ने प्रधानमंत्री मोदी को पत्र लिखा था। उन्होंने पीएम मोदी से मांग की थी कि संसद के मानसून सत्र में ही पश्चिम बंगाल का नाम बदलकर बांग्ला किया जाए। 26 जुलाई, 2018 को पश्चिम बंगाल विधानसभा ने राज्य का नाम बांग्ला करने का प्रस्ताव पारित किया था, परंतु आज तक नाम परिवर्तन नहीं हो सका है। पिछले वर्ष पहली बार प्रस्ताव पारित नहीं हुआ था। इससे पहले भी दो बार प्रस्ताव केंद्र को विधानसभा में पारित कर भेजा जा चुका है। ममता चाहती हैं कि पश्चिम बंगाल नाम बदल जाए, पर केंद्र की भी कुछ मजबूरियां हो सकती हैं।

गंगा नहीं रहेगी तो देवी गंगा का क्या होगा

गोमुख हिमनद गंगा के जल का मुख्य स्रोत है। गंगोत्री से अठारह किलोमीटर ऊपर हिमालय में स्थित। यह हिमालय के सबसे बड़े हिमनदों में से है, लगभग 27 घन किलोमीटर बड़ा। कुछ अध्ययन बताते हैं कि इसकी गहराई लगभग 200 मीटर है। वैज्ञानिक कहते हैं कि ग्लेशियर तब बनते हैं जब लंबे समय तक हिम की परतें एक के ऊपर एक जमा हो जाती हैं। हिम की ये परतें कई सौ फुट मोटे हिमनदों का रूप ले लेती हैं। गंगोत्री हिमनद भी ऐसे ही बना होगा। हजारों वर्षों का इतिहास समेटे। मगर यहां लोगों के लिए यह सब सिर्फ किताबी बातें हैं। कथित विकास की अंधी दौड़ में हमें टिकाऊ या सतत विकास के बारे में सोचने का मौका ही नहीं मिलता। ग्लेशियर हैं तो नदियां हैं, नदियां हैं तो जल, जंगल, और मानव सभ्यता और जीवन हैं, लेकिन सच्चाई यही है कि गंगा के बेसिन में क्लास एक शहरों के रूप में वर्गीकृत 36 शहर नदी में जाने वाले अपशिष्ट में 96 फीसद गंदगी डालते हैं। केंद्रीय प्रदूषण नियंत्रण बोर्ड की 2013 की रिपोर्ट के मुताबिक गंगा के किनारे बसे शहर रोजाना 2,723 मिलियन लीटर घरेलू सीवेज इस नदी में ही प्रवाहित करते हैं, लेकिन यह मजज एक अनुमान है और वास्तविकता इससे कहीं

फिर से गंगा के किनारे बसे शहर रोजाना 2,723 मिलियन लीटर घरेलू सीवेज इस नदी में ही प्रवाहित करते हैं

अधिक भयावह हो सकती है, क्योंकि बोर्ड का यह अनुमान शहरों में पानी की सफाई की मात्रा को लेकर की गई गणना पर आधारित है। पर हर शहर में हैंडपंप और कुएं जैसे अलहदा साधन भी होते हैं। इस तरह गंगा में रोजाना करोड़ों लीटर सीवेज नलों के जरिए गिराया जाता है। कहने की जरूरत नहीं कि हमारे शहरों में इस सीवेज को उपचारित (ट्रीट) करने की क्षमता बेहद कम है। बेहद कम इसलिए, अगर हम दो तथ्यों पर ध्यान दें। पहली बात, सीवेज पैदा होने और उसके उपचार के बीच का अंतर हर साल 55 फीसद का है। इसका अर्थ यह भी हुआ कि चाहे हम सीवेज ट्रीटमेंट में और अधिक क्षमता को जोड़ भी लें तो भी आबादी बढ़ोतरी की वजह से यह अंतर तो बना रहेगा।



सी उदयभास्कर

ऐसी उम्मीद थी कि कारगिल समीक्षा समिति की सिफारिशों से बेहद जरूरी खुफिया सुधारों की राह खुलेगी, लेकिन बीते 20 वर्षों में ऐसा हो नहीं पाया है

प्रधानमंत्री नरेंद्र मोदी की अगुआई में देश कारगिल में शहीद हुए सैनिकों का पुण्य स्मरण करने जा रहा है। इस अवसर पर देश उन सभी सैनिकों को भी याद करेगा जिन्होंने आजादी के बाद से ही लिये की आन-बान-शान के लिए अपने प्राण न्योछावर कर दिए। 26 जुलाई की तारीख का खास महत्व है। कारगिल में इसी दिन भारत को निर्णायक जीत हासिल हुई थी जब हिमालय की दुर्गम पहाड़ियों से पाकिस्तानी घुसपैठियों को पूरी तरह खदेड़ दिया गया था। मोदी सरकार को इस बात के लिए सराहना की जानी चाहिए कि उसने देश को एक नेशनल वार मेमोरियल यानी राष्ट्रीय युद्ध स्मारक की सौगात दी है। यह काफी समय से लंबित था। नई दिल्ली में इंडिया गेट के पास बने इस स्मारक में 16 दीवारों पर 35,942 सैनिकों के नाम उकेरीए किए गए हैं। यह बीते 72 वर्षों में देश के लिए भारतीय फौजियों के मादवीय बलिदान को श्रद्धांजलि है। इनमें कारगिल के वीर शहीदों के नाम भी शामिल हैं जो भारतीय सैनिकों के अदम्य शौर्य एवं साहस के प्रतीक हैं।

