

Anti-portfolios and portfolios

Old India is not exactly ready to deal with the animal spirits of the young India



VANDANA GOMBUR

When Google's Sergey Brin and Larry Page began working out of a garage 20 years ago, Bessemer Venture Partners had a chance to connect with "two really smart Stanford students writing a search engine." David Cowan, a partner at the company, ducked out of an introduction to the duo. "How can I get out of the house without going anywhere near your garage?", he asked his friend who had rented them the garage.

The venture firm describes that as the most important moment ever for its

"anti-portfolio" — a list of highly successful companies that it missed investing in for multiple reasons. Bessemer's anti-portfolio includes some of the most successful companies: Holiday home rental provider Airbnb, Apple, Ebay, Facebook and Tesla, among others.

As India's startup space bubbles with activity — new, young players are tapping into opportunities opening up — there are local anti-portfolio stories circulating about investors missing opportunities in 'unicorns', or companies that have reached valuation of \$1 billion.

Global mobility disruptors like Bird, Lime, Skip and Spin — providers of shared electric scooters, and more — have their match in India with companies like Bounce and Vogo providing bikes on rent. Both are based in Bengaluru, and both are going electric. The young team at Ather Energy designed two models of electric scooters "from scratch" and is selling them in Bengaluru and Chennai, with plans to expand to other cities. The compa-

ny's backers include Tiger Global, Hero MotoCorp and InnoVen Capital.

There are startups like Magenta Power rolling out charging stations for electric vehicles, and they started even before the government's incentive scheme, or even standards for charging infrastructure, were finalised. Skylark Drones offers services to developers of solar power, right from gathering intelligence on a prospective site for the plant to tracking an under-construction project or mapping panels that are not generating as well as they should.

Blu Smart offers only electric taxis on its app-based ride-hailing service recently launched in Delhi. It is backed by the World Business Council for Sustainable Development. The International Finance Corporation has invested in the Bengaluru-based Lithium Urban Technologies, an electric-mobility service provider to companies like Google in Bengaluru. It has a fleet of over 1,000 electric cars running across eight cities, and plans to expand its service to electric buses and electric trucks. Shuttl is trying to establish an electric bus fleet, and is one of the 50

RECENT GLOBAL VENTURE CAPITAL/PRIVATE EQUITY INVESTMENTS

■ **Sense Photonics:** Flash lidar for autonomous vehicles, drones, robotics & advanced manufacturing
Investor: Samsung Ventures, Shell Ventures, Congruent Ventures, Prelude Ventures

■ **Clir Renewables:** AI based analytics for wind farms
Investor: Active Impact Investments

■ **Evolve Energy:** Software that shifts energy consumption to non-peak hours
Investor: Urban-X

■ **Opus One Solutions:** Grid Software for distributed energy management & trading
Investor: Export Development Canada, Renewal Funds, MKB

■ **eSmart Systems:** Predictive maintenance software

for transmission & distribution utilities
Investor: Energy Impact Partners, Innogy Ventures

■ **Probus Smart Things*:** IoT sensors & software analytics for smartgrid
Investor: Seedstars World

Source: BloombergNEF Technology Radar

4,648 applications received from startups for income tax exemption had been approved as of February 2019, according to an answer to a Parliament question.

Globally, startups serving utilities or the intelligent mobility space have been finding favour with investors, according to data tracked by BloombergNEF. For instance, eSmart Systems, a company developing predictive maintenance software for transmission and distribution utilities, secured funds from Innogy Ventures and Energy Impact Partners in June 2019.

Many believe the best is yet to come.

Old India is, however, not exactly ready to deal with the animal spirits of this young India. Though startups find 17 mentions in the Budget speech (2019) of the finance minister, and have been promised tax exemptions, the reality is that only 2 per cent of the

companies globally that have committed to expand its electric vehicle footprint as part of the EV100 initiative.

Companies like Cleanmax Solar have been turning rooftops into power houses for almost a decade. Again, it is a company headquartered in Bengaluru. The Gurugram-headquartered Yellow Tropus is an engineering firm helping design and install floating solar panels on dams and lakes — a huge new market.

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CHINESE WHISPERS

Identity crisis



The Rajya Sabha has two electronic displays that show the name of the MP speaking, her party affiliation, time allowed for the speech, time taken and time elapsed. Until now, the Lok Sabha did not have such displays, but did have big screens that showed the proceedings live. This week on, these screens also show the names of the MPs and the time they have taken for their speech, but not always with happy results for the chair. On Tuesday during the debate on the Jammu and Kashmir Reorganisation Bill, Apna Dal's Anupriya Patel (pictured) protested when she was asked to wrap up her speech in four minutes. Patel said Speaker Om Birla was being unfair to her as he had given over eight minutes to her preceding speaker, Sukhbir Singh Badal of the Shiromani Akali Dal, whose party also has two MPs, as does her party. Birla said Patel was challenging his decision, and warned her not to do that in the future. Initially, Patel was identified on the screen as Nalin Kateel of the BJP.

New seating arrangement

The Rajya Sabha is set to have a new seating arrangement from the next session of Parliament. Railway Minister Piyush Goyal and Finance Minister Nirmala Sitharaman, both Rajya Sabha members and cabinet ministers, do not occupy front benches in the House. They would, from the next session. Bharatiya Janata Party's (BJP) Suresh Prabhu, who is no longer a minister, is set to lose his front bench seat, as will YS Chowdhary, who recently quit the Telugu Desam Party to join the BJP.

Being cautious



Outside Finance Minister Nirmala Sitharaman's office in North Block, you can now see a row of small lockers. Visitors who meet her are expected to deposit their mobile phones and other electronic devices in one of those lockers and take the keys with them. Once the meeting with the FM is over, they must retrieve their belongings and leave the keys in the lockers for the next person.

Shakeout brewing in coffee chain market

With multiple players now vying for Cafe Coffee Day, competition is expected to heat up...

VINEET SUSAN PINTO

India's coffee chain market is set for exciting times. With the board of Coffee Day Enterprises, the holding company of Cafe Coffee Day, indicating last week that it would "deleverage" its assets to pare debt following the death of its founder V G Siddhartha, the race for the country's largest cafe chain will heat up, retail industry sources say.

The world's largest beverage company Coca-Cola is already in the race for Cafe Coffee Day as it seeks a broader retail footprint in India to push its products. People in the know had told *Business Standard* last week that Jubilant FoodWorks and Tata Global Beverages were also interested, though the two companies did not respond to emails sent to them on the matter.

While Tata Global has a tie-up with US coffee chain Starbucks since 2012, acquisition of Cafe Coffee Day would give the joint venture company access to more stores, which it needs to expand its presence in the ₹2,500-crore domestic coffee retail market.

Euromonitor data shows that the coffee chain market in India is likely to touch ₹4,537-crore in five years, growing at the rate of 12 per cent annually. Cafe Coffee Day and Starbucks are leading players, the market research agency said in its report on the coffee market in India. Some other key coffee chains in the country include Barista, McCafe from McDonalds and Costa Coffee.

Though Costa Coffee was acquired globally by Coca-Cola last year in a \$5.1 billion deal, the latter has been unable to make much headway here with the brand, since it continues to be run by billionaire-bottler Ravi Jaipuria, the chain's India franchisee partner.

Jaipuria's Devyani International runs around 50 stores of Costa Coffee in the country, unable to work out a deal with Coca-Cola for his exit from the franchise agreement. The move by Coca-Cola, said sources, to begin acquisition talks with Café Coffee Day, was led in part by this stalemate in discussions between it and Jaipuria.

Apart from Costa and Coca-Cola, Nestle too had struck a \$7.15 billion global deal with Starbucks last year to sell Starbucks' coffee products outside its cafes, in shops and supermarkets to be precise. Neither Nestle or Starbucks have indicated their plan of action for the India market yet.

Retail industry sources say the interest by Jubilant FoodWorks, meanwhile, stems from the wider play of rivals such as Westlife Development in food and beverages. Westlife runs both McDonalds and McCafe outlets in the west and south of India.

In a recent conversation with *Business Standard*, Westlife's vice-chairman Amit Jatia had said the company continued to add McCafe outlets within McDonald's restaurants and that at the end of the June quarter there were 197 McCafes in the west and south



of the country. "We continue to see a market both for burgers and coffee. The growth prospects for both are strong here," he said.

Jatia's point is endorsed by Arvind Singhal, chairman, Technopak. "The coffee retail market has grown in India largely because most chains are positioned as a place to hang out. Kids come to a café to spend time after college. Working professionals organise meetings over a cup of coffee. This has helped maintain the pace of growth of the coffee chain market despite cost of real estate shooting up, some players facing challenging times and a general consumption slowdown in recent quarters."

Euromonitor says what aids the growth of the coffee chain culture in

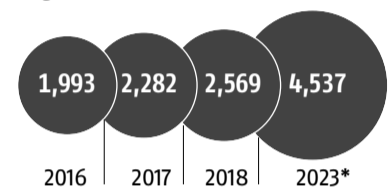
India is the millennial population. "Many products, such as cold brew coffee, are displaying exceptional growth," it said in its report on coffee chains. "There is constant innovation happening to woo the millennial population," it adds.

Experts say the 18-35 age group is among the key target groups of coffee chains in India owing to higher disposable incomes available to this TG, a better standard of living that many are exposed to and the openness to grab a quick meal or drink at a café.

Starbucks, for instance, has been at the forefront of product innovation, aimed at drawing the attention of millennials at its 150 stores in India. The chain, for instance, introduced nitrogen

MARKET SIZE: COFFEE RETAIL

(Figures in ₹ cr)



*Estimated figure Source: Euromonitor International

gas-infused coffee last year apart from having brewing techniques that count on heat-resistant glass, special filters and manual espresso machines to deliver smooth and consistent coffee.

The American coffee chain is expected to add around 25-30 stores this year organically as it eyes the 180-mark in terms of outlets by the end of FY20, experts tracking the market said. In FY19, the company opened 30 stores, touching a top line of ₹450 crore, a year-on-year growth of 30 per cent.

Coffee Day Enterprises, which runs 1,752 stores of Café Coffee Day in the country, reported a retail revenue of ₹1,468 crore in FY19, a year-on-year growth of 8 per cent. Same-store sales growth, which measures top line growth in stores one year and above, was nearly 10 per cent for FY19, higher than the 7.23 per cent reported in FY18.

While Coffee Day Enterprises has delayed release of its June quarter numbers, which was expected on August 8, following the death of Siddhartha last week, rivals and analysts will be tracking the company closely to figure out its growth prospects for the future.

INSIGHT

Reviving investment. But how?

Time to take a leaf out of Atal Bihari Vajpayee-led Chief Ministers' conferences to develop a national consensus for structural reforms



RAHUL KHULLAR & AMIT KAPUR

The engines of growth are sputtering; consumption is sharply down, investment lies dormant, and exports have flatlined. The Economic Survey and Budget rightly emphasise the need to revive investment. Capital formation has dropped from the heady days of 2009-10. Small wonder that growth has decelerated and growth prospects appear dismal.

The Budget identifies infrastructure as providing the lead to the revival of overall investment. The reason: complementarity of public and private investment, public expenditure on infrastructure will create jobs fuelling consumption, and, growth in consumption will spur investment. Ergo, the virtuous cycle. The Budget also mentioned PPP as a major instrumentality to significantly increase infrastructure investment.

The questions then are: Do we have the resources to finance large public investment in infrastructure? Can PPP do the trick? Does the private sector have the will and the inclination to invest in infrastructure? What does the government need to do to induce private investment in infrastructure?

Budgetary resources are going to be tight. Revenue targets for 2019-20 are widely accepted as overambitious.

There seems little possibility of cut-backs in the largest subsidies — on food and fertilisers. Revenue expenditures on security, defence, administration and interest on public debt are committed spends with limited funds available for several claimants for large capital outlays — broke banks, railways, ports, roads, power, to mention but a few. There is little room for fiscal manoeuvre. In short, do not expect a huge hike in publicly funded infrastructure expenditure.

Past experience with PPP investment in infrastructure has not been encouraging. First, the PPP mode does not have all infrastructure in its ambit; most PPP projects were in the transport sector — highways and airports. Second, many PPP projects encountered implementation problems: delays in obtaining consents (land acquisition, forest/environmental clearances, licences), unresolved structural issues impacting commercial viability compounded by counter-intuitive policy, regulatory and judicial decisions. The outcome: stranded or abandoned projects, twin balance-sheet problems and the private sector's burnt fingers. Third, over the past five years PPP projects have been all but shelved. Roads and highways have been mostly built using EPC contracts; there has been no partnership as envisaged in PPP. No major airport modernisation has been undertaken even though this was a fairly successful venture in some metros (dating to 2005-06). Fourth, a Committee on Revisiting and Revitalising the PPP model was set up in 2015 to address the problems identified. Its report has languished in the Department of Economic Affairs for four years, key PPP problems remaining undressed. Now, the Budget announces

the formation of another Committee whose recommendations are expected to clear the undergrowth.

To sum up: budgetary resources are severely constrained, balance sheets for banks and the private sector are stressed, the risk-reward allocation in the extant PPP model has no takers, commercial viability is the major concern, and many infrastructure sectors remain outside the ambit of the PPP model.

It is possible to attract private investment in infrastructure outside the PPP model. But, all private investment is profit-driven. In many sectors such investment has all but dried up because of stranded assets and large commercial losses.

In such sectors, major reforms are necessary to induce private capital. For example, the power sector continues to be in a mess. UDAY did not work. State procurers are routinely dragging their feet on paying their dues in a timely manner including contractually agreed compensation for impact of changes in law. Some states are reneging on their contractual commitments — cancelling signed contracts, refusing to award contracts to successful bidders and seeking to renegotiate of contracts under the Damocles' sword of threat of termination. Until the distribution end of the system is fixed, there can be no economically viable investment in generation and transmission. Consider this: why should regulatory bodies routinely create "regulatory assets" instead of making the consumer pay what is a reasonable charge? True, the deferred dues have to be paid later, but in the interim all these "assets" do is stress the sector in the present and kick the can down the road. And this when regulators are instructed by a binding policy frame-

work to not defer dues of an ordinary nature. Regulators are expected to look after consumers; but they are also expected to ensure that the industry remains financially sound. Take another sector: coal. Why should coal remain nationalised 46 years later? India has huge coal resources and yet imports more than 200 million tonnes annually. Unless such issues are tackled frontally it is plain unrealistic to expect flows of private capital into such sectors.

In the face of the economic slowdown and slack aggregate demand, there is an unprecedented urgency to introduce structural reforms to revive consumption, investment and exports. The government does not have the resources to fund a huge public investment drive. The private sector sees no incentive to invest — neither in infrastructure nor elsewhere (because of excess capacity). The only way out of this economic thicket is major reform. Further, those reforms have to be front-loaded when political capital is available (at the start of the term of a government). Most importantly, those reforms must be evolved as a bi-partisan national plan. In the past, governments with smaller electoral mandate have brought about major reforms — in 1991, 1996-97 and 2001. Time to take a leaf out of Atal Bihari Vajpayee-led Chief Ministers' conferences to develop a national consensus for structural reforms. Sans large-scale reforms it is difficult to be optimistic about the hopes expressed in the Budget for investment becoming the key pivot of economic revival.

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LETTERS

Historic decision



The people of India are in a celebratory mood after the decision of the government to scrap Article 370 and 35A in Jammu & Kashmir. However, the role of political parties — such as the Trinamool Congress — who are opposing the move and supporting the controversial Article is questionable.

The people of Kashmir will now be part of India and enjoy all the developments and other benefits with fellow citizens of the country. The tourism sector too will get a boost. The aspirations of the people of Kashmir will be fulfilled with a new vision bringing prosperity for all its citizens. Terrorism too will die down in the absence of patronisation of corrupt politicians and the people of Kashmir will have a sign of relief after suffering for decades. Kudos to the government for taking such a historic decision.

Partha Sarathi Mukhopadhyay
Nagpur

A better plan

This refers to the editorial "An unnecessary law" (August 6) about the imposition of imprisonment and fine for not meeting the target of spending the specified amount on corporate social responsibility (CSR). According to a study by

KPMG India, the expenditure on CSR by India's largest 100 firms stood at ₹7,536. ₹30 crore in the financial year ending 2018, up by 47 per cent from 2014 when the CSR was introduced in 2014. Besides, the number of companies spending less than the mandated CSR funds has dropped from 52 in 2014-15 to 33 now. And close to 99 per cent of these companies implemented their planned CSR policy successfully, up from 55 per cent in 2014-15.

Another study of 224 companies by Prime Database shows that the CSR spends as a percentage of required sums went up from 70.19 in 2014-15 to 91.47 in 2018-19. These companies spend most on education and healthcare activities and thus statutory CSR is a government's way of outsourcing its obligation. Yet such an expenditure is not tax deductible.

In view of all this and despite the fact that Indian companies are by and large averse to philanthropic activities, the above-mentioned penal provisions are ill-advised. A positive alternative would be to make CSR outlay tax deductible for compliance, entitled to further incentive for exceeding the limit and penalise the defaulters by imposing higher tax rate on the unspent part of the required amount.

YG Chouksey Pune

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

HAMBONE



J&K and its discontents

Govt should elaborate its plan for rapid development

A day after Home Minister Amit Shah announced far-reaching changes to the structure of Jammu and Kashmir (J&K), the government needs to move swiftly to ensure that the process is managed with sense and sensitivity. In his Rajya Sabha speech, Mr Shah said abrogating the provisions of Article 370 of the Constitution, which granted special status to the people of J&K, would ensure the economic development of the state. He was correct to point out that J&K's economic development lags the national average by a significant margin. But in an otherwise detailed speech, he did not explain how the twin moves of scrapping J&K's selective autonomy and creating two Union territories (UTs) would facilitate better development.

Doubts were raised because of the skewed nature of the erstwhile state's resource mobilisation; the Centre already accounts for 71 per cent of the state's resources. Since the Centre has significant fiscal pressures of its own, it would not have been in a position to fund the needs of J&K because it will no longer remain a state and would not be eligible for allocations through the Finance Commission. That problem has been addressed through The Jammu and Kashmir Reorganisation Bill, 2019, which enables the President to make a reference to the Fifteenth Finance Commission to include the UT of J&K in its terms of reference. This will enable the Commission to make allocation to J&K. The President will also make a reference to Union Territories Finance Commission to make a separate award for Ladakh.

However, this will still not solve all the problems. For a state that has been under a security lock-down of unprecedented proportions, it is imperative for the government to elaborate the precise nature and scope of its promise of rapid economic development. Having achieved a key objective of an explicit Hindutva project, it is vital for the government to ensure that the more malign fallout of this move is contained. In the public debate around Article 370, much attention has focused on how the scrapping of Article 35A would now enable Indians outside the state to own land and property in J&K. Ordinarily, this would have been an unexceptionable change. But apprehensions of encirclement and disenfranchisement by mainland Hindus remain a potent source of unrest — Gaza and the West Bank present ominous examples. The government, therefore, should explicitly commit that no attempt will be made to re-engineer the demographic profile of J&K.

The manner in which a state has been converted into two UTs, with New Delhi taking control of police and land, has implications for all states of the Indian Union. It is technically possible to repeat in other states the constitutional coup that has been done in J&K by having President's rule in a state after dismissing the state Assembly, and then having the governor act for the state, and Parliament for the state legislature. Should the Supreme Court find that this action is in order, new constitutional safeguards must be created to prevent repetition. Finally, the failure to engage politically with the state and its political system before Monday's action was a lapse that must be compensated by broad-based discussions to build confidence and trust, as far as possible. In turn, state political leaders must have the wisdom to recognise that a page in history has been turned, and they must focus on what is best for the people of the state in the new arrangements.

Earnings under pressure

High interest outgo and weak demand are worrying

The downward trend in revenue growth and contraction in net profit for corporate India in the first quarter of 2019-20 is not entirely surprising. Although weak demand was expected during the general election as buyers postpone certain purchases, the slump seems to have been more pronounced. Combined net sales for 736 companies that have declared results so far have grown by just 8 per cent, year-on-year (YoY), which is the lowest in about three years. If financials and energy sectors are excluded, revenue growth at 5.8 per cent, is the slowest in last nine quarters. From a longer-term perspective, the bigger worry is that the slowdown in revenue growth, which analysts believe hints at weak aggregate demand in the economy, can worsen in the coming quarters.

The combined net profit for companies excluding financials and energy has declined 2.9 per cent in Q1 — the fourth consecutive quarter of earnings contraction. It is also a quarter of one-offs — earnings have got a boost from a sudden spurt in airlines' profitability due to the grounding of Jet Airways. But if Interglobe Aviation which runs Indigo Airlines is excluded, net profit for the sample is down 5.7 per cent. After including financials and energy, the headline net profit growth is up 21.9 per cent, as banks such as State Bank of India, ICICI Bank, Allahabad Bank and Bank of Maharashtra, among others, have reported substantial profits compared with losses in the same quarter last year. However, banks are also showing signs of slowdown with growth in net interest income hitting a five-quarter low during April-June 2019 quarter.

Among individual sectors, auto and auto ancillaries are the worst performers so far because of the sales decline seen across segments. The sector's combined net profit is down 66.5 per cent for the quarter, while net sales have declined by 6.8 per cent. In comparison, fast-moving consumer goods (FMCG) companies have performed relatively better despite a visible slowdown in volume and revenue growth. The sector's combined net profit is up 13.5 per cent, compared with a 19.9 per cent growth registered a year ago. Growth in net sales is 9.8 per cent, the lowest in five quarters, along with weak commentary from managements. Information technology companies, one of the biggest contributors to corporate earnings, have also reported lower growth in both top line and net profit. Industry margins remain under pressure as operating costs, especially salary and wages have grown faster than revenues. Metals and mining companies have shown the impact of the US-China trade that has battered metal and ore prices globally.

Earnings have been boosted by benign raw material and energy prices pushing up margins by 80 basis points, with gains most visible in the FMCG sector. However, a growing divergence between operating profit growth and interest liability can spell trouble for companies with debt on their books. Interest costs are up 28.2 per cent for the quarter, outpacing operating profit and revenue by a wide margin. An interest rate cut on Wednesday can help reduce the burden, but things will actually improve when consumer confidence returns.

ILLUSTRATION BY BINAY SINHA



Risky moves in Jammu and Kashmir

Things may not go according to the script, and risks should be evaluated and minimised

That the Union government was planning some dramatic move concerning Jammu and Kashmir (J&K) had become an open secret in the week preceding the announcements in Parliament on August 5. The deployment of a large number of additional security forces in the Valley, the shutting down of internet services, the house arrest of leaders of mainstream political parties, the suspension of the Amarnath Yatra and the compulsory evacuation, en masse, of non-Kashmiri tourists, students and visitors, were unprecedented moves, presaging that major developments were imminent. The announcements made by the Home Minister in Parliament represented a seismic change in government policy towards J&K. A presidential order scrapped its special status as derived from Article 370 of the Indian Constitution, thereby removing its claim to autonomy which was part of the political compact between the popular political leadership of Kashmir and the central leadership of the Indian Union after the princely state became part of India in 1947. Accession is different from autonomy. The Instrument of Accession signed by Maharaja Hari Singh makes the state an integral part of the Indian Union. Autonomy in certain specified respects, going beyond what was available to most other states, was derived from Article 370. As a result of the presidential order, the additional elements of autonomy are no longer valid. The change is more symbolic than real since over the years the Union government has systematically hollowed out the state's autonomy. It may even be argued that the hand of the Centre hangs more heavily on J&K than other states of India. But the

original political compact, tied up with the unique identity of the state, has been unilaterally altered by the Union government.

Parliament has also legislated changes to the status of J&K, eroding its autonomy even further. The state will be bifurcated into two — Jammu and Kashmir and Ladakh, respectively. The truncated state will be downgraded from a full-fledged state into a Union Territory directly ruled from the Centre through a lieutenant governor. This is the first instance in independent India's history of a state becoming a Union Territory and has been justified on security imperatives. It will be seen by the Valley population as demeaning and humiliating even if it is a temporary arrangement. It constitutes an ominous precedent for other states of the Indian Union.

It is not clear how the new arrangements intend to deal with Pakistan-occupied Kashmir (PoK), comprising so-called Azad Kashmir, Gilgit and Baltistan. For example, should Gilgit and Baltistan be declared as Union Territories like Ladakh has been? Do the latest moves imply that we will no longer agree to include J&K on the agenda of a resumed dialogue process with Pakistan? Or shall we argue that J&K can remain on the agenda since we wish to discuss the return of PoK to India?

The extraordinary security measures taken in advance of the announcement and which continue to be in place, testify to the clear awareness within the government that this would be deeply unpopular and may even trigger violent opposition. The contention that the announcements have been welcomed by the ordi-



SHYAM SARAN

Is IBC unfair to operational creditors?

A key feature of the Insolvency and Bankruptcy Code (IBC), 2016, is that operational creditors — which include employees, suppliers, and consumers — do not participate in the voting process that determines a debtor corporation's future. The explicit exclusion of this group of creditors from bankruptcy negotiations is unique to Indian law, and has led to concerns about their equal and equitable treatment. These concerns have spawned legislative and regulatory amendments and ad-hoc judicial pronouncements seeking to protect operational creditors. Many worry that without a say in the resolution process, these creditors will get a raw deal. But theory and evidence do not support this.

The exclusion of operational creditors from the decision-making process was partly based on the rationale of minimising specific costs associated with including them. Two in particular loom large.

First, operational creditors are widely dispersed and collecting and admitting their claims can be expensive and time consuming. Similarly, these creditors often have widely disparate interests, making it difficult to deal with them as a single class. For instance, the interests of a supplier who has made a large one-time sale to a debtor will be starkly different from the interests of an employee or a long-term supplier. Similarly, the interests of a home-buyer will be different from the interests of the government, which is also an operational creditor in connection with statutory dues.

Countries that include all creditors in the voting process often do so through elaborate mechanisms of committee representation, claims processing, and debt trading. These mechanisms come at a cost, and the reality is that they often provide little protection. For example, in the US, despite robust mechanisms for unsecured creditors to participate in the decision process, those creditors often recover little or nothing.

Second, operational creditors tend to have a strong anti-liquidation bias, making their vote — when actually coordinated — a threat to efficient decision making. Operational creditors recover near the bottom of the liquidation waterfall and have little to gain in liquidation. At the same time, any project that might produce a

future payout — no matter how risky — can increase their payout and continue their valuable relationship with the debtor. This reinforces their bias towards an overall sub-optimal resolution.

What might be the costs of excluding operational creditors? Theoretically, financial creditors, especially secured creditors, may be biased toward liquidation as it offers them a chance to keep their security outside the debtor's estate, and the lack of voice for operational creditors in the process might reduce their recovery rates in bankruptcy. Reduced recoveries could, in turn, lead to higher costs of trade credit for firms nearing distress as vendors charge higher fees or require advance payments at the earliest signs of distress. Reduced recovery could also lead to the collapse of a vital vendor, speeding up the deterioration of the financial health of the distressed debtor.

Every insolvency system in the world struggles to balance these competing forces. Notably, though, the balance is difficult only if operational creditors actually get a raw deal when they are excluded from the voting process. And there is reason to think that this is not the case. For example, operational creditors seem to favour the IBC over other alternatives. They are now the most common group to initiate a resolution process under the IBC. Out of the roughly 1,800 resolution processes that we have seen so far, a little more than half have been initiated at the behest of operational creditors. And, the available data suggests that from January 2017 to March 2019, the number of processes initiated by operational creditors has been increasing by an average of 109 per cent every quarter. The corresponding average for the number of processes initiated by financial creditors is 75 per cent.

