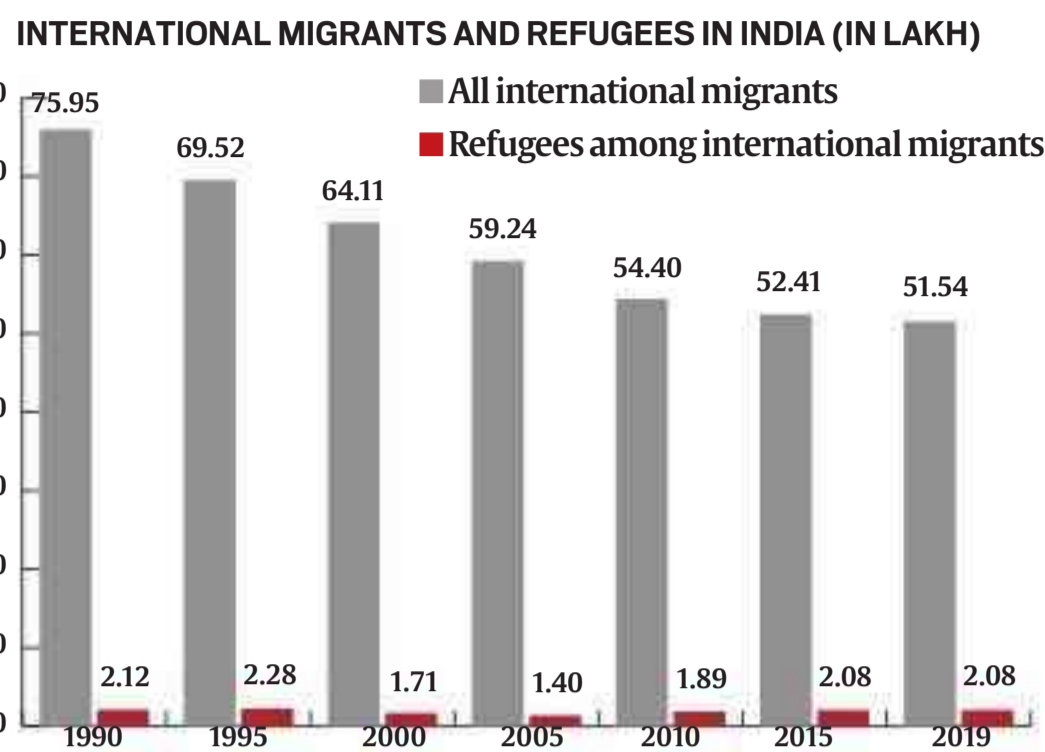
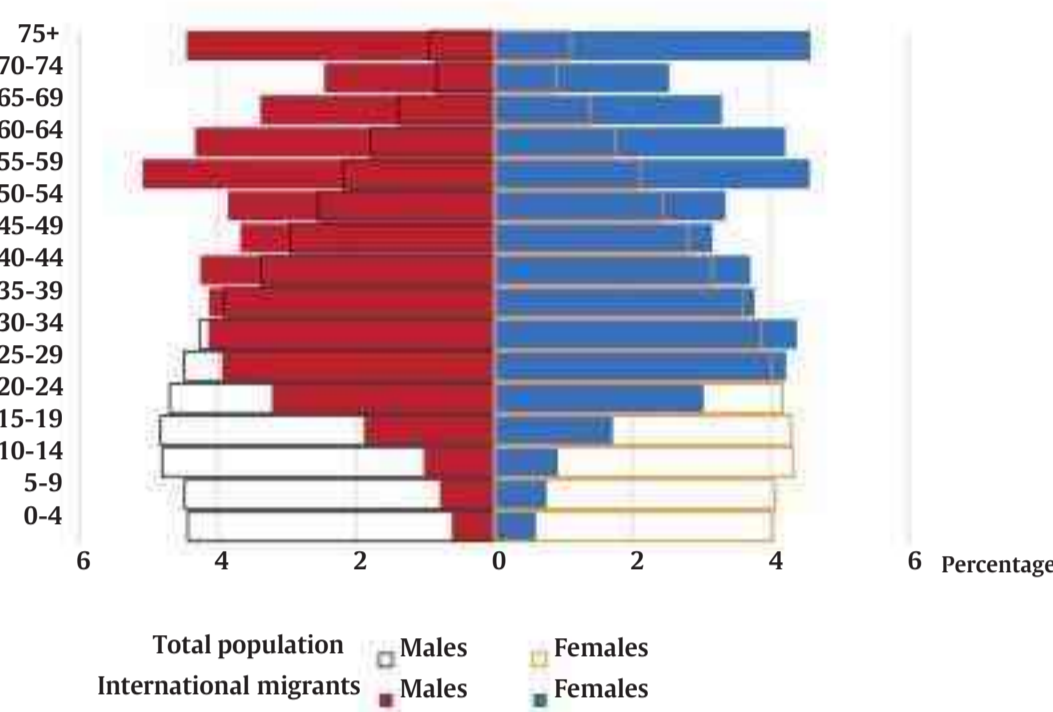


## TELLING NUMBERS

### International migrant count slopes downward in India



### AGE AND SEX DISTRIBUTION OF INTERNATIONAL MIGRANTS



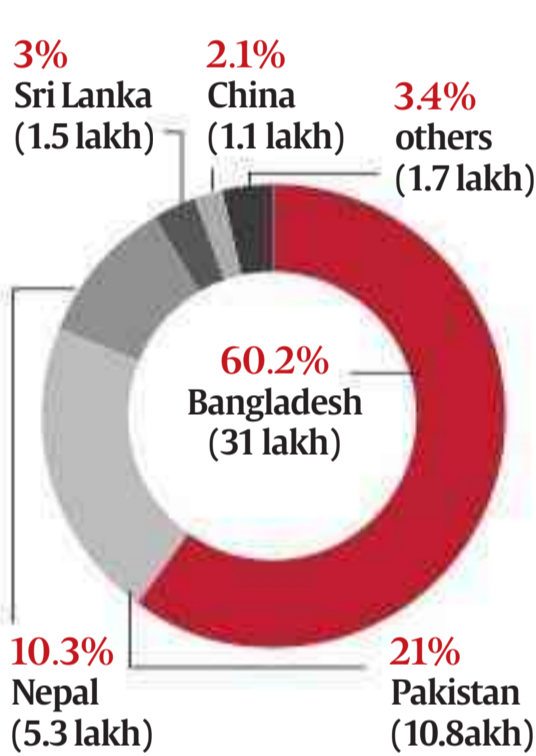
ON WEDNESDAY, the UN Population Division released the dataset International Migrant Stock 2019. While the size of the Indian diaspora in other countries was reported in *The Indian Express* on Thursday, the exhaustive dataset also showed striking trends in international migration into India. The number has been consistently going down in the last three decades; from 75.9 lakh in 1990, the international migrant population is 51.5 lakh in 2019, the dataset showed.