शहीदों की स्मृति में तीन दिवसीय राष्ट्रव्यापी अभियान के लिए की गई पहल सर्वथा उचित है। प्रधानमंत्री मोदी ने अपने चुनाव अभियान में भी जिस प्रकार राष्ट्रीय सुरक्षा पर जोर दिया उससे भी इस पहलु के राजनीतिक निहितार्थ प्रत्यक्ष होते हैं। प्रधानमंत्री मोदी को इस बात के लिए पूरा श्रेय दिया जाना चाहिए कि उन्होंने अपने पहले कार्यकाल में ही युद्ध स्मारक का निर्माण सुनिश्चित किया। इसी वर्ष 25 फरवरी को

इसका औपचारिक उद्घाटन हुआ था। यहां मोदी इसलिए भी सराहना के पात्र हैं, क्योंकि स्वतंत्र भारत में ऐसे युद्ध स्मारक की मांग तबसे हो रही थी जब सत्ता के शीर्ष पर नेहरू विराजमान थे। इंडिया गेट जैसा प्रभावशाली स्मारक ब्रिटिश राज में शहीद होने वाले उन जवानों की स्मृति में बना था जिन्होंने औपनिवेशिक शक्तियों के लिए लड़ते हुए अपने प्राणों की आहुति दी। सैनिकों की बहादुरी और पराक्रम की अपनी सर्वव्यापी स्वीकार्यता है, लेकिन इसके राजनीतिक आवरण को अनदेखा नहीं किया जा सकता। स्वतंत्र भारत के लिए अपने युद्ध स्मारक की आवश्यकता स्पष्ट थी, लेकिन भारतीय परिदृश्य में शुरुआती दशकों की प्राथमिकताएं अलग थीं। नेहरू के दौर में राजनीतिक नेतृत्व और सैन्य कमांडरों के बीच अपेक्षाकृत नाजुक संबंधों का भी इसमें योगदान था। 1962 में चीन के साथ युद्ध और कृष्णा मैदान प्रकरण ने भारत का मनोबल तोड़ दिया था। इसका परिणाम यह निकला कि भारत को अपना पहला युद्ध स्मारक हासिल करने के लिए 55 वर्षों तक प्रतीक्षा करनी पड़ी।

कारगिल शहीदों का स्मरण जहां भावनात्मक रूप से मर्मस्पर्शी है, लेकिन इसका एक व्यापक संस्थागत औचित्य भी है जिस पर ध्यान दिए जाने की दस्कार है। कारगिल संघर्ष वास्तव में भारत की इस पहलु के राजनीतिक निहितार्थ प्रत्यक्ष होते हैं। प्रधानमंत्री मोदी को इस बात के लिए पूरा श्रेय दिया जाना चाहिए कि उन्होंने अपने पहले कार्यकाल में ही युद्ध स्मारक का निर्माण सुनिश्चित किया। इसी वर्ष 25 फरवरी को

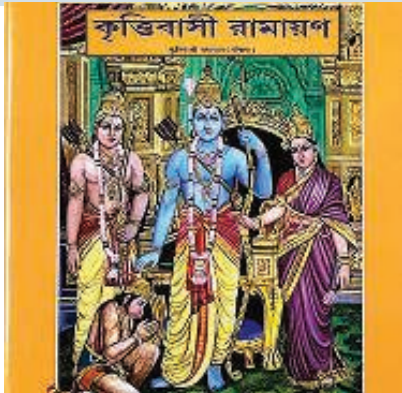
इससे पहले 1962 में जब चीनी सेना ने भारत

राम नाम को बांटने की कोशिश



प्रो. निरंजन कुमार

इससे विचित्र और कुछ नहीं कि जिस बंगाल में सबसे अधिक राम कथाएं रची गई वहीं राम को लेकर आपत्ति उठाई जा रही है



कामाख्या या जम्मू में वैष्णो देवी (सब दुर्गा के ही रूप) की आराधना करते हैं। बंगाल के चैतन्य महाप्रभु ने तुलसी के आविर्भाव से पहले ही बंगाल में ‘हरे रामा-हरे कृष्ण’ को गुंजायमान कर दिया था। तब राम क्या सिर्फ उत्तर भारत के हैं? यह प्रश्न इसलिए भी जरूरी है, क्योंकि तमिलनाडु के नेताओं-बुद्धिजीवियों ने भी कुछ इसी तरह का सवाल उठाया था। अयोध्या के श्रीराम ईश्वर तो हैं ही, लेकिन इसके अतिरिक्त वह एक सांस्कृतिक पुरुष भी हैं जिनसे पूरा भारत युगों-युगों से प्रभावित हुआ है। सभी क्षेत्रों, भाषाओं, जातियों के लोगों ने अपने-अपने तरीके से अथवा रामकथा रची है। वाल्मीकि की ‘आदि रामायण’ के बाद व्यास रचित महाभारत में भी ‘रामोपाख्यान’ के रूप में यह कथा वर्णित हुई है। बौद्ध परंपरा में श्रीराम से संबंधित ‘दशरथ जातक’, ‘अनामक जातक’ और ‘दशरथ कथानक’ नामक तीन जातक कथाएं उपलब्ध हैं। जैन साहित्य में रामकथा संबंधी कई प्रमुख ग्रंथ हैं। विभिन्न भारतीय भाषाओं में हिंदी में 11, मराठी में 8, बांग्ला में 25, तमिल में 12, तेलुगु में 12 और उड़िया में 6 रामायणें मिलती हैं। सबसे अधिक रामायण बंगाल में ही रची गईं। इसके अतिरिक्त गुजराती, मलयालम,

