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TELLING NUMBERS

The rise of unemployment rate, within various religious groups

UNION MINISTER for Minority Affairs Mukhtar Abbas Naqvi presented in Lok Sabha data on the rates of unemployment across major religious groups over the last three unemployment surveys conducted by the National Sample Survey Organisation (NSSO) and the Periodic Labour Force Survey (PLFS). The three sets of data correspond to the Employment and Unemployment Surveys conducted over the 66th Round (between July 2009-June 2010) and 68th Round (between July 2011-June 2012) by the NSSO as well as the PLFS (between July 2017-June 2018). The unemployment rates have been disaggregated for males and females as well as ur-

ban and rural areas. Workers in the "usual status" category include (a) persons who worked for a relatively large part of the 365 days preceding the date of the survey, and (b) persons from among the remaining population who had worked for at least 30 days during the reference period of 365 days preceding the date of the survey. Category (a) refers to "principal status" and the category (b) to "subsidiary status" and the "usual status" definition includes both. As such, usual status is a more relaxed measure of unemployment. For instance, some of the unemployed under "principal status" might be working in a subsidiary capacity.

UNEMPLOYMENT IN USUAL STATUS AMONG MALES ACROSS MAJOR RELIGIOUS GROUPS

RELIGIOUS GROUP	66TH ROUND (2009-10)		68TH ROUND (2011-12)		PLFS (2017-18)	
	RURAL	URBAN	RURAL	URBAN	RURAL	URBAN
Hinduism	1.5	2.9	1.7	2.8	5.7	6.9
Islam	1.9	2.5	2.2	3.8	6.7	7.5
Christianity	2.6	2.2	3.4	4.4	6.9	8.9
Sikhism	2.7	5.6	1.3	3.5	6.4	7.2

UNEMPLOYMENT IN USUAL STATUS AMONG FEMALES ACROSS MAJOR RELIGIOUS GROUPS

RELIGIOUS GROUP	66TH ROUND (2009-10)		68TH ROUND (2011-12)		PLFS (2017-18)	
	RURAL	URBAN	RURAL	URBAN	RURAL	URBAN
Hinduism	1.4	5.8	1.4	5.2	3.5	10.0
Islam	2.0	6.8	3.9	4.4	5.7	14.5
Christianity	6.0	4.6	6.4	8.8	8.8	15.6
Sikhism	1.7	8.3	1.3	5.5	5.7	16.9

Source: Minority Affairs Ministry

TIP FOR READING LIST

A BIOGRAPHY OF THE SEMICOLON

OF ALL the punctuation marks in English writing, the semicolon is perhaps the most controversial. Writers have always been divided over its necessity and effectiveness. Stephen King dislikes it, as did Ernest Hemingway and George Orwell, while Herman Melville and Henry James loved it. In *Semicolon: The Past, Present, and Future of a Misunderstood Mark*, historian and teacher Cecilia Watson traces the history of this punctuation mark, from its evolution to the present, and the various controversies surrounding it. The semicolon has two main functions. One of these is to segregate words into groups that are already punctuated with commas — for example, "Gorakhpur, Amethi and Azamgarh in Uttar Pradesh; Patna, Vaishali and Nalanda in Bihar; Dhubri, Barpeta and Guwahati in Assam..." It is the other function that is usually controversial. As a mark that has a hierarchy between the comma and the period, the semicolon often separates two clauses that could have

served as independent sentences. Some sentences work well with the semicolon, while others can be clumsy. Invented in Venice in 1494 by printer and publisher Aldus Manutius, the semicolon for long had no strictly defined function. In the nineteenth century, as newer and newer grammar rules entered the discourse, disagreements over where and when to use the semicolon became frequent. In her biography of the semicolon, Watson uses a range of examples, from Milton to Martin Luther King Jr to Raymond Chandler, and argues that grammar fanatics should ignore the rulebooks and focus instead on communicating better. "Does this mean anything goes? Not in the least," *The New York Times* writes in its review. "Watson opposes conventions only as they exist to spare us from thinking. Don't just learn the rules, her clever, curious book prompts us; learn to ask, whose rules (and to admire that semicolon while you're at it.)"



SIMPLY PUT QUESTION & ANSWER

Reading the US Fed's rate cut

What does the quarter-percentage-point cut in interest rates by the US central bank — the first rate cut since the financial crisis of 2008 — indicate? How is India likely to be impacted?

ANIL SASI
NEW DELHI, AUGUST 1

LATE WEDNESDAY evening India time, the United States Federal Reserve announced a quarter-percentage-point cut in interest rates — the first rate cut in 11 years. What makes this rate-cut action — the first since the global financial crisis broke in 2008 — more significant is that barely six months previously, the US Fed was on a hawkish rate-hike trajectory, moving in the direction of bolstering the debt-laden American economy.

Why the rate cut by the Fed?

The Fed has cited concerns about the global economy and muted US inflation among the key reasons for the decision to cut rates, and signalled a readiness to lower borrowing costs further if needed. At the same time, the central bank has underlined that the US economy grew "at a healthy pace" over the first six months of the year. Financial markets had expected the quarter-percentage-point rate cut, which lowered the US central bank's benchmark overnight lending rate to a target range of 2%-2.25%. In a statement issued at the end of its two-day policy meeting, the Fed said it had decided to cut rates "in light of the implications of global developments for the economic outlook as well as muted inflation pressures". It "will act as appropriate to sustain" the record-long US economic expansion, the central bank said. A cut up to at least 75 basis points in the Fed funds rate had been expected by the end of the year, with the rate-cut cycle beginning from August. (One bps is equivalent to one-hundredth of a percentage point.) Fed Chairman Jerome Powell, however, underlined that the rate cut was merely a "mid-cycle adjustment to policy", thus ruling out multiple sequenced cuts in rates.

Does the cut indicate a shift in policy?

The cut in policy rates follows months of pressure from US President Donald Trump, who has been pushing the American central bank for a cut in rates to stoke growth. Powell



Federal Reserve chair Jerome Powell holds a news conference following the Federal Open Market Committee Meeting on Wednesday. Reuters

has repeatedly pledged to follow economic data, and has resisted the nudges from the President — only to change course sharply now. "Information received since the Federal Open Market Committee met in June indicates that the labour market remains strong and that economic activity has been rising at a moderate rate," the Fed said in its statement. "Job gains have been solid, on average, in recent months, and the unemployment rate has remained low."

The Federal Open Market Committee (FOMC) is a panel within the Fed that is responsible for setting policy rates. The ambiguity in the Fed was reflected somewhat in the vote on the decision, with two members of the 10-member FOMC opposing the decision to cut rates.