The United Nations said in a statement that these estimates were based on official national statistics of foreign populations gathered from censuses. "These numbers reflect any person who is moving or has moved across an international border, regardless of citizenship status or motive — meaning the data encompass people who have moved either intentionally or involuntarily," it said.

The 51,54,737 international migrants in 2019 represent just 0.4 per cent of the total population of India. In contrast, the international migrant population across all countries is 27.2 crore, who represent 3.5 per cent of the total global population. Of these 27.2 crore, 1.75 crore are Indian migrants living in various countries.

Of the international migrants in India in 2019, the country of origin for 31 lakh — or just over 60 per cent — was Bangladesh. Another 21 per cent were originally from Pakistan and 10

### INTERNATIONAL MIGRANTS IN INDIA, 2019, BY COUNTRY OF ORIGIN



Source: All graphics based on data from International Migrant Stock 2019, UN

per cent from Nepal.

The proportion of refugees among the international migrants has varied over the years. While the actual count is down from 2.12 lakh in 1990 to 2.08 lakh in 2019, their proportion among all international migrants has increased, from 2.8 per cent in 1990 to 4 per cent in 2019.

The proportion of women among international migrants in India, at 48.8 per cent, is higher than the 47.9 per cent proportion of women among international migrants across countries.

## SIMPLY PUT QUESTION & ANSWER

# On UNGA side, a climate meet

PM will attend Monday's high-profile special summit aimed at identifying concrete and urgent solutions, but India has said it is already doing its best — UN Secy Gen's new asks should be for developed nations

AMITABH SINHA  
PUNE, SEPTEMBER 19

UN SECRETARY General António Guterres has convened a special Climate Action Summit on Monday, at the start of the annual General Assembly session, in a bid to nudge countries to do more to fight climate change. He has told world leaders to come with 'concrete' and 'realistic' proposals to enhance the actions that they are already taking.

While Prime Minister Narendra Modi is among several leaders due to attend the Secretary-General's meeting, India has already said it was in no position to upgrade its climate action plan. Instead, it has reminded the developed world that they have been woefully short of fulfilling their obligation of providing money and technology to developing countries to help them deal with the impacts of climate change.

### Why a special summit?

This is not the first time that a special meeting on climate change is taking place on the sidelines of the General Assembly session. A similar meeting happened last year. But this year, the meeting has a bigger profile, with close to 60 heads of state or government, including France's President Emmanuel Macron, German Chancellor Angela Merkel, and British Prime Minister Boris Johnson, likely to attend.

But what makes this meeting different from earlier efforts is the intention of the Secretary-General not to let this become another talk shop. Bring concrete plans, not speeches, Guterres is reported to have told the world leaders in a letter inviting them for the meeting. More specifically, he has asked countries to bring their action plans in line with the objective of reducing global greenhouse gas emissions by 45 per cent by 2030, and to "net zero" by 2050. In addition, he has also identified nine areas in which he would like the countries to do more.

### What are the climate action plans he is talking about?

Under the 2015 Paris Agreement, every signatory nation is supposed to finalise and submit a set of time-bound actions that it would take to combat climate change. The first set of action plans, called nationally determined contributions or NDCs, was submitted in 2015. The Paris Agreement also says that the NDCs should be updated every five years, with each subsequent NDC being stronger and more ambitious than the previous one.



Swedish climate activist Greta Thunberg, 16, at a demonstration at the US Supreme Court Thursday. She has taken part and is set to take part in a series of events, including speaking in US Congress, a climate strike, and the UN Climate Action Summit. Reuters

As per the five-year cycle, countries have to submit their second NDCs by next year. But the Secretary-General is asking the countries to make specific additional commitments at Monday's meeting. In addition, he has also appealed to the countries to promise not to set up any new coal plants after 2020, stop subsidies on fossil fuels, and levy additional taxes on polluters. Importantly, he has asked all countries to commit to net zero emissions by 2050.

### Why has India refused?

India has said its NDC already represents its "best effort", keeping in mind its development imperatives. In a discussion paper released earlier this week, the government said the "new asks" from the Secretary-General, "in particular net zero emissions, mean a sweeping change across the entire economy". It has said this target should be kept only for developed countries.

"This can be a global aspirational goal and developed countries must be on track to take measures and legislate for net zero emissions by 2050. But it cannot be a goal for developing countries as the technologies have not progressed and aren't all available yet for developing countries. And the past performance on both finance and technology front is just not reassuring for them," it has said.

In the discussion paper, India has repeatedly

called out the developed world for their failure to provide adequate finance and technology to developing countries. It has pointed out that the finance needs specified by the developing countries in their NDCs in 2015 adds up to \$4.4 trillion. India alone requires \$206 billion by 2030 to implement only the adaptation programmes in agriculture, forestry, water resources, and infrastructure. The total cost of carrying out all the promised actions in the NDCs would cost \$2.5 trillion by 2030.

What the developed countries have made available is meagre in comparison. Developed countries have promised to mobilise at least \$100 billion every year from 2020 for the developing countries. But even on that count, they are way behind the target as of now.

"As per latest data available of Climate Funds Update, the actual pledges from developed to developing countries for climate finance is around only \$30 billion, whereas deposits and approval are around \$26 billion and \$19 billion respectively," India has said.

It has said any call for climate actions at this stage "should be set in motion a serious discourse on climate finance required to take climate actions effectively".

India has said while it will continue to "do its best" on climate actions, it would not commit to any long-term goal, like a net-zero emission target for 2050, at this stage. Under

the Paris Agreement, countries are supposed to undertake a stock-take of their actions in 2023 to see whether these were in line with the objective of keeping the global rise in temperature to below 2°C from the pre-industrial times.