दल-बदल सतासुख का आकर्षण है

भाजपा के कांग्रेसीकरण का सवाल शीर्षक से लिखे अपने लेख में प्रदीप सिंह ने जिस दल-बदल की चर्चा की है वह भाजपा का कांग्रेसीकरण नहीं, अपितु सत्तासुख का वह आकर्षण है जो कांग्रेस के चरंचर के समय भी था और आज जब भाजपा का कमल खिल रहा है तब भी है। वस्तुतः सत्तासुख की मिठास राजनीति से जुड़े लोगों की दलीय निष्ठा को प्रभावित करती है। आज भाजपा की यही मिठास दूसरे दल के नेताओं को आकर्षित कर रही है। दरकती दलीय निष्ठा से राजनीति का जो चारित्रिक पतन हुआ है उससे आज कोई भी राजनीतिक दल अछूता नहीं है। संघनिष्ठ भाजपा में भी यह वास्तव है जिससे प्रभावित होकर विगत में भाजपा के एक समर्थित वरिष्ठ नेता ने सपा की लाल टोपी पहन ली थी, लेकिन जब उन्हें अपनी गलती का अहसास हुआ तो वह पुनः घर वापस आ गए। यद्यपि संघ प्रेरित भाजपा में अन्य दलों की अपेक्षा दल-बदल की बीमारी बहुत कम है, क्योंकि भाजपा में सक्रिय संघनिष्ठ नेता अपनी वैचारिक निष्ठा से समझौता नहीं कर पाते, लेकिन दूसरे दलों से आने वाले उन नेताओं के प्रति भाजपा संगठन पर्याप्त सावधानी बरतता है, जिनका संघ शाखा से उपजी वैचारिक निष्ठा से कोई लेना देना नहीं होता। शायद इसीलिए भाजपा संगठन ऐसे नेताओं को तत्काल कोई महत्वपूर्ण जिम्मेदारी नहीं सौंपता। भाजपा की संघनिष्ठ रीति-नीति में रच-बस जाने के बाद ही उन्हें संगठन आतंकियों की सीपी जाती है। भाजपा का यह स्वरूप ही उसको अन्य राजनीतिक दलों से अलग एक लोकतांत्रिक दल के रूप में स्थापित करता है। इस दृष्टि से सत्तासुख के वशीभूत अन्य दलों के नेताओं का भाजपा से जुड़ने को भाजपा का कांग्रेसीकरण बताना एक अर्थात विचार है। हकीकत तो यह

कन्नड़, असमिया, कश्मीरी, उर्दू, अरबी, फारसी, संथाली आदि भाषाओं में भी रामकथा लिखी गई है। पिछड़े-दलित और आदिवासियों ने भी राम को अपनी रचना का विषय बनाया। यही नहीं मुस्लिम रचनाकारों ने भी श्रीराम लोकप्रिय रहे। अगर खुसरो ने तुलसीदास से 250 वर्ष पूर्व लिखा ‘हो हम सब का मालिक राम’ तो तुलसी के समकालीन रहीम राम के आदर्श को नमन करते हुए लिखते हैं ‘रामचरित मानस विमल, संतन जीवन प्राण/हिंदुआन को वेद सप्त, यवनहीं प्रकट कुरान’। 1623 में सादुल्ला मसीह की ‘दास्ताने रामो-सीता’ फारसी-भाषी जनता में लोकप्रिय हुई। इसकी हस्तलिखित प्रतिलिपियां ब्रिटिश इंडिया म्यूजियम, एशियाटिक सोसायटी बंगाल आदि में सुरक्षित हैं। इकबाल जैसे शायर ने तो यहां तक कहा कि हिंद का प्याला सत्य से भरा हुआ है और जितने भी दार्शनिक मगरिब (पश्चिम) में हुए हैं, वे भारत के श्रीराम का विस्तार हैं।

