

FACT CHECK, GROUND REALITY

HOW THE HENLEY INDEX RANKS PASSPORTS, WHAT THE SCORE MEANS

THE LATEST Henley Passport Index ranks India at 86, down five places from 81 in 2018. The index ranks passports based on their power and mobility. Prepared by Henley and Partners, a London-based advisory firm, the index gathers data from the International Air Transport Association (IATA) and covers 227 destinations and 199 passports. It also accounts for real-time changes in visa policies to prepare a list of destinations that a passport can access visa-free, through a visa on arrival, through e-visa, or with a traditional visa.

Each passport is attributed with a score and a rank. For every territory/country that a passport holder is able to access through various visa types (permit, visa on arrival or electronic travel authority) without pre-departure government approval, a value of 1 is attributed to the passport holder's country. When a passport holder has to seek pre-departure approval for these visa types, a score of 0 is attributed. The score is the sum of these. In 2019, India's score is 58, which means an Indian passport holder has visa-free access to 58 countries. Japan and Singapore, which are ranked 1 in 2019, have a score of 189.

Afghanistan holds the weakest passport, with a score of 25 and a rank of 109,

INDIAN PASSPORTS OVER THE YEARS

Year	Rank	Score
2006	71	25
2007	73	-
2008	75	37
2009	75	-
2010	77	50
2011	78	53
2012	82	51
2013	74	52
2014	76	52
2015	88	51
2016	85	52
2017	87	49
2018	81	60
2019	86	58

Source: Henley Passport Index

while Pakistan has a score of 30 and a rank of 106.

Passport rankings point towards the strength of diplomatic relations between countries.

MEHR GILL

THIS WORD MEANS

ADRATIKLIT BOULAHFA

The oldest stegosaurus species ever, newly discovered and the first in North Africa



Dacentrurus, believed to be closest relative of Adratiklit. Wikipedia

SCIENTISTS HAVE described a new species of stegosaurus and dated it to 168 million years ago, which makes it the oldest known member of that group of dinosaurs ever known. Named *Adratiklit Boulahfa*, it is also the first stegosaurus to be found in North Africa. Its remains were discovered in the Middle Atlas mountains of Morocco, and the study describing it was led by Dr Susannah Maidment of the London's Natural History Museum (NHM).

The scientists believe it is not only a new species but also belongs to a new genus. The name is derived from the words used by the Berber (an ethnic group indigenous to North Africa) for mountains (*Adras*), lizard (*tiklit*) and the area where the specimen was found. (*Boulahfa*).

Paleontologists studied a handful of vertebrae and an upper arm bone, all that was left of it when it was found. *Adratiklit's* closest relatives is the European stegosaurus *Dacentrurus*, NHM said in a statement. The *Adratiklit* was armoured and herbivorous, and lived on the ancient supercontinent of Gondwana, which later split into Africa, South America, Australia and Antarctica. Most stegosaurus remains so far have been found in the northern hemisphere. "However, this may not mean that stegosaurs were uncommon in Gondwana. It may be due to the fact that Gondwana rock formations have been subject to far fewer excavations and detailed studies," Maidment said in the NHM statement.

SIMPLY PUT QUESTION & ANSWER

Why Amazon fires are worrying

Man-made fires in the world's largest rainforest have sent smoke to populated cities and the Atlantic coast. Why does it bring focus on President Bolsonaro's policies? What impact can it have on the environment?

NEHA BANKA
KOLKATA, AUGUST 22

OVER THE last several days, the Amazon rainforest has been burning at a rate that has alarmed environmentalists and governments worldwide. Mostly caused by farmers clearing land, the fires have thrown the spotlight on Brazil President Jair Bolsonaro's policies and anti-environment stance.

Where are the fires happening?

Started in the Amazonian rainforests, the fires have impacted populated areas in the north, such as the states of Rondônia and Acre, blocking sunlight and enveloping the region in smoke. The smoke has wafted thousands of miles to the Atlantic coast and São Paulo, according to the World Meteorological Organization.

Brazil's National Institute for Space Research (INPE) has reported that forest fires in the region have doubled since 2013, and increased by 84% compared to the same period last year. This year alone there have been 72,843 fires, it said, and more than 9,500 of those have happened over the past few days.

How did the fires start?

The weekly *Brasil de fato* reported that Bolsonaro's anti-environment rhetoric has emboldened farmers, who organised a "fire day" along BR-163, a highway that runs through the heart of the rainforest. The weekly quoted a report by local newspaper *Folha do Progresso*, that local farmers had set fire to sections of the rainforest a few days ago to get the government's attention. "We need to show the President that we want to work and the only way is to knock it down. And to form and clear our pastures, it is with fire," *Folha do Progresso* quoted one farmer as saying.

Alberto Setzer, a researcher at INPE, told Reuters that this year, the region did not experience extreme dry weather. "The dry season creates the favourable conditions for the use and spread of fire, but starting a fire is the work of humans, either deliberately or by accident."

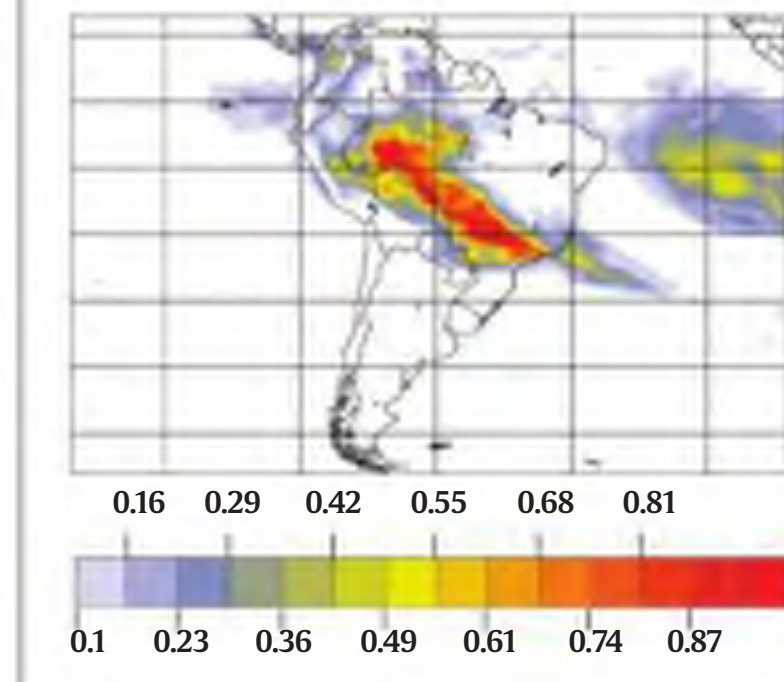
The Amazon fires are so large that they are visible from space. NASA released images on August 11 showing the spread of fires and reported that its satellites had detected heightened fire activity in July and August.