The decision failed to impress Trump, who has been calling for a big rate cut. The President scoffed at Powell, posting on Twitter: "What the Market wanted to hear from Jay Powell and the Federal Reserve was that this was the beginning of a lengthy and aggressive rate-cutting cycle which would

keep pace with China, The European Union and other countries around the world... As usual, Powell let us down... We are winning anyway, but I am certainly not getting much help from the Federal Reserve!"

What will be the impact on emerging market economies, including India?

Theoretically, a rate cut in the US should be positive for emerging market economies (EMEs), especially from a debt market perspective. Emerging economies such as India tend to have higher inflation and, thereby, higher interest rates than those in developed countries such as the US and Europe. As a result, EMEs would want to borrow money in the US at low interest rates in dollar terms, and then invest that money in bonds of emerging countries such as India in rupee terms to earn a higher rate of interest.

When the US Fed cuts its interest rates, the difference between the interest rates of the two countries increases, thus making India more attractive for the currency carry trade. A rate cut by the Fed would also mean a

greater impetus to growth in the US, which could be positive news for global growth. But this could also translate into more equity investments in the US, which could temper investor enthusiasm for emerging market economies in a proportionate manner.

How did the stock markets react; why?

Indian stocks tanked on Thursday. While domestic factors such as dismal July car sales data and slower GDP growth projections played a role in the selloff, one of the major factors was Powell's characterisation of the rate cut as a mid-cycle adjustment. Markets have taken this as a sign that sharp further cuts were not imminent. Thursday's sell-off dragged benchmark indices to fresh five-month lows, with the BSE Sensex slipping below the 37,000 mark. The broader Nifty50, too, breached the 11,000 mark in the intra-day trade. Bonds in India too, fell as investors trimmed bets on aggressive interest-rate cuts in high-yield markets after the signal from the US Fed.

The sharp fall in yields of government securities over the past month have already priced in the Fed's action. A major 50 bps cut by the RBI expected next week will likely trigger a further rally in the bond market. (As investors buy government bonds, prices increase, and yields fall. A lower yield indicates lesser risk, but if the yield offered by a bond is higher than what it was when issued, there is a chance that the government that issued the instrument could be financially stressed and may be unable to repay the capital).

According to analysts, there are also concerns that if Asian emerging market currencies such as the rupee continue to weaken sharply against the dollar, that may result in central banks such as the RBI turning more cautious about cutting the policy rate too aggressively. The Fed's tempered outlook on rate cuts found a reflection in the US markets. The Dow Jones Industrial Average and the S&P 500 lost over 1% after the statement. Asian markets traded mostly lower Thursday, with Hong Kong's Hang Seng falling 0.7% and the Shanghai Composite 0.8%. Japan's Nikkei, however, bucked the trend. Britain's FTSE 100 fell 0.2% and Germany's DAX dropped 0.1%. But France's CAC 40 rose 0.4%.

THIS WORD MEANS: CONSULAR ACCESS (TO KULBHUSHAN JADHAV)

What ICJ ordered; Pak has 'offered' to India

SHUBHAJIT ROY
NEW DELHI, AUGUST 1

PAKISTAN has "offered" India consular access to Kulbhushan Jadhav, who has been in jail in Pakistan since March 2016. The former Indian Navy officer was sentenced to death by a Pakistani military court on charges of espionage and terrorism. Late Thursday evening, India was "evaluating" the Pakistani proposal.

The Hague-based International Court of Justice (ICJ) had ordered on July 17 that Pakistan must undertake an "effective review and re-consideration" of Jadhav's conviction and sentencing, and grant consular access to him without delay. The ICJ upheld India's stand that Pakistan is in egregious violation of the Vienna Convention on Consular Relations, 1963.

What is the concept of "consular access"? Consular access simply means that a diplomat or an official will have a meeting with the prisoner who is in the custody of another country. Usually, during the meeting, the diplomat will first confirm the identity of the person, and will then ask some basic questions — on how he/she is being treated in custody, and what he/she wants.

Depending on the response, the diplomat/official will report back to his/her government, and the next steps will be initiated.

The principle of consular access was agreed to in the 1950s and 60s. The Vienna Convention on Consular Relations (VCCR) was framed in 1963, at the height of Cold War. This was a time when "spies" from the US and USSR were caught in each other's countries and across the world, and the idea was to ensure that they were not denied consular access.

All countries agreed to the principle, and more than 170 have ratified the Vienna Convention, making it one of the most universally recognised treaties in the world.

But, its implementation has faced challenges. While international law has long recognised the right of missions to assist and protect its nationals detained abroad, the ability of a consulate to provide effective aid has been heavily dependent on the prompt receipt of information of the detention, and timely access to the detainee.

Under Article 36 of the VCCR, at the request of a detained foreign national, the consulate of the sending State must be notified of the detention "without delay". The consulate has the right "to visit a national of the



Jadhav's wife, mother met him across a glass partition in 2017. PTI

sending State who is in prison, custody or detention, to converse and correspond with him and to arrange for his legal representation".

No time interval is indicated for granting consular access. But it must be provided in all cases where a foreigner is "arrested or committed to prison or to custody pending trial or is detained in any other manner", regardless of the circumstances or charges.

Indian diplomats in Islamabad were discussing the terms and conditions of the consular access to be provided to Jadhav.

The key issues on the table: how many Indian officials would conduct Jadhav's inter-

view; for how long would they meet him; would Pakistani officials other than security personnel be present as well; would there be a glass partition between them and Jadhav; would they be allowed to have physical contact with him, etc.

After the ICJ order, the Pakistan Foreign Ministry had said Jadhav had been informed of his rights under Article 36, Paragraph 1(b) of the VCCR. It had said that Pakistan would grant consular access to him "according to Pakistani laws", the modalities for which were being worked out.

India is arguing that Article 36, Paragraph 1(a) of the VCCR says "consular officers shall be free to communicate with nationals of the sending State and to have access to them. Nationals of the sending State shall have the same freedom with respect to communication with and access to consular officers of the sending State".

India has asked Pakistan to grant "full consular access" to Jadhav in "full compliance and conformity" the ICJ verdict and the Vienna Convention. India wants to ensure that the meeting does not become a sham like the one in December 2017, when Jadhav's mother and wife visited him.

One tribunal for all river water disputes: why the proposal, how it will work

AMITABH SINHA
PUNE, AUGUST 1

ON WEDNESDAY, Lok Sabha gave its approval to a proposal to set up a permanent tribunal to adjudicate on inter-state disputes over sharing of river waters. The Bill cleared by Lok Sabha seeks to make amendments to the Inter-State River Waters Disputes Act of 1956 that provides for setting up of a separate tribunal every time a dispute arises. Once it becomes law, the amendment will ensure the transfer of all existing water disputes to the new tribunal. All five existing tribunals under the 1956 Act would cease to exist.