Even more tellingly, the Insolvency and Bankruptcy Board of India's (IBBI's) affidavit filed with the National Company Law Appellate Tribunal suggests that recoveries for operational creditors are marginally more than those for financial creditors. The IBBI's published data on recovery rates for 66 completed resolution processes as in December 2018 shows that on an average, operational creditors have recovered 47.45 per cent of their admitted claims. The corresponding number for financial creditors is 45.83 per cent. And, these rates do not

nary Kashmiris, who have already been deeply alienated by policies pursued by successive governments, is not credible. What is visible is the enthusiastic reception the announcements have received at least through most of northern India. There is a pervasive sentiment that the Kashmiris are pampered, that they are anti-national and unpatriotic and need to be dealt with a strong and firm hand, like a wayward and rebellious child. The latest decisions are popular and consolidate the ruling party's political dominance of the Indian heartland. Prime Minister Narendra Modi's approval ratings will soar further. This will also deflect attention from increasingly depressing economic news, though this may not have been the original intention.

The Union government is confident that it can maintain order in the Valley with strong-arm measures even if this results in a sullen and resentful peace. There is an argument that it is Article 370 which by keeping alive the hope of enhanced autonomy prevented the Kashmiri people from becoming part of the Indian mainstream. With its demise, the state will become fully integrated. A more realistic outcome may be the reverse and trigger increased militancy and violence.

Pakistan will exploit the situation. There will likely be an increase in cross-border terrorism and an escalation in cross-Line of Control firing. Pakistan will seek to turn the international spotlight on Kashmir. It is encouraging that so far none of the major powers have made any statements on the announcements beyond issuing advisories against travel to Kashmir. But this may change if the Valley remains disturbed and there is increase in violence.

An increase in India-Pakistan tensions will inevitably draw in major powers such as the US and even China. The US is focused on removing its remaining troops from Afghanistan and continues to regard Pakistan as the key to an Afghan peace settlement. Pakistan has already declared that it may not be able to play that role if India is allowed to get away with the political changes in the status of J&K. Influential sections in the US administration buy the oft-repeated argument that the road to Afghan peace lies through Kashmir. We need to be alert to signs of revived US and Western activism on the issue. Pakistan will seek to mobilise opinion against India among Islamic countries. Expect an Organisation of Islamic Cooperation resolution. India should be able to weather the storm, given its enhanced standing among the major powers. However, India's international clout is partly from its rapidly growing emerging economy and a large and expanding commercial market. If the Indian economy continues to slow and protectionist barriers advance, then our international clout will also diminish. The international fallout from bringing the Valley to heel may be more difficult to handle.

The deed is done and the gauntlet has been thrown in a high-stakes game. Things may not go according to the government script. It would be prudent to assess the risks involved and carefully work on minimising them.

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ANTHONY CASEY & BHARGAVI ZAVERI

take into account the benefit that most operational creditors realise by maintaining their ongoing relationships with reorganised debtors. This further weakens claims of operational creditors being treated unfairly in the resolution process.

These strong recoveries are not as surprising as one might initially think. Financial creditors have strong incentives to treat operational creditors fairly. The best path for financial creditors to maximise recovery is often a reorganisation that keeps the firm alive as a going concern. That requires that the firm's operations run smoothly, which is not possible without ongoing relationships with operational creditors such as vendors, employees, and clients.

Finally, to truly assess the merits of the IBC's voting structure, we have to ask how outcomes would differ under alternate regimes where operational creditors are given a vote. Again, there is reason to think that the IBC is no worse for operational creditors than the alternatives. Even with voting rights, the operational creditors still face coordination problems. And in many cases, it is unlikely that they would have an effective vote in the decision-making processes. Given the current 66 per cent threshold and the structure of the debt market in India, their vote would likely hold little or no sway in most cases.

For operational creditors' vote to really matter, voting rules would likely have to introduce class voting and costly coordination mechanisms. Class voting then requires even more expensive processes for dealing with hold-out classes, such as the cram-down mechanism in the US. And for all the added costs in those systems, the practical results are often the same where the votes of unsecured creditors have no practical effect on the outcome.

In the end, there is much uncertainty. To assess whether the concerns — and the responses to them — are valid, we must first evaluate potential costs and benefits of excluding operational creditors from the decision-making process of the creditors' committee. Any decision to change the system should be based on developed theory and firm evidence. As it stands, the theory and available evidence point in favour of the current system and against popular claims of unfairness towards operational creditors.

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Rewriting the rules of reporting



BOOK REVIEW

DWIGHT GARNER

The best piece of advice I've ever heard about being a journalist is from the investigative reporter Amy Goodman, who has worked in Nigeria and East Timor, among other places. Goodman said this: "Go to where the silence is and say something."

That sentence hung in my mind while reading *Our Women on the Ground: Essays by Arab Women Reporting From the Arab World*, a stirring, provocative

and well-made new anthology edited by the Lebanese-British journalist Zahra Hankir. It's a book that banishes all manner of silences.

Ms Hankir invited 19 Arab and Middle Eastern *sahafiyat* — female journalists — to detail their experiences reporting from some of the most repressive countries in the world. The result is a volume that rewrites the hoary rules of the foreign correspondent playbook, deactivating the old clichés. Each of these women has a story to tell. Each has seen plenty.

Some of these journalists work (or have worked) for establishment media outlets like the BBC, NPR, *The Financial Times*, Bloomberg, Al Jazeera, *The Washington Post* and *The New York Times*. Others are freelance photographers, or small website operators.

They hail from, among other places, Egypt, Syria, Morocco, Yemen, Iraq, Lebanon, Sudan and Libya, though many also have a foot in the Western world.

There's a lot of self-scrutiny in this volume. A sub-theme is the guilt many of these reporters feel over their own relative privilege, the fact that their own families are safe while the people they write about tend to live in poverty and in terror.

Our Women on the Ground has many aspects to it — it's about ambition, harassment and misogyny, sex, family, bravery, politics, religion, history, broken lives and double lives — but at bottom it imparts a pervasive sense of fear and loss. There are two harrowing deaths before we are 30 pages in.

The first is that of a young Syrian woman, a philosophy graduate named Ruqia Hasan, who was abducted and killed by ISIS for her outspoken posts on social media. She knew what was coming. She wrote on Facebook: "While they will cut off my head, I'll still have dignity, which is better than living in humiliation." Her story is delivered by Ms Hankir, in her introduction.

The second is that of *The New York Times*'s Beirut bureau chief Anthony

Shadid, who died at 43 in 2012, apparently of an asthma attack, while reporting in Syria. The author of this powerful and rueful essay is his widow, Nada Bakri, who has also reported for *The Times*.

Ms Bakri, like nearly all the writers in this book, does not hold back. After Shadid's death, she writes, "I quit journalism, left my home in Beirut and moved thousands of miles away from everyone I knew and everything familiar. Along the way, I became someone I don't recognize."

Many of these essays are about trying to work in dangerous circumstances, doubly so for women. As Zaina Erhaim writes in her essay: "I am a Syrian; a woman who lived in the most masculine of spaces; a journalist in a land of warlords; a secularist living among different kinds of extremists." She adds: "I would be a great target, someone a fighter would be proud to have killed."

There are accounts here of reporting from war zones and, for example, of being embedded with the United States military during the Iraq War. When these journalists were unable to be on the scene, they became skilled at scanning social media, especially YouTube videos, and gleaning

information from those sources. Another kind of silence this book charts is the one that arrives when a source goes dark, because they've been killed or forced out of their homes.

There are places these journalists can go that men cannot: kitchens and hair salons, to name two. In her essay, Hannah Allam, an NPR national security reporter who worked for McClatchy newspapers during the Iraq war, suggests that reporters ignore so-called women's stories at their peril. There is a good deal of gallows humour in *Our Women on the Ground*. There are high spirits; several romances are recounted. There are many, many stories of frightening and unwanted attention from men. Yet in her essay, Donna Abu-Nasr, Bloomberg's Saudi Arabia bureau chief, catches some of the absurdity that can be in the air, too.

"Often, while I was stuck in traffic, young men would slam Post-its or papers with their mobile phone numbers scribbled on them on the window of my car," she writes. "That was one way to pick up women. Another was to go to the mall and throw the little slips of paper at the feet of

women covered head to toe in black."

The optimism that attended the Arab Spring in the early 2010s slowly evaporates in these essays. Things grow worse, not better. About the Syrian crisis that began in 2011, Hwaida Saad, a reporter for *The New York Times*, notes: "Ideas changed, and so did faces — many of which grew beards. On the radio, jihadi songs replaced those of Elissa. Innocence gradually disappeared."

The Palestinian writer and free-press advocate Asmaa al-Ghoul recalls some of the romance that attended the early days of the Arab Spring protests. "We thought that we were going to change the world," she writes. "How I pity the generation that will have to go out to do it all over again."

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OUR WOMEN ON THE GROUND: Essays by Arab Women Reporting From the Arab World
Edited by Zahra Hankir
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Opinion

WEDNESDAY, AUGUST 7, 2019



UNITED INDIA

Congress leader, Rahul Gandhi

National integration isn't furthered by unilaterally tearing apart J&K, imprisoning elected representatives and violating our Constitution. The nation is made by its people, not plots of land

Borrowing costs will fall for just top-quality firms

Even if there is more transmission, with the fear of NPAs rising, banks will raise risk premium for weak borrowers

GIVEN HOW INFLATION is expected to stay benign and growth is sputtering, there is a strong probability Reserve Bank of India (RBI) will trim the repo rate by 25 basis points later this week, taking it to 5.5%. That would be the lowest levels since April 2010. The RBI has already cut the repo thrice in 2019, by 25 basis points each time. Despite the chunky 75 bps cut, however, there has been little transmission into lower loan rates. Weighted average lending rates have been broadly flat over the past nine months, though some banks have lowered rates by 5-15 bps between March-May. Most private sector banks left lending rates intact—indicating pricing power—while public sector banks have lowered rates. In general, deposit rates remain sticky; some lenders have lowered rates between 10 and 25 basis points. To be sure, monetary policy works with a lag, but at this point, it is hard to see much transmission. For one, unless they are able to lower term deposit rates meaningfully, banks would be wary of lowering loan rates and exposing themselves to a margin contraction. Also, at a time when the economic environment isn't exactly robust, there is a dearth of quality borrowers. Banks are, therefore, understandably becoming choosy about who they lend to. Consequently, while the MCLR may fall, the end rate to the customer may not as the risk premiums are being raised.

Economists believe that if the central bank reassures lenders that liquidity will remain in a surplus—as it is now—for a sustained period, banks would be more open to lowering lending rates. Given how the NPA cycle doesn't seem to be coming to an end—the June quarter has seen high slippages, and there could be more in the offing—it is doubtful that banks will want to drop rates for weaker companies, if at all they lend to them. It is unfortunate, but given the spate of downgrades for some time at least, only top-quality borrowers are likely to benefit from lower rates; the broader swathe of businesses with ratings below a certain level, will need to fork out a higher risk premium.

One cannot blame the banks because the environment is a very difficult one. The government should refrain from asking banks to lend to customers who are not creditworthy because it could end up in bigger credit costs and weaken lenders' balance sheets. Recently, it came to light that a large lender had tightened lending norms for automobile dealers; the bank was absolutely justified in doing so since auto sales are weak and dealers could well default. The government should not ask for these rules to be eased because that could backfire badly. Ultimately, banks must be free to use their discretion. The short point is that, in a fragile economic environment, expecting lenders to lower loan rates is somewhat unreasonable. SBI Chairman Rajnish Kumar said on Monday that there was ample liquidity in the banking system, but it was the demand that was subdued. So, if banks want to compete, they would be willing to lower rates. In sum, while a repo cut will lower the cost of wholesale borrowings, it is the economic environment and the creditworthiness of borrowers that will determine how much and how quickly lending rates come down.

Eminently odd policy

Existing varsities don't qualify, yet-to-be-set-up ones do

IF KREA UNIVERSITY, Azim Premji University, Ashoka University, apart from the Indian Institute for Human Settlements and the Indian Institute of Public Health—all promising private universities—not making it to the University Grants Commission (UGC) list of Institutes of Eminence recommended to the government seems odd, its justification for rejecting these seems outright batty. The UGC says that since none of these institutes—and a handful of public universities—feature in global and Indian quality rankings, they weren't included. However, institutes that are yet to even commence academic activity—the Reliance Foundation-backed Jio Institute and Airtel-backed Satya Bharti Foundation's proposed institute—have been recommended as Institutes of Eminence. It goes without saying that UGC's fig-leaf of quality-rankings somehow don't apply in the case of these two. When the expert panel headed by former chief election commissioner, N Gopalaswami, had recommended 11 institutions for the tag in July 2018 and 19 more in December, it considered institutes that were already ranking well and those that had the potential to be top-notch, globally competitive institutes. Yet, UGC chose to see things very differently. It went with the rankings yardstick—to be considered, the university/institute had to feature in the Quacquarelli Symonds (QS) 2020 world university rankings, with QS 2019 India ranking and the HRD ministry's National Institute Ranking Framework ranking serving as a tiebreaker. That itself isn't free of controversies given Banaras Hindu University (BHU), Aligarh Muslim University and Savitribai Phule Pune University all feature in the 801-1,000 band of the QS world rankings, but BHU alone entered the list, because it was placed higher in the India rankings.

Unnamed government officials, as per various media reports, have sought to justify the inclusion of the Jio and Bharti institutes by saying that there is a need to attract investment to build world-class institutions and, therefore, greenfield institutes needed to be pushed onto the list. The Gopalaswami panel, it is true, had recommended the inclusion of Jio Institute in July 2018—and it featured in the list of three private institutions chosen—but Gopalaswami has claimed that greenfield institutes should have been treated as a separate category; the government was free to decide either way. The scheme, however, hadn't been intended as one that would attract investment in the higher education space. Rather, it was aimed at developing 20 world-class institutions, 10 public and 10 private, by giving them considerable autonomy on academic and administrative matters. Given how, despite the noticeable improvement in India's R&D prowess in the recent year, the gap with a China or even a South Korea in terms of R&D in academia is yawning, the need was to support existing institutions that have, compared to universities/institutes that exist on paper, come some distance. It is bewildering that the higher education regulator, instead, added to its long record of failures by not recognising this crying need. And, even if the investment angle were to be a weighty consideration, a functioning private institute of considerable repute would surely have been attractive to investors if it had got the Eminence tag, more so if big names from academia and the corporate world were associated with it?

Surrogacy BAN

Commercial surrogacy needed to be regulated better, not banned. But govt thinks otherwise

THE LOK SABHA has just passed the Surrogacy (Regulation) Bill, 2019. Given how surrogacy sweatshops have mushroomed—the government estimates at least 3,000 surrogacy centres that exploit thousands of women drawn to surrogacy at significant health costs—there was a crying need to regulate commercial surrogacy. The government has, instead, focussed on banning it. The Bill allows only altruistic surrogacy, that too by a close relative of a childless couple. The latter should be married and should have been childless for five years before. Thus, widows, unmarried persons, divorcees, live-in and homosexual couples, even married couples with children are barred from opting for surrogacy.

There is no doubt that commercial surrogacy became an uncontrollable monster after it was legalised in India in 2001. Poor, vulnerable women rented out their wombs for a fraction of what the client was paying infertility vultures, who acted as commission agents. Most women were ignorant of the risks—a 2015 study led by a Danish doctor found Indian surrogates to be completely unaware of the risks of implantation of multiple embryos, foetus reduction or caesarian sections to time delivery as per the client's convenience. Banning commercial surrogacy is hardly the answer. A better solution would have been to allow commercial surrogacy while making surrogates aware of the risks and ensuring their health and commercial interests are protected. The government should consider gradually relaxing the ban—once sweatshops are history, the proposed National Surrogacy Board could allow regulated commercial surrogacy.

CHINA'S LONG VIEW

GIVEN THEIR SELF-RELIANCE POLICY, CHINESE AUTHORITIES ARE FAR LESS CONCERNED ABOUT A SUDDEN GROWTH ACCIDENT THAN THE US NARRATIVE WOULD LEAD ONE TO BELIEVE

China's visionary economic policy

STEPHEN S ROACH

Faculty member, Yale University
Views are personal



A COUPLE OF months ago, while touring Jiangxi Province, Chinese President Xi Jinping made reference to an old revolutionary milestone. "Now there is a new Long March, and we should make a new start," he said in response to the mounting economic conflict with the United States.

In China, symbolism is often more important than literal interpretation of leaders' elliptical statements. Spoken in the same province where the Long March had commenced in 1934, ultimately leading to Mao's defeat of the Nationalists 15 years later, Xi's reminder underscored China's greatest strength: the long view.

That strength was on display during my latest visit to China in early July. In a series of wide-ranging meetings and discussions, three conclusions stood out. Each challenges America's bipartisan demonisation of China.

First, slowing growth is not the source of fear for China's leaders that many Western policymakers seem to think it is. Yes, in historical perspective, the latest GDP report was weak: quarterly growth was the slowest since the current statistical reporting system was adopted in 1992, and even worse than that recorded a decade ago, in the depths of the global financial crisis. But the 6.2% rate for the second quarter of 2019 was a relatively mild deceleration of 0.5 percentage points from the relatively subdued 6.7% average pace of the previous eight quarters. By contrast, the slowing to 6.6% in the first quarter of 2009 was a far more abrupt deceleration of 5.5 percentage points from the average gain of 12.1% over the preceding eight quarters. A modest slowing is not a growth collapse by any stretch of the imagination.

That should not be surprising. China has more policy levers than growth headwinds. With ample room for further monetary easing, infrastructure spending, and other forms of fiscal stimulus, Chinese authorities are

far less concerned about a sudden growth accident than the US narrative would lead one to believe.

Moreover, Washington's fixation on who is winning the trade war overlooks a critically important structural shift in the Chinese economy. In 2018, net exports were just 0.8% of China's GDP, which represents a dramatic compression from a decade earlier, when net exports accounted for a full 7.5% of real GDP. While hardly an oasis in a weakening global economy, China is far less exposed to a trade shock today than it was back then. Even if it loses a trade war—a debatable proposition—damage to China's overall economic growth would be minimal.

At the same time, the May 24 Baoshang Bank failure—a first for China in about 20 years—has triggered a worrisome outbreak of counterparty risk contagion. With bad debts ballooning in excess of 30%, this privately-owned Inner Mongolian mid-size institution was apparently victimised by corrupt management. A well-coordinated takeover by China's financial regulators and the central bank appears to have contained the direct damage while sending an important moral hazard signal to undisciplined lenders. But, the interbank borrowing market is still shaky, with spillovers to smaller banks, including those in rural areas. Ironically, China may be better able to manage trade risks than instability in its financial system.

The second conclusion that stood out from my recent discussions is that China is patient and methodical in dealing with external wildcards—especially US politics. Chinese officials are not about to bet

on the 2020 US presidential election in formulating their strategic response to the trade conflict. Obviously, there is great interest in the outcome; but in keeping with Xi's Long March imagery, China's leadership is preparing for an enduring Cold War-like confrontation, irrespective of who wins the election.

Significantly, many senior Chinese officials don't share the US view that America's post-2020 China policy trajectory will stay its current course—Donald Trump or not. In the event that Trump loses, the Chinese suspect that US foreign policy will shift back to a more multilateral, alliance-focused approach. Their biggest hope is for a restoration of integrity to the policy-making process itself.

Like many in the US, the Chinese find it difficult to deal with unpredictable, almost whimsical, shifts in tariffs and sanctions. Even if a new president were to remain tough on China, a coherent and well-articulated US strategy would be far more effective in framing the debate and offering hope for constructive resolution of grievances.

Third, Huawei is a big deal for China. The tech giant is perceived to be a national champion and emblematic of China's push toward indigenous innovation, which is central to its longer-term growth and development aspirations. By taking advantage of its "choke point" position in the Huawei supply chain, the Trump administration's China containment campaign is seen as

seeking to stifle those aspirations.

There is no question that Huawei is feeling the heat as the US squeezes the supply-chain by putting pressure on America's leading suppliers of semiconductor chips, other components, and software—companies such as AMD, IBM, Marvell, Intel, Google, and Microsoft. According to Huawei's management, the company's earnings this year and next will be about \$30 billion below projections.

While senior US officials have sent mixed signals about relaxing restrictions on Huawei, the weaponisation of US trade policy has sent a clear message to China: the need to address the supply-chain vulnerability of its leading-edge technology companies is now a top policy priority.

The conventional wisdom in the West is that China will need ten years to build a domestic chip and software industry that could fill the void created by US restrictions. The Chinese I spoke with in early July felt that the gap could be closed much sooner, possibly within

two years. If anything, Trump's threats against Huawei have served as a wake-up call to Xi's "self-reliance" campaign. The US chokehold could be surprisingly short-lived.

Time and again, the long view in China has stood in sharp contrast to America's short-term approach. Needless to say, this has become all the more evident during the past two and a half years of Trump's Twitter-driven policy gambits. One senior Chinese policy maker actually admitted to checking Trump's Twitter feed each morning. No surprise there. Sun Tzu put it best in his ancient treatise, *The Art of War*: "If you know the enemy and know yourself, you need not fear the results of a hundred battles." **Copyright: Project Syndicate, 2019 www.project-syndicate.org**

LETTERS TO THE EDITOR

Kashmir question: The way forward

After having bravely scrapped Article 370 to integrate the Kashmir region with the rest of India, government must take immediate steps for its economic development. Putting in place sound infrastructure to attract industry; excellent education system, and affordable healthcare will take away guns and anti-national thoughts from the hands and minds of children and youth there, replacing them with pens and career aspirations. A specific announcement to this effect made by the government alone will put to rest the questions and apprehensions in the whole nation's mind and justify yesterday's decision. — Dr Shubhada Sabade, Pune

Opposition's debacle

Sonia Gandhi lost the last opportunity to make Congress re-enter national streamline by opposing the historic Bill scrapping Article 370 and undo the wrong done by Pandit Jawaharlal Nehru. Apart from most allies of BJP, even BSP and AAP lent unconditional support to the Bill, thus, paving the way for its smooth passage in the Rajya Sabha. Indian political parties opposing the Bill should take a lesson from Israel, where even bitterly competing opposition parties are always united on issues relating to external affairs and defence. Several prominent Congress leaders have openly come out in support of the Bill, with some of them even having resigned from the party on the national issue. The owners of Congress Private Limited, still have time to sense the mood of the people and support the Bill by terming views of leaders like Gulam Nabi Azad as their personal views. Otherwise, a party division may be unavoidable. — Subhash C Agrawal, Delhi

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Saving water the solar way

With increasing use of renewable energy, India can meet its economic development needs while still curbing water consumption in the power sector and driving down costs

ASHVINI KUMAR & PAUL FAETH

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Views are personal

ABOUT 70% OF India's electricity is produced using coal, requiring significant amounts of water to expel waste heat during the generation process. This is besides the water required for ash handling and other in-house needs. Energy security thereby gets inextricably linked with water availability.

Based on field data from a number of thermal power plants in India, it has been estimated that, depending on the kind of power plant, its specific water requirement could range from 1.67 to 5.27 cubic metres per MWh. Considering an installed thermal power capacity of 22.6 GW with an average all-India plant load factor (PLF) of 61%, the water lost annually to cooling thermal power plants, based on a water requirement of two cubic metres per MWh of power generated, comes to over 2.4 billion cubic metres. Going by the central government's per capita norms of water use, this quantity would be adequate to serve the annual water needs of around 164 million people in rural areas or 48.7 million people in cities with sewer lines.

With India's current economic growth and dependence on coal for the next 20 years, water consumption in the power sector would increase manifold even with enhanced water use efficiency. Given water's centrality in other key sectors—such as agriculture, domestic, and industry—and the drying effects of climate change, saving water wherever possible is critical for India.

If the government's plans to reduce India's dependence on coal are realised, a substantial amount of water could be saved, since, unlike coal, electricity produced by solar photovoltaics (PVs) does not generate waste heat, requiring only 0.1 cubic metre of water per MWh generated for occasional washing. India has committed to produce 40% of its

power supply from non-fossil fuel sources, with a focus on solar power. If this happens, and that growth continues for another 10 years, the annual water consumption for power generation would be 30% less by 2040.

In addition to saving water, renewable energy also reduces air pollution, which has reached alarming levels in many parts of the country. While coal-fired power generation results in the emission of harmful soot, sulphur dioxide, nitrous oxide, and mercury, power generated from renewables produces no such emissions.

Given this background, the government's target to achieve 100 GW of solar power capacity by 2022 merits special appreciation. Utility-scale solar power projects have achieved tremendous success, with tariffs breaching coal tariffs from new plants and an ecosystem for large capacity project development being created. However, capacity addition through installation of rooftop solar plants in domestic, institutional and commercial segments has been slower. To accelerate their adoption, demand aggregation initiatives—focusing on reaching out to consumers, creating visibility for policies, and vendor base for rooftop solar PV plants—are being implemented in cooperation with state nodal agencies, electricity distribution companies, developers, and a large number of student volunteers. For example, the Ministry of New and Renewable Energy (MNRE) has recently launched a big campaign for solar market aggregation for rooftops in Gujarat, Jammu and Kashmir, Himachal Pradesh, Uttarak-

hand, Daman and Diu, and Dadra and Nagar Haveli.

So, what's in it for consumers and businesses? For consumers, rooftop solar can substantially reduce electricity bills since the electricity generated by rooftop solar panels directly meets the consumer's load requirement, leading to less power drawn from the grid.

In 2016, almost no household in Surat had rooftop solar plants. Two years later, there were 6,000 due to subsidies offered by MNRE, extensive outreach by the Surat Municipal Corporation with the help of youth volunteers, and affordable solar PV loans offered by the Sarvodaya Sahakari Bank. With the subsidies, the payback time for rooftop PV is six years, which means a consumer installing a rooftop solar plant gets free electricity after that period.

The system can be cost-effective for businesses too, depending upon the local tariff. Solar power has the benefit of providing long-term price stability at a time when electricity prices are going up by 3-4% annually. In contrast, the cost of solar has come down by 80% in the last five years. Solar also enhances brand reputation for consumer-facing businesses looking to promote their corporate sustainability practices.

The evidence from Surat and other places points to an imminent explosion in the solar market in India that will bring a revolution in the power sector. In times of looming water crisis, it is indeed good news for India that the growing share of renewables in the power mix allows India to meet its development needs while reducing its water usage.