विदेशों में भी ‘तिब्बती रामायण’, पूर्वी तुर्किस्तान की ‘खोतानो रामायण’, इंडोनेशिया की ‘काकिन रामायण’, जावा का ‘सेरतराम’, ‘सैरीराम’, ‘रामकेलिंग’, ‘पातानी रामकथा’, इंडो-चीन की ‘रामकेर्ति’, ‘खमैर रामायण’, म्यांमार की ‘यूतोकी रामायण’, थाईलैंड की ‘रामकिनेन’ आदि रामचरित्र का बखूबी बखान करती हैं। स्पष्ट है कि श्रीराम वह सांस्कृतिक पुरुषोत्तम हैं जो देश-काल से परे हैं। श्रीराम जिन जीवन मूल्यों, आदर्शों, मर्यादा और सामाजिक समस्यात की प्रतिष्ठा के लिए संघर्ष करते हैं वे भारतीयता के जीवन-संस्कृति में रचे-बसे हैं। इसीलिए हर भारतीय अपनी ‘राम-कहानी (जीवन कथा)’ सुनाता है। मिलने-जुलने पर ‘राम-राम’ या ‘जय रामजी की’ कहना एक धार्मिक अभिवादन के बजाय एक सांस्कृतिक-लौकिक अभिवादन है। ‘जय श्रीराम’ इसी की एक कड़ी है जो पॉपुलर कल्चर की देन है और रामायण सीरियल के माध्यम से आम जनमानस में और फैली। नि:संदेह जो कुछ अतिथी ‘जय श्रीराम’ के नाम पर हिंसा कर रहे हैं वे प्रभु श्रीराम का अपमान और समाज को तोड़ने का काम कर रहे हैं। उनसे सख्ती से निपटा जाना चाहिए।

जेएनयू के पूर्व शोधार्थी साकिब सलीम (2017) सही लिखते हैं कि ‘हमें यह समझने की जरूरत है कि श्रीराम केवल हिंदू धर्म के भगवान नहीं हैं, बल्कि इस मिट्टी की धरोहर हैं। धरोहर को बांटना न तो मुमकिन है और न अवलमयन।। तथाकथित सेन्सुएलरिस्ट बुद्धिजीवियों और अतिवादियों को यह बात समझ लेनी चाहिए।

(लेखक दिल्ली विश्वविद्यालय में प्रोफेसर हैं)

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अवधेश राजपूत

का मानमर्दन किया और फिर नवंबर 2008 में पाकिस्तान प्रायोजित निर्मम आतंकियों के जत्थे ने मुंबई में हिंसा का जैसा क्रूर चेहरा पेश किया तो दोनों ही मामलों में एक जैसी बातें की गईं। उनका सार यही था कि दुश्मन भारत को ऐसे वक्त में चौंकाने में सक्षम हुआ जब देश की खुफिया सूचनाएं जुटाने और उनके आकलन की क्षमता स्तरीय नहीं थी। कारगिल संघर्ष के बाद वाजपेयी सरकार ने के. सुब्रमन्यम के नेतृत्व में एक समिति गठित की थी। वह मौजूदा विदेश मंत्री एस जयशंकर के पिता थे जिन्हें भारतीय सामरिक नियोजन का पितामह कहा जाता है। सुब्रमन्यम समिति के गठन का उद्देश्य उन कारणों की पड़ताल करना था जिनके चलते कारगिल में युद्ध जैसी स्थिति बनी। इस समिति को यह जिम्मा भी सौंपा गया कि भविष्य में ऐसे सैन्य टकराव टालने के लिए क्या रणनीति बनाई जा सकती है? इसमें चार विशेष श्रेणियां चिन्हित की गईं और

मशहूर जासूस मुखिया माने जाते हैं। उनका प्रभाव इतना था कि उनके शुरुआती शागिर्दों को ‘काउ-बॉयज’ तक कहा गया। बी रमन भी उनमें से एक थे जिनके साथ मेरा लंबा पेशेवर जुड़ाव रहा। रमन देश के सबसे काबिल खुफिया अधिकारियों में से एक थे और खुफिया तंत्र की कमियों से भलीभांति परिचित भी। बीते कई दशकों के दौरान राजनीतिक नेतृत्व ने खुफिया तबके की पेशेवर क्षमताओं को कुंद किया है। इसमें आइबी का काम मुख्य रूप से घरेलू राजनीतिक गतिविधियों पर नजर रखने तक सीमित हो गया है। पेशेवर प्रतिबद्धता के अभाव और कमजोर नेतृत्व के चलते आइबी और रें क्षेत्राधिकार को लेकर कड़वाहट भरे संघर्ष में उलझकर रह गई हैं। ऐसी उम्मीद थी कि कारगिल समीक्षा समिति की सिफारिशों से बेहद जरूरी खुफिया सुधारों की राह खुलेगी, लेकिन बीते 20 वर्षों में ऐसा हो नहीं पाया। खुफिया सुधारों के आलोक में रमन की यह टिप्पणी खासी उल्लेखनीय है कि ‘किसी संकट के आधार पर समीक्षा में अतीत की ही पड़ताल होती है कि आखिर क्या गलत हुआ और उसे कैसे रोका जा सकता था? वहीं आवश्यकता के आधार पर होने वाली समीक्षा भविष्यो-मुखी होती है। इसमें भविष्य की जरूरतों के लिहाज से आवश्यक कदम उठाए जाते हैं।’

अफसोस कि कारगिल के दो दशक बाद भी भारत के नाजुक खुफिया ढांचे को दुरुस्त करने को कोई ठोस कवायद नहीं हुई है। हम यही उम्मीद कर सकते हैं कि कारगिल की स्मृति में कार्यक्रमों की समाप्ति के बाद मोदी-शाह-डोंभाल की तिकड़ी इस मोर्चे की प्राथमिकता के आधार पर साधेगी। रमन इससे खासे कुपित रहते थे कि हमारे नीति निर्माता खुफिया क्षमताओं में सुधार के बजाय उद्ध और बिगाड़ रहे हैं। अब इस पर विराम लाकर वास्तविक सुधारों की शुरुआत होनी चाहिए।