"Given this, India will be better placed to consider a mid-term assessment of its actions and suitably recalibrate through re-examination and improvement when the global stock-take takes place in 2023. For the present, India may only be in a position to elaborate or clarify its post 2020 climate actions already pledged in its NDC," it has said.

### So, what is expected to come out of Monday's meeting then?

A new UN report just ahead of Monday's meeting says at least 112 countries had expressed their intent to revise their NDCs, with 75 of them promising to enhance its ambition. The other 37 have proposed to bring more data and information in their NDCs. In addition, at least 53 countries had said they were working to finalise long-term strategies, like a net-zero goal by 2050. Only 14 countries, together accounting for 26 per cent of global emissions, had categorically said they would not revise their NDCs.

Many countries are likely to make these announcements at Monday's meeting.

# How a 65-year-old maths problem was solved

An algorithm, a supercomputer, 2 mathematicians, unused power from 5 lakh home PCs: for 'fun and philosophy'

KABIR FIRAQUE  
NEW DELHI, SEPTEMBER 19

TAKE THE number 9. It can be expressed as the sum of 0, 1 and 8, which are respectively the cubes of 0, 1 and 2. Or take 17, which is 1 + 8 + 8, or the sum of the cubes of 1, 2 and 2. How many other numbers from 1 to 100 can be expressed as the sum of the cubes of three integers (whole numbers, positive or negative)?

This is a puzzle with its roots in 1954-55, when it was described by University of Cambridge mathematicians. It is not as easy as it may look. While 9 and 17 provide solutions with positive cubes, some numbers require negatives. For example, 11 is 27 - 8 - 8, which can be expressed as (-8) + (-8) + 27, or the sum of the cubes of -2, -2, and 3. Other numbers can be much trickier, requiring large cubes that include negatives. Such as 51, which is the sum of the cubes of -796, 602 and 659,

or (-504,358,336) + 218,167,208 + 286,191,179.

As it turns out, not every number has a solution. During their search for solutions, mathematicians have deduced a rule showing that certain numbers cannot be expressed as the sum of three cubes. For the numbers that do not come under this rule, they kept looking for solutions, and found them one by one.

Just two solutions were proving elusive — for 33 and 42. In March this year, a solution was finally found for 33. This month, the same mathematician teamed up with another to find a solution for 42, putting the problem finally to rest.

### The point of it all, if any

Why should it matter whether we can or cannot express a certain number as the sum of three cubes? "Mostly it's just a bit of fun," said Andrew Booker of the University of Bristol, the mathematician who worked on the solutions for both 33 and 42. "More seri-

ously," Booker added in his email to *The Indian Express*, "as number theorists, our interest in this sort of problem borders on philosophical, along the lines of 'Is it even possible to solve this problem?'"

There are many mathematical problems that are easy to state but hard to solve; it has also been discovered that there are problems that are actually impossible to solve.

In March, the journal *Research in Number Theory* published Booker's solution for 33 as the sum of three cubes, which he had found using a computer algorithm. Now, Booker and another mathematician, Andrew Sutherland of the Massachusetts Institute of Technology, have used the same algorithm to solve for 42.

### Tough search and discovery

Some numbers can be expressed as the sum of three cubes in more than one way. For example, 10 is 1 + 1 + 8 (the cubes of 1, 1 and 2) and also 64 - 27 - 27 (the cubes of 4, -3, -3).

For any integer, there is a conjectural formula for the average density of the solutions, Booker said. "For 33 and 42 that density is particularly low," he said.

Booker spent weeks on a supercomputer before he found an answer for 33. For 42, Booker and Sutherland used Charity Engine, a crowdsourced platform that harnesses unused computing power from over 500,000 home PCs. It needed over a million hours of pooled computing, which translated into much less in real time. "We had some teething problems with getting the code up and running on their network, but once we got going it took less than a week to find the solution," Booker said.

The number 42 is the sum of the cubes of (i) 12,602,123,297,335,631; (ii) 80,435,758,145,817,515; and (iii) minus 80,538,738,812,075,974. And 33 is the sum of the cubes of (i) 8,866,128,975,287,528; (ii) minus 8,778,405,442,862,239; and (iii) minus 2,736,111,468,807,040.

# Brick by brick, how a municipality, govt, builders created a crisis in Kochi

SHAJU PHILIP  
KOCHI, SEPTEMBER 19

ON MONDAY, Kerala's Maradu municipality will report to the Supreme Court on its compliance with the court's order, passed on May 8, to demolish four posh apartment complexes that have come up close to the backwaters of Kochi in violation of Coastal Regulatory Zone (CRZ) rules.

But around 350 families who live in the apartments have refused to leave, giving up their homes and investments that are estimated to add up to Rs 350 crore.

### Flats, builders, residents

The apartments are on the banks of canals that are part of the network of backwaters in Kochi's highly developed Maradu suburb. The Jain Coral Cove complex was built by Jain Housing and Constructions; the twin towers of Holy Faith H2O by Holy Faith Builders; the Golden Kayaloram complex by KP Varkey and VS Builders; and Alfa Serene by Alfa Ventures. Together, these complexes

have 343 dwelling units. Residents include filmmakers, businessmen, professionals, as well as elderly retirees. Members of this roughly 1,500-strong community have been living in the apartments for up to eight years.

### 2005-07: Early problems

In 2005-06, the then CPM-controlled Maradu panchayat (it became a municipality in 2010) issued five permits to build apartment complexes. No construction took place on one of these permits.

As per directives issued by the Kerala Coastal Zone Management Authority (KCZMA) and the state Science and Technology Department in 2005, self-government bodies were required to obtain the Authority's clearance for construction in coastal areas. However, then Maradu panchayat secretary M Ashraf failed to forward the applications for the permits to KCZMA for CRZ clearance.

The vigilance wing of the Town Planning Department subsequently stumbled upon anomalies in 31 building permits, including the ones issued to the real estate devel-

opers. The state's Local Self Government Department asked for the revocation of the permits and, in May 2007, the Maradu panchayat issued notices to all the builders.

### Case in the High Court

After all four builders moved the Kerala High Court against the Maradu panchayat notices, a Single Judge Bench issued an interim order staying all action by the panchayat, including existing 'stop' memos issued to the builders. The interim order gave the panchayat liberty to issue fresh 'stop' memos that would be legally tenable — however, neither the Maradu local body nor the KCZMA did anything.