Unlike coal, electricity produced by solar photovoltaics (PVs) does not generate waste heat, requiring only 0.1 cubic metre of water per MWh

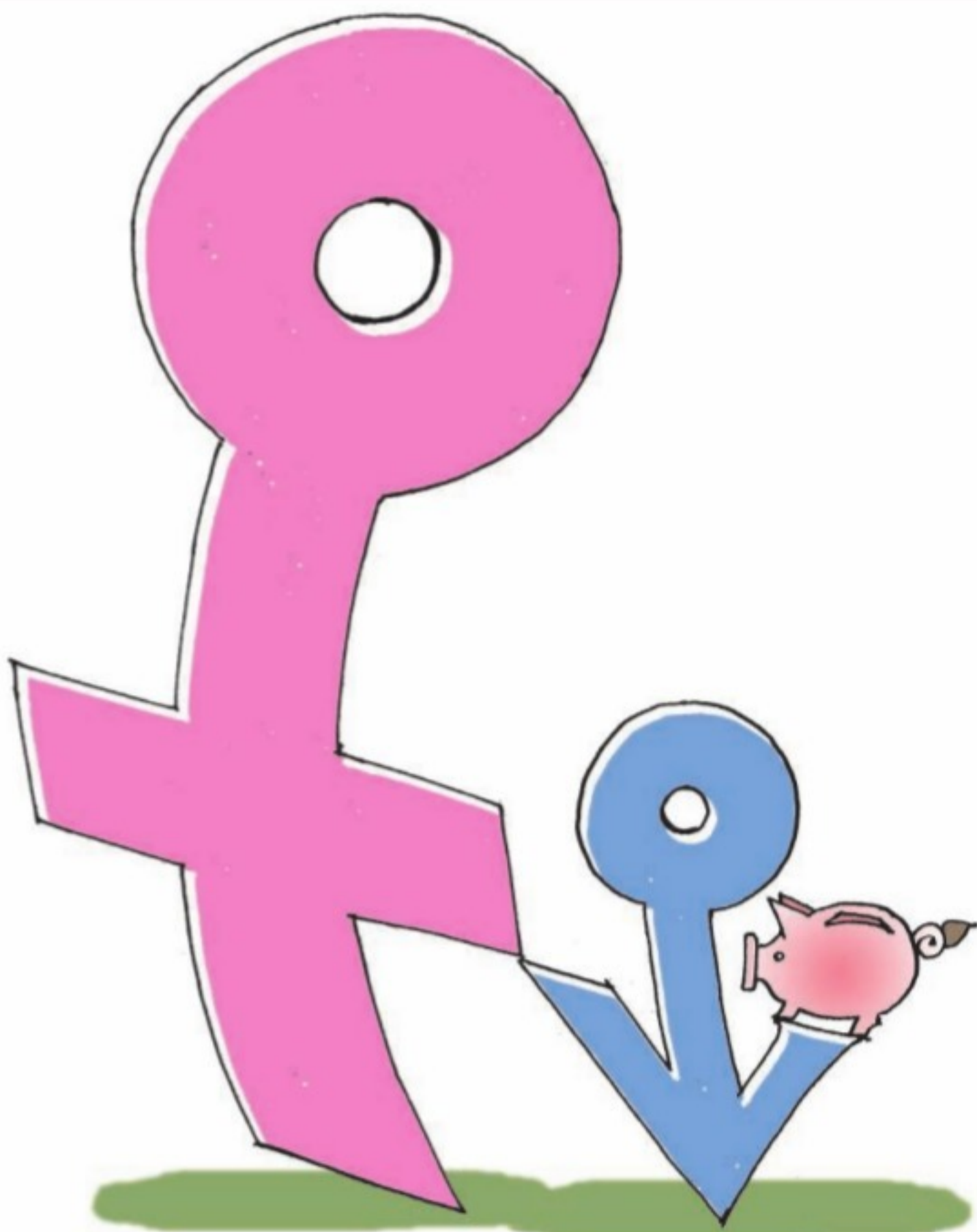


ILLUSTRATION: ROHINIT PHORE

AMANDEEP KAUR & LEKHA CHAKRABORTY

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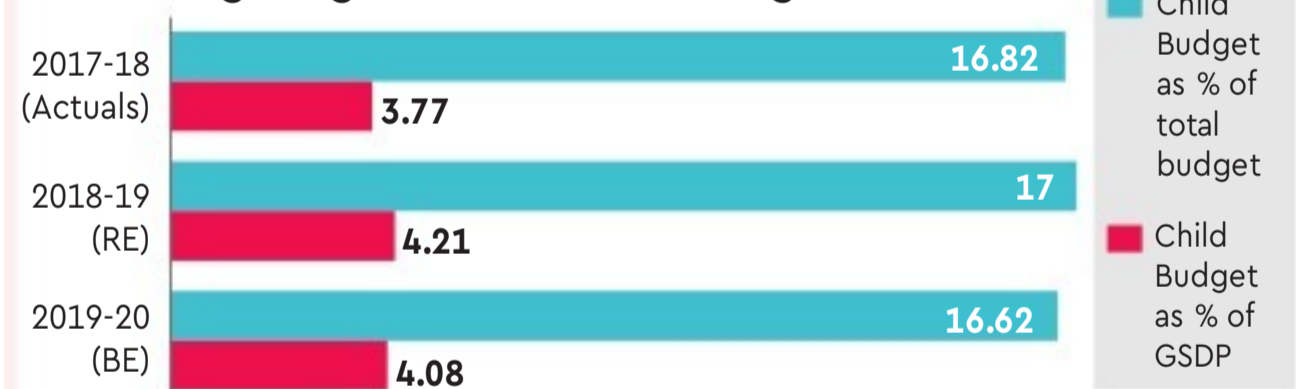


GENDER & CHILD BUDGETING

Odisha shows the way

By making public in its Budget how much and where it spends on child & women welfare, the state has set a benchmark for other states on accountable and transparent management of public finances

Child Budgeting in total Odisha budget



Gender Budgeting in total Odisha Budget

	2017-18 (Actuals)			2018-19 (RE)			2019-20 (BE)		
	100%	30%	Total	100%	30%	Total	100%	30%	Total
Gender Budget as % of total Odisha Budget	1.86	26.67	28.52	2.18	29.08	31.25	1.84	33.20	35.04
Gender Budget as % of GSDP	0.42	5.98	6.40	0.54	7.20	7.74	0.45	8.14	8.60

Source: Odisha Budget Documents, 2019-20

ODISHA HAS BEEN among the pioneers of using Public Financial Management (PFM) practices for advancing gender equality and socio-economic development of children. In its Budget for FY20, the state government has introduced two detailed fiscal statements—gender budgeting and child budgeting. These policy tools help create fiscal space for providing a framework to integrate “social content” of the macro policies. These attempts are truly “public policy innovations”.

At present, many countries have started to publish gender and child budgets. But, a major chunk of these initiatives across countries are just confined to the national level. As far back as FY2000, the Department of Women and Child Development, Government of India, had recognised the significance of a “gender lens” in the budgetary processes and had commissioned a study of the same to the National Institute of Public Finance and Policy (NIPFP). Later, in collaboration with NIPFP, and with the acceptance of recommendations of the ministry of finance’s Committee on “Classification of Budgetary Transactions” under the chairmanship of the then chief economic advisor Ashok Lahiri, India began gender budgeting in FY06. India has, thus, around 15 years of gender budgeting at national level, with gender budget statements published within the Expenditure Budget (Volume 1). Later, in 2008, the Union government released the first child budget statement. In India, these fiscal innovations are essential at the national and subnational levels, especially since the country is home to every fifth young child in the world. However, the commitments at the state levels to conduct both gender and child budgeting have been quite uneven and have broadly lacked political sustainability. Against this backdrop, Odisha’s efforts to publish the two PFM-related statements in FY20 Budget are indeed commendable.

The total child-related expenditure constitutes around 16% of the total budget of the state, and stands at 4% of total GSDP of the state for FY20

Odisha witnessed a real GSDP growth rate of 8.35% in FY19, exceeding the all-India growth rate of 7.2% in FY19. The state has also been constantly making efforts to reduce socio-economic disparities related to gender, protect children from poverty by protecting their rights, providing education and better health facilities. Around 27% of the state’s children are under 15 years of age. Although, some of the child-related indicators, especially IMR (Infant Mortality Rate)—the probability of a baby dying before his/her first birthday—has reduced from 65 to 40 deaths per 1,000 live births as per the National Family Health Survey (NFHS-4) data, the story does not end here. The need for a defined child budgeting came from the alarming figures of NFHS-4 at the “disaggregated levels”. As per the survey, IMR is much higher for children in rural areas *vis-a-vis* urban areas. It is also highly correlated with the level of education of mothers. Mothers with 10 or more years of schooling have experienced a lower IMR (18 per 1,000 live births) as compared to mothers with typically no schooling (58 per 1,000 live births). Under-five mortality is also high for rural areas (52 deaths per 1,000 live births) as compared to 24 deaths per 1,000 live births in urban areas.

Although there has been improvement in the nutritional status of the children since NFHS-3, anthropometric indicators have not shown any substantial change. As compared to NFHS-3, the percentage of children who are stunted (45% to 34%) and underweight (41% to 34%) have shown significant improvement. But, there has not been much change in wasting. Child malnutrition is still a persistent problem in the state of Odisha.

This diagnosis makes it compelling for Odisha to introduce child budgeting. Such policy imperatives have also gotten attention after the National Action Plan on Children (2017) based on four objectives—survival, health and nutrition, education and development, protection and participation.

Odisha’s child budgeting—prepared by the Odisha finance department in collaboration with UNICEF—is indicative of the spending that directly or largely affects the children in the age-group of 0-18 years, and is defined on four grounds: Development, Health, Protection and Education. The methodology used by the Odisha government has been consistent with the gender budgeting of the Government of India following NIPFP methodology. Odisha has identified ten departments for child budgeting. The child budget estimates show the school & mass education, and the women & child development departments get the maximum share of the total Odisha budget for FY20. Broadly, the total child-related expenditure constitutes around 16% of the total budget of the state, and stands at 4% of total GSDP of the state for FY20.

With regard to gender budgeting, Odisha has identified 13 departments that spend directly (100%) on gender-specific interventions while the state has listed 29 departments that see at least 30% share of their total budget for gender-specific allocations. The estimates showed that conclusively, gender-specific interventions form 8.6% of GSDP while if we consider only 100% specifically targeted programmes for women, they are just 0.45% of GSDP for FY20.

However, both documents—the gender budget and child budget—are silent on fiscal marksmanship. Fiscal marksmanship denotes the fiscal forecast errors. It shows the deviation between what is budgeted and what is the actual spend/revenue across sectors. Higher budgetary allocation per se does not guarantee higher spending. However, Odisha’s efforts to use Gender Budget and Child Budget as tools of budget transparency and accountability are laudable.

MONETARY POLICY

Rate cut of 25bps likely

ADITI NAYAR

Principal economist, ICRA
Views are personal



Fourth consecutive repo rate cut expected in August MPC review

WITH THE CPI inflation remaining well below the Monetary Policy Committee’s (MPC) medium-term target of 4%, and a variety of indicators pointing towards performance faltering across sectors, a fourth consecutive repo rate cut of 25bps appears on the anvil in the August 2019 policy review.

In June 2019, the MPC had placed its CPI inflation forecast at 3.0-3.1% for H1FY20 and 3.4-3.7% for H2FY20, with the risks broadly balanced. Subsequently, delayed *kharif* sowing, rising vegetable prices, low reservoir levels and an uptick in domestic fuel prices have emerged as risks. Such factors, as well as an unfavourable base effect, may push the headline CPI inflation above 4% in some months of H2FY20, even as the average will remain sub-4% for this fiscal.

In ICRA’s view, while there appears to be room for further rate cuts, we do not expect considerable additional monetary easing, going forward. The focus may shift to faster and fuller transmission to both deposit and lending rates, particularly since systemic liquidity is in ample surplus. Additionally, several constraints to a pickup in economic growth, such as moderate capacity-utilisation levels and cost of land acquisition, may not be dissipated by lower interest rates.

Moreover, the MPC had revised its GDP growth outlook downwards to 7% for FY20 in the June 2019 review from its earlier estimate of 7.2%. The recent data prints across indicators are raising concerns regarding slowdown in economic growth. Auto production and non-oil merchandise exports contracted in Q1FY20. Also, the core sector growth came in at a marginal 0.2% for June 2019, suggesting that industrial growth is likely to print at an anaemic sub-1% level in that month, extending the sequential slowdown recorded in May 2019. Further, earnings growth has been subdued in several sectors other than banking in Q1FY20, which would weigh upon the GDP growth for that quarter. The outlook for domestic consumption, exports and private investments is muted, even though government spending may pick up in the post-Budget months.

The first half of the monsoon season has been unfavourable, which would constrain farm income growth from *kharif* crops, even if the remainder of the season witnesses normal rains. The year-on-year decline in reservoir levels so far does not portend well for the *rabi* season, which would keep rural sentiment subdued. And, exports growth is unlikely to be substantial in the current global environment.

Private investment may remain muted in the near term. The low visibility of a sustained uptick in capacity utilisation, as well as the availability of brownfield assets through the NCLT, suggest that capacity expansion is not warranted in many sectors. Further, some businesses are facing issues related to refinancing of existing debt. The continuing high leverage levels of various corporates, and the low likelihood that many banks would want to pursue project finance lending, would prevent a quick revival in investment activity, even if transmission of monetary easing improves and lending rates decline.

Notably, government of India’s (GoI) revenue expenditure recorded a modest growth and capital spending contracted in Q1FY20. However, government expenditure is expected to record a pickup in the last three quarters of this fiscal. While GoI’s revenues are typically disproportionately higher in the later quarters of each fiscal, and some of the tax proposals made in the Budget would support tax collections in the remainder of the year, at present, we can’t rule out that expenditure cuts may be required to prevent fiscal slippage, if revenue targets are not achieved. On balance, based on available data, we expect GDP growth to print 6.7% in FY20, lower than the MPC’s forecast of 7%.

The market will continue to monitor the evolving fiscal trends of the GoI and parse the MPC’s statement and minutes to glean the outlook for additional monetary easing. However, the size and timing of the sovereign bond issuance would impart a disproportionate effect on the yields of G-Secs in the remainder of 2019. ICRA expects the 10-year G-Sec yield to trade in a range of 6.2-6.6% in Q2FY20.

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RURAL ELECTRIFICATION

GOVERNMENT LAUNCHED THE ‘Saubhagya’ scheme in 2017 with an aspiration to provide electricity to all households in rural areas and poor families in urban areas. It intends to expedite rural electrification, both through technology and dissemination of information, with a scope of ‘providing last mile connectivity and electricity connections to all un-electrified households in rural areas’. The power sector and the Saubhagya scheme can go one step ahead by assuring quality power supply apart from assuring ‘electricity to all’. The recent on-field experience in Chhattisgarh could provide insights as to where policymakers can be stepped in to the supply-side gap and increase rural electrification. In a power-surplus state like Chhattisgarh, with installed capacity of 13526.7 MW, the Har Ghar Bijli scheme faces its own challenges. There is a need to reduce inefficiencies in the current framework and bring in multiple stakeholders, including the police and the masses.

It is to be noted that “An electrified village is defined as one that has the following: (i) provision of basic infrastructure such as distribution transformers and lines in the inhabited locality, (ii) provision of electricity in public places like schools, panchayat office, health centers, dispensaries, and community centers, and (iii) at least 10% of the total number of households in the village are electrified”. Con-

Taking forward the Saubhagya vision

Beyond just complete rural electrification, the scheme should also focus on ensuring high-quality power supply

SUROBHI MUKHERJEE

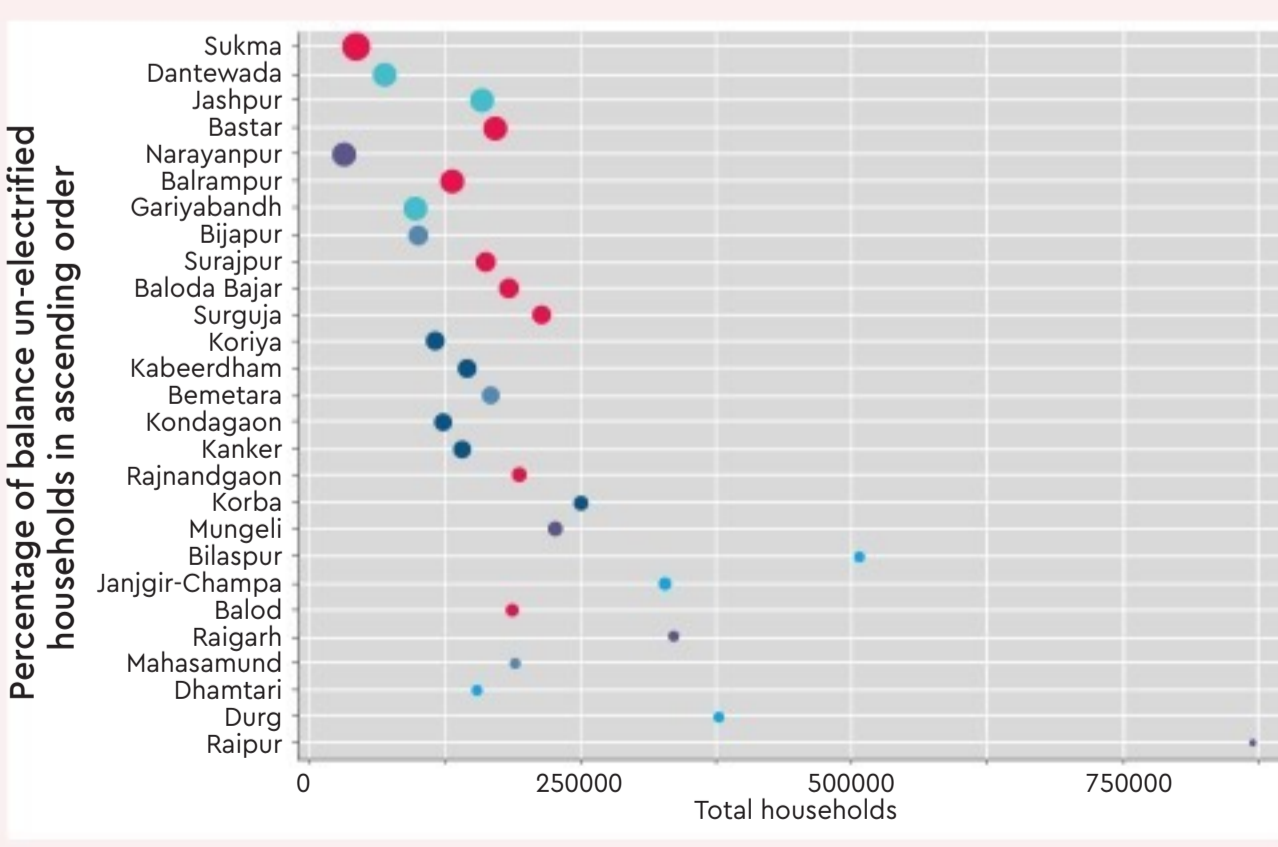
Assistant Director, Ministry of Finance. Views are personal

considering the 10% threshold, all districts in the state are electrified (as on October 10, 2017). The scheme aims to target un-electrified households in the village. Household progress for electrification indeed shows a positive relationship with Balance Un-electrified Households (BUHs).

There are two perspectives to look at supply-side challenges faced by policymakers. One is a scientific perspective, where the iron content in the soil generates fault current, creating high impedance, which disrupts the transmission of electricity and makes the electrical system function improperly. The accompanied graphic shows district-wise percentage of Balance Un-electrified

Households before Saubhagya scheme was launched in the state (arranged in ascending order). Dantewada, Rajnandgaon, Kanker, Bastar, Narayanpur and Durg are some of the districts with rich mineral deposits, especially iron. The rural electric distribution systems are impacted and access to electricity is affected.

Even if there exist provisions for basic infrastructure like distribution transformers or a certain percentage of total number of households are electrified in a village, it does not translate into accessibility. Hence, issue of impedance fault is relevant when it comes to questions of continuous and quality supply of electricity. Monitoring the low current



that generates high impedance fault, therefore, becomes necessary.

It is to be emphasised that the scheme has tried to plug gaps from consumer-side and provisions exist to approach the household, encouraging the BPL and poor households to avail electricity connection. In this regard, percentage of additional households being electrified due to Saubhagya Rath campaigns, camps, control centres, etc, have been higher in Balod, Balrampur, Kanker, Jashpur, Baloda Bazar and Bilaspur.

increased accessibility and utility provision to some extent. The Saurabh Rath Campaigns, etc, alone cannot explain percentage of electrified household addition as correlation with BUHs is small.

Problems like less revenue realisation due to pilferage in distribution, transmission and distribution loss, technical losses caused due to I2R & transformer losses, and the aforementioned High Impedance Fault calls for upgrading material properties, better distribution infrastructure, and wide spatial distribution of meters and so on.

Government allocated ₹16,000 crore for Saubhagya in Budget 2018 and Union Budget 2019, emphasising outreach of Saubhagya, with increasing importance of renewable energy. Yet, India still being a country which is heavily reliant on thermal power generation, provisions ought to be made to reduce inefficiency in the current framework and ensuring basic infrastructure in villages required for electricity (like in Aspirational Districts), which would leap Sahaj Bijli Har Ghar Yojana one step ahead by assuring quality supply of power as well as access to electricity for all. The experience in Chhattisgarh is a case in point, wherein lack of power availability is not a contentious issue, but revenue loss, faults and accidents caused due to transmission and distribution are relevant. The enhanced benefits could be passed on to the consumers in form of lower-cost accessibility.



The Indian EXPRESS

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RAMNATH GOENKA

BECAUSE THE TRUTH INVOLVES US ALL

Unity in unity

The current paradigm shift in J&K is in tune with the steady centralisation of the state since 2014



CHRISTOPHE JAFFRELOT

THE MANNER IN which the status of Jammu and Kashmir has been transformed is revealing of the political style of the Narendra Modi government, which does not try to build consensus but acts unilaterally in the name of efficacy — a method that had already been used at the time of demonetisation. The present episode offers a good illustration of India's journey towards an illiberal form of democracy as the government intends to amend the Constitution on the basis of a presidential order. But it has larger implications, as it may mark a turning point towards the making of an ethnic unitary state.

The Jammu and Kashmir Reorganisation Bill 2019 is the first legislation substantially affecting the Constitution since the BJP's rise to power in 2014. So far, its majoritarian ideology had found expression in non-official moves, including campaigns against cow slaughter, "love jihad", conversion, etc. These campaigns, and the violence that accompanied them, including lynchings, had created a sentiment of vulnerability among minorities. The present move is qualitatively different because the state commits itself to the making of a majoritarian nation.

The Hindu nationalist movement never reconciled itself with this form of diversity. As early as 1950, the Praja Parishad, which represented the Dogra community (mostly made of Hindu landlords), and which was to represent the Bharatiya Jana Sangh in J&K after the party was formed in 1951, opposed Article 370. In 1952, it launched the agitation that the BJS president, S P Mookerjee, was to join in 1953 — during which he met a mysterious death. The RSS chief, M S Golwalkar, supported this Kashmir aandolan in the name of national integration.

His successor, Mohan Bhagwat, more than 60 years later, is thinking along the same lines. During his 2017 Vijaya Dashami speech, he said, referring to J&K: "Necessary constitutional amendments will have to be made and old provisions will have to be changed in that state. Only when the constitutional amendments are done can the residents of J&K be completely assimilated with the rest of Bharat and their equal cooperation and share will be possible in the national progress." This view of the nation calls to mind Mookerjee's trilogy during the Kashmir aandolan — "One country, one emblem and one Constitution"

— which had clear affinities with Savarkar's definition of Indian nationalism, "Hindustan, Hindi, Hindudom". One of the few BJP leaders who thought otherwise was A B Vajpayee, who believed in another trilogy, "Kashmiriyat, Jamhooriyat, Insiyaniyat".

For most Hindu nationalists, to give autonomy to Kashmiris prepared the ground for separatist demands, while Congress leaders, including Nehru and Patel, held that Article 370 would help contain separatism. For their liberal heirs, separatism developed because New Delhi betrayed its promises by not implementing Article 370 and by curtailing J&K's autonomy after 1954. The Hindu nationalists' views have been shared, gradually, by many sympathisers, including Jagmohan and Ajit Doval who once said about the Kashmiris: "Once you accepted... (that) they were different, you sowed the seeds of separatism".

For Hindu nationalists, cultural difference should not find any public expression and result in any official recognition: The identity of the nation has to be uniform and those who are different need to be assimilated. The integration process they long for is similar to those that European nation-states have pursued and which has generally implied coercion and violence — including recurring pogroms and forms of genocidal oppression, like in Vendée, a Catholic region of France which resisted the post-revolutionary regime from the late 18th century onwards. So far, India had opted for another model which, at least on paper, and therefore in the text of the Constitution, acknowledged and even valorised diversity — a model the late social scientist Ravinder Kumar called a "civilisation state".

For Hindu nationalists, cultural difference should not find any public expression and result in any official recognition: The identity of the nation has to be uniform and those who are different need to be assimilated. The integration process they long for is similar to those that European nation-states have pursued and which has generally implied coercion and violence — including recurring pogroms and forms of genocidal oppression, like in Vendée, a Catholic region of France which resisted the post-revolutionary regime from the late 18th century onwards.

The Sangh Parivar is more favourably inclined towards a unitary state, where differences will be erased. Federalism, which has been enshrined in the Indian Constitution for accommodating territorial diversity, is viewed with suspicion by Hindu nationalists who define Akhand Bharat as a "punya bhoomi", a sacred land harking back to the Vedic era. They see federalism as potentially conducive to separatism. In the mid-1950s, the RSS opposed the redrawing of the administrative map of India according to linguistic criteria. On January 26, 1956, the Republic Day issue of *Organiser* demanded "the abolition of autonomous linguistic states with their emphasis on regionalism and their danger-

ous potential for secession". One may argue that, on the contrary, the creation of linguistic states diffused centrifugal forces and that Nehru, who was against this reform to begin with, understood its *raison d'être*, as a real visionary, in contrast to Ayub Khan who, following in the footsteps of Jinnah and the One Unit Scheme, fostered Bengali separatism by over-centralising the Pakistani state.

The Hindutva forces may make the same mistake today. While Union Territories have been transformed into states, the Modi government is not only abolishing the special status of J&K, but it is demoting it by transforming its two successor states into Union Territories. This paradigmatic shift is well in tune with the centralisation of the Indian state initiated by the Modi government since 2014.

Since then, the Centre has asserted its prerogative at the expense of the states. The centrally sponsored schemes that Narendra Modi used to criticise when he was chief minister have gained momentum. The terms of reference of the Finance Commission, for the first time, mention that the criteria presiding over this distribution of funds will now include the states' "achievements in implementation of flagship schemes of government of India." Similarly, the GST is monitored by a Council where the states have only two-thirds of the voting rights. Since any decision can only be made in the GST Council if it gets 75 per cent of the votes, the law gives a veto power to New Delhi, which can prevail if it gets the support of only 19 states.

The two trends — obliteration of cultural differences and state centralisation — that are well illustrated by the way J&K has been dealt with, may impact policies vis-à-vis other states and other domains. For instance, Hindi may be promoted at the expense of linguistic diversity more decisively. Reforms promoted in the name of development and national unity are not easy to fight for the Opposition. Who's prepared to look "anti-national"? But the efficacy of these changes remains to be seen. In the long run, uniformity may prevail. But in the meantime, tensions will probably increase because of identity clashes.

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UNLOCK THE VALLEY

J&K Reorganisation Bill is now law. The hard labour of politics must begin — with restoring people's basic rights in the Valley

WITH PARLIAMENT APPROVING the revocation of the Constitution's provision of special status to Jammu & Kashmir, and division of the state into two Union Territories, the Narendra Modi regime has its task cut out in the Valley. The hard labour of politics must now begin. So far, it has appeared to duck that challenge, first by taking a momentous decision that redraws the map of Jammu and Kashmir without wider consultations and then by announcing it as a virtual fait accompli in Parliament after imposing a severe clampdown in the Valley, cutting off phones and the internet, placing political leaders, including two former chief ministers, under house arrest and declaring a curfew. Right through his speech in the Lok Sabha on Tuesday, Union Home Minister Amit Shah spoke of Article 370 as a historic blunder, creating a divide between Kashmir and the rest of India, benefiting a corrupt and entitled few and perpetuating deprivations for the majority. He spoke of their special status so far as a curse for the Kashmiri people, and of the Modi government's project as one of empowering them, delivering to them the rights that are available to their fellow citizens. On Monday, he told the Rajya Sabha, "I want to tell the youth of Kashmir Valley that have faith in the Narendra Modi government. Nothing negative will happen. All these (Opposition) people are telling you lies for their own politics. Don't listen to them". Whether they are convinced or comforted by Shah's words, however, is a question that can begin to be answered only when the people are allowed to come out of their homes, speak to each other, get their phone connections back.