Why is it a cause for concern?

The Amazon rainforest is a repository of rich biodiversity and produces approxi-



AEROSOL OPTICAL DEPTH VALUES
(A measure of the extinction of the solar beam by dust and haze; the lower the value, the cleaner the atmosphere)



(Above) An August 15 satellite image of a scorched patch of the Amazon rainforest and rising smoke in Brazil's Rondônia state, provided by Maxat Technologies via Reuters; (left) A snapshot of biomass-burning aerosol concentrations above South America on August 20, taken from an animated forecast map by Copernicus Atmosphere Monitoring Service (CAMS). The red patches show the highest aerosol concentrations, resulting from the forest fires raging for several days now.

mately 20 per cent of oxygen in the Earth's atmosphere. It is also home to indigenous communities whose lives and homelands are under threat due to encroachment by the Brazil government, foreign corporations and governments with economic interests in the resource-rich region, and local farmers.

In a 2017 study, the University of Leeds found that carbon intake by the Amazon basin matches the emissions released by nations in the basin. The burning of forests, therefore, implies additional carbon emissions. Research by scientists Carlos Nobre and Thomas E Lovejoy suggests that further deforestation could lead to the Amazon's transformation from the world's largest rainforest to a savanna, which

would reverse the region's ecology.

A *National Geographic* report said the Amazon rainforest influences the water cycle not only on a regional scale, but also on a global scale. The rain produced by the Amazon travels through the region and even reaches the Andes mountain range. Moisture from the Atlantic falls on the rainforest, and eventually evaporates back into the atmosphere. The report said the Amazon rainforest has the ability to produce at least half of the rain it receives. This cycle is a delicate balance.

What environmental protections do Brazil's laws provide, and what has changed in recent times?

Bolsonaro has dismissed the INPE findings and said it was the time of the year when farmers burn the land for farming. In July, he fired INPE scientist Ricardo Galvao for publishing agency data that showed the accelerated rate of deforestation, calling the figures a lie and the images manipulated. *Al Jazeera English* quoted Bolsonaro as saying that "a report like this one that does not match the truth can cause a great damage to the image of Brazil". INPE has defended its data.

How has the international community reacted?

Germany and Norway have suspended funding for programmes that aim to stop deforestation in the Amazon and have accused Brazil of doing little to protect the forests. Indigenous groups and environment activists have led protests and criticised Bolsonaro for his comments and policies.

Why ordinance factory workers are on strike

SUSHANT KULKARNI
PUNE, AUGUST 22

SINCE TUESDAY, more than 80,000 workers of the 41 ordinance factories across the country are on strike, protesting against the proposed restructuring of the Ordnance Factory Board (OFB). These factories manufacture weapons, ammunition, explosives and other equipment like armoured vehicles for the defence forces as well as foreign clients. Production at all these has come to a halt.

Why restructure

The 200-year-old OFB is currently a department under the Defence Ministry. The government plans to convert it into one or more corporate entities fully owned by the government, like the other public sector units.

At least three expert committees — T K S Nair Committee (2000), Vijay Kelkar Committee on Defence Reforms (2005), and the Raman Puri Committee (2015) — had sug-

gested such a move. A fourth committee, headed by Lt Gen D B Shekatkar, did not go as far to suggest corporatisation but recommended regular performance audits of all ordinance units. The argument is that corporatisation would improve efficiency, make products cost-competitive and enhance quality.

"The present set-up and methods of OFB are inconsistent with requirements of the modern age which call for flexibility at top managerial levels. Being an arm of the government, the OFB and its factories cannot retain profits, and do not have any incentive to make any. So, OFB in its present structure of a departmental organisation may not be appropriate for carrying out production activities and competing with rivals in the private sector who have all the managerial and technical flexibility," a Defence Ministry official said.

Restructuring has been discussed many times with employee bodies, inconclusively.

How the plan progressed

Corporatisation of ordinance factories was

listed as one of the 167 "transformative ideas" to be implemented in the first 100 days of the Narendra Modi government's second term. These ideas were proposed in early July based on the recommendations of the Sectoral Group of Secretaries in consultation with the relevant Groups of Ministers.

OFB's top officials were called for a meeting with Defence Minister Rajnath Singh and ministry officials on July 18, during which a decision to finalise the plan was taken. Officials say a Cabinet note to give effect to corporatisation had been prepared, and circulated to stakeholder ministries for consultation.

In a statement, the Defence Ministry said: "Corporatisation of OFB will bring OFB at par with other defence Public Sector Undertakings (PSUs) of the Ministry of Defence. This is in the interest of OFB as it will provide operational freedom and flexibility to the OFB which it presently lacks. Besides, the interests of the workers will be adequately safeguarded in any decision taken on the subject."

Employees' unease

One of the fears of employees is that corporatisation is a step towards privatisation. They fear job losses. They also argue a corporate entity would not be able to survive the unique market environment of defence products.

"Converting the Ordnance Factories into a corporation is not commercially viable because of fluctuations in orders, long gaps between orders, uneconomical order quantity, and life cycle support required for 30-40 years after introduction of equipment. The experience of the past two decades is that corporatisation is a route to privatisation. Therefore, ordinance factories should continue as a departmental organisation," says a letter sent to Defence Minister Rajnath Singh by the general secretaries of the three main employee federations that are leading the strike, affiliated respectively to the RSS, the CPM's CTU, and the Congress party's INTUC. The federations have also refuted the government's claims that the OFB units lacked innovation and were unproductive.

Polygraph, narco: what are the tests that PNB accused has refused?

SADAF MODAK
MUMBAI, AUGUST 22

CBI WANTS to conduct polygraph and narcoanalysis tests on a former staffer of Punjab National Bank (PNB), who is in custody in the alleged Rs 7,000-crore fraud involving the absconding jewellers Nirav Modi and Mehul Choksi.

On Wednesday, the 63-year old retired PNB deputy manager, Gokulnath Shetty, refused to consent to the test, stating among other reasons, that it could have an adverse effect on his health. He also cited a Supreme Court judgment that makes it mandatory to obtain the consent of the accused for such tests.