(लेखक सामरिक मामलों के विश्लेषक एवं सोसायटी फॉर पालिसी स्टडीज के निदेशक हैं)

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समय का महत्व

जीवन पल-पल के सौम्य धागों से बुना हुआ है। इसलिए समय हमारे जीवन का महत्वपूर्ण अंग हैं। सूक्ष्म दृष्टि से देखा जाए तो ऐसा अहसास होता है कि समयबद्ध जीवनशैली ही हमारे जीवन का निर्माण करती है। अतः समय से संघर्ष करने वाला ही महान बनता है। कहा जाता है कि एक बार नेपोलियन बोनापार्ट ने अपने सेना नायक को भोजन के लिए आमंत्रित किया। समय पर पहुंचने में उन्हें कुछ विलंब हो गया। नेपोलियन भोजन करने लगे। वह खाना समाप्त करके उठ रहे थे कि वह आ गए। उन्हें देखकर नेपोलियन ने कहा, ‘भोजन का समय बीत चुका है, आइए अब अपना काम शुरू करें।’ जाहिर है समय की महत्ता का पालन कर ही उन्होंने उच्च पद और लोकप्रियता अर्जित की। इतिहास ऐसी घटनाओं से भरा पड़ा है। ग्लेडस्टोन सरीखे प्रतिभाशाली व्यक्ति हमेशा अपनी जेब में एक छोटी-सी पुस्तक लेकर निकलते थे। उन्हें चिंता रहती थी कि कहीं कोई बड़ी व्यर्थ न चली जाए। उनके लिए समय अमूल्य धन था। वैसे धन मनुष्य कृत संघय होने के कारण इसे चोर चुराकर तो ले जा सकता है, परंतु समय ईश्वर प्रदत्त संपत्ति होने के कारण चोर इसे चुरा नहीं सकता। इसलिए हमें भी प्रत्येक पल का सदुपयोग करते हुए जीवन को ऊंचा उठाने का प्रयास करना चाहिए। अतीत की चिंता नहीं करनी चाहिए। किसी विद्वान ने इस संदर्भ में उचित ही कहा है कि अतीत भविष्य की प्रयोगशाला है। अतीत में हुई अपनी कमियों एवं गलतियों से सबक लेने और भविष्य में उसे न दोहराने का प्लेटफॉर्म वर्तमान है। इसी को लक्षित करते हुए खलील जिब्रान ने कहा है, ‘बीता हुआ कल आज की स्मृति है और आने वाला कल आज का स्वप्न है।’

अतः वर्तमान हमारे पास है। इसलिए प्रत्येक पल का सदुपयोग जीवन की सतह पर इस तरह आनंद से व्यतीत करना चाहिए, जिस प्रकार हरित पण पर ओस की बूंदें नृत्य कर रही हैं। जो समय चिंता में गया समझो कूड़ेदान में गया। जो समय चिंतन में गया समझो तिजोरी में जमा हो गया। अतः समय ही संपत्ति है, शृंगार एवं अमृततुल्य है। इसी के द्वारा हम जीवन को ऊंचा उठा सकते हैं। मार्क ट्वेन का कहना है कि हमें जो सबसे बहुमूल्य वस्तु मिली है, वह है समय। अतः उसे कफायत से खर्च करना चाहिए।

देवेंद्रराज सुथार

की जो मौजूदा दर है उसमें 50 फीसद युवा उच्च माध्यमिक तक की पढ़ाई भी पूरी नहीं कर पा रहे हैं। इन समस्याओं को हल करने के बजाय पाकिस्तान आतंकवाद की खेती कर रहा है। आखिर कहां जा रहा है पाकिस्तान?

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कैसा लोकतंत्र?

कोई सिद्धांत नहीं, कोई लोकताॉिक मर्यादा नहीं। अपनी राजनीतिक वचनबद्धता का कोई मूल्य नहीं। दलीय चुनाव की कोई सफलता और औचित्य नहीं। यह सब देखने को मिल रहा है कर्नाटक में। क्या यही है लोकतंत्र? क्या इसी तरह लोकतंत्र मजबूत हो रहा है? आखिर जो विधायक किसी पार्टी से चुनकर आते हैं, ऐसा क्या होता है कि कुछ दिनों लगते हैं ये सचुनर में किसी और पार्टी के साथ खड़े दिखने लगते हैं? अगर इन्हें लगता है कि वह गलत पार्टी में हैं तो पार्टी और सदस्यता से इस्तीफा देकर दोबारा चुनाव लड़ें, न कि किसी और पार्टी की सरकार में मंत्री बना जाएं। ऐसे तो अयोग्य लोग मंत्री बनते रहेंगे और सुयोग्य बाहर रहेंगे।

निर्मल कुमार शर्मा, गाजियाबाद

इस स्तंभ में किसी भी विषय पर राय व्यक्त करने अथवा दैनिक जागरण के राष्ट्रीय संस्करण पर प्रतिक्रिया व्यक्त करने के लिए पाठकगण सादर आमंत्रित हैं। आप हमें पत्र भेजने के साथ ई-मेल भी कर सकते हैं।