As Day 2 of the restrictions segue into Day 3, the Centre must recognise that the need to engage the people of Kashmir is urgent and that that can ill afford to deepen the impression that it is imposing a decision that gravely impacts their lives, by force. It has demonstrated political support for its move, summoning the numbers not just in the Lok Sabha which it dominates, but also in the Upper House, where it still lacks a majority. It has caused cracks in the ranks of the Opposition, including within the Congress — more and more of its leaders are speaking in support of the Government's move. But there can be no room for triumphalism.

An ambitious political project such as the one in which the government apparently situates this decision on Kashmir demands arduous work. To win the trust of an alienated population kept in the dark needs an openness to all voices, including those of dissent. Security cannot be an alibi to muffle these voices. For starters, Omar Abdullah, Mehbooba Mufti and Sajjad Lone must be released, and access to communication and freedom of movement and expression in the Valley restored. That is the first step in the long way forward.

THE BATTLE CONTINUES

As China allows yuan to fall, US labels it a currency manipulator, lowering expectations of a resolution to the trade war

ON MONDAY, THE US formally labeled China a currency manipulator after Beijing allowed its currency to fall to an 11-year low — below the psychological mark of 7 per dollar. This comes after US president Donald Trump accused China of weakening its currency to create an unfair trade advantage. Though the decision to label China is largely symbolic — it will be followed up by consultations between the US Treasury and China — it marks an escalation in the ongoing trade war. These developments suggest a hardening of positions between the warring parties, belying expectations of a resolution.

To be labeled a currency manipulator, a country is measured, and seen to have failed, on three parameters — its current account surplus, trade surplus with the US, and interventions in the currency market. Despite the US Treasury's charge against China, the allegation of currency manipulation today is weak at best. As economists at the Peterson Institute For International Economics have pointed out: "China was by far the largest currency manipulator between 2003-12. It reversed that practice in 2015-16." In fact, in its External Sector Report released last month, even the International Monetary Fund noted that China's external assessment is moving from "moderately stronger to broadly in line". But though China has said that the "devaluation reflects pressure on the exchange rate stemming from the US decision" and that it has "refused to engage in competitive devaluation", other countries which compete with China might follow suit — weakening their currencies in order to maintain their competitiveness — triggering off a currency war.

In India, too, some have argued in favour of a weak currency — going by the RBI's real effective exchange rate (REER), the currency is overvalued. But at the current juncture it may be prudent to avoid getting caught in these wars. Instead, the focus should be on addressing the deeper structural issues that affect export competitiveness. Resolving issues regarding taxation and tax administration, reducing policy uncertainty, carrying out reforms to boost exports, especially of labour intensive sectors, and creating conditions for greater integration with global supply chains, should be the pressing concern of the government.

CITY STORIES

Delhi's oral history project will enable a richer representation of the city than allowed by official records, written documents

INDIA'S RICH HISTORIOGRAPHY comes up short when it comes to events after Independence. There are, of course, academic studies on landmark social, economic and political developments and our understanding of several episodes in the country after 1947 has been enriched by memoirs and chronicles. But the contemporary Indian history section of most libraries have few works that bear the imprint of the historian's craft. Much of the problem, historians argue, owes to the colonial-era Official Secrets Act, which keeps away a large number of documents from scholarly scrutiny. But history writing is not just about official records. It's also about people's lives — their reaction to momentous events, their family recipes, how they carry out their businesses or compose poetry, music and songs. On Tuesday, the Delhi government gave an impetus to such history writing by launching a programme that will collect more than 100 interviews, which will bring alive the changing nature of the capital city over seven decades.

The Delhi government's Oral History Programme, in partnership with Ambedkar University, actually revives a three-decade old project of the Delhi Archives. In the 1980s, the official repository of the city's records began an oral history programme that interviewed eminent personalities, including Gulzarilal Nanda, who served as the acting prime minister of the country twice, and Sushila Nayyar, a close aide of Mahatma Gandhi. But the project was stopped after 56 eminent people were interviewed. This time the ambit of the archives will be expanded to include ordinary people. This digitised repository of their lived experiences will help us gain insight into the relationship of people with their city.

Delhi is much more than the country's capital. It's the site of interesting experiments in entrepreneurship, pedagogy, gastronomy and architecture, a melting pot of cultures as well as a battleground for conflicts. Written works can capture only a fraction of these facets. The oral history project could be the harbinger of a richer representation of the city. Of course, those scanning these archives will have to remember that adage of oral history: People only choose to tell some stories, not all.



RITU MENON

I GOT UP this morning with the inexplicable apprehension that I had woken up in another country — unfamiliar, and somehow hostile. It was accompanied by a profoundly unsettling feeling of un-belonging, of being cast adrift. The country I was born in, in 1948, was a country torn asunder, but growing up in it I felt — even when very young, very immature — a sense of its difference from other countries. Was it that its own sense of its tryst with destiny spread to us through osmosis, or did we actually think that we had something unique to offer the world? An experiment that was bold and unattempted so far, an exercise in democracy and nation-building that was grounded in and built on principles that, politically speaking, were certainly new — non-violent co-existence, non-alignment, non-sectarian, non-communal, egalitarian, plural — in a semi-feudal society. That there was something we were aspiring to that was untested, but that it was a challenge we were equal to.

As a family, we had a particular connect with Kashmir. My maternal grandfather in Lahore was forest contractor to the sadr-i-riyasat, and spent long spells in the state. My mother and aunts spent every summer in Pahalgam or Gulmarg, as Kashmir and Murree were the favoured hill stations for pre-Partition Punjab. My parents, siblings, and I

UN-BELONGING

This India is unrecognisable from the one I grew up in

did the same, post-Partition till I left university. My father, a pilot, had helped evacuate several families into and out of the Valley in those terrible days of 1947 and 1948, and the waiters at Harry Nedou's hotel in Srinagar, where we stayed, never allowed him to forget what they owed him.

We are a Partition family and, like millions of others, our family history was prefixed and suffixed by "before-Partition" and "after-Partition". My grandmother walked out of her house in Lahore, carrying only one change of clothes and some cash and jewellery. She left the house keys with a neighbour, saying "I'll be back soon". She never returned. And never felt the country she was living in now, was home. Unsettled, was how she put it.

My parents, siblings, and I did the same, post-Partition till I left university. My father, a pilot, had helped evacuate several families into and out of the Valley in those terrible days of 1947 and 1948, and the waiters at Harry Nedou's hotel in Srinagar, where we stayed, never allowed him to forget what they owed him.

Much later, I spent 10 years trying to understand Partition, not how and why it happened, but how it played out in people's lives. What was nation? Country? Who belonged, who didn't? How did people define themselves? How do we? Which identity did we, and do we, claim? An aunt who had married a Muslim, pre-Partition, opted to live in Pakistan; she changed her name, but when she was asked whether she was Indian or Pakistani, she replied, "Either, neither, or both".

In Kashmir in 1974, we were taken aback when a couple of shopkeepers asked if we

were "from India". But then, people from the Northeast have been treated like outsiders for decades, so we shouldn't have felt discomfited by the question. On the other hand, in Jammu in 1992, we met many Sikh families who had migrated from Muzaffarabad in PoK in 1947, who told us that they visited Muzaffarabad frequently, and felt very much at home.

The country I woke up to this morning is unrecognisable as the one I was born in. It has such a diminished sense of itself that it has set the meanest limits to decide who belongs and who doesn't. Ill at ease with a capacious and confident embracing of difference, it demands compliance with cast-iron definitions of self and other. Fuelled by testosterone, it has flexed its muscles against someone less than half its size, adopting the shameful tactics of the bully. But it should know that you cannot bludgeon anyone into a sense of belonging.

I understand now why my grandmother felt she didn't quite belong — all the constants she had lived by had been dismantled, and her sense of who and where she was, had been wrenched out of recognition. I had much the same feeling when I woke up this morning. What a tragedy it would be if the country I will die in, were to become the kind of country I may not want to be born in.

The writer is with Women Unlimited, Delhi



AUGUST 7, 1979, FORTY YEARS AGO

CURB RSS SHAKHAS
DEPUTY PRIME MINISTER Y B Chavan said in Delhi that he would be suggesting to the state governments that they should ban the holding of RSS "shakhas" (drills) in public places. Some states like Uttar Pradesh and Kerala had already prohibited these "shakhas" as these created apprehensions among minorities. Chavan said other states should also fall in line with UP and Kerala. Chavan, however, made it clear that the new government is not thinking in terms of clamping a ban on the RSS or other organisations like the Jamaat-e-Islami. He said banning such organisations would be counter-productive. "Banning the RSS or the

Jamaat-e-Islami is not on my agenda. I believe in isolating them and exposing their communal ideology."

NORMALCY IN KABUL
LIFE IN KABUL, the Afghan capital, returned to almost normal after loyal troops crushed an apparent rebellion in a city garrison, according to information reaching the Pakistani border city of Peshawar. But the Bala Hissar fort area, which was the scene of fierce fighting, continued to be sealed off by troops and tanks. Markets opened as usual this morning after the night-long curfew imposed after the fighting. A Pakistan-government spokesman dismissed as "absolutely false

and baseless" the Afghan government's accusation that "Iranian and Pakistani infiltrators" and their local agents and "reactionaries and counterrevolutionaries" were behind the fighting.

NEW VP
M HIDAYATULLAH, FORMER chief justice of the Supreme Court, will be the new Vice-President of India. His election to the office, unopposed, will be declared tomorrow as only his nomination paper out of the nominations filed by 11 candidates, fulfilled the requirements under the law. The scrutiny of nomination papers of all candidates would be done at 11 am tomorrow.

WHAT THE OTHERS SAY

"The special status Kashmir enjoyed since 1954 was basically a measure that guarded against any attempt at changing demography... Its abolition could mean an invasion of the Valley sponsored by the BJP." —DAWN

The state has its reasons

A soft solution to the Kashmir dispute has had no takers in India and Pakistan since 2014. The changing global environment may have influenced New Delhi to opt for a hard solution



SANJAYA BARU

FOR OVER SEVEN decades, the status of the state of Jammu and Kashmir has been masked in ambiguity and deceit. Successive governments of both India and Pakistan had tried but failed to arrive at an amicable "final solution" because of the play of vested interests on both sides. These attempts over time shaped two potential routes to a resolution. One may be termed the "hard" option and the other the "soft" option. Pakistan tried the hard option of occupying territory as early as in 1947, when it sent troops into the erstwhile kingdom of Jammu and Kashmir and grabbed territory. It tried the hard option a second time, but failed, in 1998 when it crossed the Line of Control (LoC) at Kargil.

It was only after these attempts at a military solution on the part of Pakistan failed that the two countries began considering the "soft" options. Prime Minister Atal Bihari Vajpayee took the first step in defining a final "soft" solution when he gave currency to the idea that the LoC could be defined as the "international border" (IB). Picking up the baton, Prime Minister Manmohan Singh pursued that option through the longest uninterrupted dialogue with a Pakistani head of state. The dialogue with President Pervez Musharraf conducted largely through a back channel yielded an outcome that came to define the "soft option". Singh's aide diplomat Satinder K Lambah offered a glimpse of that option in a lecture delivered in Srinagar on May 14, 2014, at the tail end of Singh's tenure.

The Manmohan-Musharraf formula was based on the premise that terrorism and cross-border attacks would cease, and the LoC would become the IB. In Kashmir, it would be a soft border that would enable Kashmiris on both sides to travel to and fro. It advocated free trade across the border, and "self-governance for internal management in all areas on the same basis on both sides of the LoC". Once such a benign environment was established, both sides would reduce to the bare minimum the presence of their respective militaries on their side of the border.

All those ideas belong to a distant past. First, Musharraf in Pakistan and then Singh in India lost whatever little support they may have had at home to pursue this "soft" solution. The Mumbai terror attack in November 2008 and the reaction at home to the joint statement that Singh penned along with his Pakistani counterpart Yousuf Raza Gillani at Sharm El Sheikh in July 2009, queered the pitch for the burial of the soft solution. It was, however, Pakistan's military and headline political leadership that fired the first salvo against the soft solution. In India, the BJP followed suit by rejecting the Manmohan-Musharraf formula.

Since 2014, there have been no takers for the soft solution both in India and Pakistan. On the contrary, attitudes began to harden on both sides. Consequences followed. Relations worsened. In a bizarre display of competitive immaturity, Imran Khan and Donald Trump brought up the issue of Kashmir in a manner that seemed com-



CR Sasikumar

pletely oblivious to the new reality of a "New India". The BJP has had a consistent stand on the future of Jammu and Kashmir and after its massive victory in May 2019, its views ought to have been taken seriously.

More to the point, no credible political leader in Pakistan or India seems interested any longer in turning the clock back to pursue the now abandoned soft solution. Faced with the prospect of a renewal of bonhomie between Rawalpindi and the Pentagon, the Pakistani political and military elite have sought to up the ante with sharpened rhetoric on Kashmir. The BJP leadership, buoyed by a landmark victory, was in no mood to indulge their pretence. As one perceptive BJP politician put it to me, India tried all options to resolve the Kashmir issue but nothing yielded a convincing result. The bull had to be taken by its horns and this was an opportune moment.

Critics of the government's action have said it was motivated by a desire to secure land rather than its inhabitants. Every state has to be as mindful of its territory as of its inhabitants. More wars have been fought between nations over land than only over the interests of its peoples. Even Abraham Lincoln did not wage a civil war only to define the rights of US citizens but to also define the territorial limits of the US state. A state that cannot define its borders and protect them has no reason to survive. Forget distant history, in the post-War

While the BJP may have had its own political reasons to take the steps it took this week, the Indian state too has its reasons. Having exhausted soft options, a hard solution has been opted for. It is significant that most political parties, including many senior leaders of the Congress, have backed the government's action. They are not necessarily defending the government but are defending the interests of the Indian state.

period we have seen states appear and disappear, acquire and lose territory. There are still those who imagine the Indian state will not be able to keep and defend all of the territory it possesses. Books have been written on the eventual balkanisation of India.

While the BJP may have had its own political reasons to take the steps it took this week, the Indian state too has its reasons. Having exhausted soft options, a hard solution has been opted for. It is significant that most political parties, including many senior leaders of the Congress, have backed the government's action. They are not necessarily defending the government but are defending the interests of the Indian state.

It is said India is an ancient civilisation but a new nation. The Republic of India has had all the anxieties of an adolescent nation. It has tried both soft and hard solutions to define its borders. The only remaining unresolved issues are with Pakistan and China. With China a negotiated settlement is still possible since its leadership has demonstrated greater maturity in dealing with India. Pakistan too could have secured a peaceful resolution by ceasing to make India more anxious about its security. In choosing not to do so it opened the door to BJP's hard solution.

The writer is distinguished fellow, Institute of Defence Studies & Analysis, New Delhi

Equality at last

Triple Talaq Bill passage is a transformative point in India's socio-political context



RAVI SHANKAR PRASAD

FINALLY PARLIAMENT HAS passed the Triple Talaq Bill after three attempts. The kind of jubilation it has caused across the country, barring conservative elements, indicates how it is a proud moment for India. Our country is transforming and the women of India feel empowered.

Triple talaq has never been sanctioned even in Islamic scriptures. During the debate in Parliament, I quoted a very authoritative book on Islamic laws from an eminent jurist, Amir Ali, wherein Prophet Mohammed (PBUH) has been quoted as disapproving of it in the strongest possible terms, and, forcing one of his disciples who had given triple talaq to his wife to accept her again. Despite disapproval from the highest quarters in Islam, and the fact that many Muslim countries following sharia laws also chose to reform it one way or another — including making it penal in many cases — it took more than 70 years in India to not only delegitimise this curse, but also provide for penal consequences. Regrettably, this shows the hold the communal and conservative elements continue to exercise over the country's polity.

However, the India of 2019 is different. India is now being led by Prime Minister Narendra Modi, who even in his first term had firmly declared that this tradition needs to be abolished. Today, I need to salute great women like Shayara Bano and Ishrat Jahan and many others who went to the Supreme Court in 2013 challenging this pernicious practice. When the NDA government came to power in 2014, the prime minister boldly directed me to stand firmly with these women and support their cause. After the Supreme Court judgment set aside triple talaq, many of us had thought that now this practice will come to an end. However, it continued unabated, even on the filmsiest of grounds. I had shared before Parliament a large number of cases that we could gather from the media and other reports, where it was revealed how helpless women (75 per cent of the victims are poor) were driven out by uttering "talaq-talaq-talaq", irrevocably annulling the marriage. When we framed the law we took on board some of the legitimate concerns, namely: The FIR must be filed by the victim/wife or her relations, by blood or marriage, to prevent abuse, and, it must be compoundable. The provision of bail was specifically added, but after hearing the wife. Besides, there are provisions for subsistence allowance and custody of minor children to the wife. It was a very simple and straight legal framework, and yet, the

Congress took a very regressive stand that it should not be made penal at all. Therefore, while formally opposing triple talaq Bill, the Congress was insisting upon a law whereby this curse could go unabated for want of any deterrence.

I must acknowledge that the Congress has played a very significant role in many of the transformative social legislations. The Hindu Marriage Act was enacted in 1955 wherein bigamy (wife or husband marrying during the currency of their spouse) can be punishable upto seven years, and a marriage below the age of 21 (husband) and 18 (wife) was punishable upto two years of imprisonment. The Dowry Prohibition Act was enacted in 1961 and it is religion neutral. In 1983, the Congress government added section 498A in the Indian Penal Code, which provided for punishment for subjecting the wife to cruelty. This was also religion neutral. All these provisions were non-bailable — the Dowry Prohibition Act was made non-bailable and non-compoundable in November, 1986. Surprisingly, despite such a satisfactory track record in correcting social wrongs, the Congress government meekly submitted — in spite of a 400-plus majority in 1986 — to undo a SC judgment giving few hundred rupees of maintenance to Shah Bano. The Congress still remains under the Shah Bano mindset in 2019.

Gender justice has been at the core of the governance priorities of the Modi government. Initiatives like Beti Bachao-Beti Padhao and Sukanya Samridhi Yojana, for instance, have created a sense of empowerment for Indian women. I can understand some of the regional parties for their own compulsions seeking to oppose it. But, for a party like Congress to repeat the Shah Bano model of 1986 in 2019, when the world has changed so much, shows the vice-like grip that the conservative and regressive elements of the Muslim society has over it.

Where are the liberals of India? These self-proclaimed guardians of the country's values who keep on articulating motivated grievances against the Modi government from time to time, just because they do not like him, have chosen not to speak a word on the plight of the many victims of triple talaq. Their hypocrisy stands exposed.

The India of 2019, under PM Modi, is set on a path of reform. The mantra of reform, perform and transform is not only for governance or economy, it extends even to the reforming of society without discrimination or without any reference to vote bank politics. It is this courage and firmness which has brought the Modi government to power again with a bigger majority. While I applaud the leadership of PM Modi who stood firmly behind the victims of triple talaq, it is a matter of personal satisfaction for me that as the law minister, I actively participated in this truly transformative moment for India.

The writer is Union Minister for Law & Justice, Communications, Electronics and IT

LETTERS TO THE EDITOR

NEW REALITIES

THIS REFERS TO the editorial, 'Rupture in history, stitching a future' (IE, August 6). The government's proposals on the Kashmir issue have two parts: The first is to bring necessary legal and constitutional changes and the second is to implement the changes on the ground both in letter and spirit. The first part of the solution seems easier. The political mainstream in the Valley will find it difficult to legitimise itself among the politically conscious masses, hence the national leadership across party lines will have to step in to instill confidence among the people. A new leadership has to come up from among the people of Jammu and Kashmir that accepts the new political reality and see this as an opportunity to forward the genuine aspirations of the people.

Sudip Kumar Dey, Kolkata

THIS REFERS TO the editorial, 'Rupture in history, stitching a future' (IE, August 6). The arrest of two former chief ministers and the subsequent scrapping of Article 370 is a violation of democratic norms. The administration has put the entire state under siege and muzzled the voices of mainstream political parties. The local people were not consulted before this landmark decision.

Anish Esteves, Mumbai

THIS REFERS TO the editorial, 'Rupture in history, stitching a future' (IE, August 6). The government needs to be complimented for practicing what it preached. Articles 370 and 35 A are not to be all and end all for Jammu and Kashmir. The advocates of these articles should explain how they had helped the common man of the state. Jammu and Kashmir is socially and psychologically excluded from the mainstream and is a hotbed for terrorism.

Deepak Singhal, Noida

LETTER OF THE WEEK AWARD

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

THE WINNER RECEIVES SELECT EXPRESS PUBLICATIONS

A STITCH IN TIME

THIS REFERS TO the article, 'In the shade of solar trees' (IE, August 5). Installing solar panels will require big investments. The government should trust the business community. The project should be started in time to double farmers' income by 2022.

Akshata Anil, Jaipur

BREACH OF TRUST

THIS REFERS TO the article, 'We are just the beginning' (IE, August 6). The writer has expressed his apprehensions over the undoing of the republic's constitutional values. These were the foundation of the Union's compact with Kashmir. The breach of trust that the Centre's recent actions have caused will leave an indelible mark.

Ritwik Trivedi, Delhi



VIKRAM PATEL

Judgement day

Mental illness often stems from early-life trauma. It's happening in Kashmir

WHEN WE THINK of childhood adversity, we imagine the kind of truly horrible stuff which happened to the character of Bobby in the film *Judgementall Hai Kya*. While I found the film somewhat cringe-worthy, I thought there was at least one figment of a fact which was credible. The protagonist's mental illness was seeded by the trauma she had experienced in her childhood, her violent father and his extreme jealousy, her parents' marital strife and, ultimately, her tragic death. Indeed, adversities in childhood are the most important predictor of our mental health, not only in childhood but throughout our lives.

The most memorable line in William Wordsworth's *The Rainbow*, that the "child is the father of man", is a prescient reminder that each of us is the product of our childhood experiences. This was also the inference that Sigmund Freud made when he claimed, based on his assessments of patients with mental health problems, that the experiences in our childhood profoundly influenced our adult well-being. This scientific observation is — at par with Isaac Newton inferring gravity when the apple bounced on his head — amongst the most important in history. But Freud was wrong about actually how childhood adversity leads to mental health problems. This association is not, as he surmised, because of the monsters lurking in our unconscious but, as neuroscience is now showing us, because the brain is immensely malleable in response to the social

environment in the first two decades of life.

But childhood adversity isn't only about the kind of awful and terrifying experiences that marked Bobby's descent into mental illness. Unremitting fear is the most damaging of all emotional experiences. A vast body of science provides compelling proof of how fear seeps into the deepest recesses of the human brain and leads to profound disturbances in our mental health and, ultimately, in the way we respond to our environments. Its poisonous influence is greatest during childhood; indeed, scientists use the term "toxic stress" to describe the experience of strong, frequent, or prolonged fear on children's emotional development. What makes such stress particularly toxic is that its effects show up not only in the form of disturbed mental health in childhood but also through the full gamut of disturbed mental health in adulthood, including paranoia, self-harm, depression, addiction and aggression.

Perhaps we might take a moment, then, to consider how this science might apply to our fellow citizens who live in the beautiful, if benighted, region of Kashmir. Amidst the growing fear and uncertainty in Kashmir in recent days leading to an exodus of tourists and pilgrims and an influx of paramilitary forces, one particular group of the residents of the region deserve our special attention. A paper by Mohammad Altaf Paul and Waheeda Khan, published in the current issue of the journal *Community Mental Health* should alert us to their needs. They describe

the results of a survey assessing the mental health of a thousand children from 12 schools in Shopian district. They report an astonishing finding: One out of every three of these children had a clinically diagnosable mental disorder, most commonly in the form of mood, anxiety or behavioural disorders. And this study was conducted before the current troubles. Even as all those who have homes somewhere else flee Kashmir, spare a thought for the children who are trapped there, with nowhere to go.

Now, try a thought experiment to illustrate how being caught in a never-ending grindingly oppressive situation might make you feel. Imagine you are 10 years old. You are living in an environment suffused with constant fear of being hurt or humiliated, where the very guardians of your security are threatening and dangerous, and where your parents, who you always looked up to protect you from the worst, are despondent and hopeless. There is no escaping this pressure-cooker, day after day, month after month, year upon year. Imagine what this enduring fear, uncertainty and despair would do to you. Science teaches us that these are exactly the right ingredients to ferment a potent brew of hate, anger and violence in our minds.

Those of us who believe that the youth of Kashmir who line the streets pelting stones or who pursue martyrdom through terror attacks are simply misguided and falling prey to the propaganda of the enemies of India

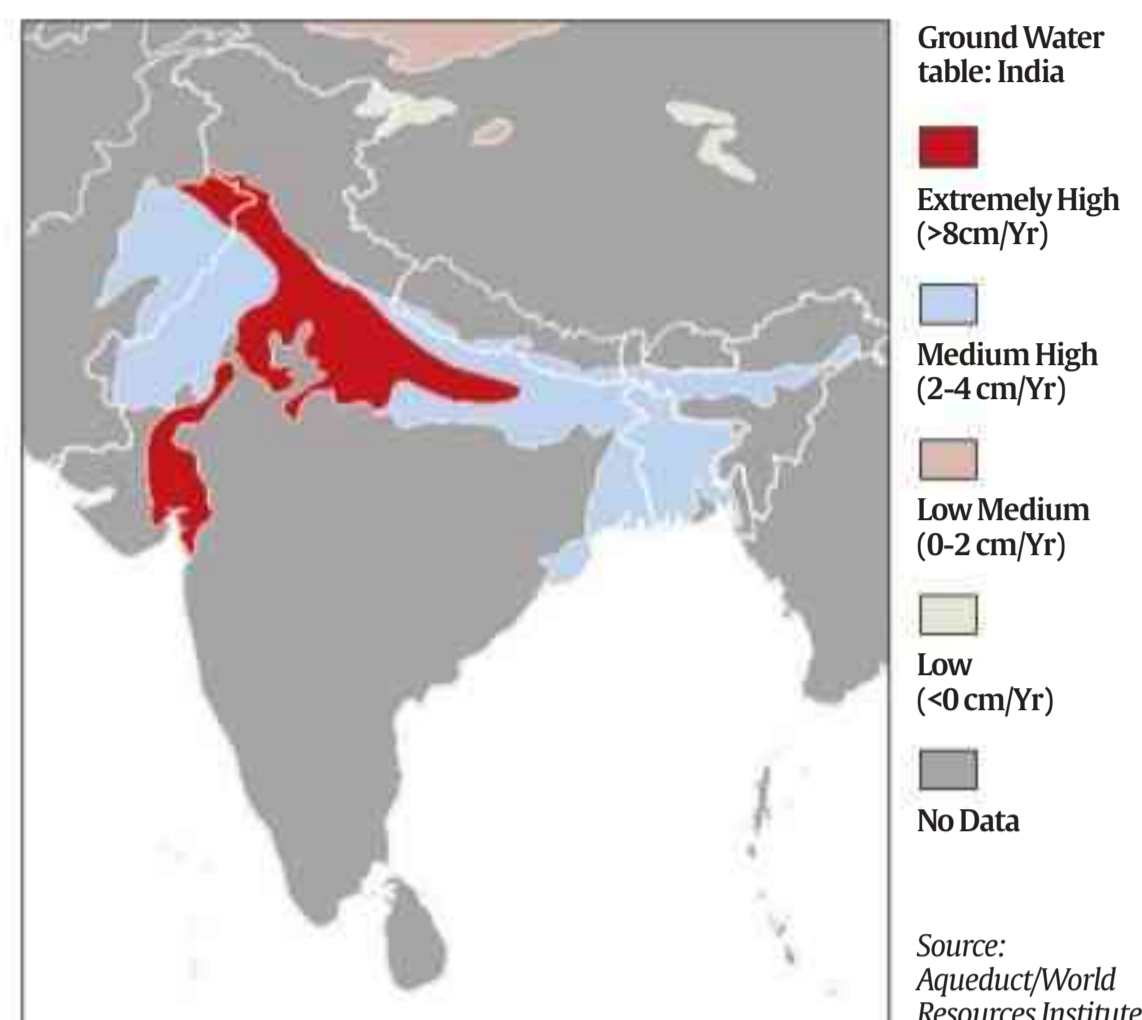
should pause to think about the impact of the toxic environment in Kashmir on the mental health of her children. This mental health crisis, spawned by unrelenting fear of something terrible about to happen, stirred up with the daily stress of being humiliated, trapped and isolated by stringent security policies, will haunt the region for years. Security is, of course, of paramount importance, not least to the people of Kashmir. But security which suffocates minds through fear and uncertainty is worse than a horror, or just plain horrible, movie. At least you know the latter is fiction, one which will end at a definite time and, moreover, one you can walk out of.