Why the change

The main purpose is to make the process of dispute settlement more efficient and effective. Under the 1956 Act, nine tribunals have so far been set up. Only four of them have given their awards. One of these disputes, over Cauvery waters between Karnataka and Tamil Nadu, took 28 years to settle. The Ravi and Beas Waters Tribunal was

RIVER	STATES	WHEN SET UP	STATUS
Godavari	Maharashtra, Andhra, Karnataka, MP, Odisha	1969	1980 award being implemented
Krishna (Tribunal-I)	Maharashtra, Andhra, Karnataka	1969	1976 award being implemented
Narmada	Rajasthan, MP, Gujarat, Maharashtra	1969	1979 award being implemented
Cauvery	Karnataka, TN, Puducherry, Kerala	1990	2007 award challenged in SC, later merged with 2018 SC judgment
Krishna (Tribunal-II)	Karnataka, Andhra, Telangana, Maharashtra	2004	Decision in December 2010, matter now in Supreme Court
Mahanadi	Odisha, Chhattisgarh	2018	Under adjudication
Mahadayi	Goa, Karnataka, Maharashtra	2010, reconstituted 2013	Award in August 2018, Goa asked for reconsideration, under adjudication
Ravi and Beas	Punjab, Haryana, Rajasthan	1986	One award in 1987, matter in Supreme Court
Vansadhara	Andhra Pradesh, Odisha	2010, reconstituted 2012	Under adjudication

set up in April 1986 and it is still to give the final award. The minimum a tribunal has taken to settle a dispute is seven years, by the first Krishna Water Disputes Tribunal in 1976.

The amendment is bringing a time limit for adjudicating the disputes. All disputes would now have to be resolved within a maximum of four-and-a-half years.

The multiplicity of tribunals has led to an

increase in bureaucracy, delays, and possible duplication of work. The replacement of five existing tribunals with a permanent tribunal is likely to result in a 25 per cent reduction in staff strength, from the current 107 to 80, and a saving of Rs 4.27 crore per year.

The current system of dispute resolution would give way to a new two-tier approach. The states concerned would be encouraged

to come to a negotiated settlement through a Disputes Resolution Committee (DRC). Only if the DRC fails to resolve the dispute will the matter be referred to the tribunal.

How it will work

In the existing mechanism, when states raise a dispute, the central government constitutes a tribunal. Under the current law,

the tribunal has to give its award within three years, which can be extended by another two years. In practice, tribunals have taken much longer to give their decisions.

Under the new system, the Centre would set up a DRC once states raise a dispute. The DRC would be headed by a serving or retired secretary-rank officer with experience in the water sector and would have

The Indian EXPRESS

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RAMNATH GOENKA

BECAUSE THE TRUTH INVOLVES US ALL

Health care is ailing

But a National Medical Commission is no cure-all.
Many important questions remain



K SUJATHA RAO

BLEAK MATH

Subdued tax revenues indicate that the economic slowdown may be more entrenched than it is believed to be

DATA RELEASED BY the Controller General of Accounts (CGA) paints a worrying picture of the government's finances. The Centre's gross tax revenues grew by a mere 1.4 per cent in the first quarter of the current financial year, and are likely to be well below nominal GDP growth for the quarter. In comparison, the Union budget pegged tax revenues to grow by 18.3 per cent this year. Last year, the Centre's tax revenues grew by 8.4 per cent (as per CGA) — below nominal GDP growth. This indicates that the trend of a rising tax to GDP ratio has been reversed. The first quarter numbers also suggest that the Centre's tax revenues will now have to grow by a staggering 22.3 per cent in the remaining part of the year to meet the budgeted target. Though collections are likely to rise in the coming quarters, achieving this target is a tall task, especially with a more entrenched slowdown in economic activity.

The break-up of the headline tax numbers reveals that direct taxes (both corporate and personal income tax) grew at a modest 9.7 per cent in Q1, but growth was well below the budget target of 18.6 per cent. Notwithstanding sluggish economic growth which would impact corporate profitability and taxes, corporate taxes, which grew by 6.3 per cent in Q1 FY20, are typically lower in the first quarter, rising thereafter. But, the impact of the lowering of tax rates on most entities, as proposed in the budget, might temper these estimates. Income tax collections have continued to grow at a healthy pace, clocking 12.3 per cent in the quarter ended June. The surcharge on the super rich will boost collections further.

But the concern on the indirect tax side continues. Indirect taxes, excluding compensation cess and taxes of UTs, actually contracted by 4.9 per cent in Q1 FY20. While part of the slippage in GST collections could be on account of IGST allocations, the slowdown in economic activity may well have exacerbated the situation. Also, compliance hasn't really picked up as pointed out by the Comptroller and Auditor General in its audit report. Part of this shortfall could be offset by higher excise and customs collections, which will pick up in the coming quarters as the proposals mentioned in the budget are rolled out. Yet, the larger message from the tax data, of subdued economic activity, is worrying. It is possible that the slowdown is more entrenched than it is believed to be. Limited fiscal space means that monetary policy is the only game in town. But monetary policy has limited ability to stimulate growth in the short term, especially when the transmission of lower rates to the broader system remains restricted. The outlook for growth remains hazy in the near term.

EAT, PRAY, LOVE

Zomato has stood firmly by pluralist principles and heartwarming punctured a stereotype

A PERSON PROFESSING the Hindu religion in Jabalpur and observing Shraavan in a ritually sectarian fashion has turned the spotlight on an India divided, earned widespread derision, and shown that the majority online are not bigoted. He declined to accept a Zomato order delivered by a Muslim, and when he took his peeve to Twitter, the company's handle responded: "Food doesn't have a religion. Food is a religion." In a nation that has weathered centuries of restrictions on commensality, the tweet constituted a resounding affirmation of modernity. The company's CEO joined in the conversation, sticking up for diversity and stating that he was not "sorry to lose any business that comes in the way of our values." Reportedly, he supported the actions of his staff and assured them that they would not have to knuckle under to customer demands that were racial or attacked diversity.

As the conversation proceeded, though, it may have become obvious that standing up to bigotry may actually be good for business. While a small minority supported the actions of the peeved customer in Jabalpur, the volume of derision he has earned drowned out their voices. Critics pointed out that to retain ritual purity, he would have to take absurdly extreme precautions. He would have to check if his food was cooked by co-religionists, and that the delivery executive's vehicle did not run on fuel imported from a Muslim nation. At the same time, Zomato received congratulatory messages from all quarters, including politicians, businessmen and influencers, for defending the idea of a diverse India. Standing up for one's principles, it appears, is not necessarily detrimental to business.