अपने पत्र इस पते पर भेजें : दैनिक जागरण, राष्ट्रीय संस्करण, डी-210-211, सेक्टर-63, नोएडा ई-मेल : mailbox@jagran.com

स्वीकार का साहस

पाकिस्तान के प्रधानमंत्री इमरान खान ने अमेरिका पहुंच कर स्वीकार किया कि पाकिस्तान में अब भी तीस से चालीस हजार आतंकी मौजूद हैं, जिन्हें अफगानिस्तान या फिर कश्मीर में प्रशिक्षण मिला है और वे वहां लड़ चुके हैं। उन्होंने यह भी कहा कि इस मामले में पाकिस्तान के पिछले हुक्मरान ने अमेरिका को सच नहीं बताया। यह निस्संदेह इमरान खान का साहसिक कदम है। पाकिस्तानी प्रधानमंत्री अमेरिका के दौरे पर हैं। वहां के राष्ट्रपति डोनाल्ड ट्रंप से मुलाकात के बाद उन्होंने वहां रह रहे पाकिस्तानी नागरिकों के एक मंच से ये बातें कहीं। इससे एक संकेत तो स्पष्ट है कि अमेरिकी राष्ट्रपति से मुलाकात के बाद आतंकवाद को लेकर उनके रुख में नरमी आई है। इससे पाकिस्तान में पनाह पाए आतंकी संगठनों पर नकेल कसे जाने की उम्मीद भी जगी है। हालांकि इमरान खान ने यह भी कहा कि उनकी सरकार बनने के बाद काफी हद तक आतंकी संगठनों पर नकेल कस दी गई है। उनके मदरसों को कब्जे में ले लिया गया है, पर अभी उनके खिलाफ काफी कुछ किया जाना बाकी है। उन्होंने आतंकवाद से मिले पाकिस्तान के जख्म का भी मुजाहिरा किया। इमरान खान शुरू से अपने मुल्क में तरक्की और अमन की बात करते आ रहे हैं, इसलिए उनके ताजा बयान से कुछ बेहतरी की उम्मीद जगती है।

मगर देखना है कि पाकिस्तानी प्रधानमंत्री अपने इस रुख पर कब तक और कहां तक कायम रह पाते हैं। यह पहली बार नहीं है, जब पाकिस्तान के किसी प्रधानमंत्री ने अपनी सरजमीं से आतंकवाद के सफाए का दम भरा है। पहले भी कई मौकों पर अमेरिका के दबाव में या फिर उसका विश्वास जीतने की मंशा से आतंकवाद समाप्त करने की कवायद की गई है। आतंकवादी संगठनों पर हमले भी किए गए। उन पर प्रतिबंध लगाया गया। उनके बैंक खाते बंद किए गए। मगर हकीकत यह है कि उन संगठनों के सरगना पाकिस्तान में ही बने रहे। उन्होंने दूसरे नामों से नए संगठन शुरू कर लिए और समाजसेवा की आड़ में कट्टरपंथी और चरमपंथी गतिविधियां संचालित करते रहे। सरेंआम सभाओं में जहर उगलते रहे। इसलिए दावा नहीं किया जा सकता कि अमेरिका से लौट कर इमरान खान कितना अपने इरादों पर कायम रह सकेगे। फिलहाल उन्हें अमेरिका से नजदीकी हासिल करनी है। उसने पाकिस्तान पर अनेक बदिशें थोप रखी हैं। खासकर वित्तीय और सैन्य मदद बिल्कुल रोक रखी है, इसलिए उसका विश्वास जीतने के लिए आतंकी संगठनों के खिलाफ सख्ती की पहल जरूरी है। अमेरिकी मदद हासिल करने के बाद उनका रुख नहीं बदलेगा, कहना मुशकिल है।

यह ठीक है कि इमरान खान पाकिस्तान की तरक्की को लेकर चिंतित हैं। वे बार-बार दोहराते रहे हैं कि हमें खून-खराबे का रास्ता छोड़ कर तरक्की के रास्ते पर चलना होगा। मगर वहां के कट्टरपंथी संगठन, सेना और खुफिया एजेंसी उन्हें आतंकी गतिविधियों पर लगाम लगाने की छूट शाावद ही लेने दें। उनके पास खासकर भारत के खिलाफ यह एक बड़ा हथियार है। पाकिस्तान के पूर्व राष्ट्रीय सुरक्षा सलाहकार मकमूद अली दुर्गानी ने भी एक लेख लिख कर उजागर किया था कि किस तरह मुंबई हमले में पाकिस्तान की सरजमीं से गतिविधियां संचालित की गई थीं और किस तरह सेना के संरक्षण में वहां आतंकी प्रशिक्षण शिविर चलाए जाते हैं। पर कभी पाकिस्तान ने उन तथ्यों को स्वीकार नहीं किया। ऐसे में पाकिस्तान लौटने के बाद इमरान खान के कबूलनामे को किस रूप में लिया जाएगा, देखने की बात है।