We remember youth as the one period in which we were inspired by hope for our own future, and for our community. As a miasma of fear descends upon Kashmir, imagine the impact this would have on the minds of children and young people already damaged by two decades of conflict. This is no Bollywood film screening. The impact should already be plainly visible to the billion plus viewers in the rest of the country, but its pain and suffering will continue to fester, hidden until it ultimately explodes one day, in the minds of Kashmir's children. It will surely continue to breed more anger and violence. And, in the end, it will make any chance of winning their hearts and minds even more remote.

Patel is Pershing Square Professor of Global Health at Harvard Medical School

TELLING NUMBERS

1/4 of world's population faces huge water stress, bulk in India



ONE-QUARTER of the world's population faces "extremely high" levels of baseline water stress, which means that irrigated agriculture, industries, and municipalities withdraw more than 80% of their available supply on average every year, new data from the World Resources Institute (WRI) show. India is 13th among these 17 countries. India has more than three times the population of the other 16 extremely highly stressed countries combined, the WRI noted. This implies that more than three-quarters of these populations facing extremely high water stress live in India. India's water challenges extend beyond Chennai, which was recently reported to have "run out of water". The WRI noted that last year, NITI Aayog declared that the country is "suffering from the worst water crisis in its history, and millions of lives and livelihoods are under threat". In addition to rivers, lakes and streams, India's groundwater resources are severely overdrawn, largely to provide water for irrigation. Groundwater tables in some northern aquifers declined at a rate of more than 8 cm per year between 1990 and 2014. The WRI took note of steps India has taken to mitigate water stress, including setting up the Jal Shakti Ministry. Other solutions India could pursue, the WRI suggested, include more efficient irrigation; conserving and restoring lakes, floodplains, and groundwater recharge areas; and collecting and storing rainwater. Globally, water withdrawals have more than doubled since the 1960s due to growing demand. Apart from the 17 countries facing withdrawals of 80% or more from available supply, 44 countries (home to one-third of the world) face "high" levels of stress, where on average more than 40% of available supply is withdrawn every year. Twelve out of the 17 most water-stressed countries are in the Middle East and North Africa. The region is hot

EXTREMELY HIGH WATER STRESS

Rank	Country	Score
1	Qatar	4.97
2	Israel	4.82
3	Lebanon	4.82
4	Iran	4.57
5	Jordan	4.56
6	Libya	4.55
7	Kuwait	4.43
8	Saudi Arabia	4.35
9	Eritrea	4.33
10	UAE	4.26
11	San Marino	4.14
12	Bahrain	4.13
13	India	4.12
14	Pakistan	4.05
15	Turkmenistan	4.04
16	Oman	4.04
17	Botswana	4.02

Source: Aqeduct/World Resources Institute

and dry, so water supply is low to begin with, but growing demands have pushed countries further into extreme stress. The WRI said climate change is set to complicate matters further: The World Bank found that this region has the greatest expected economic losses from climate-related water scarcity, estimated at 6%-14% of GDP by 2050. Even in countries with low overall water stress, communities may still be experiencing extremely stressed conditions. The WRI cited the examples of South Africa and the United States, which rank 48 and 71 on the list, respectively, yet the Western Cape (SA) and New Mexico (US) experience extremely high stress levels. The Aqeduct tool used by the WRI ranks countries on the basis of "water risk scores", which are determined using 13 indicators of water risk.

SIMPLY PUT

J&K Assembly: like, unlike Delhi

J&K will be the third Union Territory after Delhi and Puducherry to have an elected Assembly. How does its govt's powers, as described in the Reorganisation Bill passed by Parliament, compare with Delhi's?

KAUNAIN SHERIFF M
NEW DELHI, AUGUST 6

THE JAMMU and Kashmir Reorganisation Bill, 2019, just passed by Parliament, paves the way for formation of the Union Territory of J&K. It will join two other Union Territories — National Capital Territory of Delhi and Puducherry — which, through Article 239 A of the Constitution, have a Legislative Assembly to enact laws on certain subjects and a Council of Ministers headed by a Chief Minister to aid and advise the Lieutenant-Governor on subjects related to such legislation. For subjects outside the purview of the Assembly, the Lieutenant-Governor does not need the aid and advice of the Chief Minister.

Some key subjects where the model proposed for Jammu & Kashmir is similar to that of Delhi, and where there are variations between the two:

Extent of legislative power

Section 13 of the Bill states that the provisions contained in Article 239 A of the Constitution that are applicable to Union Territory of Puducherry shall also apply to the Union Territory of Jammu and Kashmir. The UT Assembly has the power to enact laws on matters under the State List and the Concurrent List, barring subjects that are exclusively under the ambit of the Union Government.

The Seventh Schedule has 61 subjects in the State List — law & order, health, land, local government etc — and 52 in the Concurrent List such as forests, wildlife protection, social security, employment, etc.

In the J&K Bill, Section 32 proposes that the Assembly can make laws on any subjects in the State and Concurrent lists except on state subjects relating to "public order" and "police". Therefore, all laws on these two subjects will be directly under the Centre. This is the case in Delhi, too.

In Delhi, by insertion of Article 239AA and by virtue of the Sixty-ninth Constitutional

WHO LEGISLATES ON WHAT



Jammu & Kashmir Legislative Assembly in Srinagar

LAND	ANTI-CORRUPTION BUREAU	SERVICES
Delhi: Under Centre J&K Bill: Land rights, land tenures, land improvement and transfer of agricultural land under ambit of Legislative Assembly	Delhi: Under Lieutenant-Governor, as per a Supreme Court ruling J&K Bill: Explicitly places ACB under L-G	Delhi: Matter referred to 3-judge SC Bench J&K Bill: Mentions a "competent authority" that can alter the posting of officers with J&K government

Amendment passed by Parliament, the Assembly cannot legislate on matters in entry 18 of the State List, which is land. In J&K, the Assembly can do so.

Anti-Corruption Bureau

Control of the ACB, which has the power to register FIRs on corruption cases and make arrests, was a contentious issue between Delhi's AAP government and the Centre. In February this year, a two-judge Supreme Court Bench held that the ACB will be under control of the L-G and the Delhi government has no police powers.

For the proposed UT of Jammu & Kashmir, the Bill is very clear. Section 53(2)(iii) states that the Lieutenant Governor shall, in the exercise of his functions, act in

his discretion, in matters related to "All India Services and Anti-Corruption Bureau". Therefore, all appointments and other administrative matters related to the ACB will be directly under the Lieutenant-Governor.

Services

In Delhi, another bone of contention has been services. A Bench of Justices A K Sikri and Ashok Bhushan differed on the issue of transfer of officers posted in Delhi, and referred the matter to a three-judge Bench.

For J&K, Part XIII and Section 88(4) of the Bill make it clear that the Lieutenant-Governor will have discretionary powers relating to composition, strength and allocation of officers of the Indian Administrative Service, Indian Police Service and Indian

Forest Service. Section 92 deals with provisions relating to "other services". It states: "Every person who, immediately before the appointed day, is holding or discharging the duties of any post or office in connection with the affairs of the existing State of Jammu and Kashmir in any area which on that day falls within one of the successor Union Territory, shall continue to hold the same post or office in that successor Union Territory, and shall be deemed, on and from that day, to have been duly appointed to the post or office by the Government of, or other appropriate authority in, that successor Union Territory." It adds: "Provided that nothing in this section shall be deemed to prevent a competent authority, on and from the appointed day, from passing in relation to such person any order affecting the continuance in such post or office."

The "competent authority" mentioned, therefore, can alter the posting of an officer currently employed with the Jammu & Kashmir government. However, as in Delhi, it is unclear whether the transfer of officers will be under the exclusive domain of the Lieutenant-Governor.

Other matters

Section 55 of the J&K Bill states that the Lieutenant-Governor shall make rules on the advice of the Council of Ministers for the allocation of business to the ministers, for the more convenient transaction of business with the ministers including the procedure to be adopted in case of a difference of opinion between the Lieutenant Governor and the Council of Ministers or a minister. The same rule applies to NCT of Delhi.

Section 36(3) states that if a Bill which, if enacted and brought into operation, would involve "expenditure from the Consolidated Fund of Union Territory", it shall not be passed by the Legislative Assembly of the Union Territory "unless the Lieutenant Governor has recommended to the Assembly, the consideration of the Bill". The same rule applies to NCT of Delhi.

THIS WORD MEANS: ARTICLE 371

What is Article 371, what does it say?

EXPRESS NEWS SERVICE
NEW DELHI, AUGUST 6

HOME MINISTER Amit Shah told Lok Sabha Tuesday that the government had no intention of removing Article 371 of the Constitution, which includes "special provisions" for 11 states, including six states of the Northeast.

His assurance came after Congress leaders expressed apprehension that having rendered Article 370 irrelevant, the government might unilaterally move to abrogate or modify Article 371.

Articles 369 through 392 (including some that have been removed) appear in Part XXI of the Constitution, titled 'Temporary, Transitional and Special Provisions'. Article 370 deals with 'Temporary Provisions with respect to the State of Jammu and Kashmir'; Articles 371, 371A, 371B, 371C, 371D, 371E, 371F, 371G, 371H, and 371I define special provisions with regard to another state (or states).

Article 371I deals with Goa, but it does not include any provision that can be deemed 'special'.

Articles 370 and 371 were part of the Constitution at the time of its commencement on January 26, 1950; Articles 371A through

371J were incorporated subsequently.

Article 371, Maharashtra and Gujarat: Governor has "special responsibility" to establish "separate development boards" for "Vidarbha, Marathwada, and the rest of Maharashtra", and Saurashtra and Kutch in Gujarat; ensure "equitable allocation of funds for developmental expenditure over the said areas", and "equitable arrangement providing adequate facilities for technical education and vocational training, and adequate opportunities for employment" under the state government.

Article 371A (13th Amendment Act, 1962), Nagaland: This provision was inserted after a 16-point agreement between the Centre and the Naga People's Convention in 1960, which led to the creation of Nagaland in 1963. Parliament cannot legislate in matters of Naga religion or social practices, Naga customary law and procedure, administration of civil and criminal justice involving decisions according to Naga customary law, and ownership and transfer of land without concurrence of the state Assembly.

Article 371B (22nd Amendment Act, 1969), Assam: The President may provide for the constitution and functions of a committee of the Assembly consisting of members elected from the state's tribal areas.

Article 371C (27th Amendment Act, 1971), Manipur: The President may provide for the constitution of a committee of elected members from the Hill areas in the Assembly, and entrust "special responsibility" to the Governor to ensure its proper functioning.

Article 371D (32nd Amendment Act, 1973; substituted by The Andhra Pradesh Reorganisation Act, 2014), Andhra Pradesh and Telangana: President must ensure "equitable opportunities and facilities" in "public employment and education to people from different parts of the state". He may require the state government to organise "any class or classes of posts in a civil service of, or any class or classes of civil posts under, the State into different local cadres for different parts of the State". He has similar powers vis-à-vis admissions in educational institutions.

Article 371E: Allows for the establishment of a university in Andhra Pradesh by a law of Parliament. But this is not a "special provision" in the sense of the others in this part.

Article 371F (36th Amendment Act, 1975), Sikkim: The members of the Legislative Assembly of Sikkim shall elect the representative of Sikkim in the House of the People. To protect the rights and interests of various sections of the population of Sikkim,

Parliament may provide for the number of seats in the Assembly, which may be filled only by candidates from those sections.

Article 371G (53rd Amendment Act, 1986), Mizoram: Parliament cannot make laws on "religious or social practices of the Mizos, Mizo customary law and procedure, administration of civil and criminal justice involving decisions according to Mizo customary law, ownership and transfer of land... unless the Assembly... so decides".

Article 371H (55th Amendment Act, 1986), Arunachal Pradesh: The Governor has a special responsibility with regard to law and order, and "he shall, after consulting the Council of Ministers, exercise his individual judgment as to the action to be taken".

Article 371J (98th Amendment Act, 2012), Karnataka: There is a provision for a separate development board for the Hyderabad-Karnataka region. There shall be "equitable allocation of funds for developmental expenditure over the said region", and "equitable opportunities and facilities" for people of this region in government jobs and education. A proportion of seats in educational institutions and state government jobs in Hyderabad-Karnataka can be reserved for individuals from that region.

US says China manipulates yuan. What does that mean, how is it done?

UDIT MISRA
NEW DELHI, AUGUST 6

ON MONDAY, the US Treasury Department declared that China is a currency manipulator. The move came after the People's Bank of China (PBOC), the central bank of China, allowed the yuan to suddenly depreciate (or lose value) relative to the dollar by 1.9 per cent — one of the biggest single-day falls. As a result, the yuan breached the 7-to-a-dollar-mark for the first time since 2008. In retaliation, the US announced that it would approach the International Monetary Fund "to eliminate the unfair competitive advantage created by China's latest actions". It signalled that the ongoing trade war between the world's two biggest economies was now turning into a currency war as well.

What is a currency's exchange rate?

In many ways, the exchange rate of your currency is the fundamental price in the economy. If an Indian car is worth Rs 10 lakh, then that is all the information we need to conduct that transaction; we do not have to

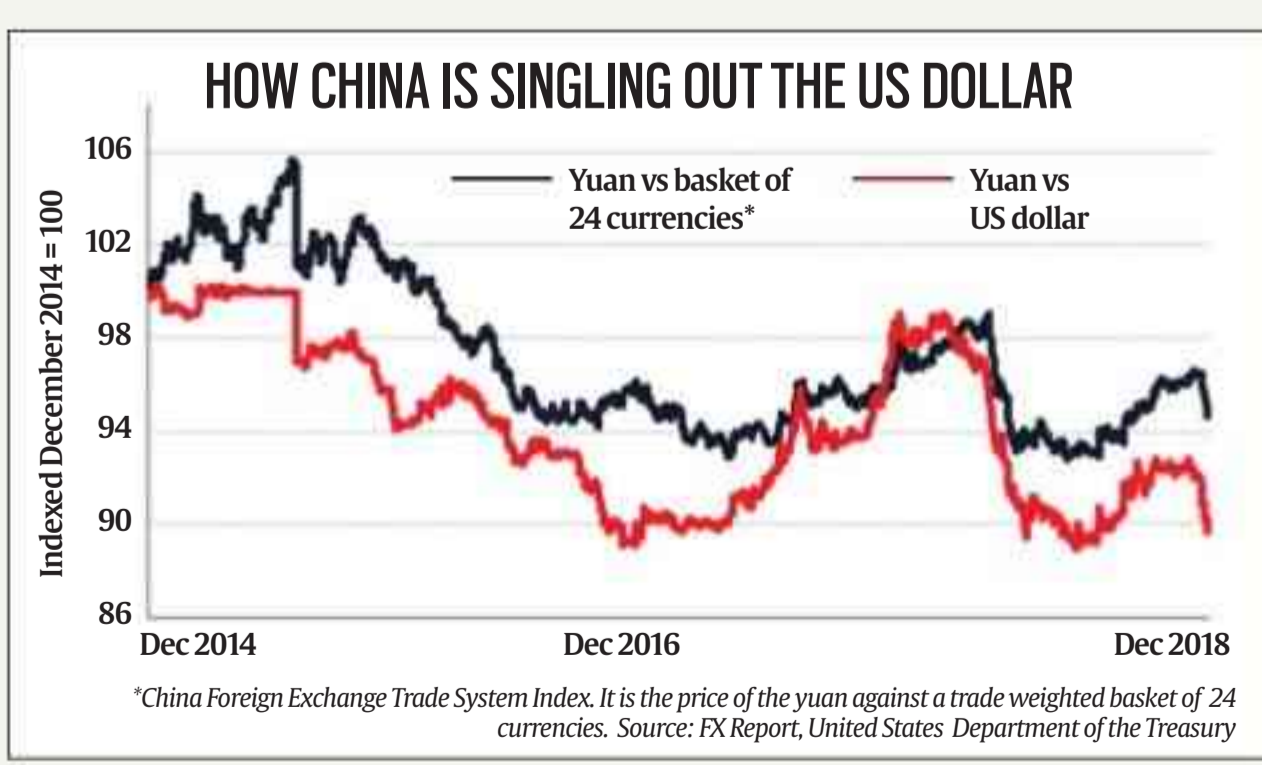
wonder "what is the price of a rupee?". However, if we're trying to buy a car that was produced in, say the US, we would need more information than just its price (say, \$15,000 in the US). This is because buying the imported car involves two transactions: one, using your rupees to buy 15,000 dollars; two, using these dollars to buy the car.

In the globalised world economy, where different parts of each good (and service) are produced in different countries, exchange rates become all important. It often determines the affordability of buying or selling internationally. So, if the rupee is at 70 to a dollar, the car may be affordable, but not so at 100 to a dollar.

There is a flip side to this picture. While a stronger rupee (that is 70/\$, instead of 100/\$) is better for you as a consumer, it is worse for you if you were an Indian car manufacturer hoping to sell your car in the US. That's because the rupee's strength makes your car that much less affordable to US consumers.

How are exchange rates determined?

In an ideal world, the exchange rate for any currency would be determined by the



*China Foreign Exchange Trade System Index. It is the price of the yuan against a trade weighted basket of 24 currencies. Source: FX Report, United States Department of the Treasury

interplay of its demand and supply. If more Indians want to buy US goods, there would be a higher demand for the dollar relative to the rupee. This, in turn, would mean the dollar would be "stronger" than the rupee — and gain in strength as the demand increases. If demand falls, the dollar would depreciate relative to the rupee (or the ru-

pee would appreciate relative to the dollar).

So, what is currency manipulation?

The real world is far from ideal. Most governments and central banks are bothered about generating more growth and employment at home. A weaker domestic currency comes in very handy when governments are

trying to attract foreign demand and boost exports. China's economic growth has been essentially fuelled by exporting to the world.

Currency manipulation happens when governments try to artificially tweak the exchange rate to gain an "unfair" advantage in trade. In other words, if China's central bank buys dollars in the forex market, it can artificially weaken the yuan — and Chinese goods will then become more affordable (and competitive) in the international market.

Some amount of such "intervention" by central banks is allowed to reduce wild fluctuations in the exchange rate. But excessive and undisclosed interventions are not considered fair.

Consider: An American-made mobile phone could be in demand in India because it is a genuinely good phone. However, if a Chinese company can export a phone that is not only a close approximation of the American phone but also considerably "cheaper", it is quite likely that the more price-sensitive Indian consumer will prefer the Chinese phone. Forget the Indians, if the Chinese phone is cheap enough, it might lure US consumers as well.



Great expectations

Ending commercial surrogacy will not be possible without regulating ART clinics

It is a truth, universally acknowledged, that surrogacy needs to be regulated by law. There is no argument about whether an issue such as surrogacy fraught with bioethical issues aptly requires regulation: it does. The Surrogacy (Regulation) Bill, 2019, should have come a long time ago. Regulations in the past in the area of child adoption and transplantation of human organs have, historically, borne fruit, effectively putting an end to rampant commercial transactions, and providing a structure by which any excursions outside of the law may be shut down. Flagrant violations of human rights have been witnessed repeatedly in the 'baby-making factory' in India, the underprivileged woman often in the cross hairs, and at the bottom of the pile. The plethora of unregulated assisted reproductive techniques (ART) clinics that mushroomed, coinciding with India becoming a global health-care destination, ensured that there was a good volume of traffic toward the country, besides growing domestic demand for surrogacy services. In this context, there is expectation that the Surrogacy Bill will regulate commercial surrogacy, while allowing an altruistic form of it to continue, by putting in place strict supervisory and regulatory frameworks. The question here is whether the Bill, recently passed by the Lok Sabha, will serve the wholesome purpose of regulating the vastly complex area of surrogacy, while sensitively balancing the needs of 'intending parents' and surrogates.

The Bill mandates payment to the surrogate mother, who can only be a 'close relative', to the extent of covering medical expenses and providing insurance during the term of the pregnancy. It has specified that 'exploiting the surrogate mother' would attract punishment of imprisonment of up to 10 years and a fine of up to ₹10 lakh; advertising for surrogacy and selling/importing human embryos or gametes for surrogacy also attract the same punishment. It has mandated registration of surrogacy clinics, and put in place regulatory boards to ensure compliance with the law. But its critics have panned it for the lack of specifics in definitions (the generalised 'close relative' criterion for surrogates); the exclusion of various groups of people from access to surrogacy (only married couples of a certain age group are eligible); and primarily, of trying to put the 'cart before the horse' by seeking to regulate surrogacy before setting the ART house in order. The capacity of the state to end commercial surrogacy may itself be compromised if it does not first set up a regulatory framework for ART clinics, which provide the basic technology for surrogacy. Else, the government is merely setting itself up to implement a law that may spectacularly fail. That would be a tragedy, because this is one law that is pregnant with the possibility of truly revolutionising the surrogacy sector, cleaning it up, and fulfilling the dreams of people who are themselves unable to bear children.

Open obsession

An ingrained gun culture and patchy regulations set off hate crimes in the U.S.

Two American cities, El Paso, Texas, and Dayton, Ohio, more than 2,500 kilometres apart, witnessed lethal shootings resulting in mass fatalities over the past weekend, with at least 31 people dead, many injured, and a nation in shock. The El Paso attack, which bore tell-tale signs of a hate crime, was the deadliest mass shooting in the United States since November 2017 and brings to 32 the tally of shootings there in 2019 that had at least three victims. In his reaction to the shootings, U.S. President Donald Trump appeared to denounce the racist intention behind the shooting when he said, "In one voice our nation must condemn racism, bigotry and white supremacy," and that these "sinister ideologies must be defeated." While he was not wrong to highlight the pervasive threat of racist violence — police investigating the El Paso shooting said they found an anti-immigrant document espousing white nationalist and racist views, which they believe was written by the suspect, Patrick Crusius — his focus on violent video games, mental illness and online bigotry leaves a glaring gap in policy: common-sense gun control reforms to curb the proliferation of deadly, military grade weapons and high-capacity magazines.

The battle to pass broad, effective gun control legislation, such as tougher background checks for gun buyers and the banning of certain gun technologies and accessories such as bump stocks that exponentially raise the lethality of weapons, has punctuated the past few decades of America's unrelenting, 228-year-old love-affair with guns. Despite sustained lobbying to push forward basic gun control laws through the U.S. Congress — former President Obama saw no fewer than 17 of his attempts to bring gun control to the floor of Congress defeated by conservative lawmakers — the constitutional right to bear arms has never been more fiercely defended. Further Mr. Trump's regular dog whistles to the forces of racist xenophobia appear to have emboldened fringe elements within the gun-loving fraternities to carry out mass attacks against minorities. The National Rifle Association quietly hands around \$6 million annually to lawmakers in Washington to retain its pro-gun agenda as a top priority. Pro-gun lobbies consistently mobilise voters around the Second Amendment. The result of combining this ingrained "gun culture" with patchy gun regulations is ever more incidents of mass shootings. The societal and economic challenges that minorities face in the U.S. are already immense; if they become targets of a new vector of racist hatred, buttressed by the unregulated firepower of guns, then America's "melting pot" dream will unravel fast.

Kashmir has been cut to the quick

The Centre is riding roughshod over Kashmiri public opinion already beset with disaffection



WAJAHAT HABIBULLAH

In the face of a massive security build-up in Kashmir at the close of July, a seasoned journalist conjectured, "This is just the right time when militants and their masters in Rawalpindi could do with a terror attack in Kashmir." Such were the arguments trotted out by experienced media persons in seeking to account for the extraordinary lock down that had descended on Kashmir throwing its citizens into a panic, with a run on banks, petrol pumps and stores across the Valley. I began receiving phone calls from friends and associates as far as Gopalpora, Mattan and Doabgah and Sopore asking what was happening. My former colleagues in government, some in key positions, had no inkling and made dire predictions.

A steamrolling

And then he had the statement of the Home Minister, Amit Shah, in the Rajya Sabha on the morning of Monday August 5, 2019. Under Article 370 of the Constitution of India, the State of Jammu and Kashmir had its own Constitution and its own laws, with the President of India empowered to decide which provisions of the Indian Constitution would be applicable within the State, but only with the assent of the State.

In one fell swoop, the President, Ram Nath Kovind, declared that all provisions of the Indian Constitution shall now apply to the State, thus nullifying Article 370 with the use of that same article thereby ending the special autonomous status of Jammu and Kashmir that it had enjoyed since the promulga-

tion of India's Constitution. The Jammu and Kashmir Reorganisation Bill 2019 further bifurcates the State of Jammu and Kashmir into two Union Territories, both with a Muslim majority namely: the Union Territory (UT) of J&K and the Union Territory of Ladakh. While the UT of J&K will have a legislature, the Union Territory of Ladakh will be without one. Although in the past UTs have been upgraded to States, never has a State been downgraded, thus bringing to a consummation the process initiated with the accession, although hardly in the manner dreamt.

Umbilical link

Article 370 has governed the accession and relationship of the princely State of Jammu and Kashmir with India under the Indian Constitution. As originally envisaged, Article 370 formed the basis of Kashmir's special and autonomous status. Mainstream political leaders such as Farooq Abdullah, Mehbooba Mufti and others have warned that revoking Article 370 will mean a break in the relationship between the State and India.

A devout Muslim, the then unchallenged Kashmiri leader, Sheikh Abdullah (Baba-i-Qaum to his people), 'faced a clear choice in 1947; he could join a Muslim nation or he could join a secular state, where Kashmiris would be free to live a life of their own choosing. In making his choice, India's Prime Minister Jawaharlal Nehru was the Sheikh's reassurer. Of Kashmiri descent, a heritage that Nehru cherished, Nehru had an inclusive vision of what India was to be'. By contrast, the leader of the newly emerging nation of Muslims, Mohammed Ali Jinnah, was a cold and distant figure, a modernist who could excite awe but little affection. At the time of accession, the portion of the State where Jinnah's Muslim



League had its support lay not in the Kashmir Valley but across the Pir Panjal, in Mirpur and the old Poonch principality of the feudal State of Jammu and Kashmir, an area a large part of which Pakistan occupies today and calls 'Azad Kashmir'.

It is important to remember that the Kashmir freedom movement was a movement to rid Kashmir of despotism, working in tandem with the national movement but not part of it. This was primarily a Kashmiri movement drawing almost universal Kashmiri support in a Muslim majority State where the Kashmiris were the largest single ethnic group. Despite efforts by Maharajah Hari Singh's Prime Minister Ram Chandra Kak in eliciting the Sheikh's support for independence, the latter stood steadfast in his demand for an end to the monarchy.