The builders grabbed this opportunity to complete the construction, and then moved court to have the buildings numbered by the local body. Apartments started selling, their buyers confident that all issues would be sorted out ultimately.

In 2013, when the flats were already occupied, Maradu municipality appealed the 2007 Single Bench order, alleging anomalies in the building permits, including violations

of CRZ norms. The KCZMA joined the case.

But the Division Bench gave them no relief, and instead blasted the municipality and its secretary. In its June 2, 2015 order, the court said that if the local authority had failed to comply with the KCZMA's directives on the local authority's obligations while processing applications for the permits, the permit-holders couldn't be held responsible.

"We must record our anguish about the manner in which the Maradu municipality and its secretary had conducted themselves. They were merely issuing permits and allowing the builders to proceed with the constructions. After substantial progress was made, the municipality had become suddenly wiser on receipt of a letter from the government. Therefore, this is a situation which has been created by the municipality itself and the entire blame for this should be accepted by them," the Division Bench said.

### Appeal in Supreme Court

In 2016, the KCZMA moved a special leave petition in the Supreme Court against the Maradu municipality. It said that the

area is part of a tidally influenced water body, a critically vulnerable coastal area where construction is strictly restricted, and that the permissions were given in violation of statutory provisions.

The Supreme Court, after hearing KCZMA and Maradu municipality, said no finding had been recorded either by the Single Bench or the Division Bench on whether the area was in CRZ Category-III, II, or I. On November 27 last year, the court formed a three-member committee to ascertain whether the areas where the buildings stood were in CRZ-III or in other categories. The only question was whether the area falls in CRZ-III, the court said.

The committee, comprising a government secretary, the Ernakulam district collector, and the Maradu municipality secretary, said in its report that the currently applicable Kerala Coastal Zone Management Plan was approved in 1996, in which Marad was a panchayat area, and hence in CRZ-III category. But since the panchayat was upgraded to a municipality in 2010, the area was shown in CRZ-II category

in the draft CZMP prepared as per the CRZ Notification 2011, and submitted to the Union Ministry of Environment and Forests. Until the government approves the CZMP draft, the CZMP of 1996 would remain valid.

### What builders say

According to the builders, as Maradu municipality falls under CRZ-II as per the CZMP approved earlier this year, the buildings are in compliance with CRZ norms as of today. They have said that Marad panchayat had passed resolutions thrice before 2010 against CRZ-III categorisation, and had asked the Authority for a correction.

The builders had banked on earlier verdicts related to CRZ violations, in which the courts had generally favoured them. In 2003, while considering a petition against Lakeshore Hospital on the banks of a canal in Maradu, the High Court had said it was "at a loss to understand how this rule (CRZ) could be pressed into service". The government, too, had told the court that the CZMP had been incorrectly prepared, and that a fresh one would be issued.





SMOKING IS INDISPENSABLE IF ONE HAS NOTHING TO KISS.  
— SIGMUND FREUD

## The Indian EXPRESS

FOUNDED BY  
RAMNATH GOENKA

BECAUSE THE TRUTH INVOLVES US ALL

### TAXING TIMES

**Sluggish tax collections are likely to upset spending plans. Government needs to explore other ways to shore up revenues**

**A**SLOWING ECONOMY has taken its toll on the government's tax revenues. Advance tax collections have grown by a mere 6 per cent between April to mid-September this year, as against a growth of 18 per cent over the same period last year. Within direct taxes, corporate tax collections have grown by just 6.5 per cent over the period, while personal income taxes have grown by a mere 3.5 per cent over this period, lower than even the nominal GDP growth of 8 per cent in the first quarter of 2019-20. With direct tax collections now having to more than double over the next six-odd months to meet the budgeted target of Rs 13.35 lakh crore, a slowing economy will exacerbate the situation: The Centre will find it difficult to meet the fiscal deficit target of 3.3 per cent of the GDP this year.

There is concern on the indirect tax side too. A slowdown in consumption — private consumption grew by just 3.1 per cent in the first quarter of 2019-20 down from 7.2 per cent in the previous quarter — will further drag down the goods and services tax (GST) collections. By some estimates, the required monthly run-rate for GST collections has already jumped to around Rs 1.18 lakh crore per month for the rest of 2020. Achieving this, with consumption sputtering, will be challenging. But it isn't just the Centre alone. State finances will also be under pressure this year. First, subdued tax revenues mean that the divisible tax pool, 42 per cent of which is shared with states, will be lower than what has been budgeted for, reducing tax devolution to states. Second, last year, devolution to states was carried out on the basis of the revised revenue estimates of 2018-19 presented in the Budget. But actual tax collections, as per the Controller General of Accounts, were significantly lower. This implies that devolution to states last year may have been higher than what was required. It is possible that this adjustment is being undertaken in the current financial year which will further reduce tax devolution. Then, there are also concerns that revenue collected through the compensation cess may not be enough to compensate states this year.

Part of the shortfall in the Centre's tax revenue this year will be made up by the RBI transferring Rs 58,000 crore more than what was budgeted for. But this alone may not be enough. One option before the Centre is to ramp up its stake sales in PSUs. While the government has budgeted to collect Rs 1.05 lakh crore through disinvestment this year, it could opt for a more aggressive disinvestment/privatisation programme to alleviate fiscal concerns, while generating resources to ramp up its capital expenditure.

### VAPOURISED

**Ban on e-cigarettes smacks of hypocrisy and an arbitrary exercise of executive authority**

**S**MOKING IS INJURIOUS to health, and the use of tobacco products has been linked to a host of diseases, including various cancers and cardiovascular ailments. According to WHO, tobacco causes over 10 million deaths annually in India. In the US, the figure stands at 4,80,000. "Vaping", or the use of e-cigarettes (called ENDS or Electronic Nicotine Delivery Systems), has resulted so far in seven confirmed deaths in the US. Cigarettes, chewing tobacco and related products continue to be legal in India, and through being heavily taxed as well as via the government's stake in domestic tobacco giants, significantly add to the earnings of the exchequer. However, on Wednesday, the Union government announced an ordinance banning ENDS. In terms of first principles as well the purported concern for citizens' health, the ban on e-cigarettes smacks of hypocrisy and an arbitrary exercise of executive authority.