प्लास्टिक के विरुद्ध

यह कोई छिपा तथ्य नहीं है कि प्लास्टिक आज पर्यावरण प्रदूषण का आम कारक है। सरकारों की ओर से इस पर पूरी तरह प्रतिबंध लगाने के बारे में लंबे समय से आशवासन दिए जाते रहे हैं। मगर हकीकत यही है कि सरकारों और संबंधित महकमों ने प्लास्टिक पर रोक लगाने संबंधी जरूरी कदम नहीं उठाए, जबकि एनजीटी यानी राष्ट्रीय हरित अधिकरण से लेकर देश की अदालतों तक ने अलग-अलग मामलों में सरकारों के इसे लेकर कई बार निर्देश दिया। पर इस सबका कोई ठोस अंतर जमीन पर होता हुआ नहीं दिखा है। अब सीपीसीबी यानी केंद्रीय प्रदूषण नियंत्रण बोर्ड ने एनजीटी को यह जानकारी दी है कि अठारह राज्य प्लास्टिक की थैली पर पूरी तरह प्रतिबंध लगा चुके हैं। इतने बड़े पैमाने पर अगर यह पहलकदमी हुई है तो निश्चित रूप से यह पर्यावरण को बचाने की दिशा में एक अहम कदम होगा। लेकिन यह तभी संभव हो पाएगा जब पहले की घोषणाओं की तरह इस बार भी सरकारें केवल दावों की औपचारिकता निभाने के बजाय इस दिशा में कुछ ठोस नतीजा-आधारित काम करेंगी।

गौरतलब है कि एनजीटी प्लास्टिक अपशिष्ट प्रबंधन नियम, 2016 के क्रियान्वयन और इससे संबंधित मामलों पर दाखिल सीपीसीबी की याचिका पर सुनवाई कर रहा था। इस दौरान यह बताया गया कि अठारह राज्यों ने जहां प्लास्टिक की थैलियों या उत्पादों पर पूरी तरह पाबंदी लगा दी है, वहीं कुछ राज्यों ने इस मामले में आंशिक प्रतिबंध लगाया है। मगर समस्या यह है कि आज भी ऐसे कई राज्य और केंद्र शासित प्रदेश हैं जिन्होंने इस तरह की पाबंदी लगाने की औपचारिकता पूरी करना भी जरूरी नहीं समझा। जबकि इससे संबंधित कानून प्लास्टिक के उपयोग को लेकर स्पष्ट दिशा-निर्देश तय करते हैं। सवाल है कि जब इस मसले पर बने कानूनों को अमल में लाना कुछ राज्य सरकारों तक को जरूरी नहीं लगता, तो वैसे आम लोगों से क्या उम्मीद की जा सकती है जो पर्यावरण और प्रदूषण जैसी समस्याओं पर पर्याप्त स्तर पर जागरूक भी नहीं हैं? आज चारों तरफ प्लास्टिक की थैलियों या बोतलों से लेकर इससे तैयार सामान थोड़ी सुविधा की कीमत पर पर्यावरण और सामान्य जन-जीवन के लिए एक बड़ी समस्या बन चुके हैं।

हालांकि जिन राज्यों ने प्लास्टिक पर पूरी तरह प्रतिबंध लगा दिया है, वहां भी यह देखना बाकी है कि व्यवहार में यह कितना लागू है। लेकिन जहां आंशिक प्रतिबंध लगाया गया है, वहां सिर्फ अंदाजा लगाया जा सकता है कि इस ‘छूट’ का फायदा किस तरह उठाया जा रहा होगा। यह पूरी तरह साफ है कि रोजमर्रा के जीवन में आम हो चुका प्लास्टिक आज किस हद तक प्रदूषण का वाहक बन गया है। शहरों-महानगरों के तमाम नाले अगर जाम होते हैं, सड़कों पर और मुहल्लों में गंदा पानी फैल जाता है, उसमें रासायनिक प्रतिक्रियाओं की वजह से हवा और पानी में जहरीले तत्त्व घुलते हैं तो इसके लिए जिम्मेदार बड़ी तादाद में रोजमर्रा के इस्तेमाल में आने वाला प्लास्टिक ही है। लोग थोड़ी सुविधा के लिए प्लास्टिक की थैलियों या इससे बने सामान का उपयोग तो करते हैं, लेकिन इसके पर्यावरणीय प्रभावों की अनदेखी करते हैं। दूसरी ओर, सरकार को भी प्लास्टिक के उपयोग पर लगाम लगाने वाले नियम-कायदों को सख्ती से अमल में लाना जरूरी नहीं लगता। एक सवाल यह भी है कि अगर प्लास्टिक से तैयार सामान का उत्पादन होता रहेगा तो इसके उपयोग को प्रतिबंधित करना कितना संभव होगा!