Visiting Srinagar on June 18-23, India's Viceroy Lord Louis Mountbatten urged Hari Singh not to make a declaration of independence. He conveyed Sardar Vallabhbhai Patel's message that 'the States Department was prepared to give an assurance that, if Kashmir went to Pakistan, this would not be regarded as unfriendly by Government of India'. It was only when Jammu and Kashmir forces faced an uprising by the Poonch troops of the British Indian Army's decommissioned Sixth Punjab Regiment (in the border district of Poonch), and then a military rout by invading frontier tribesmen in the State's border town of Domel on October 22, 1947 that the Maha-

raja turned in desperation to India.

Pakistan's lost cause

According to the 1941 Census, 77.11% of the population of Jammu and Kashmir was Muslim, 20.12% Hindu and 1.64% Sikh. Pakistan has argued that the logic of Partition meant that the State had to be a part of Pakistan. But by recourse to an invasion by Pakistan's frontier tribesmen and the support of the invasion by Pakistan's armed forces, Pakistan virtually lost its case, certainly in the eyes of Kashmiris. India's case rested on the public will. Indeed, Sheikh Abdullah spoke for Kashmir at the United Nations in February 1948 as part of a delegation led by N. Gopalaswami Ayyangar firmly declaring, "We shall prefer death rather than join Pakistan. We shall have nothing to do with such a country." And it was this freedom within the Indian Union that Abdullah sought through the constitutional guarantee of Article 370, which read with Article 369, provided temporary powers to Parliament to make laws for J&K.

Under sub-section 3 of this Article, the President of India can revoke Article 370 only on advice from the Constituent Assembly of Jammu and Kashmir. The Constituent Assembly was dissolved in 1957, and replaced by a Legislative Assembly, which was dismissed last year after the coalition between the Bharatiya Janata Party (BJP) and the Jammu and Kashmir Peoples Democratic Party collapsed and the Governor Satya Pal Malik rejected a bid for an alternative coalition. Importantly, the current Presidential order modifies Article 367 of the Constitution, with "Constituent Assembly" to be read as "Legislative Assembly of the State" and the State government construed as the Governor. This has enabled the President to abrogate Article 370 with the con-

sent of the Governor as consent of the State. The people themselves, who the Constitution is designed to serve, therefore, had no part in this process. The constitutional validity of these amendments are for the Supreme Court to ponder. But the question here is that if these are indeed designed to benefit the people, was it necessary to bring them before Parliament under stealth, with the leaders of mainstream parties, the former Chief Ministers the Abdullahs (father and son), Mehbooba Mufti and the BJP's ally Sajjad Lone all under house arrest?

Opaque moves

There is little doubt that these are bold constitutional measures described with contrasting adjective or invective, consummating a process that began with the Constitution of India. But if the view of government was simply to rectify a constitutional error or remedy an anachronism as claimed by assiduous government spokesmen, did it not follow that democratic compulsion required that it be placed before the public most affected — the people of J&K, — before being sneaked into Parliament in tight secrecy? This without the knowledge of even the local government amidst security measures unprecedented in their intensity, surpassing even those that the Jagmohan government was forced to take following the outbreak of insurgency in 1989-90? This endeavour has meant riding roughshod over Kashmiri public opinion already beset with widespread disaffection. What it has succeeded in doing is leading to a feeling of betrayal among a section of our people and foreboding among well wishers of Kashmir.

Wajahat Habibullah, a retired civil servant, has served as Chief Information Commissioner and Chairperson of the National Commission for Minorities

The pitch for a second term

The Trump strategy seems to focus on internal progress and in pursuit of peace abroad in unconventional ways



T.P. SREENIVASAN

Today, there is expectation that U.S. President Donald Trump will not only complete his term but also win a second term in 2020. But not so long ago, the demand to impeach Mr. Trump on the charge of Russian interference in the U.S. presidential electoral process arose within weeks after his largely unexpected victory in 2016. Many believed he would not complete his term as accusations gathered momentum, which culminated in the Mueller report — it had enough material to indict the President. The Presidency came close to one constitutional crisis after another, but the President used the same report to claim there was no collusion or cover-up.

While the Democratic challengers to the President have multiplied with each passing day there are no serious Republican contenders even though many in the Grand Old Party believe that the President has undermined the party. While age was an issue when Mr. Trump offered his candidature first the same issue is now in the President's favour today as the two serious contenders, name-

ly Democratic candidates Joe Biden and Bernie Sanders, are older than him.

'America First'

With his majority in the Senate enhanced, Mr. Trump has set aside his fears of impeachment and moved on with his 'America First' policy, internally and externally, marked by his characteristic unpredictability of upstaging friends and enemies alike. The President is busy dealing with weighty matters of state such as trade with China, North Korea, Iran and Afghanistan, and improving the economy. The Democrats are also coming round to the view that it is better to focus on the election than on the impeachment, a move which is bound to fail.

Mr. Biden, who started leading the polls even before he announced his candidature recently, and raised a contribution of a little more than \$6 million in first day fund-raising, has been tainted by his official and personal actions as the Vice President, which include inappropriate pictures and his alleged interference in Ukraine to help a company with ties to his son. The candidature of Pete Buttigieg, who is in a same-sex relationship, and characterised by *Time* magazine as "unlikely, untested and unprecedented" will be another distraction in the months to come.

Unlike his predecessor and Peace Nobel winner, Barack Obama



ma, Mr. Trump has withdrawn U.S. forces from abroad, even from active fronts such as Syria and Afghanistan. In contrast, the National Security Adviser, John Bolton, has been on the warpath, constantly urging the President to use force in different theatres of conflict, especially North Korea. For all his threats of rage and fury, Mr. Trump has not declared war on anyone. Though he has issued a warning that the U.S. is ready to defend itself if Iran threatens its interests in the Gulf or elsewhere (even announcing the deployment of the USS Abraham Lincoln Carrier Strike Group and others to the U.S. Central Command region), the war-monger-in-chief has become a messiah of peace.

A thread of reform

The regime-changing policy of the U.S. is very much a part of Mr. Trump's global strategy, but he is pursuing a path of reforming world leaders rather than eliminating them. Bluster in words and

peace in action has tempered the image of the President. Though his announcements of withdrawals from international treaties have been swift, he seems to be relying on his bureaucracy to soften the blows. The Paris Agreement commitments have not been reversed pending the formal exit of the U.S., while sustainable energy projects may continue in his second term.

Mr. Trump has gone beyond expectation in the case of India when he exerted pressure on Pakistan to release the Indian prisoner of war, Wing Commander Abhinandan Varthaman, from Pakistan's custody, thus stopping an escalation in conflict during the India-Pakistan stand-off in 2019. Similarly, China was told that the international community would not tolerate inaction anymore in the case of Masood Azhar. In both these cases, Mr. Trump has demonstrated a clear pro-Indian stand *vis-à-vis* Pakistan and China. But when it came to the withdrawal of U.S. troops from Afghanistan, Mr. Trump unabashedly feted Pakistani Prime Minister Imran Khan in Washington in July, promising mediation between India and Pakistan on Kashmir. Russian missiles, Iran and trade imbalance are the irritants in India-U.S. relations.

On China too, the evolving U.S. position appears to be paradoxical. The trade war appears negotiable as there does not seem to be a strategy to strangle China. The way China has relented on the Ma-

sood Azhar issue shows that China is sensitive to the U.S. position. China does not seem to put any pressure on the U.S. when it comes to North Korea. China also does not sense much pressure from the U.S. to contain it in the Indo-Pacific, with the Quadrilateral having receded into the background.

The U.S.'s western allies are expressing concern that Mr. Trump is deviating from foreign policy priorities such as countering China and Russia and instead focussing on nations that pose no real threat to the West such as Iran, Venezuela and Cuba. The Democrats believe that such shifts will damage the credibility of the U.S. with its European allies in the long term as the Europeans are likely to cultivate other powers. Among the countries named as being agitated about the U.S. policy are Turkey, South Korea, Japan and India.

Behind Mr. Trump's perplexing 'America First' policy, there seems to be a clear game plan for the President to secure a second term by focussing on internal progress and peace abroad in unconventional ways, without paying attention to the consequences for the U.S. and the world beyond 2020.

T.P. Sreenivasan, a former diplomat, is Chairman, Academic Council and Director, NSS Academy of Civil Services. He is also the Director General, Kerala International Centre, Thiruvananthapuram

LETTERS TO THE EDITOR

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

Kashmir road map

In his book on nationalism, Rabindranath Tagore has said that a nation is not just composed of land and boundaries, but of the people who live there. The same point applies to Jammu and Kashmir. Unless and until the people of Kashmir also wholeheartedly embrace the Indian nation, integration will be incomplete. Today there is a feeling of betrayal in Kashmir as the condition which led to Kashmir's merger with India has been diluted. It is more important to develop trust and confidence so that Kashmir's unique culture, customs and rights are safe from outside influences. To adopt an intransigent attitude that there won't be

alienation and resentment would be incorrect and inappropriate (Editorial page, "Piecing together Kashmir's audacious road map", August 6).

GAGAN PRATAP SINGH, Noida, Uttar Pradesh

■ When you need a million troops and a war-like siege in place to pass an order, the order has already failed. India in Kashmir has failed miserably; the fact that India cares only for the land and not for the people of Kashmir has been reaffirmed. One waits to see whether the highest court of the land will take cognisance of what has happened.

UMER BASHIR Anantnag, Jammu & Kashmir

■ Radically altering Jammu and Kashmir's special status

without political consensus was undoubtedly an exercise in avoidable unilateralism. At the same time, Article 370 metamorphosed into a lodestar to stoke separatist sentiments.

Having crossed the Rubicon, the government will have to address the fears of Kashmiris of the possibility of being swamped by 'outsiders'. It needs to assure the people of Kashmir that a revocation of Article 370 is not an exercise to alter the demographic and religious profile of the state similar to the forced Jewish settlements in the West Bank or the Chinese ethnic re-engineering in its Xinjiang province, except for the return of Pandit families to their original homes.

V.N. MUKUNDARAJAN, Thiruvananthapuram

■ Revoking Article 370 seems to have been done also because of global compulsions such as the re-emergence of the Taliban and statements by the U.S. President. The government must reach out to Kashmir by strengthening grass-roots democracy, holding immediate elections and reverting to full Statehood status after normalcy returns. Were the constitutional changes a valid process? Do the changes have the potential to strain federalism?

PUNYA JYOTI BORUAH, New Delhi

Amazon policy

This is with reference to the Editorial, "Logged out" (August 1). The size of untouched Amazon forest inside Brazil is larger than

the entire territory of India. I am certain there is understanding what the challenges to protect and ensure the sustainable development of such vast lands entails. With this aim, Brazil has established internationally recognised institutions responsible for the permanent monitoring of the rainforest and a legal system which handles infringements. In this connection, the Minister of the Environment announced last week the strengthening of the capacity to obtain higher resolution satellite images on a daily basis. Brazil, like India, has been working to balance the social, economic and environmental dimensions in its society, which includes the implementation of the Sustainable Development

Goals. Together with Brazil, South Africa, India and China (BASIC), Brazil has been proactive and constructive in negotiations under the United Nations Climate Change Convention. In 2019, the Bolsonaro Government has shown a willingness to engage in new institutional frameworks. In the process of becoming a member of the OECD, Brazil will abide by more than 35 environment-related instruments. In the recent European Union-Mercosur Association Agreement, Brazil has agreed with provisions that will enhance the integration of sustainable development in both trade and investment.

ANDRÉ CORRÊA DO LAGO, Ambassador of Brazil in India

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The new facts on the ground for Kashmir

India cannot claim the moral high ground any more that it has kept the State's integrity intact



LUV PURI

Without going into the moral and legal arguments for or against the scrapping of the special status to Jammu and Kashmir and the decision to reorganise the State into two Union Territories (UTs), a dispassionate analysis of the possible immediate implications of these constitutional changes is needed. Some assertions in support of the changes may partially be true while others may run contrary to the facts.

The implicit claim that this would lead to greater counterterrorism preparedness is questionable. The strength of any counterinsurgency grid is largely based on human intelligence coming from the ground. Here, it will be unrealistic to expect that merely changing the administrative and political set-up of the State will lead to more intelligence to the security apparatus; in fact, there is a high possibility of the contrary happening in the short-term on account of the decision's unpopularity in the Kashmir Valley. India needs to be mindful of the fact that historically, any spike in disaffection in Jammu and Kashmir has facilitated a misadventure by Pakistan. For instance, the maximum dilution of Article 370 took place in the 1960s, including changes concerning the nomenclature of the 'head of the State'. And this was followed by the infamous 'Operation Gibraltar' by Pakistani President Ayub Khan in August 1965.

A self-defeating strategy

The present cycle of violence can be traced back to the rigging of the 1987 Assembly elections and, in this connection, Home Minister Amit Shah is right in citing rigging of successive elections as the primary cause of the mistrust of Kashmiris towards India. But in bringing the State directly under the Centre as a Union Territory, the government may have overlooked the hard lessons learned by India's intelligence in its nearly 30 years of counterinsurgency operations – relying purely on militaristic tools can be self-defeating.

Further, bifurcating the State and



The call for Ladakh to be made a Union Territory gained momentum in the 1990s, particularly in Leh. Picture shows Ladakhis demonstrating to call for an autonomous hill council. • THE HINDU ARCHIVES

creating a Union Territory of Ladakh mirrors what Pakistan did with Gilgit and Baltistan regions by *de facto* creating a separate province in 2009. New Delhi has often objected to the Chinese infrastructural projects in the region and also opposed Islamabad's decision to separate it from the rest of Pakistan-occupied Kashmir. Now, after stripping Jammu and Kashmir of its special status, India cannot claim the moral high ground any more by pointing out unlike Pakistan, it kept the integrity of the State intact.

Ladakh as Union Territory

Though the demand for Union Territory status picked up momentum in Ladakh in the 1990s, its spread was limited to the Leh district of Ladakh. The Shia population of Kargil has consistently opposed such a call as it fears Buddhist domination in the new set-up. Hence, the Centre needs to assure leaders from Kargil that their interests would be safeguarded in the new Union Territory. India would not want to create another zone of disaffection in a strategically important border region of the State where it has already faced Pakistani aggression once.

The Centre also needs to take steps to prevent further polarisation

within the State. The ruling political elite, particularly from the Kashmir Valley, has remained indifferent to regional and ethnic aspirations, which are inherently political. Factoring in the complex societal landscape of the State and its divergent aspirations, saner proposals have been made before for five-tier devolution of powers – from State-level to regional-level to district-level to block-level to village-level. However, in the absence of any institutional mechanism to address regional and ethnic aspirations, polarisation has continued to increase among different regions, often taking a communal turn. Monday's decision might polarise the State even further along regional and religious lines.

Mr. Shah made a valid point when he said that political reservation, as enshrined in the Indian Constitution, has been denied to Scheduled Tribes in Jammu and Kashmir even though all political parties have suitably accommodated them in other ways. In the past, there had been several Bills in the Jammu and Kashmir Assembly for political reservation but they were never passed. Around 11.9% of the State's population is made of Scheduled Tribes, the bulk of them from Gujjar and Bakarwal tribes. Extending political reservation to them

will make the State's political structure more inclusive.

However, Mr. Shah's claim of widespread poverty in the State, cited as one of the justifications for Monday's decision, is not backed by facts. Only 10.35% of the State's population lives below the poverty line, compared to the national average of 21.92%. It needs to be noted that though restrictions on land sale existed, successive State governments had been, on an *ad hoc* basis, liberally giving land to non-state investors on 99-year leases.

Removal of impediments

Monday's decision on paper has removed all impediments on sale of land but, in the short term, could lead to an increase in private investment only in Jammu. A prolonged period of peace is needed in other parts of the State to attract investment. Monday's move has also removed another impediment – children born to women marrying citizens from outside Jammu and Kashmir can now inherit property.

Further, descendants of Partition refugees who migrated from Sialkot, many of whom belong to Scheduled Castes, will now be able to get employment, buy and own land and vote in the new Union Territory.

What also needs to be considered is that bifurcation of Jammu and Kashmir may trigger demands for further division of the State which, unless they are categorically rejected, could trigger a long period of instability and turbulence. Separation of ethnically and culturally distinct Ladakh from the rest of Jammu and Kashmir is somewhat less challenging, because of its relatively smaller population. And what about the right to return of Kashmiri Pandits? Monday's decision is unlikely to alter their present status as the security environment in the Valley is currently not conducive for them to go back.

On the whole, the country needs to be better informed of the implications of the changes on the ground. The road to resolution of the Jammu and Kashmir tangle lies in bringing the policymaking closer to facts, learning from the past and avoiding unrealistic expectations.

Luv Puri is the author of 'Across the Line of Control: Inside Pakistan administered Jammu and Kashmir'

The hard realities of India's fast-track courts

Many of them are understaffed and under-resourced



ARUNAV KAUL

Fast-track courts are in the limelight yet again. Smriti Irani, Minister for Women and Child Development, informed the Rajya Sabha that the government has proposed to set up 1,023 fast-track courts to clear the cases under the Protection of Children from Sexual Offences (POCSO) Act. A few weeks ago, the Supreme Court in a suo motu petition had issued directions, stating that districts with more than 100 cases pending under the POCSO Act need to set up special courts that can deal specifically with these cases.

Increasing the number of courts as a recourse to deal with the mounting backlog has been a common practice. However, while large sums of money and attention are being devoted to creating additional posts, little is being done to identify and address the prevalent systemic issues. Without fully optimising the current mechanisms and resolving the problems, sanctioning more judges may not provide the intended results.

Fast-track courts (FTCs) have been around for a long time, with the first ones being established in the year 2000. Since then, much has been spoken and written about them. To quote the Ministry of Law and Justice, at the end of March, there were 581 FTCs operational in the country, with approximately 5.9 lakh pending cases, Uttar Pradesh having the most number of cases. However, 56% of the States and Union Territories, including Karnataka, Madhya Pradesh and Gujarat, had no FTCs. In terms of money, ₹870 crore was released by the Centre between 2000-2001 and 2010-2011 towards these FTCs.

State-by-State variations

With all these years of experience and money spent, it is disconcerting to see not only the decline of FTCs across the country but also systemic issues prevalent in the States that have the courts. In a survey of FTCs conducted by National Law University Delhi, it was observed that there is a huge variation in the kinds of cases handled by these courts across States, with certain States primarily allocating rape and sexual offence cases to them and other States allocating various other matters. Further, several FTCs lacked technological resources to conduct audio and video recordings of the victims and many of them did not have regular staff.

While the Centre is promising to set up FTCs across the country, the moot question is: will a mere increase in the number of judges lead to a direct reduction in pendency of cases? Data collated from the Supreme Court's 'Court News' between 2010 and 2017 show otherwise. For instance, in Karnataka, the number of working judges increased between 2012 and 2017 (with occasional dips in certain years) but pendency did not reduce. Similarly in other States, such as Maharashtra, Kerala, Delhi and West Bengal, increase or decrease in the number of judges did not affect pendency of cases.

Addressing the systemic issues

Hence, there are several other factors that have an impact on disposal of cases. Inadequate staff and IT infrastructure, delay in getting reports from the understaffed forensic science laboratories, frivolous adjournments and over-listing of cases in the cause list are some of the variables. Identifying systemic issues and addressing the concerns is as important for timely disposal of cases as increasing the number of judges.

Furthermore, given the vacancies in subordinate courts across the country, it also needs to be seen whether States will hire additional judges or appoint FTCs from the current pool of judges. For instance, in the case of commercial courts, several States designate special judges from the current pool of judges. Such a move could prove to be problematic as it would increase substantially the workload of the remaining judges.

All said and done, the final responsibility of making sure that the entire exercise results in a positive change vests with the States. For the FTCs to become successful, States will need to take stock of the issues at the ground level.

It is often noted that policies and regulations are passed without keeping in view the ground realities. It is important that States engage with the principal and senior district judges to get a sense of issues the courts are facing in various districts. Equal attention must be paid to both the metropolitan and far-flung non-metropolitan areas. Critical issues such as inadequate court staff, improper physical and IT infrastructure and understaffed forensic labs, which affect the day-to-day functioning of the FTCs, must be comprehensively addressed. For the overall system to work productively, it is important to ensure that its various components work efficiently and without any hindrance.

Arunav Kaul works in the public policy sphere focussing on judicial reform issues. Views are personal

The bus to better transport

Buses need an image makeover and cities need several thousand of them, of good quality

G. ANANTHAKRISHNAN

The great cities of the world use one guiding principle in planning services for residents and visitors: working with finite space. In big cities, new roads are not possible, and no new land is available. But they must prepare to serve more and more people who arrive each year. Successful plans build better mobility.

When cities fail at mobility, the result is congestion, lost productivity, worsening pollution and a terrible quality of life. India's big cities have all these attributes, and 14 of them were in the list of the 15 most polluted cities worldwide last year. Congestion in the four biggest metros causes annual economic losses of over \$22 billion, the NITI Aayog says in its Transforming Mobility report.

Is there a viable solution? There is, and it is the good old bus.

Sadly, buses have an image problem, which came up during a public interaction Prime Minister Narendra Modi had in the U.K. He explained aspiration with the example of someone who wants to progress from a bicycle to a scooter, then to a four-wheeler; equally a lack of ambition, he said, could lead to the loss of even the bicycle, upon which the individual resigns himself to a bus ride. Ironically, Mr. Modi made his comments in London, a city with an iconic bus system that integrates famously with its equally popular 'tube' system – as the Metro is known there. The British capital also discourages the use of cars through a congestion charge within a defined area.

Not enough buses in India

So important is the bus to urban transport ecology that the executive in-charge of technology and customer satisfaction at Transport for London, Shashi Verma, said during a visit to India in July that Indian cities need to add several thousand buses more, and not just spend heavily on Metro rail. There are over 1.7 million buses in India, about 10% of them operated by governments. Individual cities don't have enough of them to provide a good service, and the gap is

filled mostly by unregulated intermediaries, such as vans. The buses operated by governments are not properly designed, are uncomfortable and badly maintained. Government corporations do a poor job when it comes to using technology.

Lack of information

One of the key barriers to taking a bus is not getting information about the service; bus corporations deprive themselves too, of revenue, by failing to act on this. Cities such as London and Singapore have systems to tell passengers where the next bus is on a route and predict its arrival at a stop in real time. Such a system is not available for even the biggest metro cities in India, something the Smart City mission could have addressed.

Buses need an image makeover and cities need several thousand more buses, of good design and build quality. They need to use contact-less fare payments using suitable cards, since buying tickets is also a barrier.

Buses also need support to move faster through city traffic, using policy tools such as congestion pricing for cars. This is an old idea, dating back to 1975 in Singapore, where it was done manually first and automated much later. The London congestion charge immediately cut traffic in the demarcated area by 20%, helped speed up buses and improved revenues.

The biggest reform that the U.K. experience teaches is integration. Bringing traffic authorities, road engineers and transport operators under the same umbrella worked wonders in London to eliminate planning and operational problems. Indian cities have unified Metropolitan Transport Authorities to do that. They must be brought to life and given mandatory targets. The goal should be a stipulated higher share of travel by public transport, walking and cycling, and this should be evaluated through periodic surveys of customer satisfaction.

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DATA POINT

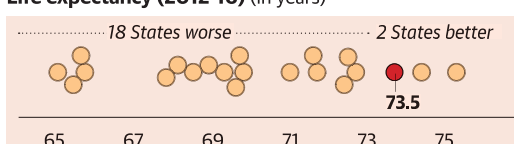
J&K's vital statistics

Home Minister Amit Shah cited poor health care, poverty, lack of doctors and slow economic growth as impediments in J&K that were linked to Article 370. A look at how J&K compares with other States in key indicators suggests that these concerns are exaggerated. By Vignesh Radhakrishnan & Sumant Sen

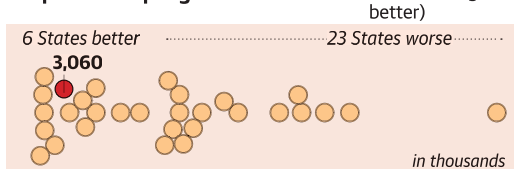
How to read the graphs

Each circle corresponds to a State, with Jammu & Kashmir highlighted in red. For instance, J&K's life expectancy was 73.5 years between 2012-16, the third best in the country

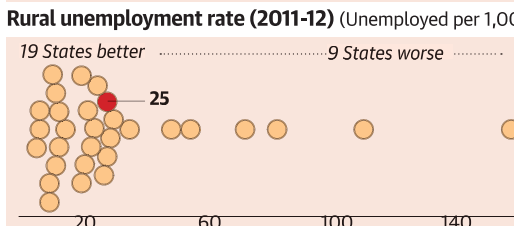
Life expectancy (2012-16) (in years)



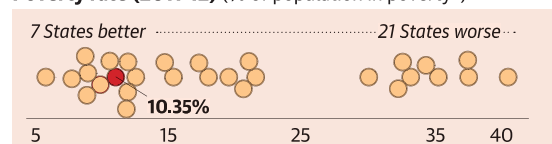
People served per govt. doctor - 2018 (lower the figure, better)



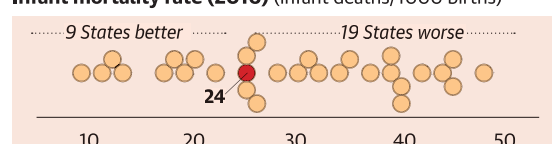
Rural unemployment rate (2011-12) (Unemployed per 1,000)



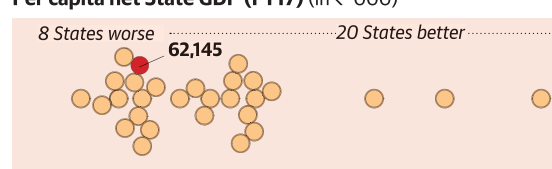
Poverty rate (2011-12) (% of population in poverty*)



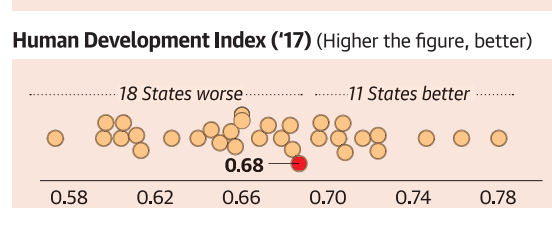
Infant mortality rate (2016) (infant deaths/1000 births)



Per capita net State GDP (FY17) (in ₹ '000)



Human Development Index ('17) (Higher the figure, better)



Source: RBI, NITI Aayog, National Health Profile 2018 *Tendulkar methodology

The Hindu

FROM THE ARCHIVES

FIFTY YEARS AGO AUGUST 7, 1969

Open clash at CPP meeting

The simmering inner party differences erupted into an open clash between the supporters and opponents of Mrs. Gandhi at the Congress Parliamentary Party meeting this evening [August 6]. The meeting, called to hear appeals from the Prime Minister and the Congress President to vote for Mr. Sanjiva Reddi in the Presidential election, ended in heated arguments and shouting over the propriety of a Congress member, Mrs. Tarakeswari Sinha writing an article in a newspaper attacking the Prime Minister. The issue was raised by Chowdhry Nitiraj Singh amidst shouts of protest from a section of the Party, but Mrs. Gandhi allowed him to continue to read from the article in the face of opposition from even the Congress President, Mr. Nijalingappa. Mrs. Gandhi did not agree with Mr. Nijalingappa that such issues should be left to him to be dealt with at leisure. "These are matters which could not wait to be brought to the notice of the President," she is understood to have told Mr. Nijalingappa in an angry tone. She felt that the article in question was an instance of serious breach of discipline and said "to brand any senior member of the party as a Communist is an insult to the party."