India's corporate culture is not celebrated for being led by liberal principles. On the contrary, it is widely criticised for cronyism, for seeking patronage from power and safe markets among majorities. Against that backdrop, Zomato's moral determination to hold the line stands out in sharp relief. It has also busted the stereotype that young digital companies are actuated purely by the profit motive in the marketplace, and by the conservative views of deracinated techies in the boardroom. And it has answered one of the oldest questions about capitalism: Does morality matter in business? It does. Two tweets have won the company more goodwill than an expensive ad campaign would have. More significantly, they have gone some way in reaffirming public faith in the value of decency.

ALL'S NOT WELL

BCCI must realise that if it does not bring in anti-doping reform, it will be made to do so

THE INDIAN CRICKET board has long been an ostrich in matters of accountability. Its dreams of putting in place a self-sustaining T20 league which can rope in the world's finest talent — like America's NFL, NBA and World Series baseball — was realised in this last decade when the IPL turned monstrous in proportion. What did not follow for the BCCI, however, was the American insistence on integrity. Doping is the single biggest threat that can shred the credibility of any sport that wants to be taken seriously. But the way the BCCI has handled the positive test of its brightest young star, Prithvi Shaw, shows its casualness towards the modern day sport's most important protocol. Shaw was let off after a process in which the anti-doping code wasn't strictly adhered to and there was no transparency in hearings.

The government has cracked the whip and in coming days might make it difficult for the BCCI to go on believing it exists in a separate sporting universe. India, which notoriously sat second on doping charts in Olympic disciplines and won a measly total of 2 medals, has gone on believing all's well with cricket. Testing protocols are hardly followed in the world's richest league, the problem compounded by the fact that India's prima donnas have always resisted WADA's regulations. So, while the world's greatest names like Roger Federer and Usain Bolt are answerable to the dope tester's 6.30 am call and obligated to fill in the whereabouts forms, cricketers are rarely tested or punished once they return a positive sample.

The BCCI system has misused discretion in handing Shaw a lenient punishment that will deter no one. The BCCI leads the world in cricket's general obstructionism to any anti-doping reforms. Cricket's audience, too, needs to demand clean performances if the summer slam isn't to turn into WWE with balls and bats played by fully covered men with something to hide.

THERE ARE SIX reasons why governments would like to regulate medical education. One, to ensure that doctors are appropriately trained and skilled to address the prevailing disease burden; two, to ensure that medical graduates reflect a uniform standard of competence and skills; three, to ensure that only those with basic knowledge of science and aptitude for the profession get in; four, to ensure ethical practice in the interest of the patients; five, to create an environment that enables innovation and research; and six, to check the corrosive impact of the process of commercialisation on values and corrupt practices. The question is whether the National Medical Commission Bill passed by Rajya Sabha on Thursday addresses these concerns.

The problem of inappropriately trained doctors of varying quality has been known since decades. The report of the Mudaliar Committee set up in 1959 had devoted substantial space to pointing out how doctors had neither the skills nor the knowledge to handle primary care and infectious diseases that were a high priority concern then as now. Likewise, standards vary greatly with competence levels dependent upon the college of instruction. In professionalising the MCI, with experts for all levels of education and practice, the NMC Bill can be a gamechanger.

It has the potential to be more nimble in setting curricula, teaching content, adding new courses and providing the much needed multisectoral perspectives. More importantly, the NMC has the potential to link the disease burden and the specialties being produced. In the UK, for example, it is the government that lays down how many specialists of which discipline need to be produced, which the British Medical Council then adheres to. In India, the MCI has so far been operating independently. This gap can be bridged by the NMC. Given the right people, it is also possible that the NMC can encourage and incentivise innovation and promote research by laying down rules that make research a prerequisite in medical colleges.

It is in curbing unethical practice and commercialisation of medical education that

It is a fact that the MCI required a college to be inspected 25 times to get final recognition, each being a rent seeking exercise. That "inspector Raj", as the Health Minister noted, will be done away with, is indeed a positive step. But in relying only on the NEXT as the principal substitute is to abdicate governance. Undoubtedly, there are grey areas giving scope for corrupt practices and production of substandard doctors. It would have been preferable to have tested the waters, examined the implications and then introduced the reform rather than including it in a law that is difficult to amend.

the Bill falls short. Today, there are 536 medical colleges with 79,627 seats. Of them, 260 or 48.5 per cent are private with 38,000 seats. The bill allows differential pricing with freedom for the college managements to levy market determined fees on 19,000 students, under what is called the management quota. This is admission for those with the ability to pay. There are colleges that are rumoured to arrange admission and the degree for a fee.

To counter such practices, the Bill has proposed mandating the NEET and NEXT. I was Secretary, Health, when these two concepts came into the policy dialogue. The NEET was mooted by the then board of governors for three reasons: One, to reduce the pain of students having to take an estimated 25 examinations to gain admission in a college; two, given the abysmal level of high school education, to ensure a minimum level of knowledge in science, and three, to reduce corruption by restricting student admission to those qualifying the NEET. Measured against these three goals, the experience has been mixed, demanding a rethink.

The NEXT is an idea borrowed from the UK that has for over seven years been struggling to introduce it. In all such countries, the licensing exams are stretched into modules, not a multiple choice questions type of exam. The underlying belief is that in centralising the qualifying examination, a college with the largest number of failed students will automatically close down. Following from this, the Bill has virtually given up inspections for assuring the quality of education.

It is a fact that the MCI required a college to be inspected 25 times to get final recognition, each being a rent seeking exercise. That "inspector Raj", as the Health Minister noted, will be done away with, is indeed a positive step. But in relying only on the NEXT as the principal substitute is to abdicate governance. Undoubtedly, there are grey areas giving scope for corrupt practices and production of substandard doctors. It would have been preferable to have tested the waters, examined the implications and then introduced the reform rather than including it in a law that is difficult to amend.

The excessive reliance on a battery of di-

agnostic tests is reflective of both commercial considerations as well as weak knowledge. Students spending lakhs to become doctors resort to unethical practices to recoup their investment and pollute the system. In the US, despite tight regulations and remunerative payment systems, there is still substantial unethical practice. The Bill, in reducing oversight, allowing extensive discretionary powers to government to set aside decisions of the NMC, making it virtually an advisory body, gives scope for the current state of affairs to continue, only at a higher premium nullifying the major need for reform of the MCI. This is the most worrying aspect of the NMC. In other words, the MCI got into disrepute only when commercialisation of medical education set in in the 1990's, and the amendment of the MCI Act in 1993, reducing the autonomy of the MCI and making it subservient to government. This has now been taken to another level in the Bill.