What are polygraph, narcoanalysis tests?

A polygraph test is based on the assumption that physiological responses that are triggered when a person is lying are different from what they would be otherwise. Instruments like cardio-cuffs or sensitive electrodes are attached to the person, and variables such as blood pressure, pulse, res-

piration, change in sweat gland activity, blood flow, etc., are measured as questions are put to them. A numerical value is assigned to each response to conclude whether the person is telling the truth, is deceiving, or is uncertain.

A test such as this is said to have been first done in the 19th century by the Italian criminologist Cesare Lombroso, who used a machine to measure changes in the blood pressure of criminal suspects during interrogation. Similar devices were subsequently created by the American psychologist William Marston in 1914, and by the California police officer John Larson in 1921.

Narcoanalysis, by contrast, involves the injection of a drug, sodium pentothal, which induces a hypnotic or sedated state in which the subject's imagination is neutralised, and they are expected to divulge true information. The drug, referred to as "truth serum" in this context, was used in larger doses as anaesthesia during surgery, and is said to have been used during World War II for intelligence operations.

More recently, investigating agencies



A 2008 file photo of the narcoanalysis lab at the state forensic laboratory in Kalina, Mumbai. Express Archive

have sought to employ these tests in investigation, and are sometimes seen as being a "softer alternative" to torture or "third degree" to extract the truth from suspects.

However, neither method has been proven scientifically to have a 100% success rate, and remain contentious in the medical field as well.

Are Indian investigators allowed to put suspects through these tests?

In *Selvi & Ors vs State of Karnataka & Anr* (2010), a Supreme Court Bench comprising Chief Justice of India K G Balakrishnan and Justices R V Raveendran and J M Panchal ruled that no lie detector tests should be administered "except on the basis of consent of the accused". Those who volunteer must have access to a lawyer, and have the physical, emotional, and legal implications of the test explained to them by police and the lawyer, the Bench said. It said that the "Guidelines for the Administration of Polygraph Test on an Accused" published by the National Human Rights Commission in 2000, must be strictly followed.

The subject's consent should be recorded before a judicial magistrate, the court said. The results of the tests cannot be considered to be "confessions", because those in a drugged-induced state cannot exercise a choice in answering questions that are put to them.

However, any information or material subsequently discovered with the help of such a voluntarily-taken test can be admit-

ted as evidence, the court said. Thus, if an accused reveals the location of a murder weapon in the course of the test, and police later find the weapon at that location, the statement of the accused will not be evidence, but the weapon will be.

The Bench took into consideration international norms on human rights, the right to a fair trial, and the right against self-incrimination under Article 20(3) of the Constitution.

"We must recognise that a forcible intrusion into a person's mental processes is also an affront to human dignity and liberty, often with grave and long-lasting consequences," the court said, observing that the state's plea that the use of such scientific techniques would reduce "third degree" methods "is a circular line of reasoning since one form of improper behaviour is sought to be replaced by another".

In which recent criminal investigations have these tests been used?

The CBI has sought to give these tests to the driver and helper of the truck that hit the vehicle carrying the Unnao rape victim

in Uttar Pradesh in July.

In May 2017, Indrani Mukerjea, who is facing trial for allegedly murdering her daughter Sheena Bora in 2012, had offered to undergo the lie detector test. The CBI refused, saying they already had sufficient evidence against her.

Dr Rajesh Talwar and Dr Nupur Talwar, who were accused of killing their daughter Aarushi and help Hemraj in Noida in 2008, were given polygraph tests. A video of the narco test on their compounder, Krishna, was leaked to the media.

Why has the CBI sought to use these tests in the PNB case?

The CBI has said that it has been unable to ascertain Shetty's "other motives and details of undue pecuniary advantage obtained by him". Shetty is alleged to have issued fraudulent Letters of Understanding in favour of Nirav Modi, Mehul Choksi, and their firms in violation of bank rules. Shetty has been in custody since March 2018. CBI has already filed the chargesheet in the case. The court will decide on Shetty's refusal of consent next week.



The Indian EXPRESS

FOUNDED BY RAMNATH GOENKA

BECAUSE THE TRUTH INVOLVES US ALL

Ravidas, faith, power

The question, all too often, is: Whose faith will be privileged in the public sphere?



PRATAP BHANU MEHTA

STATELESS IN ASSAM

State government needs to frame a plan to address the fears of those excluded from the NRC

ASSAM CHIEF MINISTER Sarbananda Sonowal's announcement earlier this week that his government plans to explore the legislative route to address the complaints of those left out of the National Register of Citizens (NRC) is a tacit acknowledgment that its publication on August 31 could be a chaotic affair. A political consensus on the approach to address the NRC exclusions is desirable since the issue has the potential to further deepen ethnic and communal fault lines. The government must ensure that the solution — the proposed law, for instance — does not add to the perceptions and fears of discrimination and exclusion.

As per the draft NRC published in July last year, nearly 40 lakh people stand to be deprived of Indian citizenship. Thirty-six lakh people have since contested the draft and appealed for inclusion in the register. The BJP government in Assam, a staunch backer of the NRC, belatedly realised that the register, instead of settling old disputes, may create new headaches. The Centre and the Assam governments pleaded before the Supreme Court to extend the schedule of NRC publication and the court obliged by extending the deadline by a month — from July 31 to August 31. However, the appeal for a re-verification of a 20 per cent sample of the names included in the draft NRC in districts bordering Bangladesh and 10 per cent in other districts, on the ground that the draft had discrepancies, was rejected by the apex court. Thereafter, the state government, ignoring the Court's directive, revealed the district-wise break-up of the NRC exclusions to press its case that the data needed to be re-verified. The contention that the NRC is flawed because the exclusions are more in districts that have a large presence of indigenous communities and not in border areas stems from the notion that illegal migration is likely to be more in border districts. It reveals a poor understanding of migration and rampant communal prejudice against migrants. If the Assam Movement of the 1980s was secular in its anti-migrant politics, the BJP has preferred to see the Hindus among the migrants as refugees who deserve to be absorbed as citizens. The amendment proposed to the Citizenship Act was a clear attempt to underline a communal division within the migrant population and privilege non-Muslim migrants. This move triggered mobilisations around Assamese ethnicity.

In this background, the state government needs to desist from a legislative course that may divide people on communal lines. The home ministry has clarified that people excluded from the NRC will have the option to present their case before the Foreigners' Tribunals, which have since been expanded, and has promised that the time frame for filing appeals will be increased from 60 to 120 days. These procedural tweaks offer an opening for those left out of the NRC, but they are unlikely to address the fears of a staggering number of people who confront an uncertain future.