A HUNDRED YEARS AGO AUGUST 7, 1919

Ramakrishna Home at Bangalore.

Quite an interesting little function was celebrated on the morning of Sunday, the 3rd August 1919, when the Sri Ramakrishna Students' Home for poor students of the City [Bangalore] was opened. His Holiness Swami Nirmalandaji presided. The friends and admirers of the Mission and its work had gathered in large numbers. The function began with a procession of the photos of Sri Ramakrishna Paramahansa and the Swamis Vivekananda and Ramakrishnananda from the premises of the Sri Ramakrishna Ashrama to the Home building. The objects and aims of the Committee responsible for the Home were explained by Messrs. V. Gopalaswamigar and M.A. Narayan Iyengar, Excise Commissioner, Liberal promises of donation were made on the spot. Mr. Pasupati Iyer, a leading cloth merchant, promised a contribution of Rs. Five hundred, while Mr. S.K. Narasimhaiah and another high officer of Government promised to maintain each a student in honour of the birth of a son to His Holiness the Yuvaraja of Mysore. The Students' Home begins with nine students, and it is a special feature of the Home that it is opened to Brahmmins and non-Brahmins, alike.

बिज़नेस स्टैंडर्ड

वर्ष 12 अंक 147

समझदारी व संवेदनशीलता जरूरी

गृहमंत्री अमित शाह द्वारा जम्मू कश्मीर के ढांचे में दूरगामी प्रभाव वाले बदलावों की घोषणा के बाद सरकार को यह सुनिश्चित करने का प्रयास करना चाहिए कि इस प्रक्रिया को समझदारी और संवेदनशीलता के साथ अंजाम दिया जाए। राज्यसभा में दिए अपने भाषण में शाह ने कहा कि राज्य को विशेष दर्जा देने वाले संविधान के

अनुच्छेद 370 के प्रावधानों को निष्प्रभावी करने से राज्य का आर्थिक विकास सुनिश्चित हो सकेगा।

उनका यह कहना सही था कि जम्मू कश्मीर का आर्थिक विकास राष्ट्रीय औसत से काफी कम है। परंतु इसके अतिरिक्त अपने विस्तृत भाषण में उन्होंने यह नहीं बताया कि राज्य की विशेष स्वायत्तता समाप्त करने और

दो केंद्रशासित क्षेत्र बनाने से बेहतर विकास कैसे सुनिश्चित होगा। ये संदेह इसलिए भी उत्पन्न हुए हैं क्योंकि राज्य के राजस्व में केंद्र की हिस्सेदारी पहले भी 71 फीसदी रही है। अब केंद्रशासित क्षेत्र का दर्जा मिलने का अर्थ यह है कि दोनों नए क्षेत्रों को धन अब केंद्र से मिलेगा जबकि पहले यह राज्यों के संसाधनों के पूल से होने वाले बंटवारे से आता था। चूंकि केंद्र क्षेत्र राजकोष पर पहले ही काफी दबाव है, ऐसे में यह सवाल भी है कि वह यह अतिरिक्त बोझ वहन कर सकने की स्थिति में है भी या नहीं? एक ऐसा राज्य जो बहुत बड़े पैमाने पर सुरक्षा बलों की घेरेबंदी में रहा हो, यह आवश्यक है कि सरकार दोनों नए केंद्रशासित क्षेत्र के तेज आर्थिक विकास को लेकर किए गए

वादे के कार्यान्वयन के बारे में स्पष्ट घोषणा कर दे ताकि किसी भी प्रकार की गड़बड़ियों की आशंका दूर हो सके।

सरकार ने हिंदुत्व एजेंडे का एक अहम लक्ष्य हासिल कर लिया है और उसके लिए यह सुनिश्चित करना जरूरी है कि इस घटना का कोई भी गलत प्रभाव सीमित किया जा सके। अनुच्छेद 370 को लेकर हो रही सार्वजनिक बहस में ज्यादातर ध्यान इस बात पर केंद्रित है कि कैसे अनुच्छेद 35ए समाप्त होने से राज्य के बाहर के भारतीय नागरिक भी वहां जमीन और संपत्ति खरीद सकेंगे। सामान्य तौर पर इस बदलाव पर आपत्ति नहीं होनी चाहिए थी लेकिन देश के अन्य हिस्सों के हिंदुओं के जमावड़े और उनकी बहुलता की आशंका, अशांति की बड़ी वजह बन

सकती है। गाजा और पश्चिमी तट के रूप में इसके उदाहरण मौजूद हैं। ऐसे में सरकार को स्पष्ट करना चाहिए कि जम्मू कश्मीर के जनांकीय ढांचे में बदलाव का कोई प्रयास नहीं किया जाएगा या फिर वहां नए बसने वाले लोगों के लिए इजरायली नियंत्रण वाले फिलिस्तीन क्षेत्र के तर्ज पर गेट वाला आवासीय परिसर तैयार किया जाएगा।

जिस तरह एक राज्य को दो केंद्रशासित क्षेत्रों में बदला गया है और जिस तरह केंद्र ने वहां की पुलिस और भूमि पर नियंत्रण किया है, उसका असर देश के सभी राज्यों पर होगा। तकनीकी तौर पर यह संभव है कि अन्य राज्यों में इसी प्रकार संवैधानिक आघात पहुंचाया जाए। जहां राज्य विधानसभा को भंग करने के बाद राष्ट्रपति

शासन लगाया जा सकता है और राज्यपाल राज्य के तौर पर और संसद राज्य विधानसभा के रूप में निर्णय ले सकती है। सर्वोच्च न्यायालय को देखना चाहिए कि यह व्यवस्था उचित है या नहीं और इसका दोहराव रोकने के लिए उचित संवैधानिक उपाय भी करने होंगे। आखिर में, सोमवार को उठाए गए कदमों में राज्य और उसके राजनीतिक तंत्र को साथ नहीं लिया गया। यह ऐसी चूक है जिसकी भरपाई विश्वास बहाली के लिए व्यापक चर्चा के माध्यम से ही हो सकती है। बदले में राज्य के नेताओं को भी यह समझदारी दिखानी चाहिए कि इतिहास का एक पन्ना पलटा जा चुका है और उन्हें यह देखना होगा कि नई व्यवस्था में राज्य के लोगों की बेहतर किस बात में है।



विनय सिन्हा

जम्मू एवं कश्मीर में जोरिवम भरा कदम

केंद्र सरकार जम्मू कश्मीर को लेकर अपना दांव चल चुकी है। अब इन कदमों के संभावित असर और जोरिवम को कम करने की दिशा में प्रयास करने की आवश्यकता है। विस्तार से बता रहे हैं श्याम सरन

केंद्र सरकार जम्मू कश्मीर को लेकर कोई बड़ा कदम उठाने वाली है, यह बात संसद में 5 अगस्त को हुई घोषणाओं से करीब एक सप्ताह पहले से लगभग सबको पता थी। घाटी में बड़ी तादाद में अतिरिक्त सुरक्षा बलों की तैनाती, मुख्य धारा के राजनीतिक दलों के कई नेताओं को नजरबंद करना, अमरनाथ यात्रा रद्द करना और गैर कश्मीरी पर्यटकों, छात्रों और अन्य यात्रियों को बड़े पैमाने पर वहां से बाहर करना आदि ऐसे अप्रत्याशित कदम थे, जो बताते थे कुछ बड़ा घटनाक्रम होने वाला है।

देश के गृहमंत्री ने संसद में जो घोषणाएं कीं, वे जम्मू कश्मीर को लेकर सरकारी नीति में आमूलचूल बदलाव लाने वाली हैं। राष्ट्रपति के एक आदेश से जम्मू कश्मीर का वह विशेष दर्जा समाप्त कर दिया गया जो उसे संविधान के अनुच्छेद 370 से मिला था। इसके साथ ही उसका वह स्वायत्त दर्जा भी समाप्त हो गया जो कश्मीर के निर्वाचित राजनीतिक नेतृत्व और भारत के केंद्रीय नेतृत्व के बीच समझौते से उत्पन्न हुआ था। एकपक्षीय नीति विलय और स्वायत्तता में अंतर है। महाराजा हरि सिंह ने जिस विलय पत्र पर हस्ताक्षर किए थे वह राज्य को भारतीय गणराज्य का अभिन्न अंग बनाता है। स्वायत्तता कुछ विशिष्ट

क्षेत्रों में प्रदान की गई जिसके तहत उसे अन्य राज्यों से इतर कुछ अधिकार प्राप्त हुए। ये अधिकार अनुच्छेद 370 से निकले। राष्ट्रपति के आदेश के बाद स्वायत्तता का अतिरिक्त तत्व अवैध हो गया। यह बदलाव वास्तविक से अधिक प्रतीकात्मक है क्योंकि बीते वर्षों के दौरान केंद्र सरकार ने व्यवस्थित तरीके से राज्य की स्वायत्तता समाप्त की है। यह भी कहा जा सकता है कि देश के अन्य राज्यों की तुलना में जम्मू कश्मीर में केंद्र का हस्तक्षेप अधिक रहता है। परंतु जो वास्तविक राजनीतिक समझौता राज्य की विशिष्ट पहचान से जुड़ा हुआ था, उसे केंद्र सरकार ने एकपक्षीय ढंग से समाप्त कर दिया।

संसद ने भी जम्मू कश्मीर के दर्जे में बदलाव को मंजूरी दे दी। इस तरह उसकी स्वायत्तता और कम हो गई। राज्य को दो हिस्सों में बांटा जाएगा—जम्मू कश्मीर तथा लद्दाख। अब इसे पूर्ण राज्य के बजाय केंद्रशासित प्रदेश का दर्जा होगा और इस पर केंद्र उप राज्यपाल के माध्यम से शासन करेगा। यह स्वतंत्र भारत के इतिहास में पहला अवसर है जब एक राज्य को केंद्रशासित प्रदेश बनाया गया और इसे सुरक्षा कारणों से उचित बताया गया। भले ही यह व्यवस्था अस्थायी हो लेकिन घाटी की आबादी इसे अपना

अपमान और तुच्छ बताया जाना मानेगी। इतना ही नहीं यह देश के अन्य राज्यों के लिए भी एक अपशकुन भरी नजीर है।

यह स्पष्ट नहीं है कि नई व्यवस्था पाकिस्तान अधिकृत कश्मीर से कैसे निपटेगी। कथित आजाद कश्मीर, गिलगित और बाल्टिस्तान उसका हिस्सा है। उदाहरण के लिए क्या गिलगित और और बाल्टिस्तान को लद्दाख की तरह केंद्रशासित प्रदेश घोषित किया जाएगा? क्या नए कदमों का यह अर्थ है कि हम अब पाकिस्तान के साथ संवाद प्रक्रिया में जम्मू कश्मीर को बतौर एजेंडा शामिल नहीं करेंगे? या फिर क्या जम्मू कश्मीर एजेंडे पर बने रहेंगे क्योंकि हम पाकिस्तान अधिकृत कश्मीर को भारत को लौटाने पर चर्चा जारी रखना चाहते हैं?

घोषणा के पहले सुरक्षा को लेकर जो अप्रत्याशित उपाय अपनाए गए और जो अब भी बरकरार हैं। इससे यह लगता है कि सरकार को इस बात का अंदाजा था कि यह कदम जनता के गले नहीं उतरेगा और इसका हिंसात्मक विरोध देखने को मिल सकता है। कहा जा रहा है कि आम कश्मीरियों ने इस घोषणा का स्वागत किया है। यह बात गले नहीं उतरती क्योंकि वे पहले ही एक के बाद एक सरकारों की नीतियों से खुद को अलग

थलग महसूस कर रहे हैं। बहरहाल, समूचे उत्तर भारत में इन घोषणाओं का जबरदस्त स्वागत देखने को मिल रहा है। व्यापक रूझान यह भी है कि कश्मीरियों को बहुत तवज्जो दी जाती है, वे राष्ट्र विरोधी और देशद्रोही हैं तथा उनसे सख्ती से निपटने की आवश्यकता है। ठीक वैसे ही जैसे बागी तबियत के बच्चे से निपटा जाता है। ताजा निर्णय लोकप्रिय हैं और देश के हिंदी प्रदेश में सत्ताधारी दल के राजनीतिक रसूख को और मजबूत करते हैं। प्रधानमंत्री मोदी की लोकप्रियता इससे और बढ़ेगी। इतना ही नहीं यह घटनाक्रम कमजोर आर्थिक स्थिति की खबरों पर से ध्यान हटाएगा, भले ही यह वास्तविक इरादा न हो।

केंद्र सरकार को भरोसा है कि वह हथियारों के दम पर घाटी में शांति बहाल कर सकती है, भले ही इसका नतीजा जबरदस्ती शांति स्थापित करने के रूप में सामने आए। एक दलील यह है कि अनुच्छेद 370 के तहत अतिरिक्त स्वायत्तता तो मिलती रही लेकिन इसने कश्मीरी लोगों को देश की मुख्यधारा का हिस्सा नहीं बनने दिया। इसके अंत के साथ ही राज्य का पूरी तरह एकीकरण हो गया है। बहरहाल असली नतीजा बड़ी हुई हिंसा और चरमपंथ के रूप में देखने को मिल सकता है।

पाकिस्तान हालात का फायदा उठाएगा। सीमापार आतंकवाद बढ़ेगा और नियंत्रण रेखा पर गोलीबारी भी बढ़ेगी। वह मुद्दे को अंतरराष्ट्रीय मंचों पर उठाएगा। यह सुखद है कि अब तक किसी बड़े बाहरी मुल्क ने नागरिकों को कश्मीर न जाने की सलाह देने के अलावा इस विषय पर कोई वक्तव्य नहीं दिया है। मामला शांतिपूर्ण रहने पर वह सलाह भी वापस ली जा सकती है।

भारत-पाकिस्तान तनाव बढ़ने पर अमेरिका और चीन का कूदना लाजिमी है। अमेरिका अफगानिस्तान से अपने सैनिक हटाने में लगा हुआ है और वह पाकिस्तान को अफगान शांति समझौते में अहम मानता है। पाकिस्तान पहले ही कह चुका है कि अगर भारत को जम्मू कश्मीर के दर्जे में राजनीतिक बदलाव करने दिए गए तो वह शायद उक्त भूमिका नहीं निभा सकेगा। अमेरिकी प्रशासन के प्रभावी धड़ों का मानना है कि अफगान शांति की राह कश्मीर से होकर जाती है। हमें इस मसले पर अमेरिकी और पश्चिमी सन्निकषता के दोबारा उत्पन्न होने को लेकर सावधान रहना होगा। पाकिस्तान इस्लामिक देशों के बीच भी भारत के खिलाफ माहौल बनाने का प्रयास करेगा। अपने बढ़ते कद के कारण भारत को इनका जवाब देने में सक्षम होना चाहिए। बहरहाल, देश का अंतरराष्ट्रीय कद काफी हद तक उसकी बढ़ती आर्थिक शक्ति और निरंतर विस्तारित होते हुए संरक्षणवादी कदम बढ़ते रहे तो इसका असर हमारे अंतरराष्ट्रीय कद पर भी पड़ेगा। घाटी की संभावित स्थिति के अंतरराष्ट्रीय असर से निपटना और मुश्किल होगा। अब तीर कमान से निकल चुका है और संभव है कि चीजें सरकार के हिसाब से न घटें। बेहतर होगा कि अब संभावित जोखिमों का आकलन कर उन्हें कम करने पर काम किया जाए।

(लेखक पूर्व विदेश सचिव हैं और अभी सेंटर फॉर पॉलिसी रिसर्च के सीनियर फेलो हैं)

आर्थिक मंदी : मोदी सरकार की प्रतिक्रिया के तीन विरोधाभास

हाल के महानों में सरकार द्वारा देश की अर्थव्यवस्था के प्रबंधन में व्यापक तौर पर तीन विरोधाभासी रूझान देखने को मिले हैं। इन विरोधाभासों के चलते मौजूदा आर्थिक मंदी से निपटने की नीतिगत चुनौती और कठिन हो गई है। यह कहना मुश्किल है कि मोदी सरकार इन विरोधाभासों को कितनी जल्दी निपटाएगी लेकिन उनको जल्दी चिह्नित करना, हल की दिशा में पहला कदम है।

पहला विरोधाभास केंद्र की तनावग्रस्त वित्तीय स्थिति से उभरता है। सरकार के राजकोषीय घाटे के शीर्ष आंकड़े पूरी कहानी नहीं कहते। वर्ष 2018-19 में राजकोषीय घाटा सकल घरेलू उत्पाद के 3.4 फीसदी था और 2019-20 में उसके 3.3 रह जाने का अनुमान है। परंतु ये आंकड़े सरकार के राजकोष पर पड़ रहे वास्तविक तनाव को छिपा लेते हैं। बजट से इतर उधारी और धीमे होते कर संग्रह के बड़े हिस्से के साथ सरकार के राजस्व और व्यय में बड़ा अंतर है। यह राजकोषीय घाटे के आंकड़ों से समझ में नहीं आता।

इसके बावजूद लोक कल्याण के मोर्चे पर रुकने का नाम ही नहीं ले रही है। इसका अर्थ यह हुआ कि सरकार को और अधिक संसाधनों की आवश्यकता है, तभी वह इन कल्याण योजनाओं को संचालित कर सकेगी। मिसाल के तौर पर हालिया बजट में उल्लिखित सबको नल से पानी देने की घोषणा, फरवरी में अंतरिम बजट में किसानों की आय का हस्तांतरण करने की योजना आदि इसका उदाहरण हैं। एक वर्ष पहले देश की आधी आबादी के लिए भारी भरकम स्वास्थ्य बीमा योजना की घोषणा की गई थी। इनके अलावा भी गरीबों के लिए रियायती गैस कनेक्शन, सस्ते आवास और ग्रामीण रोजगार योजनाएं आदि भी हैं जिसे मनमोहन सिंह की सरकार ने शुरू किया था। इन्हें देखकर यह स्पष्ट है कि आखिर क्यों केंद्र के वित्त पर राजकोषीय बोझ बढ़ता जा रहा है। आदर्श स्थिति में कल्याण योजनाओं पर सवाल नहीं उठाया जाना चाहिए। परंतु जब सरकारी वित्त दबाव में हो तो लोक कल्याण के बढ़ते बोझ और सरकार की तंग राजकोषीय स्थिति का विरोधाभास मुखर हो जाता है। संक्षेप में कहें तो मोदी सरकार

दूसरा विरोधाभास मोदी सरकार के राजनीतिक रुख से सामने आता है। वर्ष 2019 के आम चुनाव के नतीजों ने यह दर्शाया कि मोदी सरकार की राजनीतिक पूंजी में काफी इजाफा हुआ है। उसे न केवल लोकसभा में अधिक सीट मिलीं बल्कि दक्षिण के कुछ राज्यों को छोड़कर लगभग सभी राज्यों में विपक्ष पूरी तरह समाप्त हो गया। संसद में कोई भी कानून पारित करने में उसे बहुत कम विरोध का सामना करना पड़ता है।

विडंबना यह है कि मोदी सरकार अपनी राजनीतिक पूंजी का इस्तेमाल कोई आर्थिक नीति संबंधी कदम उठाने में करना ही नहीं चाहती। उसे डर है कि इससे उसकी राजनीतिक ताकत कम होगी। वह ऐसे आर्थिक नीति संबंधी कदम नहीं उठाना चाहती है जिनसे लगे कि सरकार बड़े कारोबारियों का साथ दे रही है। इससे उसके मतदाता नाराज हो सकते हैं क्योंकि इनमें मध्य वर्ग और गरीब तबके के लोग अधिक हैं। यही कारण है कि बड़े अमीरों पर कर बढ़ाया गया और देश के उद्यमी जगत के लिए कम कराधान वाली व्यवस्था सामने नहीं आई।

तीसरा विरोधाभास उस तरीके में नजर आया जिसे अपनाकर सरकार ने निवेश बढ़ाने का प्रयास किया है। सरकार ने इस बात को चिह्नित किया कि उसका पास या निजी क्षेत्र के पास संसाधनों का अभाव है। ऐसे में वह देश में निवेश को बढ़ावा देने के लिए विदेशी पूंजी पर अत्यधिक निर्भर है। परंतु विदेशी पूंजी की आवक के कारण देश के भुगतान संतुलन पर पड़ने वाले किसी भी संभावित नकारात्मक दबाव को कम करने की जाए। विदेशी पूंजी को बढ़ावा देने का कोई प्रयास नहीं किया गया। अभिभूतियत रुपये के निर्यात पर पड़ने वाले विपरीत प्रभाव को दूर करने के लिए खामियों भी विनिमय दर नीति को ठीक करने के बजाय, सरकार आयात प्रतिस्थापन की राह अपना रही है। बीते कुछ बजट में जिस प्रकार आयात शुल्क बढ़ाया गया, उससे यह स्पष्ट जाहिर होता है।

लम्बोतुआब यह कि अगले कुछ महीनों में जब तक इन विरोधाभासों को दूर नहीं किया जाता, इस बात की संभावना बहुत कम है कि सरकार आर्थिक मंदी को चुनौतियों से पार पा सकेगी।

कानाफूसी

अनुरोध का मान

सोमवार को जब राज्यसभा में जम्मू कश्मीर को विशेष दर्जा देने वाले संविधान के अनुच्छेद 370 में संशोधन पर बहस की शुरुआत हुई तो लोकसभा के कई भाजपा सदस्य भी कार्यवाही देखने के लिए राज्यसभा में आ गए। राज्यसभा में लोकसभा के सदस्यों के लिए एक आंगतुक दीर्घा है। ये सदस्य भाषण सुन ही रहे थे कि राज्यसभा में थोड़े समय के लिए कुछ और कामकाज होने लगा क्योंकि गृहमंत्री अमित शाह को एक अन्य विधेयक पर लोकसभा में अपनी बात रखनी थी। जैसे ही सभापति एक बैंकिया नायडू ने कहा कि शाह दूसरे भाजपा में हैं, आंगतुक दीर्घा में मौजूद भाजपा के लोकसभा सदस्य तत्काल लोकसभा के लिए प्रस्थान कर गए। दरअसल प्रधानमंत्री नरेंद्र मोदी और गृहमंत्री शाह ने चार-बार सदस्यों से यह आग्रह किया था कि वे अपने सदनों में मौजूद रहें। यही वजह है कि इन सदस्यों ने तत्काल कूच करने में ही भलाई समझी।

कलिता का इस्तीफा

राज्य सभा में विपक्षी दलों के तीन अन्य सदस्यों ने अपने-अपने दल छोड़ दिए हैं और वे जल्दी ही भारतीय जनता पार्टी में शामिल हो सकते हैं। समाजवादी पार्टी के सुरेंद्र सागर ने जहां कुछ दिन पहले अपनी पार्टी से इस्तीफा दिया था, वहीं सोमवार को उनके पुराने साथी संजय सेंट ने भी राज्यसभा की सदस्यता से त्यागपत्र दे दिया। कांग्रेस के लिए बड़ा झटका तब सामने आया जब उसके मुख्य सचेतक भुवनेश्वर कलिता ने राज्यसभा से इस्तीफा दे दिया। रविवार तक कलिता पत्रकारों से कह रहे थे कि उन्होंने कुछ सदस्यों के साथ कश्मीर मसले पर चर्चा का नोटिस दिया है। जब सभापति ने कहा कि उन्होंने कलिता का इस्तीफा स्वीकार कर लिया है तो कथित तौर पर कलिता द्वारा लिखा एक पत्र सामने आया। इस पत्र में लिखा था कि उन्होंने अनुच्छेद 370 और जम्मू कश्मीर के बंटवारे पर कांग्रेस के रुख के विरोध में इस्तीफा दिया है। उन्होंने लिखा कि पार्टी ने उनसे इस विषय पर व्हिप जारी करने को कहा लेकिन यह बात देश की जनभावना के खिलाफ होती। उन्होंने कहा कि कांग्रेस पतन की ओर बढ़ रही है और वह इसमें सहयोग नहीं करना चाहते।



आपका पक्ष

कश्मीर के निर्णय पर एकजुटता जरूरी

केंद्र सरकार ने सोमवार को एक ऐतिहासिक एवं साहसिक निर्णय लेते हुए कश्मीर का विशेष दर्जा समाप्त कर दिया। जम्मू कश्मीर का विभाजन करते हुए कश्मीर एवं लद्दाख को केंद्र शासित प्रदेश का दर्जा दिया गया है। इससे जम्मू कश्मीर के वर्तमान नियम और कानून बदल जाएंगे। गौरतलब है कि अनुच्छेद 370 के कारण कई नियम भारतीयों के लिए अन्यायकारक थे जैसे कि दोहरी नागरिकता, अलग झंडा, जवाब के अल्पसंख्यकों के लिए शिक्षा एवं नौकरी में उपेक्षित रवैया, अन्य राज्यों के लोगों के लिए वहां की संपत्ति खरीदने पर पाबंदी तथा ऐसे कई प्रावधान थे जो जनमानस के राष्ट्रभाव को ठेस पहुंचाते थे। देश के सामान्य से सामान्य नागरिक के मन में अनुच्छेद 370 के प्रति आक्रोश था। इस आक्रोश एवं भाव को समझते हुए केंद्र सरकार ने कठिन निर्णय लिया। अनुच्छेद 370 के कुछ प्रावधान हटाए जाने के बाद



राजनीतिक गलियारों में मत भिन्नता देखने को मिल रही है। कई कश्मीरी एवं अन्य पार्टियों के नेता इस निर्णय को असंवैधानिक कारगर देते हुए देश के लिए इसे काला दिवस बता रहे हैं। वहीं केंद्र सरकार के इस निर्णय का कई विरोधी दलों ने भी समर्थन दिया है। बहुजन समाज पार्टी, बीजू जनता दल, आम आदमी पार्टी ने

कश्मीर में हिंसा की आशंका के कारण वहां अतिरिक्त सुरक्षा बल तैनात किए गए हैं। पाकिस्तान इस निर्णय से असहमत है और वह इस मामले को संयुक्त राष्ट्र में रखने की बात कर रहा है। लेकिन संवैधानिक विशेषज्ञों के अनुसार सरकार ने जो निर्णय लिया है वह निर्णय संविधान का बारीकी से अध्ययन करने के बाद लिया है। इसलिए पाकिस्तान के रुख का कोई महत्व नहीं बचता है। जो नेता इसके विरोध में हैं उन्हें इसपर सकारात्मक सोचना चाहिए। दुश्मन देशों की नजर पहले से ही कश्मीर पर है तथा अनुच्छेद 370 कश्मीर में दबाव करने के लिए उन्हें अवसर प्रदान करती थी। भविष्य में अंतरराष्ट्रीय राजनीति, चर्चाएं, बहस एवं कूटनीति इस मुद्दे में होगी। इसलिए देशहित के लिए सभी राजनीतिक दलों तथा लोगों को इस पर एकजुटता दिखानी होगी।