The Bill has other irritants — like permitting a registered medical practitioner to prescribe medicines. Left vague, much will depend on the rules. While there is a need to decentralise, to give to non-medical personnel some powers and authority, it needs tight regulation and supervision. Given our inability to enforce the Drugs and Cosmetics Act, as seen in the rising rate of the antimicrobial resistance problem, the issue of which comes first needs to be carefully examined. Prudence may be advisable. Another irritant is the continuance of the two parallel streams of producing specialists. By not bringing the DNB under the purview of the NMC, the DNB system is left open to abuse.

No law is perfect. It is dependent upon the people who interpret and implement it. Government has, under this Bill, arrogated to itself an unprecedented power to appoint people in the various arms of the proposed structure. The quality and integrity of these people will then define the future of the health system in India. We hope for the best as the long, bitterly fought battle to reform the 86-year-old MCI comes to a close.

The writer is former Union health secretary, Government of India



APOORVANAND

KILLING JNU

Throttling of academic freedoms will also affect campuses elsewhere

SEPTEMBER 20 IS the birthday of Chandrashekhar, the young left leader who was killed in Siwan in 1997. He was a student of Jawaharlal Nehru University, the president of its students' union. We organise an annual memorial lecture in his name at Patna. This year, we decided to invite a professor from his university to deliver the lecture. She said a cautious yes, as she was not sure if she would be given leave. For the past three years, teachers of JNU have seen their leave applications rejected, not only for popular lectures like the one above but also for seminars organised by professional bodies or their peers. But we insisted that she should try. We wrote her a formal invitation letter.

Before my colleague could submit my letter with her application for leave to the authorities, she herself was sent one by them. It was a chargesheet. She was one of the 48 teachers who were asked to explain why action should not be taken against them for having participated in a protest last year at the administrative block. The chargesheet has been framed under Rule 14 of the Central Civil Services (Classification, Control, and Appeal) Rules 1965 and invokes sections of the CCS (Conduct) Rules 1964. Failing to explain their "crime" to the satisfaction of the authorities can invite penal action.

We knew then that her application for leave would not be accepted. She is one of the foremost scholars of her field internationally, a respected public voice and a much-loved

teacher. But in the eyes of the authorities of the JNU she is merely an "employee" they can discipline with rules.

Teachers had always thought that they were not government employees. Vice Chancellors also knew that they do appoint teachers but they are not their subordinates. Teachers are regarded as minds which function best when not constrained. If you ask former vice-chancellors of JNU, they would talk fondly about the cordial relations they had with the faculty. It was an honour to be accepted as by the community of people, which included scholars such as Bipan Chandra, Romila Thapar, Namvar Singh or Tanika Sarkar. But the current administration in the JNU treats the teachers as its "employees". The invocation of the civil services rules to discipline them is the latest in the list of its atrocities. To tell a teacher that she cannot air her views freely, cannot write or speak publicly without the permission of the "competent authorities" is to take away from them not only their rights but also their fundamental duty.

In democracies, people take decisions. But they do not have the intellectual wherewithal to examine the claims of the "powers that be" which seek their consent to rule them. Academics with their long engagement with knowledge have the tools to test the political and policy promises offered to people. They must share it with the public to help them take informed decisions. So, they need freedom, not for their own sake but for the good of the society.

dom, not for their own sake but for the good of the society. Academic freedom is slightly more than the freedom of expression. It is a basic necessity without which the business of knowledge cannot be conducted. All democracies therefore resist the temptation of controlling the campus. Peers decide, not state bodies.

We have been lucky to get a replacement for the lecture. But the damage done to JNU, if goes unchallenged, could affect university life elsewhere in the country. Indian campuses might resemble the campuses of the Stalinist era and academics would function as government spokespersons.

There is more happening at JNU which should attract public scrutiny. Creation of management, engineering and medical schools to marginalise the humanities and social sciences, the automation and vulgarisation of the admission process and the taking away of powers of the faculty in the appointment of new faculty and violating the principles of seniority is destroying the unique character of the university.

It is beyond the capability of the faculty and students of JNU to save it from an administration which is at war with it. It is the duty of the society, not only its alumni, who are in powerful positions, to speak up. The existence of spaces like JNU help us to think about possibilities which can become a reality.

The writer teaches Hindi in Delhi University



AUGUST 2, 1979, FORTY YEARS AGO

CHAVAN UNDER FIRE

A MEETING OF the pre-split AICC will be held in Bangalore on August 17 and 18. The Congress Working Committee took this decision today. There was a blistering attack on YB Chavan, Deputy Prime Minister, at the CWC meeting for his mishandling of the first list of ministers. Bhola Paswan Shastri, leader of the Congress Party in the Lok Sabha, Yunus Saleem and Vinayak Acharya led the attack. They were supported by some others. When the attack was in full cry, Chavan left the meeting possibly in a huff. At one point, when Chavan said he took the blame for all that had happened, Mohammad Ali shouted, "Don't try to defend, yourself."

Chavan said the list of nominees would show that the interests of minorities, women and Harijans had been adequately safeguarded.

ANARCHY ON RISE

NANAJI DESHMUKH, JANATA Party General Secretary said here that anarchy was fast enveloping the country. Speaking at a rally to mark the death anniversary of Lokmanya Tilak, he said, "politics of opportunism doesn't behave a country of great ideals and leaders of the calibre of Shivaji, Tilak and Mahatma Gandhi. Society should boycott and isolate such power crazy elements." He wondered whether such leaders considered they could serve the nation and society only

through the seat of power.

FAREWELL TO ARMS

ABATCH OF 100 rebel Mizos led by "Colonel" Vanthanga, former "Commander-in-chief" of the banned Mizo National Army bid farewell to arms, surrendered themselves before Mizoram's Inspector-General of Police, Ved Marwah, and signed the oath of allegiance to the Indian Constitution at a simple ceremony in the police complex at Aizawl. The government reciprocated the gesture, giving an initial rehabilitation grant of Rs 1,000 each and a promise of industrial and agricultural loans to enable them to start their careers afresh.

15 THE IDEAS PAGE

Remaking home

Divides between private colonies, flats and government housing reinforce the city's isolating character. Urban spaces need better designed homes and an egalitarian housing policy



GAUTAM BHATIA

TO SAY THAT there is no housing crisis in India is to make a statement of little value. Homelessness is on the rise, and has been for the past half a century. Eight years ago, after the 2011 Census, the demand for new housing was at 25 lakh units. With a great burst of building — mostly sub-standard and low cost units — the central government and state housing agencies added a sizeable number to the mix. But with demand rising exponentially and related to increasing migration numbers, the current requirement for shelter stands at 30 lakh units, more than double from the turn of the century.

Yet, the government's ineffective home building programmes proliferate. The Pradhan Mantri Awas Yojana aims to provide cheaper houses quickly to low income groups, with substantial interest subsidies on housing loans. The previous scheme, Awas Yojna, has been attempting the same since 1985 without much success. State housing boards have similar unachievable goals. Every year, more houses are constructed; yet, every year the demand increases.