The Promulgation of the Prohibition of Electronic Cigarettes Ordinance provides for imprisonment of up to one year and/or fines up to Rs 1 lakh for the first offence, imprisonment of up to three years and a fine up to Rs 5 lakh for a subsequent offence. Those possessing ENDS must suo motu turn them over at the local police station, else face the harsh consequences of the executive decree. Meanwhile, the tobacco industry has welcomed the move and share prices of ITC and VST Industries registered a sharp increase in the wake of the ban. In the worst-case scenario, vaping will be as bad as smoking. And like cigarettes, ENDS must be regulated, come with health warnings, not be sold to minors, etc. Like other "sin goods", they can be taxed to the point of disincentivising their use. By banning ENDS and maintaining the status quo on tobacco products, the government is in danger of giving the impression that it is protecting the tobacco industry's interests against a disruptor in that market.

The e-cigarette ban is a symptom of a larger malaise — governing by the brute force of a hammer when the subtlety of a scalpel is required. "Vaping" is as much a social and cultural phenomenon as it is a public health issue. For older smokers, it can offer a path to quitting and for the youth, it can be aspirational. That the Centre has refused even to engage with this aspect, and, instead moved to push vaping underground by banning it shows laziness in engaging with a complex problem. Prohibition does not work. A conversation about the reasons for addiction just might.

### PULP HORROR

**Shyam Ramsay, who headed up the Ramsay Brothers, bows out of a world that is stranger than any potboiler**

**J**UST A YEAR after the world discovered moving pictures, and audiences flung themselves out of the way of the Lumière brothers' train, it discovered horror in George Melies' *The House of the Devil* (1896). About 90 years later, the genre came to Indian audiences through the goregrinding work of the Ramsay Brothers. The death of Shyam Ramsay, who headlined the productions of the seven Ramsay brothers, brings down the curtain on that era, when audiences thrilled to horror that was anything but sophisticated and thought-provoking.

The Ramsays did cheap and wholly satisfying productions focused on gore, tears, adrenaline and other bodily fluids. They were following the great tradition of pulp horror, which was one of the mainstays of Hollywood from the time of Lon Chaney. Its thread leans towards Cthulhu, zombie apocalypse and House of Wax, and diverges from the rather more cerebral line of *Nosferatu* and *Frankenstein*. Pure entertainment, it does not tax the little grey cells and was the rage for decades in American cinema before the Ramsay Brothers got in on the act.

It is believed that horror flourishes in good times, when people enjoy being reminded of the dark side. But humanity's appetite for the macabre is actually a reflection of reality. One of the pictures running to full houses in Delhi during the 1984 "riots" was James Cameron's debut *Piranha II: Flying Killers* (tagline: "Now they can fly!"). Ramsay films like *Do Gaz Zameen ke Neeche* and *Darwaza* appeared in the Seventies, when India had its first brush with autocracy. American audiences during the Cold War had sublimated fears of invasion by embracing *Invasion of the Body Snatchers*. And now that reality everywhere is outstripping cinema for bizarre creativity, a new wave of horror may be imminent. The Ramsays, who started it all, will be missed.

# The Hindi scare

**Idea of one country, one language was bequeathed to us by colonialists**



SOWMYA DECHAMMA

**UNLIKE IN THE** past when the Hindi Divas would go by rather uneventfully, the day got special attention this year. Tweeting in Hindi, Union Home Minister Amit Shah said: "Today, if one language can do the work of uniting the country, then it is the most spoken language, Hindi. There is so much influence of English on us that we cannot talk in Hindi without its help." The minister also said that people should realise that if languages are lost to foreign influence, "we will be severed from our culture".

Do we then assume that after 72 years of independence, the country is not united enough? What is it that divides India that the country needs a unifying factor that can only be a language? And does that language have to be Hindi?

For a country that often ascribes all its ills to colonialism, it is strange that India needs to subscribe to a very European notion — one country, one language. The idea that a language represents a nation is one of colonialism's gifts to us. The complex process of modern nation building in colonial countries involved questions of cultural unity. How could a country claim historical and cultural continuity, stretching back to centuries, other than through language, especially its written form? Language and literature held the key to this project of cultural continuity from a unique and great past. Almost all European nations had such projects, which they bequeathed to the nations they colonised. Despite having several languages and dialectal differences, European nations adopted their national languages through an elitist and exclusionary project. Today, this idea of linguistic unity is being contested from several quarters, including by immigrants from India. There are, of course, exceptions like Switzerland which has been a relatively stable country for long without ever having a single national language.

It is ironic that our animosity towards English makes us blind to the fact that English gave us the idea of a singular nation: One nation, one language. At no time in the history of the Subcontinent was there a need to showcase national unity through one lan-

guage or one culture until after colonialism.

The imposition of Mandarin, Russian or Urdu have rarely fulfilled all the aims of those who initiated such projects. Does Urdu unify Pakistan? All totalitarian regimes — communist, militarist, right-wing or even social-welfarist — seem to share an anxiety about plurality. For, that could lead to questions being asked from the powers that be. Plurality is chaos, while a unitary entity is controllable. Given this, should Hindi sustain the burden of the country's history, its people, and their contesting cultures? And can it do so?

To quote Shah again: "To preserve our ancient philosophy, our culture and the memory of our freedom struggle, it's important that we strengthen our local languages and that there is at least one language, Hindi, that the nation knows." What is our ancient philosophy and culture is matter for another debate. But is Hindi the carrier of such a history?

What exactly is "Hindi"? Modern standard Hindi evolved from the interaction of early speakers of Khari Boli with speakers of different languages from the northern part of the Subcontinent and elsewhere. Although the current push is for a standardised and Sanskritised Hindi, spoken Hindi has largely been influenced by Persian — and then English, among other languages. The history of Hindi is much more recent than many languages of India, say Tamil, Kannada, Telugu, and so on.

Why does such a recent and diverse history become so important today? What is so threatening about English? Is this only a sense of culture, a belonging, or does it also denote certain socio-economic and political asymmetries? Hindi, in relation to English, does denote several asymmetries. But then, so does Hindi in relation to more than 780 other Indian languages, especially a Sanskritised Hindi that cannot, and probably will not, get rid of its associations with caste. That is why most marginalised castes and indigenous communities of India prefer English, a language devoid of caste memory and a language that provides mobility.

While diversity is in itself important, we need to also talk about the knowledge sys-

tems that are steeped in every spoken language — one that has its own history, literature (oral or written), relationship with the local economy, with people's lives, the way they understand the world around them and the relationships with other languages around them. As American linguist, Nancy Dorian writes: "A good many people, especially those who speak unthreatened languages, are likely to have trouble imagining that they themselves could ever be brought to the point of giving up on their own ancestral language and encouraging their children to use some other language instead".