THE MASSIVE AND significant protests over the demolition of a temple dedicated to Saint Ravidas in Delhi is a window to India's knotted social and political fissures. But the protest is also, despite being occasioned by the demolition of a temple, a testament to the impossibility of a genuine religious sensibility in modern India. Even religions promising liberation are sequestered in bondage by dominant groups; even religions abolishing caste are a daily reminder of caste. It is a condition that Ravidas, with his wry sensibility, would have understood perfectly well.

The formal story is simple. The government in the early Nineties decides to initiate a process to demolish the temple since it falls in a Green Zone. The Supreme Court finally puts its imprimatur on the legality of the demolition, and it is demolished on August 10. Delhi witnesses an unprecedented protest, largely by Dalit groups, who according to some reports, do a clever appropriation of the chant, "Mandir yahin banayenge (the temple shall be built here)".

But the formal legal story does not capture the subtexts of this movement. There is an immediate political context. After the political decimation of Mayawati, many Dalit groups are looking for a new form of political articulation and leadership. The demolition of the Ravidas temple provides the perfect focal point for a new mobilisation for leaders like Chandrashekhar Azad. But to attribute the movement merely to a jostling for space in Dalit politics would be a mistake. The depth and reach of the Ravidas movement across large swathes of north India has always been impressive and deeply felt.

The identification with Ravidas is not just about the Dalits challenging Brahminical hegemony. One of the lesser known aspects of Dalit politics is this. While the identification as Dalit, or by other caste signifiers, is important for social justice, most Dalits also deeply identify with appellations that are self-chosen. Identifying as a Ravidasi is important to many Dalits, because in doing so they exercise the deepest levels of agency: Self-naming and self-identification. It is a mode of creating an identity that is not compulsory.

Second, contrary to simplistic projections, the alternatives for Dalits are not just Westernisation or Sanskritisation. There is

Contrary to simplistic projections, the alternatives for Dalits are not just Westernisation or Sanskritisation. There is a long intellectual movement creating, if you like, an alternative tradition, in which Valmiki, Kabir and Ravidas figure prominently. Mayawati was hugely criticised for her memorials, but they were attempts, in some senses, to claim the public space for this tradition as an alternative to a "Brahminised" space. The chain of events leading to the demolition of this temple does not start with the BJP. But in some ways, the BJP has intensified the war over public space in UP, in some cases directly appropriating or muting the radicalness of this alternative tradition by simply adding upper caste or OBC idols to the space, as if they all had the same signification.

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The irony is further compounded in this case. The reason the temple was demolished was that it fell in the "Green Zone." Just ask yourself the question: How many times have we licensed all kinds of relaxations and exemptions to Green Zone rules, coastal regulation rules, etc. in the name of development, often with catastrophic consequences? In that context, the alacrity with which the Green Zone regulations were applied after the Supreme Court nod to a long-standing harmless structure, is bound to raise questions about whether our environmental pieties are also applied unequally. The rule of law becomes such a signifier of partisanship and inequality.

Ravidas was enormously influential in medieval India. Forty of his sakhis found their way into the Guru Granth Sahib; queens at Chittor followed him, even as he became a potent force for tearing down orthodoxy and oppression. He often gets over-

shadowed by Kabir. He is classed with the "nirguni" poets, but his precise theological vocabulary, as was common at the time, is quite complicated. Yet the underlying sensibility, the sense of spontaneity, detachment and plenitude and incandescent liberation, is overpowering. (Winand Callewaert and Peter Friedlander, *The Life and Works of Ravidas*, is an authoritative modern collection of Ravidas's texts).

But there are two ironies in the contemporary debates over Ravidas. His social message was a relentless critique of caste, the abolition of all social distinction to recognise a human oneness. His songs are the mode through which we can imagine an alternative, egalitarian universality. But to avoid confronting his radicalism, dominant groups will sequester him as a sectarian leader. Second, he is a relentless critic of all orthodoxy and conventional religious practice: "A plague on all your houses," without exception. But the underlying sensibility is that the attainment of liberation and unity with the whole of creation is possible; religion gets in the way of that. What gets in the way of "God" is when we convert our tribes into gods. He wanted to tell religions that they are after the same thing. But the intelligibility of that claim was premised on some sense that experience of that Reality, over and above our falsifying distinctions, was possible. Now all that remains are the distinctions and the tribes — the sense of divinity, and the self possession that comes with it, has gone.

In many biographies, it is said of Ravidas that the Brahmins of Benares wanted to deny him the right to worship a salagrama, since he was an untouchable. Upon being questioned by the king, Ravidas suggested that everyone float their salagrama on the Ganges. The salagrama that would float would be allowed to be worshipped. The salagrama floated by the Brahmins sank; but when Ravidas floated his salagrama, it floated like a "duck on water."

It is a measure of our times that the only test of which salagrama you will be allowed to worship will be how much political power you have. Brace yourself for more conflict on faith.

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CONTAIN THE CRISIS

Government must create the framework for a quick and orderly resolution of financial firms

THE LIQUIDITY AND solvency issues plaguing the non-banking financial sector continue unabated. Earlier this week, Dewan Housing Finance Corporation Ltd (DHFL) defaulted on its repayment obligations to the tune of Rs 1,571 crore. Clearly, NBFCs/HFCs continue to struggle to repay their loan obligations and raise low cost funds. As credit flow through this channel has slowed down, the ripple effects are being felt in the broader economy. One way, perhaps, to have contained the crisis, and prevent it from spreading throughout the financial sector, engulfing mutual funds as well, would have been through quick and orderly resolution/liquidation of firms in trouble. But the resolution framework, as it exists, makes it difficult to close down financial firms such as banks and NBFCs. The Financial Resolution and Deposit Insurance (FRDI) bill had envisaged a framework for this. The bill, which was introduced by the NDA government in its first term, however, was withdrawn due to protests over some clauses. The current situation warrants a fresh look at the legislation.