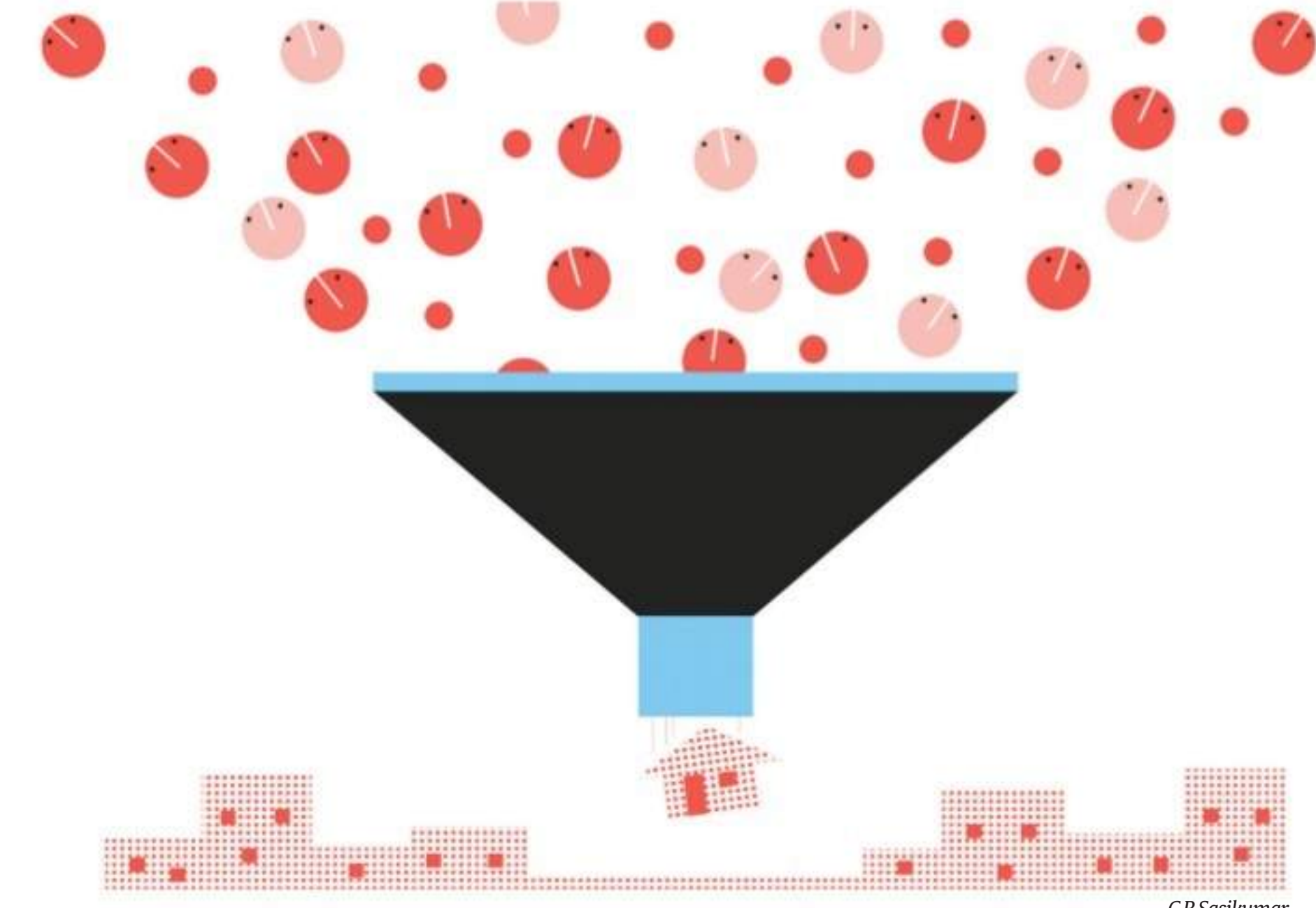
Is this a sane policy for providing homes? When an idea has failed consistently would it a different approach make more sense?

In the early 1950s, new houses in most cities relied on the bungalow model — a free standing home, single storied, spread on private land, and bounded by walls. The home's ownership, independence and property rights were paramount. Nearly 70 years later, despite a 100-fold increase in city population density and land values, little has changed from that ideal. The provision of a shelter is still wracked by the archaic ideal of ownership, still burdened by the unjustified expense of conventional construction, and still stuck to the impracticality of old space and design ideas.

Why is the dream of living in a home tied to ownership? Is the home less of a home if it belongs to someone else? The outmoded notion of a building in self-ownership, as a private family asset, is the primary hurdle in the quest for affordable housing. And in seeking to remedy the situation, four factors need to be evaluated in the search for a new model.

First, of utmost importance is to put a halt to the growing privatisation of the city, which would in effect do away with more private ownership of land and buildings. The current situation creates unfortunate divides between private colonies, flats and government housing — contributing to insecurity and gated colonies. So far, the isolating quality of the Indian city has been reinforced by divisions of profession, ethnicity and economic status. Where is in the world will you find cities with officially recognised subdivisions — Bengalis in their own enclave (Chittaranjan Park), lawyers in Niti Bagh, Jews in Jewtown and Parsis in Parsi Colony. Would white Catholic office secretaries live in their own suburb outside New York, away from Black Presbyterian bus drivers?

By discouraging home ownership, the city becomes more open and accessible to a greater number of new residents, thus creating the potential for a more diverse economic, ethnic and religious mix. Stringent urban land reforms would be the first step in that direction. By making housing part of city infrastructure projects, the government takes away land and construction from private builders and creates diverse pockets of housing in different parts of the city. Short-term rights to a home should ideally be the goal, such that citizens



CR Sasikumar

have easy access to subsidised rental housing without legal rights of ownership. Rental units instead would allow residents to live close to office and employment, keeping the neighbourhood changing and dynamic.

Second, it is imperative that a system of tax incentives and new rental regulations be used to achieve that goal. One of the key reasons for a shortfall in middle income housing is the unwillingness of a home owner to rent out when the legal rights grossly favour tenants. Besides obvious change in rental laws, the government needs to examine the current stock of available housing and create an equitable rental policy. The imposition of a high un-occupancy tax on buildings that are vacant will help to inhabit almost a third of private housing that remains empty in most cities. Take, Delhi. The city — including Gurgaon and NOIDA — is burdened with over two lakh unoccupied mid and high income housing. At the same time, there is a desperate requirement for housing three lakh low income and weaker section families.

Builders, however, continue to construct upscale luxury apartments because profit margins are enormous. Such insanity can only be curbed when stricter construction restrictions are in place, and the government begins to see housing as a social service and not a business venture. Expanding the supply of low-income housing — something the private developers refuse to touch — will ultimately help the slum-dweller to a natural upgrade.