A multitude of languages means resistance, empowerment, many life-worlds, many knowledge systems and mobility. That is why all totalitarian regimes seek to erase such multitudes. Forget resistance, how can people speak in another tongue as fluently as a native speaker whose language also happens to be the national language? The first step towards autocracy is erasure of tongues, erasure of speech.

If English, as the cultural studies scholar Madhava Prasad argues, is a bane for a modern democracy — since a majority of Indians do not have access to it — can Hindi be a boon for democracy? Given the present government's policies — on education, language, pretty much everything — it is difficult to find democratic intent in its promotion of Hindi.

Tony Joseph, drawing from recent work in genetics, archaeology, and linguistics, points to how the Harappan Civilisation precedes the Sanskrit/Vedic culture. This means Sanskrit was never the language of Harappan Civilisation. There are pointers towards the undeciphered language of the Harappan Civilisation as being proto-Dravidian. Do we then declare the Dravidian language group — or one Dravidian language — as the national language? I vote for my language, Kodava.

*The writer is currently a Fulbright Fellow at Queens College, City University of New York. She teaches comparative literature at the University of Hyderabad*

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## FORGING TRADE ALLIANCES

*Joining RCEP should be seen as an extension of New Delhi's Look East policy*



ALOK BANSAL

**THE REGIONAL COMPREHENSIVE** Economic Partnership (RCEP) aims to bring the 10 countries of ASEAN with Australia, New Zealand, South Korea, India, China and Japan to create the world's largest trading block. If it comes into being, RCEP will constitute more than 40 per cent of the global population and almost half of world's economy. It consists of three of the six largest economies of the world, especially, the two fastest growing large economies — India and China. Out of the top 16 countries with the largest GDP, six belong to the proposed RCEP.

There is a huge debate in India over joining RCEP. India's allies in Southeast Asia, as well as Australia, want India to join it to balance China. On the other hand, many in India feel that RCEP will aggravate India's burgeoning trade deficit with China. The Indian industry feels that China does not provide a level playing field for items that they could export, especially in fields like pharmaceuticals, information technology, films, indigenous medicines, wellness and yoga. Some of these are founded on opacity that surrounds the Chinese government's decision making.

There is a tendency in Indian industry to seek protection, whenever any steps towards globalisation are taken. The "Bombay Club" long used for protectionism, protested when liberalisation was introduced and tried to prevent imports for as long as they could. However, it is an acknowledged fact that globalisation did benefit the Indian economy, it brought in newer technology and made

Indian industry far more competitive. RCEP does provide Indian industry a huge market to grow and expand, provided it transforms and the government frees it from bureaucratic controls that have been stifling growth.

There is a tendency amongst many in India to undermine the entrepreneurial skills of Indians. When import access was given to Chinese goods, it did not eliminate Indian industry. Of course, some industries which are uneconomical, have not modernised and imbibed new technologies will fall by the way side. More significantly, opening up markets and reducing tariffs will benefit consumers. The automobile, telecom and even IT boom would not have been feasible without liberalisation. Similarly, the recent spurt in solar power generation is directly a result of the availability of cheap imported solar films.

The apprehensions about China's non-tariff barriers are not unfounded. But, China's track record shows that it has scrupulously followed multilateral arrangements. By entering RCEP, India may be able to get greater market access to even China as it is vulnerable due to its ongoing trade war with the US. More significantly, with China facing the demographic crunch, India could easily edge it out, if we go for economies of scale, made feasible by a large trading block like RCEP.

India's presence in this trading block could lead to a large number of multinationals shifting their production facilities from China to India, as that would enable them to access Chinese markets, without being pres-

ent there, to comply with US sanctions. This could also bring in huge investments from many companies in the West.

With the Trans-Pacific Partnership having unraveled, it is quite feasible that a post-Trump US administration may join RCEP if it takes off. More significantly, RCEP is nothing but a natural follow up of India's Act East policy. India's main strength lies in the services sector and it must therefore, ensure that RCEP includes unbridled access for Indian service providers as well as a liberalised visa regime for people working in these fields. Similarly, protection will need to be ensured for some sensitive industries crucial for national security. Some temporary protection may be required for certain sectors of agriculture, crucial for food security. RCEP is one sure shot way of forcing China to provide a level playing field. India has the largest arable land and one of the largest pool of scientists, engineers, technicians, so there is no reason for India to be concerned.

This is also one way of controlling China and keeping it in check. In a big grouping like this, China is unlikely to have its way, nor is it going to antagonise everyone. India's absence from RCEP will virtually handover this significant grouping to China, which is certainly not in India's interest. RCEP is a huge opportunity which India should not miss.

*The writer is director, India Foundation and adjunct professor at New Delhi Institute of Management (NDIM). Views are personal*



## SEPTEMBER 20, 1979, FORTY YEARS AGO

### CONGRESS EXODUS

**AN EXODUS FROM** the Congress has begun in West Bengal, mainly in protest against the Bangalore AICC resolution accepting the leadership of Charan Singh and suggesting an electoral alliance with the CPM. While the North Calcutta District Committee led by Prafulla Kanti Ghosh has en bloc joined Congress (I), a large number of Congressmen have either resigned or are resigning from the party, although their next move is yet to be decided. Twenty influential leaders, including Gopaldas Nag, Bholanath Sen, Santosh Roy and DP Chattopadhyaya announced their resignation at a press conference. The Cooch Behar and the Central Calcutta DCCs have also

en masse resigned from the party. According to Roy, many other DCCs have conveyed their readiness to fall in line.

### APOLITICAL RSS

**RSS CHIEF BALASAHEB** Deoras reiterated in Indore that the RSS would never assume power because it believed in reforming society keeping itself aloof from politics. Talking to journalists, he declared that the RSS had no interest in elections. Its active participation in the 1977 election was an exception to help restore democracy and the Constitution. It could not be made a precedence. Addressing volunteers of the RSS, Deoras said that the word Hindu Rashtra had

been used in its wider sense indicating a geographical and cultural identity. The term "Hindu" depicted not only geographical but a specific cultural unit embracing every person living in India.