कल्पमेधा

सफलता की सभी कथाएं बड़ी-बड़ी विफलताओं की कहानियां हैं।
–हेनरी फोर्ड

जन्सत्ता

ऋतु सारस्वत

दुर्भाग्यपूर्ण यह है कि वे परिवार जो आर्थिक सुदृढ़ता को बनाए रखने के लिए महिला सदस्यों से नौकरी करने की अपेक्षा रखते हैं, वे उनके घरेलू दायित्वों को बांटना नहीं चाहते। ऐसे में उनके सामने दो ही रास्ते बचते हैं, या तो वे अपने मातृत्व दायित्व को निभाने के लिए नौकरी छोड़ दें या फिर पेशेवर ज़िंदगी को बनाए रखने के लिए मां बनने से बचें।

हाल ही में खबर आई कि जापान में अट्‌टाईस फीसद महिलाओं ने बच्चों के लिए नौकरी छोड़ी और पचास हजार बच्चे दिनभर के लिए देखभाल वाले गृहों (डे-केयर) की प्रतीक्षा सूची में हैं। दरअसल, जापान में छोटे बच्चों की देखभाल के लिए इस तरह के गृह सरकार ही चलाती है, इसलिए सभी को सुविधा नहीं मिल पाती। ऐसे में कामकाजी माताओं के पास नौकरी छोड़ने के सिवाय और कोई विकल्प नहीं बचता। यह स्थिति सिर्फ जापान की ही नहीं, लगभग सभी देशों की है। किसी भी संगठन में महिलाओं के नौकरी छोड़ने की घटना या उनकी संख्या में कमी आने को सामान्य तौर पर ‘लीकिंग हाइड्रलाइन’ कहा जाता है। इस विचार को सबसे पहले अमेरिका में कामकाजी महिलाओं की स्थिति की अर्थशास्त्री एन हुलिट ने अपनी पुस्तक ‘क्रिएंटिंग ए लाइफ़: प्रोफेशनल वुमन एंड द क्वेस्ट फॉर चिल्ड्रन’ में चर्चा करते हुए कहा कि चालीस की उम्र

का पड़ाव पेशेवर और मातृत्व के बीच एक चुनौतीपूर्ण क्षण होता है।

मातृत्व और पेशेवर जीवन

मातृत्व और पेशेवर जीवन के बीच एक चुनौतीपूर्ण क्षण होता है।

रजनी

हाल ही में आई एक फिल्म ‘सुपर 30’ को देखने हुए जब उसका एक संवाद और दृश्य सामने आया तो वह अगले काफी देर तक जेहन में गूँजता रहा। वह संवाद था- ‘अमीरों को सब सुविधाएं दीं और गरीबों को कुछ नहीं... यह चींटिंग है’। वाकई एक ऐसे देश में जहां सबकी समान भागीदारी की बात संवैधानिक रूप से की जाती है, वहां अक्सर किसी बच्चे से स्कूल में शामिल होने का हक सिर्फ इसलिए छीन लिया जाता है कि वह एक गरीब और ‘अशिक्षित’ पृष्ठभूमि से आता है। यह छीनना औपचारिक रूप से नहीं होता, बल्कि इसके लिए ऐसे हालात पैदा कर दिए जाते हैं जिनमें वह बच्चा अपने समय पर किसी स्कूल की ऊँची फीस भर सके तो कभी यह मुश्किल कि गांव में किसी के पास कंप्यूटर नहीं था, इसलिए समय-समय पर स्कूल से संबंधित जो डिजिटल कार्रवाई करनी थी, वह नहीं हो पाई।

यह कहानी है एक गरीब परिवार की।

भ्रष्टाचार का घुन

किसी भी समाज में भ्रष्टाचार उस दीमक की तरह है जो भीतर ही भीतर खमोशी से उसकी जड़ों को खोखला कर देता है और अगर जड़ ही खोखली हो जाएं तो समाज किसके सहारे खड़ा होगा! इस दीमक से हमारे देश की जड़ें भी खोखली हो रही हैं। पुलिस, प्रशासन, राजनीति कुछ भी इससे अछूता नहीं है। सरकारी विभागों में मृत्यु प्रमाण पत्र बनवाने तक के लिए रिश्तत देनी पड़ती है तो सार्वजनिक हित के लिए बनने वाली योजनाओं पर नेताओं और अधिकारियों की नजर होती है। सैकड़ों में गिने जाने वाले घोटाले अब करोड़ों और अरबों में तब्दील हो गए हैं। जनता की गाड़ी कमाई का जो पैसा देश के विकास पर खर्च होना चाहिए, वह नेताओं और अधिकारियों के लॉकरों में पहुंच जाता है। नजरिया बदल चुका है, किसी हद तक हम भ्रष्टाचार को स्वीकार भी कर चुके हैं। बहुत से उदाहरणों में गड़बड़ियों को हम यह कह कर टाल देते हैं कि इतना तो चलता ही है। हम अपनी सहूलियत के हिसाब से भ्रष्टाचार के मानक तय कर लेते हैं, अपने आराम के लिए इसे बढ़ावा भी देते हैं। बात जब बड़े स्तर की होती है तो बड़ी योजनाओं में शामिल लोग अपने स्तर पर यही करते हैं और मौकापरस्त बन जाते हैं।

हाल ही में विश्व बैंक की एक रिपोर्ट में कहा गया था कि भारत में सालाना 6,350 करोड़ रुपए की रिश्तत का लेन-देन होता है। ये आंकड़े 2005 से कम हैं। तब सालाना 20,500 करोड़ रुपए की रिश्तत का लेन-देन होता था। रिपोर्ट के मुताबिक मध्य भारत के राज्यों के मुकाबले दक्षिणी राज्यों में भ्रष्टाचार ज्यादा है। ट्रांसपेरेंसी इंटरनेशनल की ओर से जारी किए गए भ्रष्टाचार सूचकांक में भारत की रैंकिंग गिरी है। पिछले साल के मुकाबले तीन स्थान खिसक कर भारत 79वें

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