निशांत महेश त्रिपाठी, नागपुर

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

दैनिक जागरण

दशा सुधारने के लिए दिशा बदलनी पड़ती है

आत्मघाती असमंजस

राज्यसभा के बाद लोकसभा से जम्मू-कश्मीर के नए सिरे से गठन संबंधी विधेयक को पारित होना ही था। अपेक्षा के अनुरूप ऐतिहासिक महत्व वाले इस विधेयक के साथ ही अनुच्छेद 370 को करीब-करीब समाप्त करने वाला प्रस्ताव भी बड़े बहुमत से पारित हुआ, लेकिन यह अपेक्षित नहीं था कि विपक्ष और खासकर कांग्रेस और अधिक भ्रमित दिखाई देगी। ऐसा लगता है उसने उस घटनाक्रम से कोई सबक सीखने की जरूरत नहीं समझी जो संसद के भीतर और बाहर देखने को मिला। यह सही है कि इन दिनों कांग्रेस नेतृत्व के सवाल को लेकर उलझी हुई है, लेकिन इसका यह मतलब तो नहीं हो सकता कि वह राष्ट्रीय महत्व के प्रश्न पर अपने दृष्टिकोण को सही तरह से व्यक्त न कर पाए। दुर्भाग्य से उसके नेताओं ने लोकसभा में भी ठीक यही किया। आम तौर पर ऐसा तभी होता है जब जमीनी हकीकत की अनदेखी कर दी जाती है। यह अच्छा नहीं हुआ कि लोकसभा में कांग्रेस के नेता अधीर रंजन चौधरी ने यह सवाल पूछ डाला कि आखिर कश्मीर हमारा आंतरिक मसला है या नहीं? यह सवाल उछलते हुए उन्होंने शिमला और लाहौर समझौते का भी जिक्र किया। कांग्रेस का वरिष्ठ नेता होने के नाते उन्हें इतना तो पता होना ही चाहिए कि देश में कोई भी सरकार रही हो उसने कश्मीर को भारत का अटूट अंग बताया है और शिमला समझौते का उल्लेख पाकिस्तान के कब्जे वाले भारतीय भू-भाग को हासिल करने के संदर्भ में किया है।

कांग्रेस के लिए गंभीर चिंता की बात केवल यही नहीं कि संसद में उसके नेता अपनी सोच-समझ को सही तरीके से नहीं प्रकट कर सके, बल्कि क्या ही है कि एक के बाद एक कांग्रेसी नेता पार्टी लाइन के खिलाफ बयान देना जरूरी समझ रहे हैं। कांग्रेस को सोचना होगा कि आखिर मिलिंद देवड़ा, जनार्दन द्विवेदी के साथ कुछ अन्य नेताओं ने अनुच्छेद 370 को बेअसर करने के फैसले को सही क्यों करार दिया? अब इन नेताओं में ज्योतिरादित्य सिंधिया भी शामिल हो गए हैं। उनकी ओर से अनुच्छेद 370 को निष्प्रभावी करने के पक्ष में दिया गया बयान इसलिए महत्वपूर्ण है, क्योंकि यह राहुल गांधी के उस कथन के बाद आया जिसमें उन्होंने सरकार पर निशाना साधते हुए कहा कि देश लोनों से बनाता है, जमीन के टुकड़ों से नहीं। साफ है कांग्रेस इसे लेकर गहरे असमंजस में है कि अनुच्छेद 370 हटाने के फैसले पर उसका मत क्या होना चाहिए और उसे कैसे व्यक्त करना चाहिए? उसे न केवल यह पता होना चाहिए कि यह असमंजस उस पर बहुत भारी पड़ने वाला है, बल्कि यह भी कि अनुच्छेद 370 हटाकर एक ऐतिहासिक गलती ठीक की गई है।

किसानों की चिंता

मुख्यमंत्री कृषि आशीर्वाद योजना के तहत झारखंड के तकरीबन 35 लाख किसानों को लाभ पहुंचाने की तैयारी है। उपराष्ट्रपति एम वेंकैया नायडू 10 अगस्त को इस योजना का विधिवत शुभारंभ करेंगे। उसी दिन 15 लाख किसानों के खातों में प्रथम किस्त की राशि भेजने का मसौदा सरकार ने तैयार किया है। जिस सोच के साथ सरकार ने इस योजना की परिकल्पना की है, वह अपने मकसद में पूरा हो इम्फाल जिलों में डाटा एंट्री का कार्य 24 घंटे जारी है। कृषि विभाग ही नहीं, मुख्यमंत्री स्वयं इसकी मॉनिटरिंग कर रहे हैं। सरकार के इस प्रयास की सराहना की जानी चाहिए। ऐसा इसलिए भी, क्योंकि झारखंड के किसान मानसून की बेरुखी का दंश झेल रहे हैं। अपेक्षित बारिश नहीं होने से राज्य में रोपा की स्थिति अत्यंत दयनीय है। ऐसे में किसानों को मिलने वाली आर्थिक सहायता उनके लिए वरदान साबित हो सकता है। वे इस राशि का उपयोग वैकल्पिक खेती के लिए खाद-बीज आदि खरीदने में कर सकते हैं।

बहरहाल राज्य सरकार की इस योजना के तहत एक से पांच एकड़ तक की भूमि रखने वाले किसानों को प्रति वर्ष न्यूनतम पांच हजार और अधिकतम 25 हजार रुपये दिए जाने की तैयारी है। इसी तरह प्रधानमंत्री किसान सम्मान निधि योजना के तहत सभी किसानों को प्रति वर्ष छह हजार रुपये मिल रहे हैं। यानी किसानों को न्यूनतम 11 हजार रुपये से लेकर अधिकतम 31 हजार रुपये तक का सालाना लाभ होगा। झारखंड के छोटे एवं सीमांत किसानों के लिए यह योजना किसी वरदान से कम नहीं है। वशर्तें योजना का लाभ ससमय किसानों तक पहुंचे। कई मौकों पर सरकार को योजना का लाभ तनिक लापरवाही से लाभुकों तक नहीं पहुंच पाता। प्रधानमंत्री फसल बीमा को ही लें। राज्य सरकार ने भारी भ्रुकम लक्ष्य निर्धारित किया, लेकिन पचास फीसद भी हासिल नहीं हो सका। ऐसा पिछले कई सालों से हो रहा है। सरकार को अपनी घोषणाओं और अमल में समन्वय स्थापित करना होगा। राज्य के किसानों की आग वेगुनी करने का लक्ष्य यदि 2022 तक हासिल करना है तो सरकार के तंत्र को अपनी भूमिका ईमानदारी पूर्वक निर्वाह करनी होगी।

अंशुमाली रस्तोगी

शायद ऐसा किसी ने कभी सोचा भी न होगा कि एक दिन खाने को हम धर्म की जकड़न में बंधा पाएंगे। खाने का धर्म निर्धारित कर उस पर बहस करेंगे। सोशल मीडिया से चलकर यह मुद्दा आज घर-घर में चर्चा का विषय बन जाएगा। हम अभी भी जाति की दीवार को ढहा नहीं पाए हैं, पर खाने के पीछे धर्म को लेकर बवाल नया ही गुल खिला रहा है। हमें यह भी बता रहा है कि इतना आधुनिक और डिजिटली समृद्ध होने के बावजूद भी हम धर्म की जकड़बंदी से बाहर नहीं निकल पाए हैं। विडंबना देखिए कि एक तरफ हम चांद पर कदम रखने की तैयारी में हैं और दूसरी तरफ ऐसे लोग भी हैं, जो डिलीवरी बॉय का धर्म देख उससे खाना लेने से साफ मना कर देते हैं। यह किस तरह की आधुनिक समझदारी है, जो समझ से परे है। यह मानवतावाद का परिहास है। पता नहीं कैसा समय आ गया है कि हम व्यक्ति की पहचान उसके व्यक्तित्व से न कर धर्म से तय करने लगे हैं। सोशल मीडिया पर हर वक्त चलने वाली जाति एवं धर्म आधारित बहसें किसी निकष तक नहीं पहुंच

पता नहीं कैसा समय आ गया है कि हम व्यक्ति की पहचान उसके व्यक्तित्व से न कर धर्म से तय करने लगे हैं

पातीं। सिर्फ उम्माद बनकर रह जाती हैं। यही उम्माद समाज के बीच पहुंचकर हमें आए-दिन परेशान करता है। खाना ईशान की भूख मिटाने के लिए है, न कि उसका धर्म निर्धारित करने के लिए। दो वक्त की रोटी के लिए ईंसान को कितना परिश्रम करना पड़ता है, इस वेदना को वह व्यक्ति समझ ही नहीं सकता जो खाने का धर्म तय कर रहा है। जरा जाकर पृष्ठिए उनसे जिन्हें दो वक्त तो क्या एक वक्त का खाना भी कितनी जट्टेजहद के बाद नसीब होता है। खाने का धर्म तय कर हम खाने का तो अपमान करने ही रहे हैं, साथ-साथ दुनिया को यह भी बता रहे हैं कि हम बेवकूफी के स्तर पर किस हद तक जा सकते हैं।

अक्सर जब इस प्रकार के मसले जरे-बहस बनते हैं तो लगता है कि अभी भी हम 'परिपक्व' नहीं हुए हैं। क्यों ऐसी बहसों में पड़ते



हर्ष वी पंत

अगर कश्मीर को लेकर अमेरिका एवं पाकिस्तान एक हो जाएं और भारतीय हितों की अनदेखी होने लगे तब फिर भारत के पास हाथ पर हाथ धरे बैठे रहने की गुंजाइश नहीं

तमाम अटकलों के बाद मोदी सरकार ने जम्मू-कश्मीर को लेकर आखिरकार अपने पते खोल दिए। सरकार ने एक ही इटके में भारतीय संघ के साथ इस राज्य के रिश्तों की तस्वीर बदल दी। गृहमंत्री अमित शाह ने संसद में जम्मू-कश्मीर को विशेष दर्जा देने वाले अनुच्छेद 370 को करीब-करीब समाप्त करने का एलान किया। अब इसमें केवल एक प्रावधान शेष रहेगा और यह राज्य जम्मू-कश्मीर और लद्दाख के रूप में दो केंद्रशासित प्रदेशों में विभाजित हो जाएगा। इस पहल पर जहां सरकार को बसपा, आप, बीजद और वाइएसआर कांग्रेस जैसे विपक्षी दलों का साथ मिला तो वहीं जदयू जैसी उसकी सहयोगी पार्टी ने इसके विरोध में सदन से बहिर्गमन का रस्ता

एक तरह से देखा जाए तो इस कदम पर उतनी हेयानी नहीं होनी चाहिए, क्योंकि भाजपा ने 2019 के चुनावी घोषणापत्र में अनुच्छेद 370 और 35ए को हटाने का उल्लेख किया था। साथ ही इस मसले पर उसने अपनी भावनाएं कभी छिपाईं भी नहीं। भाजपा के पूर्व संस्करण भारतीय जनसंघ के संस्थापक डॉ. श्यामा प्रसाद अडवुल्ला सरकार ने 1953 में उन्हें श्रीनगर में गिरफ्तार करा लिया था और जेल में ही उनका

निधन हो गया। तब से यह मुद्दा पार्टी के नेताओं के बीच और उसकी विचारधारा में छाया रहा। दूसरे कार्यकाल के लिए मोदी सरकार को मिले प्रचंड जनादेश ने सुनिश्चित कर दिया था कि अब वह मुद्दा उसके नए एजेंडे के केंद्र में होगा। किसी भी सरकार के लिए यह मुद्दा विस्फोटक होता, लेकिन प्रधानमंत्री नरेंद्र मोदी ने एक बार फिर से दिखा दिया कि वह जोखिम लेने से कतरते नहीं। इसके लिए पिछले कुछ हफ्तों में चरणबद्ध ढंग से जमीन तैयार की गई। देश पर इसके दीर्घकालिक परिणाम देखने को मिल सकते हैं। अगर मोदी सरकार इससे उचित रूप से निपट सकी तो यह उसकी एक बहुत बड़ी उपलब्धियों में शुमार होगी।

जम्मू-कश्मीर में जल्द ही चुनाव होने हैं। यह भारत की लोकतांत्रिक विश्वसनीयता के लिहाज से बेहद महत्वपूर्ण है कि चुनाव नियत समय पर हों। इस बीच राज्य में तथाकथित मुख्यधारा के राजनीतिक दलों की साख रसातल में है। अलगाववादी नेतृत्व का असली चेहरा भी उजागर हो चुका है कि वे पाकिस्तान की कठपुतली हो जाएं और भारतीय हितों की 'मुख्यधारा' के राजनीतिक दलों से भी त्रस्त हैं जिनके निष्प्रभावी और भ्रष्ट कुशासन ने राज्य को खोखला कर दिया है। वे किसी तरह का सुकारात्मक बकलाव लाने में नाकाम रहे हैं। वहीं मोदी सरकार के लिए यह माकूल मौका था कि वह इस यथास्थिति को चुनौती दे।

'आफ-पाक' थियेटर में चल रहे नाटक का



अवधेश राजपूत

भी इस घटनाक्रम में एक दिलचस्प जुड़ाव है। पाकिस्तानी प्रधानमंत्री इमरान खान के हालिया अमेरिका दौर में अमेरिकी राष्ट्रपति डोनाल्ड ट्रंप ने कश्मीर मुद्दे पर मध्यस्थता का शिर्षक छेड़ा था। इससे भारतीय नीति निर्माता यह समझ गए कि कश्मीर पर अब आर-पार का समय आ गया है। अगर कश्मीर को लेकर अमेरिका और पाकिस्तान एक हो जाएं और भारतीय हितों की अनदेखी का अंदेशा उभर आए तब भारत के पास हाथ पर हाथ धरे बैठे रहने की गुंजाइश नहीं रह जाती।

भारत के अफगानिस्तान में भी व्यापक हित जुड़े हुए हैं। कभी-कभी खेल बनाने के बजाय खेल बिगाड़ने वाली भूमिका से भी सामने वाले को संदेश देना पड़ता है कि आपकी

आवाज भी मायने रखती है और उसे अनदेखा करना आपको भारी पड़ सकता है। कश्मीर को लेकर मोदी का यह कदम बिल्कुल इसी ने कश्मीर में हिस्सा होना चाहिए। मोदी सरकार का हालिया कदम यही रेखांकित करता है कि वह न केवल भारत की खंडित परिधि को सुगठित करने के लिए गंभीर है, बल्कि वह उस राज्य को आकाशकों को लेकर भी संजीदा करे। अपने तमाम संसाधनों के बावजूद हिंसा और खराब राजनीति का शिकार है। ऐसा करने के लिए अतीत की गलतियों को सुधारना सबसे पहला आवश्यक कदम है।

(लेखक लंदन स्थित किंग्स कॉलेज में इंटरनेशनल रिलेशंस के प्रोफेसर हैं) response@jagran.com

नेहरू की जिद से जुड़ा था अनुच्छेद 370

इस बात का अहसास मुश्किल से ही किया जाता है कि कश्मीर समस्या की जड़ में जो कारण जिम्मेदार बने उमें प्रमुख थे-विलय पत्र में जनमत संग्रह का उल्लेख किया जाना, मामले को संयुक्त राष्ट्र ले जाना और भारतीय सेना के कदम तब रोक देना जब वह कश्मीर घुस आए हमलावरों को खदेड़ने वाली थी। अनुच्छेद 370 ने जम्मू-कश्मीर को भारत का अभिन्न अंग बनने में बाधा डालने का काम किया। इससे कम ही लोग अपरिचित हैं कि किस तरह सरदार पटेल, कांग्रेस कार्यसमिति के तमाम सदस्यों और साथ ही संविधान सभा की अनिच्छा के बावजूद यह अनुच्छेद निर्मित हुआ और संविधान का हिस्सा बना। अनुच्छेद 370 को 1947 के आखिर में शेख अब्दुल्ला और जवाहरलाल नेहरू की ओर से लाया गया। इस समय तक शेख अब्दुल्ला को महाराजा और नेहरू की ओर से जम्मू-कश्मीर का प्रधानमंत्री नियुक्त किया जा चुका था। नेहरू ने कश्मीर मामले को अपने अधीन रखा और गृहमंत्री होने के बाद भी सरदार पटेल को इस मसले पर दखल का अधिकार नहीं दिया।

इसीलिए जम्मू-कश्मीर के मामले पर जो कुछ हुआ उसके लिए नेहरू ही जिम्मेदार माने जाएंगे। यह लॉर्ड माउंटबेटन थे जिन्होंने नेहरू को इसके लिए राजी किया कि वह जम्मू-कश्मीर के मसले को संयुक्त राष्ट्र ले जाएं। इसी तरह यह शेख अब्दुल्ला थे जिन्होंने स्वतंत्र कश्मीर का शासक बनने और महाराजा के प्रति नापसंदगी के चलते नेहरू को जम्मू-कश्मीर को विशेष दर्जा देने के लिए राजी किया। अनुच्छेद 370 का सबसे खतरनाक प्रावधान यह था कि इसमें कोई भी संशोधन केवल जम्मू-कश्मीर विधानसभा ही कर सकती है। नेहरू ने भरौसा दिलाया कि अनुच्छेद 370 एक अस्थाई प्रावधान है और वह समय के साथ समाप्त हो जाएगा, पर हुआ इसका उल्टा। शेख अब्दुल्ला ने पहला काम यह किया कि महाराजा के उत्तराधिकार के अधिकार को खत्म कर स्वयं को सदर-ए-रियासत के तौर पर स्थापित किया। जम्मू-कश्मीर विधानसभा ने राज्य के भारत संघ में विलय के प्रस्ताव को 1956 में मंजूर किया। शेख अब्दुल्ला के साथ अनुच्छेद 370 के मसौदे को अंतिम रूप देने के बाद नेहरू ने गोपालस्वामी आयोग को बिना विभाग का मंत्री बनाया ताकि वह कश्मीर मामले में उनकी सहायता कर सकें और इस अनुच्छेद पर संविधान सभा को राजी कर सकें। गोपालस्वामी आयोग महाराज हरि सिंह के समय छह वर्षों तक कश्मीर के प्रधानमंत्री रह चुके थे।



श्रीराम थकुर

जब आयोग ने 370 के मसौदे को संविधान सभा के समक्ष रखा तो वहां उसकी धज्जियां उड़ा दी गईं



जब सरदार पटेल ने आयोग की पहल पर आपत्ति जताई तो 27 दिसंबर 1947 को नेहरू ने बयान दिया, 'आयोग को खास तौर पर कश्मीर के प्रसंग में मदद करने को कहा गया है। कश्मीर के बारे में उनकी जानकारी के चलते उन्हें पूरी समर्थ्य दी गई है। मुझे नहीं पता कि इसमें क्यों के मंत्रालय (सरदार पटेल के मंत्रालय) की भूमिका कहां से आती है, सिवाय इसके कि जो कदम उठाए जाएं उनसे उसे अवगत कराया जाए। यह मेरी पहल पर हो रहा है और जो मसला मेरी जिम्मेदारी है उससे मैं खुद को अलग नहीं कर सकता।'

इसके बाद सरदार पटेल ने इस्तीफा दे दिया और मामला गांधी जी के पास गया ताकि दोनों सहयोगियों में सुलह करा सकें। इस दौरान वी शंकर सरदार पटेल के निजी सचिव थे। उन्होंने उस दौर की सारी गतिविधियों पर विस्तार से लिखा। उनके दस्तावेजों के अनुसार नेहरू ने पटेल को बताए बिना 370 का मसौदा तैयार किया था। जब आयोग ने इस मसौदे को संविधान सभा के समक्ष विचार के लिए रखा तो उसकी धज्जियां उड़ा दी गईं। नेहरू उस समय विदेश में थे। उन्होंने वहीं से पटेल को फोनकर अनुच्छेद 370 संबंधी मसौदे को संविधान सभा से पारित कराने की गुंजाइश की। अपने सहयोगी के मान की रक्षा के लिए पटेल ने न चाहेते हुए भी संविधान सभा और साथ ही

कांग्रेस के सदस्यों को 370 के मसौदे को पारित करने के लिए राजी किया, लेकिन वी शंकर के मुताबिक पटेल ने यह भी कहा, 'जवाहरलाल रोएगा।'

वी शंकर ने लिखा है कि इस मुद्दे पर हुई कांग्रेस की बैठक हंगामेदार रही। उनके शब्दों में, 'मैंने इतनी हंगामेदार बैठक कभी नहीं देखी।' आयोग के फामूले पर जोरदार प्रतिक्रिया व्यक्त की गई और यहां तक कि संविधान सभा की संप्रभुता का भी सवाल उठा। कांग्रेस पार्टी में भी नाराजगी थी। जब एक बार सरदार पटेल ने कमान अपने हाथ में ले ली तो अनुच्छेद 370 पर विरोध के सुर शांत हो गए, लेकिन पटेल के निधन के बाद 24 जुलाई 1952 को नेहरू ने कश्मीर के भारत संघ में धीमे एकीकरण पर संसद में कहा, 'हर समय सरदार पटेल इस मामले को देखते रहे।' नेहरू की इस शलतबयानी पर खुद गोपालस्वामी आयोग हैरान रह गए। उन्होंने वी शंकर से कहा कि यह पटेल के साथ किया गया बुरा बर्ताव था।

यह भुला दिया जाता है कि जम्मू-कश्मीर राज्य कोई सरूप यानी एक जैसे लोगों का इलाका नहीं था। घाटी अवश्य मुस्लिम बहुल थी, पर जम्मू मुख्यतः हिंदू बहुल था और लद्दाख में मुसलमानों और बौद्धों की मिश्रित आबादी थी। इसके अलावा वहां गुज्जर और बक्करवाल भी थे। आखिर अनुच्छेद 370 जम्मू-कश्मीर के भारत संघ में पूर्ण एकीकरण में बाधक क्यों बना? सबसे पहले तो केंद्र सरकार जम्मू-कश्मीर के बारे में केवल राज्य सरकार की सहमति से ही कोई कानून बना सकती थी। इससे राज्य को एक तरह का वीटो पावर मिल गया था। अनुच्छेद 352 और 360 जो राष्ट्रपति को राष्ट्रीय और विंतीय आपात स्थिति की घोषणा करने का अधिकार देते हैं उनका इस्तेमाल भी जम्मू-कश्मीर में नहीं किया जा सकता था। जहां भारत का नागरिक केवल एकल यानी भारतीय नागरिकता रखता है वहीं जम्मू-कश्मीर के लोगों को दोहरी नागरिकता रखने का अधिकार था। दलबलद रोधी कानून भी जम्मू-कश्मीर में लागू नहीं हो सकता था। कोई बाहरी व्यक्ति इस राज्य में संपत्ति भी नहीं खरीद सकता था। जम्मू-कश्मीर को यह अधिकार भी था कि वह छवनी क्षेत्र के निर्माण के लिए मना कर सकता था और यहां तक सेना के इस्तेमाल के लिए जमीन देते से इन्कार कर सकता था।

(इंडियन डिफेंस रिव्यू में सेवानिवृत्त मेजर जनरल लेखक के आलेख-'आर्टिकल 370: द अनटॉल्ड स्टोरी' का संपादित अंश) response@jagran.com



ऊर्जा

कमजोर इच्छा

ऐसा क्यों होता है कि एक जैसे दिखने वाले लोगों में से कई बहुत सफल होते हैं तो कई असफल। आखिर वह कौन सा तत्व है जो व्यक्तियों को असफलता की ओर धकेलता है। वह तत्व है कमजोर इच्छा। कमजोर इच्छा से अभिप्राय उस इच्छा या कार्य से है जो हम सभी कभी न कभी यह जानते या महसूस करते हैं कि हमें कुछ करना चाहिए या कोई काम हमारे समीप में रहेगा, लेकिन हम उसे करते नहीं। यह पुरानी समस्या है। यह काम करने में आड़े आने वाला सबसे बड़ा अवरोधक है। यही कारण है कि अनेक लोग अपने बढ़िया विचारों और योजनाओं को मस्तिष्क में लिए ही इस दुनिया से चले जाते हैं, क्योंकि वे कमजोर इच्छा की स्थिति में रहकर कभी उन विचारों या योजनाओं को मूर्त रूप देने की कोशिश ही नहीं करते। यदि वे कोशिश करते तो शायद दुनिया में अनगिनत नवाचार की वस्तुएं होतीं और व्यक्ति उन सबसे लाभ उठा रहे होते। आधुनिक सुविधाएं, तकनीकी ज्ञान, उपकरण आदि सभी विचार व्यक्तियों ने सोचते ही वास्तविकता में उतारने के लिए दिन रात एक कर दिए, इसलिए आज हम उनका उपाजोग कर पा रहे हैं। यदि आपके मन में कोई भी ऐसा विचार या योजना आती है तो उसे तुरंत कर दीजिए।

कमजोर इच्छा व्यक्ति को बड़े काम करने से रोकती है। इसलिए उदरक सकारात्मक सोच कर आगे बढ़ें और काम को सुरक्षित रूप में पूरा करें। कमजोर इच्छा का मूल कारण एक ही है-सकारात्मक सोच की कमी और मेहनत से बचना। सकारात्मक सोच और कड़ी मेहनत से सब संभव है। इनसे व्यक्ति बड़ी मुसीबतों को भी अवरस में बदलकर इतिहास रच देते हैं। इसलिए कमजोर इच्छा की स्थिति उन्हें अपना शिकार नहीं बना पाती। जेफ बेजोस और बिल गेट्स इसका सशक्त उदाहरण हैं। उनके मन में आई इच्छा कभी कमजोर नहीं पड़ पाई। आप भी आज ही से कमजोर इच्छा को मजबूत इच्छा में बदलने के लिए उस पर काम करना आरंभ कर दीजिए। फिर आने वाला समय आपका होगा, जो आपके नाम के साथ लोगों का प्रेरणास्रोत बनेगा।

रेनु सैनी

मेलबाक्स

और प्रधानमंत्री नरेंद्र मोदी भी उस सूची में शामिल हो गए हैं। अनुच्छेद 370 पर बात करना मधुमक्खी के छत्ते में हाथ डालने जैसा था, लेकिन पीएम मोदी ने उसे कर दिखाया। असल में तो नरेंद्र मोदी ने जम्मू कश्मीर में अनुच्छेद 370 हटाने का संकल्प उसी दिन ले लिया था, जब वर्ष 1992 में उन्होंने मुरली मनोहर जोशी के नेतृत्व में श्रीनगर के लाल चौक पर तिरंगा फहराया था। आतंकवादियों ने धमकी दी थी कि जिसने मां का दूध पिया हो वह लाल चौक पर तिरंगा लहरा कर दिखाए। मोदी ने चुनौती देते हुए कहा था कि मैं बुलेट प्रूफ जैकेट पहने बिना सामान्य गाड़ी से आ रहा हूं, जिसकी मां ने दूध पिलाया है वह मुझे कर कर दिखा दे। उस दिन मोदी ने मां के दूध की गरिमा बढ़ा दी थी। अब अनुच्छेद 370 पर संसद का जो फैसला आया है वह प्रधानमंत्री के उसी संकल्प का परिणाम है। वैसे तो भारत की राजनीति में इंदिरा गांधी भी साहसिक निर्णय लेने के लिए जानी जाती हैं। उन्होंने बांग्लादेश के निर्माण, राजाओं के पि्रवी पर्स व बैंकों के राष्ट्रीयकरण जैसे साहसिक निर्णय लिए थे, किंतु देश पर आपातकाल थोपने वाली भयंकर भूल ने उन्हें सत्ता से बाहर कर दिया था। मोदी इससे पहले नोटबंदी व जीएसटी लागू करने जैसे निर्णय ले चुके हैं। साहसिक निर्णय लेने के लिए भरपूर आत्मविश्वास चाहिए और वह मोदी में कूट कूट कर भरा हुआ है। अनुच्छेद 370 व 35ए हटाने से जम्मू-कश्मीर निःसंदेह प्रगति के पथ पर अग्रसर होगा। निश्चय ही नरेंद्र मोदी की सरकार इस ऐतिहासिक निर्णय लेने के लिए सराहना की पात्र है। जम्मू-कश्मीर की आने वाली पीढ़ियां भी आभारी रहेंगी।

रंजीत वर्मा, फरीदाबाद