The resolution/liquidation of financial firms is a challenging process, as, unlike in the case of non-financial firms, there are depositors to deal with. The interlinkages between financial firms and the broader economy complicate matters. The FRDI bill had envisaged the creation of a resolution corporation, endowed with powers to monitor/assess the risk of financial firms, to enable speedy resolution of firms — either through a merger or by selling off or winding up or through other avenues. As the events of the past few months show, there is a need for regulators to step in quickly. Delays in recognition and failure to act in time lead to higher losses. A long drawn out insolvency process for financial firms, as in the case of IL&FS, can have far-reaching ramifications for the economy. In comparison, an early resolution can lessen the impact of firm failure on the economy, and lead to more efficient allocation of capital.

The FRDI bill was withdrawn due to protests over the contentious "bail-in" clause and concerns about the extent of deposit insurance. But, as the complications in the IL&FS resolution process and the ongoing problems in the NBFC sector show, the government would do well to bring it back, albeit with modifications to address the issues that have been raised.

THE BISCUIT CRUMBLES

Food for thought: Never before have Marie and Parle G served as markers of an economic slowdown

IN 1789, THE price of bread was one of numerous factors which urged the French people to storm the Bastille. In 1998, Madan Lal Khurana of the BJP lost Delhi to Sheila Dikshit because of skyrocketing onion prices, and it became a national issue in 2014. Onions have also influenced election outcomes in Madhya Pradesh, Rajasthan and Chhattisgarh. Attitudes to essentials may well signal political change, because they relate to the home and the hearth. But never before have biscuits, a completely discretionary purchase, flagged an economic downturn.

Last week Varun Berry, managing director of Britannia Industries, walked out of an annual general meeting where he reported slowing growth in sales, and mused that things have come to a pretty pass if people are thinking thrice before buying a Rs 5 pack of biscuits. And now Parle, Britannia's competitor, threatens to lay off upto 10,000 workers. The only biscuits that are doing well are made of gold. Demand for precious metals has increased in response to a global recession signalled by the bond market, which produced the much-discussed inverted yield curve last week. One can almost hear the spirit of Marie Antoinette prescribing: "If they can't buy Marie, let them eat gold."

In 1986, the *Economist* launched its Big Mac Index, which tracks purchasing power parity across currencies via prices of a Big Mac hamburger in different countries. Now, perhaps the world is ready for a Marie index, a tracker of discretionary purchase which can detect the tightening of fists in real time, leaving bond yield curves to predict recessions which are still far away. In addition, since political turmoil is often associated with economic uncertainty, there is room for an onion index, tentatively named Vidalia, which would alert rulers to the rising frustration of people fed up with their economic policies.



SOFI AHSAN

EMPATHY STANDS REVOKED

What do peace and development mean in and outside Kashmir? The gap widens

WHEN SHE TRAVELLED outside Kashmir for the first time last year, to visit me in Chandigarh, I was taken aback by an unexpected but stark observation from my apolitical mother. "There are no forces here on the roads," she said. Today, and for the past many days, the promised dawn of a new Kashmir, to my mother and everyone there, means a siege: More gun-wielding men and suspension of all that is law and order.

An out-of-the-blue phone call lasting 30 seconds on the morning of August 19 has been my only contact with the family since I returned to Chandigarh after living under curfew for a week. The television here roars, though, that Kashmir is peaceful and normal. But the memories of my time in Kashmir make me want to use the endangered right to dissent. Having travelled on empty roads and beyond concertina wires, I think we may need a law to abrogate the existing definitions of peace, paradise and normalcy.

I have been living outside Kashmir for exactly two years and five months. I have an Islamic name but the last time I attended a mosque must have been during my school days. However, as the debates about religion and region get shriller, I am reminded of my identity — a Muslim from Kashmir — at each

moment when I think of using Article 19 of the Constitution of India, or merely when telling someone my name. The fear of the unknown, and the known, restricts my expression. The distrust on the streets of those not conforming to the ideas of a brute majoritarianism has made me feel more "Muslim" than a preacher in my neighbourhood would have.

When Article 370 was brought down in broad daylight, it was not merely the promise of letting a people decide their own destiny which was buried, again. It was perhaps also the burial of the façade of the so-called 'mainstream' in Kashmir which would previously tell us — the apparent fence-sitters in this conflict — that India has a special place in its heart for us, citing Article 370. Today, that "mainstream", too, has been arrested in Kashmir. I am sure a free court witnessing a democracy snatch the constitution of a region without consulting its people would term it as the undermining of the principles of natural justice.

"Dissent is the safety valve of democracy. If dissent is not allowed, then the pressure cooker may burst," said Supreme Court Justice DY Chandrachud in August last year. On August 10, this year, I landed at Srinagar airport and witnessed a sea of anxious faces

waiting for their loved ones, to take them home, away from the streets filled with guns, teargas canisters and chilli grenades. This is my memory of the promised new constitutional privileges in Kashmir. As for the statements being made by demagogues claiming that we will soon be "developed", Kashmir will remain a place of unrest even if it has those beautiful mountains where you wish to have your own plot already. The claimed calm and normalcy only make the headlines look good. My mother has not heard my voice since last Saturday — she will tell you what peace means.

What happens after this so-called historic development? I have only known twisted meanings of peace and normalcy all my life; so excuse me if I cannot even hope for it because the academic definitions are too deceptive.

Think about those under lockdown and pray that this — absence of any information about your loved ones — never impacts your homes and hearts. I am not invoking your conscience, though. That has been an obsolete term for a long time. Empathy already stands revoked.

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AUGUST 23, 1979, FORTY YEARS AGO