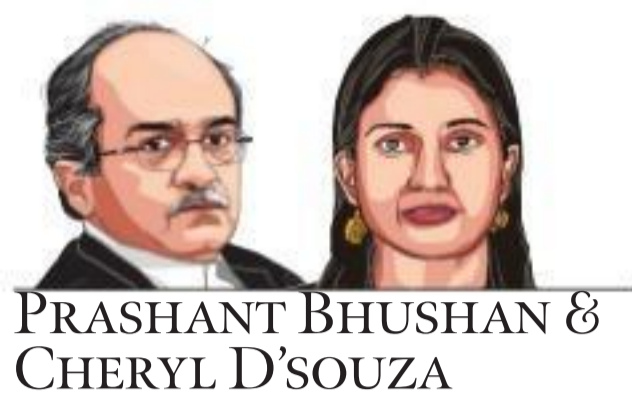
### TARAKI ALIVE?

**REPORTS OF THE** former Afghan president, Nur Mohammed Taraki's death remained unconfirmed. One diplomatic source quoted a reliable Afghan informant in Kabul as saying that the 62-year-old poet-politician was still alive, the Associated Press said. Earlier, Radio Pakistan had said Taraki died from gunshot wounds received in a shootout on Friday at his official residence.



# Courts of injustice

The fate of close to two million people excluded from the NRC in Assam rests with the Foreigners Tribunals. The constitutionality and conduct of these quasi-judicial bodies are questionable



PRASHANT BHUSHAN & CHERYL D'SOUZA

OVER 1.9 MILLION people have been excluded from the final National Register of Citizens (NRC) in Assam. The herculean executive exercise, mandated and closely monitored by the Supreme Court, has incurred a staggering expenditure of over Rs 1,200 crore and immeasurable cost in terms of human suffering and death. The buck now passes to the Foreigners Tribunals. The fate of close to two million people who have been excluded from the NRC rests with these one-man tribunals. The constitutionality of these quasi-judicial bodies — from the appointment of its members, arbitrary procedure for its functioning and the nature of its orders — have always been in question. Yet, the numbers of these tribunals are being increased, from the existing 100 to more than 200, to adjudicate upon citizenship claims. The Supreme Court recently ruled that the order of the Foreigners Tribunals will prevail over the NRC order on citizenship and declined to create an appellate forum for appeal from the tribunals.

Foreigners Tribunals were set up by an executive order in 1964 in contravention of Article 323B of the Constitution, which requires the legislature, by law, to provide for adjudication of matters by tribunals. The matters that can be decided by the tribunal, listed within the Article, do not include citizenship. "Judicial experience" was an essential appointment criteria for its members, as stated in the 1964 order. However, the eligibility was relaxed in June 2019 by a notification, calling for applications from retired civil servants and advocates with just seven years of practice, to be appointed on a contractual basis, through an interview conducted by a panel of high court judges. Two hundred and twenty one members were recently appointed without any written test and no transparency in the selection process. The members of the tribunal are selected by the Gauhati High Court, but the appointment is done through the home and political department of the Assam government. The tenure of tribunal members and extension of their terms is based on a review of "performance" conducted by the Gauhati HC.

The minutes of the monitoring committee of the HC reveal that the government is also asked to send its appraisal of tribunal members to the court. The performance report of the government has a special column — "percentage of foreigners declared". Extension is often given to those who have declared the maximum number of persons as foreigners — the low scorers are "terminated". Pay and allowances of members is regulated by the government. "Impartiality is the soul of the judiciary, independence is the life blood of the judiciary", held a Constitution Bench in *UOI v R. Gandhi* (2010). In the absence of security of tenure and dependence on the government, these tribunals cannot function freely and impartially. There is no mechanism for receiving complaints against members of a tribunal, giving a free hand to such members to adjudicate, most often without any judicial experience, on citizenship — the right to all rights.

Apart from those excluded from the NRC, who now have to appeal in the Foreigners Tribunals within a period of 120 days, the Assam Border Police and the Election Commission refer cases to the tribunals. Inquiry reports submitted by Assam Border Police to the tribunal, while making a reference, are often blank. There are allegations that poor and unlettered are randomly picked up and, on non-production of citizen-



CR Sasikumar

ship documents, referred to the tribunals. Further, the Election Commission, since 1997, under the pretext of a "strict scrutiny" of the voter list, started an exercise that marked D or "doubtful" against any person in the list, arbitrarily, without any investigation. In the absence of investigation, even decorated army officers have been referred as illegal immigrants to the tribunals.

These tribunals have the power to regulate their own procedure for disposal of cases expeditiously. The section 3(1) of the Foreigners Tribunals Order requires that the tribunal shall serve on the person to whom the question relates, a copy of the main grounds on which he is alleged to be a foreigner. However, in practice, these are rarely mentioned in the notices issued by the tribunals. With no grounds to rebut and the burden of proof on the person alleged to be a foreigner, it becomes impossible to present a cogent case before the tribunal. Most of those declared foreigners by the tribunals are poor and do not have access to legal aid to represent them through the procedural spiral. If a person does not appear before the tribunal, either for lack of understanding of the notice issued or in the absence of any notice, such persons are declared as foreigner by an ex parte order. According to a question in the Lok Sabha in July this year, the minister of state in the Ministry of Home Affairs stated that as many as 63,959 persons have been declared foreigners through ex parte proceedings in Assam between 1985 and (February) 2019. The order of the tribunals can be challenged before a division bench of the Gauhati High Court in writ jurisdiction, most often distant and beyond the means of the poor.

Once a person is declared a foreigner, s/he can be detained under Section 4 of the Foreigners Act, 1946. There are close to 1,000 detainees in six detention centres across

Assam. Pending deportation, these persons languish in sub-human conditions with little or no access to legal aid or rights such as adequate healthcare and education. According to the government's own figures, only four such declared foreigners have been deported since February 2013. Since there is no agreement with Bangladesh to deport declared foreigners, their detention seemingly is indefinite.

Assam. Pending deportation, these persons languish in sub-human conditions with little or no access to legal aid or rights such as adequate healthcare and education. According to the government's own figures, only four such declared foreigners have been deported since February 2013. Since there is no agreement with Bangladesh to deport declared foreigners, their detention seemingly is indefinite.