Third, the current densities of residential space need more efficient modifications. Do living/dining rooms, and private bedrooms have any value in new housing or would a smaller multifunctional and compact unit make more sense? Given the high land values, unless there is an increase in floor area ratio (FAR) with a complementary decrease in a home's occupancy footprint, economies of scale will never be achieved in city residential areas. In fact, subsidies on efficient space planning, environmental considerations and design that creates shared community spaces should be encouraged and rewarded.

Fourth, because political concerns remain enmeshed in changing civic status rather than demonstrating concerns for physical improvements, the Indian city continues to retain its Third World label. Civic governance structures need to be separate from politics, which is too often a happy and willing partner in bartering civic values for votes. The Delhi chief minister recently announced that 1,800 unauthorised colonies will grant home ownership rights to its residents. The move comes a few months

There is a desperate requirement for housing three lakh low income and weaker section families. Builders, however, continue to construct upscale luxury apartments because profit margins are enormous. Such insanity can only be curbed when stricter construction restrictions are in place, and the government begins to see housing as a social service and not a business venture.

before the assembly elections and demonstrates how the top leadership in the country plays shamelessly with a city's long range plans for quick short-term gains.

By contrast, Brazil's intervention in its Favelas or slum tenements upgraded individual houses after a rigorous survey of families, providing design improvements, ventilation, storage space and utilities where needed. Singapore replaced their poorer tenements altogether with a basic high rises of low cost low income housing integrated into the fabric of the city. By such inclusion the poorer sections were no longer relegated to depressed parts of the town but were granted space everywhere. Unfortunately, the Indian concept of "regularisation" works on the tacit admission that the city learn to accept the poor as they are, where they are — in self-created clusters outside the mainstream. They remain socially isolated, and develop outside of the norms of civic life — a necessary evil that can be exploited as cheap manual labour and efficient vote bank.

Isn't it the combined future of the government, architects, and planners to constantly test new ideas related to local forms of urban living? In Delhi, the new large-scale housing developments of Nauroji Nagar and Kidwai Nagar fall in the centre of the town and could have been effectively used to demonstrate radical new ideas of urban density, landscape, car-less streets, water collection reservoirs, green construction, alternative systems of energy and waste management and a mixed-use home-work-recreation network. Instead, a shabby mix of eight to ten storey tower blocks adds yet another third-rate sight to the already beleaguered city. Easy and quick time-tested commerce has similarly shaped Mumbai's Bandra Kurla Complex and Indira Nagar in Bengaluru. Over the next decade, as millions of new migrants move to towns, a radical view of the Indian home is the only way to go.

It is no exaggeration to say that housing in India is both inefficient, poorly constructed, thoughtlessly designed, and conforms to outmoded ideas that still hark to the bungalow prototype. Unless more thoughtfully-designed homes, with newer materials and technologies, and a more egalitarian housing policy become part of future government programmes, it is these citadels of waste and decay that will remain the public face of the city.

Bhatia is a Delhi-based architect and writer

WHAT THE OTHERS SAY

It is the duty of richer nations to do all they can to hold back the soaring temperatures which they did most to produce. — THE GUARDIAN

A step for gender justice

The law that criminalises instant talaq is framed by constitutional morality



BHUPENDER YADAV

IT IS A historic moment for this country. The arbitrary, unconstitutional and unreasonable practice, generally called triple talaq, has become a practice of past and now, an offence. India has moved on from an era when the name of movie was changed to Nikah because there was a danger that if a husband asked his wife to watch a movie named "Talaq Talaq Talaq", she may suffer a heart attack as uttering talaq, talaq, talaq was considered as divorce.

The present legislation comes in the backdrop of an evolving society, which has influenced even Islamic states to make corrective changes by legislation to Muslim personal law. I congratulate our Muslim sisters for getting their due right of equality, an issue of paramount importance for the present government. Eradicating the unfair practice of triple talaq has ended their insecurity and uncertain future.

The fight against instant talaq was the fight of every Muslim woman, though it was started by an ordinary Muslim woman. Talaq-e-biddat left women insecure since it was generally accepted and practiced by the community, when a man wanted to correct his mistake. There was no reason for a woman in a civilised society to go through this trauma. This fight, being the fight of ordinary women against inequality and injustice, deserved the support of the government that considers equality, as outlined in the Constitution, its guiding principle.

Bringing the law that declares triple talaq an offence is a victory for the civil society; it should not be seen as a political victory. It is surprising how anyone can oppose such a progressive law, which was essential for the women of one particular community, who were facing discrimination due to this arbitrary practice. It is disheartening to see how those who have been talking about the Beijing declaration were against the passing of this much-needed law to ensure women's dignity.

Instant talaq concerns gender justice. The law banning it is about ensuring human rights and providing liberty to women to live with dignity. Many criminal offences have civil consequences, for example, rash driving. Crime involves punishment by the government while a civil wrong is a wrong against an individual that calls for compensation to the wronged person.

Generally, civil action can provide only compensation. What compensation would be appropriate for a woman like Shah Bano, who was divorced by her husband at 70? There was need for a law, which may act as a deterrent and prevent people from resort-

ing to instant talaq. In short, criminalising instant talaq was the only option.

Triple talaq was not only a wrong against an individual, but it was an attack on the society in general. The government deserves appreciation for bringing a law that terms it as offence; declaring it a punishable offence makes it an effective law. The deterrence theory of criminology is shaping the criminal justice system in various countries.

We also cannot ignore the constitutional morality. The Supreme Court has held that the practice of triple talaq is not protected under religious freedom and the same is against the dignity of women. Gender justice is an important constitutional goal and without accomplishing the same, half of the country's citizens would not be able to enjoy their rights in reality. When Article 51-A (e) of the Constitution talks about renouncing practices derogatory to the dignity of women, how can a government not bring about an effective law to end the practice? Articles 14, 15 and 21, which are a part of the basic structure of the Constitution, make it clear that there was a need to bring a law, particularly since the Court had declared that the ambit of religious freedom does not cover triple talaq. Democratic values will survive only when people are guided by the constitutional parameters.

It is also important to note that it is not the first law to declare an unreasonable and arbitrary act as an offence. There are so many examples. For example, from the ancient time, polygamy was permitted amongst Hindus. But in 1860, the Indian Penal Code made "polygamy" a criminal offence. Next was The Hindu Marriage Act, 1955, which provides the conditions for a valid Hindu marriage. One of the conditions introduced was that neither of the parties to the matrimonial alliance should have a living spouse at the time of marriage. Clearly, the practice of polygamy among Hindus was eradicated by legislation and the same was made a criminal offence through law. So the law criminalising triple talaq is not the first instance of personal law being changed to ensure gender justice in India.