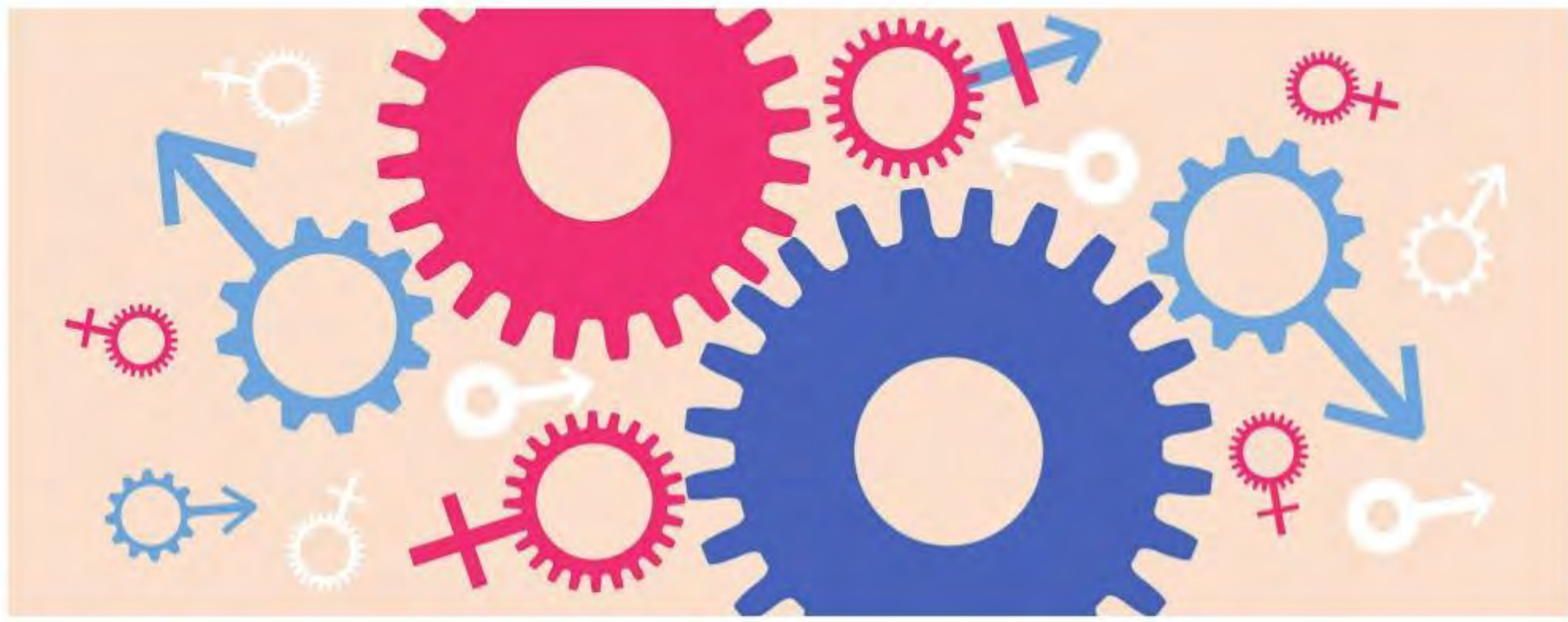
LOK SABHA DISSOLVED BY A STROKE of the pen, President Neelam Sanjiva Reddy dissolved the Lok Sabha and ordered fresh elections in November-December. The Charan Singh government will continue in a caretaker capacity till the elections are over. The President signed the order that cut short the life of the Lok Sabha by half a little before 1 pm. It was hailed as a just decision by Singh, but the Janata Party described the President's action as a part of the conspiracy to stop Jagjivan Ram from becoming prime minister.

IMPEACHMENT MOVE JANATA PARTY MEMBERS in the Rajya Sabha

will give notice of a resolution for impeachment of the President for his decision to dissolve the Lok Sabha, allegedly in violation of the Constitution. Immediately after hearing about the sudden announcement of the dissolution of the Lok Sabha, the party president, Chandra Shekhar declared that his party members would give the impeachment notice. The Janata Party will need the support of at least 10 more members from other groups before it can refer the charge against the President. Under Article 61, the notice containing such a charge is required to be signed by not less than one-fourth of the total number of members of the House in which the move is initiated. The Janata has a

strength of just 51 members in the 244-member Rajya Sabha.

Dictatorship Fears JANATA PARTY LEADERS, Jagjivan Ram and Chandra Shekhar, fear that the way has been opened for a "Presidential dictatorship" with the "arbitrary" dissolution of the Lok Sabha. In a strongly-worded joint statement, they feared the danger of a President taking arbitrary decisions by "blackmail or by other inducements". In Sanjiva Reddy's decision, the Janata leaders found a "deep conspiracy". The aim, they felt, was to ensure that elections are held "with the state apparatus in the hands of a person chosen by the President himself".



CR Sasikumar

For a safer world of work

ILO convention on the human right to freedom from sexual harassment expands and deepens the rights of working people. The issue needs Parliament's attention



UPENDRA BAXI

ALTHOUGH INDIA IS among the very few erstwhile colonies to have signed the treaty that established the International Labour Organisation (ILO), the country's Parliament, mass media, and human rights and social movement activists remain too preoccupied with other issues to pay attention to some of the landmark events associated with the agency's centenary celebrations. Although in a welcome move last year, the Union home minister issued directions to states to ensure that Internal Complaints Committees to examine the issue of sexual harassment at the workplace are constituted, only benign neglect has so far greeted the ILO's Convention and Recommendation on the human right to freedom from sexual harassment and violence in the "world of work". Issues like national security are important but sexual violence and harassment at workplaces is so widespread that one hopes the issue will receive due, effective and expeditious attention in Parliament's next session.

The ILO adopted the Convention and the Recommendation at the 108th meeting of the International Labour Conference. Held in Geneva from June 10 to 21, it was attended by more than 5,700 delegates, representing governments, workers and employers from the agency's 187 member states. These were the first set of instruments to be enunciated by the International Labour Conference since 2011, when the Domestic Workers Convention was adopted. Conventions cast legally binding obligations whereas Recommendations offer valuable advisory pathways. And the history of ILO archives the importance of both.

Of the 476 delegates, 439 voted for the treaty, seven voted against it, and 30 abstained. Interesting was the policy reversal by the US, which chose to vote in favour of the Convention though it did not vote for the Recommendation. Widely reported, too, is the fact that the governments that stood up

for stronger protections included those of Uganda and Namibia (which led the African group of states), the European Union group led by France, as well as Canada, New Zealand, the Philippines, and many Latin American and Caribbean states. India probably played a leading role, too, but remained off the media radar.

The treaty's scope is undoubtedly wide. It covers not just workers, trainees, those whose employment has been terminated, job seekers, and interns, but also applies to both the formal and informal sectors. It also extends to third parties, such as clients, customers, or service providers. The treaty is unique, for no domestic law has gone this far. Indeed, the World Bank's 2018 report, unsurprisingly, found that as many as 59 out of the 189 countries had no specific legal provisions covering sexual harassment in employment.

The "world of work" is a concept invented by the ILO and includes all employees "as defined by national law and practice, as well as persons working irrespective of their contractual status, persons in training, including interns and apprentices, workers whose employment has been terminated, volunteers, job-seekers and job applicants, and individuals exercising the authority, duties or responsibilities of an employer". The Convention's Article 2 further "applies to all sectors, whether private or public, both in the formal and informal economy, and whether in urban or rural areas". This is a wide sweep, but note that it was accepted by a tripartite body, representing workers, employers, and the states.

The terms "violence and harassment" in the world of work refer to the same phenomenon. Not only is discrimination violence but it is also harassment—"a range of unacceptable behaviours and practices, or threats thereof", whether singly or repeated, that "aim at, result in, or are likely to result in physical, psychological, sexual or economic harm, and includes gender-based violence and harassment". And Article 1 further renders impermissible violence/harassment directed against LGBT and inter-sex communities. This marks a great normative advancement. The Convention also recognises the prevalence of same sex violence.

The Convention also significantly advances the state's obligations to "respect, promote and realise the fundamental principles and rights at work". These include: One, "the freedom of association and the effective

recognition of the right to collective bargaining"; two, "the elimination of all forms of forced or compulsory labour"; three, "the effective abolition of child labour"; and four, "the elimination of discrimination in respect of employment and occupation, as well as promote decent work" (Article 5).

The importance of the Convention in reinforcing the rights of the working people in the world of work cannot be overemphasised, given the global conversations about making the planet safe for investors. Any law reform agenda that only promotes the rights of capital overlooks the simple fact that labour contributes as much, if not more, to profit-making.

Articles 7-12 of the Convention impose obligations upon member states to frame laws, regulations, and policies to effectively arrest sexual harassment and violence at work. These obligations are not effete. The public authorities have a specific role in the case of workers in the "informal economy". They have to now identify the "sectors or occupations and work arrangements" in which "workers and other persons concerned are more exposed to violence and harassment" and "take measures to effectively protect such persons" (Article 8). The obligation here is not just to denounce unfair labour practices. Rather, it specifically defines a proactive administration, which has duties of care and concern to the systemically disorganised labour. Such identification must occur "in consultation with the employers' and workers' organisations concerned and through other means". In other words, the identification in order to be effective has to be participatory and reflexive, not just routinely bureaucratic.

One hopes that the centennial ILO Convention and Recommendation will have resonance with the UN's Open-Ended Intergovernmental Working Group on Transnational Corporations and other Business Enterprises With Respect to Human Rights. In the interim, one also expects the civil society and the state in India to engage more imaginatively and vigorously with the ILO Convention and Recommendation, which already stand implicit in the Directive Principles of State Policy of the Constitution.

The writer is professor of law, University of Warwick, and former vice chancellor of Universities of South Gujarat and Delhi

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PARTHA SARTHI SEN SHARMA

Crucible for the steel frame

For 60 years, Mussoorie Academy has been a place of memory and continuity

IT WAS 60 years ago, in the first week of September, 1959, that the Mussoorie Academy, later named after our late prime minister as the Lal Bahadur Shastri National Academy of Administration or LBSNAA, was established in the erstwhile premises of the Hotel Charleville and the Happy Valley Club, on the far end of the British hill station. So, it was only in the fitness of things that the academy invited some of its past faculty and staff on this occasion to mark the milestone. It was nice to see generations of directors and staff coming together to share their memories of the place, on the green lawns of the academy, with the Himalayas as a majestic backdrop.

Since the time the academy was established in the salubrious climes of Mussoorie, by merging together the IAS training school, Metcalf house, Delhi and the IAS staff college, Simla, hundreds and thousands of civil servants, not only those belonging to the IAS, but also of the other All India and Central services, have started their careers from these very portals. Many of them have contributed significantly in the public service and policy space.

For example, even today, a few members of the council of ministers, a few members of both Houses of Parliament, the principal secretary and additional principal secretary to the prime minister, the NSA, cabinet secretary and almost all secretaries to govern-

ment of India, ambassadors and heads of police forces, almost all district magistrates and district police chiefs are alumni of Mussoorie academy. A few of them, including my own batch mate, Dashrath Prasad, made the supreme sacrifice in their line of duty. Some branched out and became famous authors — Vikas Swarup (*Q & A* and *Slum dog Millionaire* fame) and Upamanyu Chatterjee (*English, August*) come readily to mind. Others went on to head successful private sector organisations. All of them, in their time, have lived in the very same hostels — Ganga, Kaveri, Narmada and Mahanadi — rode horses on the same riding grounds and perhaps had even the same oily parathas in the Ganga dhaba on formal mess dinner nights. If the civil services are the steel frame of governance then the Mussoorie academy has been the crucible.

In the years immediately after Independence, the IAS officer trainees used to be trained in the historic building of Metcalf house in Delhi, where the DRDO stands today. But there was always talk of moving the academy to larger premises, away from Delhi, ostensibly to "prevent the distractions of the capital". Finally, I think, a combination of factors came together that helped to make the decision in one swift move — the Union Home Minister Govind Ballabh Pant being from the UP hills, the need to revive the mori-

bund economy of the hill station and perhaps, above all, the availability of the entire premises of the British-era Hotel Charleville, whose occupancy had fallen dramatically since independence, along with its furniture, furnishings and even linen at a sum of Rs 8 lakh.

Incidentally, 1959 was also the first time when a combined course was organised for all the services, rather than only for the IAS, a tradition that continued over the years and is now being called the "foundation course".

Since then, there has been both continuity and change in the life of Mussoorie Academy. Some of the old beautiful deep green, wood facade buildings are gone, the director's office and the Happy Valley blocks being the proud and much cherished exceptions. The director's lawn remains and the magnolia tree still stands at its corner. The practice of regular horse riding continues, as does the tradition of formal multiple course dinners on special occasions. In place of the old G B Pant block and A N Jha block (named after the first director of the Mussoorie academy), huge, well-equipped, modern buildings — Karmashila, Dhruvshila and Gyanshila — have come up and so has the Kalindi Guest house on the land where the ladies' hostel stood. There have been significant milestones in the past 60 years too: The academy mess building getting burnt down to ashes only to rise again like a phoenix and the director of

the academy resigning on a matter of principle, for example. In fact, a few of them were lovingly recounted in the form of a novel, *Those who Had Known Love* by Anita Agnihotri, an IAS officer and prolific writer. There have been presidential and prime ministerial visits too — the present PM, despite his busy schedule, not only visited but stayed in the academy in 2017.

Undoubtedly, the Mussoorie Academy has moved with the times and is now far more technically equipped and modernised from our days in early Nineties. And yet, there are still nooks and corners that remind one of the cultural and historic legacy of the place, a place whose memories would remain forever etched in the minds and hearts of all of us who had the good fortune to spend part of their youth in the Mussoorie Academy.