So many reformative laws have been introduced by the state. One such law was the Hindu Widows' Remarriage Act. The issue is not about religion or faith but the concern for gender justice and gender equality. In order to fully emancipate Muslim women from an unjust and discriminatory family law, their unique position and experience at the intersection of gender discrimination and religious discrimination must be taken into account.

The present government deserves appreciation for ensuring equality of women in letter and spirit. What is held to be bad in the Holy Quran cannot be good in sharia. Or, what is bad in theology is bad in law as well.

The writer is general secretary, BJP and MP, Rajya Sabha

LETTERS TO THE EDITOR

LIMITED LAW

THIS REFERS TO the editorial, 'Shortchanged by law' and the article 'Power and Justice' (IE, August 1). The law against triple talaq serves a dual purpose for the government: Humiliating the Opposition and mobilising a section of the educated and professional Muslims in big cities and towns. The practice of triple talaq is no doubt decadent. But the government's aim to confer justice and empower Muslim women, in all likelihood, might not be fulfilled. On the contrary it might do more harm than good to the wronged woman.

G. Javid Rasool, Lucknow

GENDER JUSTICE

THIS REFERS TO the article 'Taking down patriarchy' (IE, August, 1). The writer's happiness over PM Narendra Modi's success in getting the anti-triple-talaq bill passed is understandable. Now he needs to show the same zeal to get the Women's Reservation Bill passed.

Tarsem Singh, Mahilpur

REFORM POLITICS

THIS REFERS TO the article, 'A familiar drama' (IE, August 1). Citizens will point out that corruption is the norm among bureaucrats, the police, and even the judiciary has not been able to escape its share of blame. India did have stellar politicians B C Roy in Bengal and Y B Chavan in Maharashtra. Therefore, the need is to ensure that honest, educated and well-meaning people join politics and occupy positions of power. Let the Election Commission allow debates among the contestants in state-spon-

LETTER OF THE WEEK AWARD

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sored auditoriums that are televised or shared through social media.

Kaushik Mukherjee, Pune

EMPTY BOAST

THIS REFERS TO the article, 'The 50-day journey' (IE, July 31). It is wrong to talk about high productivity in the current Monsoon Session. The government has bulldozed Bills on sensitive issues without proper discussion and scrutiny. Moreover, recent incidents of mob violence with forced sloganeering contradicts the vision laid down under "sabka saath, sabka vikas, sabka vishwas".

Tenzin Zhimba, Gandhinagar

TRAGEDY IN UNNAO

Various editorials have taken note of the accident that wiped out several members of the Unnao rape victim's family. *Etemaad* on July 30 writes about the BJP MP Sakshi Maharaj meeting the accused, a BJP MLA, in jail recently. It asks for phone records of the truck driver, cleaner and owner scrutinised. *Sahara* on August 1 wonders, sardonically, why when "the Opposition is angry and brought up this crash in Parliament and the BJP claims to have suspended Kuldip Singh Sengar, the accused BJP MLA, is justice not forthcoming?" It calls for a CBI inquiry to be speedily ordered.

MOURNING SHEILA

Sahara editorial on July 22 talks about the tradition of leaders praising their opponents when they die. The editorial says it is commendable that BJP leaders praised Sheila Dikshit when she died. But why did they not do so in her lifetime? The editorial points out that if it happens, "political rivalry can never morph into personal enmity". The environment that will emerge in India then will be very positive, the editorial concludes.

Compiled by Seema Chishty

THE Urdu PRESS

DEBATING TALAQ

INQUILAB HAS BACK to back editorials on triple talaq, on July 31 and then on August 1. The August 1 editorial writes about the "irony" of one side being so concerned about the Unnao rape incident and the accident, which has the victim "fighting for her life, and most of her family killed, where the accused is a powerful MLA and on the other hand, instant triple talaq, with the government so concerned, as if there were no bigger problem than this one, at present". The newspaper writes: "There is no doubt that this is a bad practice, but the haste displayed while making a law against this has never been seen in any other problem." This, the newspaper goes on to say, is when "Muslim organisations had declared that they will through social reform oppose this".

Rozanama Rashtriya Sahara on July 26 compared the 1980s to now, when the "then Congress government led by Rajiv Gandhi had tried to interfere in Muslim personal law". But widespread protests forced the government's hand to reverse its stance. Now, the people appear "unable to do anything, *laachaar*". It urges a look at facts, speaking of "back-breaking inflation, unemployment, sharply rising inequality that affect not just Muslim women but all women, includ-

ing Muslim women". "When her son or husband is unemployed, can the Muslim woman be happy?" the editorial wonders.

Siasat on July 27 in an editorial after the passage of the Bill in the Lok Sabha calls the opposition parties and other parties who oppose the Bill to ensure that it is not passed by the Rajya Sabha. *Siasat* writes: "The government will try many moves. And the Opposition must be alert. Those who are scared of opposing the Modi government must also make their stand clear." It writes: "Muslims are watching and will use this as a test to examine their so-called commitment to Muslims, their welfare and secularism. The time for empty words will have to end."

Etemaad (mouthpiece of the AIMIM) writes about the government pushing all the Bills it needs to consolidate its votebank in Parliament. It writes the government that has ignored the Sabarimala and Aadhaar orders of the Supreme Court, has chosen to bring out a bill for triple talaq instead of a law to control mob lynching. When such laws were brought against the majority community, for example in the Sabarimala case, it is stopped by an agitation. But Muslims have been scared beforehand itself, so they do not oppose such laws. While NIA is now a law stronger than POTA, it is clear that Muslims are the only targets. Why are steps not being taken to curb Hindu ex-

tremism? The newspaper calls for Muslims to "use their democratic rights to express their anger against the triple talaq bill, while staying within the law."

LAW AS HARASSMENT

Munsif on July 27 speaks of laws being hustled in an unseemly rush *intehai jaldbaazi*. It takes special note of the RTI Bill, which, according to the newspaper, makes Information Commissioners almost "government servants" and quashes their autonomy and independence. The newspaper speculates if the Modi government is wreaking vengeance on RTI commissioners for the five big orders they gave which brought out the truth on the government. It terms the original bill a fine legislation of the UPA2 era, now being crushed.

The July 28 editorial of *Daawat*, the fortnightly newspaper of the Jamaat-e-Islami, focuses on the "anti-terror" law. It focuses on the "misuse of such laws". "Error does not end with these laws as the intention is not to end terror. The intention is only to create new means of harassment against people which they take years to get out of," the editorial says. The newspaper writes that "earlier too, the intention was to harass innocents and push them in jail and this is what has happened. So, whenever attempts are made to formulate 'tough laws' they are opposed".