Even today, every time one gets to visit the academy, despite all the heat and dust of the plains and the monotony and banality of corridors of power, the place never fails to instil some of that old idealism, the dream-like quality that permeates those mountains, the tall Deodar trees and the layers of collective memory that have inspired so many over the years.

The writer is an IAS officer (UP cadre), currently posted as joint secretary in department of fertilisers

WHAT THE OTHERS SAY

"What will be the fate of the four million people who are excluded (from the NRC)? Will they be pushed into Bangladesh? We raise the question because statements from Indian leaders, including the home minister, all but indirectly hinted so." — THE DAILY STAR, BANGLADESH

The casualty of a diktat

How the Humpty Dumpty we call Kashmir be put together back again is a question we have to answer



SHIV VISHVANATHAN

IN AUGUST, JAMMU-KASHMIR and Ladakh were declared Union Territories and the history of Kashmir was rewritten. So the newspaper proclaimed, as the media went out of its way to create an epidemic of acclamation in the wake of the Narendra Modi-Amit Shah declaration.

My first sense of concern and panic was not about the larger political dimensions but about the fate and welfare of my students. Many Kashmiri students attend my university and add a sense of diversity and cosmopolitanism to it. Quite a few have returned to work in Kashmir, men and women deeply committed and knowledgeable about the state. When the news came, I tried desperately to contact them but all phone lines and the internet were down. The silence was painful and worrying. Waiting for messages, I found I was having imaginary conversations with some of them. As a small tribute and as a hello to them, I decided to pen my thoughts down, talking to my students in an imaginary classroom.

One of my students is an intense philosopher, a feminist with a deep sense of the Sufi imagination of Kashmir, convinced that philosophy can be a way to peace. She has a tremendous sense of the everydayness of violence and what it particularly means to women, tired of the machismo of men playing security games. I can hear her arguing: "The sadness of the BJP government is that it thinks Kashmir is empty space and its people mere Lego sets to be rearranged again and again. Space is empty of memory. For the regime that rules us, history is a march of time, a parade of power. For us history is memory, the memory of waiting, waiting for peace, waiting for men to come home, waiting."

The Modi government, she would complain, has no sense of the language of time and waiting. I can hear her say that it is your illiteracy about time that makes you do what you are doing to us.

I can imagine one of her friends helping her clarify her argument. Each does it with a story, each story embodying a concept of time. The group virtually claims that a thesaurus of time is one answer, a bouquet of peace to Amit Shah's arid governmentality. "Think of everydayness, think of routine, our timetables declared by curfew, our seasons of fear punctured by protest. The crisis moments come when troops shoot down our loved ones, moments of protest punctured by periods of silence, the muteness of boredom. Our patience needs a million synonyms. There must be a history, a poetics of Kashmir time." I can see her adding, maybe wait-

ing is a woman's word which Delhi does not understand.

A friend of hers, a student of governmentality and a poet, adds: "The language of governance has no sense of people. You confuse words, so integration to you means occupation to us. You confuse space with time, creating history out of fictions you call Union Territories... This is why you never understood Farooq Abdullah crying. It was not just personal grief. It was a lament for a people and his father's dream, a death of a promise. While we mourn today, you celebrate a breakdown of contract and promise. You keep rewriting Kashmir as if they have no memory, no archives, no stories of their own. Your legislative feats are full of amnesia."

Another student who has been dawdling between studying politics and philosophy added, "it is not Kashmir you are trying to rectify. It is your unconscious. Your regime keeps rectifying history, enacting historical figures in an attempt to purge your unconscious. You have Modi and Shah playing second-hand Sardars again. But I guess chowkidars cannot be Sardars and you confuse petty diktats with statesmanship."

My philosopher student added, "I listened to a version of Modi's speech later. You openly treat Kashmir as a space to be invaded by real estate operators and corporations. Kashmir is not just a colony, that would be too impolite. It is actually more instrumental. It is a property, a forgotten piece of real estate on which you have declared open season. You are creating a homelessness of our people even at home."

Two of them turned sadly and ferociously at me. "Remember what you taught us about democracy, that democracy is a synonym for hospitality, for the dialogic, for representation, for participation, for difference. Today we list these words on the mourning wall of democracy. Each synonym of democracy a casualty of your governments diktats."

The political scientist added, Indian democracy was always haunted by the nightmare of the nation-state. "India became a nation-state haunted by two genocides — the Bengal Famine and Partition. Today, your democracy is haunted by two enclosure movements gulagising a people in Assam and Kashmir. Your government pretends to be a democracy but prefers to play nation state."

The women who began the conversation said abruptly: "Forget Kashmir. Think of what majoritarianism has done to India. You are transforming states into gulags and calling it progress."

I realised she was right. When India reworks its democracy, Kashmir could become a part of us. The Humpty Dumpty we call Kashmir cannot be put together again till we re-invent our democracy. August 15, 2019, might be the beginning or the end of it. That is the question India has to answer.

The writer, a social scientist, teaches at O P Jindal Global University

LETTERS TO THE EDITOR

TRUST MATTERS

THIS REFERS TO the editorial, 'Only due process' (IE, August 22). High-profile cases such as the one pertaining to Congress leader and former Union minister, P Chidambaram, must not be scrutinised through the lens of being politically malafide or symptomatic of judicial enthusiasm. The outcome of such cases send out a strong message. They can either strengthen the confidence of the people in the government and judiciary or can make people doubt them. So, it becomes imperative that due process is followed lest people should become cynical.

Ketan Kishan, Gurugram

CONCERNS OF STATES

THIS REFERS TO the editorial, 'Spending limits' (IE, August 21). India is a federal country with a unitary bias and this is reflected in every pillar of our democracy, whether the legislature, judiciary or executive. In so far as the economy is concerned, the Constitution has provisions such as the Finance Commission for deciding the division of revenue between states and the Union. But over the time, this body has become less effective. Laws should be framed to give more powers to the commission and a charter for orderly meetings of inter-state councils should be drafted so that the concerns of the states are addressed.

Vivek Kumar, Patiala

GLOBAL CLOUT

THIS REFERS TO the article, 'Where

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

there is no free will' (IE, Aug 19). The significance of removing Article 370 can be gauged from Pakistan's response. It has tried to internationalise the issue. The conversion of J&K into two union territories will make people in Ladakh happy. In fact, a large section of J&K has also welcomed the Reorganisation of J&K Bill. This piece of legislation has given us international advantages. Countries like the US, China and Russia have started believing that India can take steps to defend itself.

Chandravir Singh, Agra