Diversity, plurality and inclusivity form the bedrock of the Indian Constitution, which abhors systematic targeting of the minorities and xenophobia. Unfortunately, in *Sarbananda Sonowal* (2005), the Supreme Court itself laid the ground for xenophobia. Relying on unverified reports about the influx of foreigners, the apex court declared the Illegal Migrants (Determination by Tribunals) Act unconstitutional on the ground that it placed the burden of proving a person to be a foreigner on the state. These tribunals were manned by proper judges and the percentage of those declared foreigners was low. The Supreme Court declared that the Union had failed to protect the State of Assam against "external aggression" caused by the huge influx of illegal migrants from Bangladesh! This astounding judgment has since set the tone for all future proceedings under the Foreigners Act.

Bhushan and D'Souza are advocates at the Supreme Court of India

## WHAT THE OTHERS SAY

"President Trump considers retaliation after the attack on Saudi oil facilities. But he has few options and fewer allies." — THE NEW YORK TIMES

## For Boris, cues from Cameron

The former UK prime minister sought to build a partnership of equals with India. Brexit crisis must not overshadow those gains



JITESH GADHIA

THE PUBLICATION OF David Cameron's long-awaited memoirs could not have come at a more awkward time for the former British prime minister. Cameron bided his time for more than three years, hoping that the outcome of the 2016 Brexit referendum — which prompted his resignation — would be resolved. A Brexit settlement would have allowed a more sober and objective analysis of his six years as premier and 11 years as Conservative Party leader. Instead, the release date (planned many months ago) falls in the middle of the most serious political and constitutional crisis which the United Kingdom has faced since the Second World War.

Judging from the visceral reaction from many quarters, it currently feels like Cameron's legacy will forever be overshadowed by Brexit, in the same way as another former British PM, Anthony Eden, remains inextricably associated with the Suez Crisis.

As someone who had the privilege of working closely with Cameron, his efforts to build a modern partnership with India deserve more charitable treatment from historians. Throughout his tenure, Cameron did more than any other holder of his office to reach out proactively to India, as an emerging superpower, and to recognise the outsized contribution made by over 1.5 million members of the British Indian diaspora.

Cameron signalled his clear geopolitical priority from the outset, choosing India for his first major official visit overseas after his election in 2010. He visited India on three separate occasions during his premiership, often leading large trade delegations encompassing not just business interests but the whole spectrum of political, educational, scientific and cultural relations which connect the world's largest and oldest democracies. It is quite telling how, in over 700 pages, Cameron is almost more effusive about the importance of India than the historic special relationship with the US.

It is clear that Cameron had a more expansive world view and an appreciation of the rise of emerging economies, especially in Asia. Unlike the current Trumpian doctrine, which views global cooperation as a "zero sum game", he understood the opportunity of harnessing the aspirations of India's young population to build shared prosperity. Cameron was also sensitive to being "tinged with colonial guilt" and sought to build a genuine partnership of equals.

These intentions were backed up by appointing a Minister for Business Engagement with India, who worked across different government departments, and a diaspora champion in the form of Priti Patel MP, who is now Amit Shah's direct counterpart as Home Secretary serving in Boris Johnson's cabinet. Cameron describes the diaspora as the "greatest weapon" in the UK's engagement with India. Cultivating the British Indian community provided a double benefit — both political and diplomatic — and explains

why Cameron was a regular visitor to mandirs, gurdwaras and mosques. Indeed, his memoirs include a photograph with his wife Samantha, dressed in a shalwar kameez, celebrating Vaisakhi during the 2015 General Election campaign. This election also provided a British first: A campaign song in Hindi, which went viral on social media.

In November 2015, having won that election with an outright majority, Cameron went to great lengths to welcome Prime Minister Narendra Modi on his first official visit to the UK. During the visit, Modi addressed a rare joint session of the British Parliament, travelled up the River Thames lit up in the colours of the Indian flag, and was received in Downing Street, decorated in a festive display for Diwali. Modi was also a guest at the official country retreat of Chequers and served with specially prepared vegetarian food.

However, the high point was undoubtedly the event in front of a 60,000-strong crowd at Wembley Stadium, referenced in the memoirs as "the largest-ever gathering of the Indian diaspora in the UK" where Modi received a rousing reception. Cameron obliged with a strong endorsement of Modi, amplifying his election slogan in Hindi: "Achhe din zaroor aayenge" and was "hugged on stage". This cemented the personal chemistry, always important between world leaders. Even Manmohan Singh is mentioned in the book as a "saintly man" who was "robust on the threats India faced" and told Cameron that if another terrorist attack like that in Mumbai in July 2011 was repeated then India would have to take military action against Pakistan.

So, the most revealing aspect of the book is Cameron's deep understanding of the terrorist threat which emanates from across India's border. He describes the Afghanistan-Pakistan border as the "mother lode of Islamist extremism" and in a fascinating section describes his attempts to build greater trust between Hamid Karzai and former Pakistan President Asif Ali Zardari, hosting them both at Chequers in 2013. He laments the lack of breakthrough and says of Pakistan "as we know, it is the military that makes the key decisions".

This perhaps explains why Cameron broke with normal British Foreign Office convention during his visit to Bengaluru in 2010 to address IT workers at the Infosys campus. Responding to a question, he made an unequivocal statement: "We cannot tolerate in any sense the idea that this country [Pakistan] is allowed to look both ways and is able, in any way, to promote the export of terror, whether to India or whether to Afghanistan or anywhere else in the world." This clarity, conviction and courage explains why Cameron is so well respected in India.

His successor, Boris Johnson, is also an Indophile but whether he will be able to make the same impact will depend partly upon how he handles the vexed question of Brexit in the coming weeks but also, crucially, on whether he is prepared to take a similarly principled position against cross border terrorism. The biggest lesson from David Cameron is that a balanced view on the politics of the Indian subcontinent is no view at all.

The writer is a British Member of Parliament in the House of Lords

## LETTERS TO THE EDITOR

### ADDRESS INSECURITY

THIS REFERS TO the article, 'For the demographic dividend', (IE, September 19). India's National Population Policy, 2000 had a progressive goal to understand and address the issue of population growth. The country is on the course of achieving population stabilisation with its national TFR clocking very close to the replacement rate. But at times, social insecurities, economic uncertainty and a perceived sense of discrimination impacts family planning decisions. This aspect needs serious consideration at the policymaking level. **Sudip Kumar Dey, Kolkata**

### BSP'S FALL

THIS REFERS TO the editorial, 'The elephant trap' (IE, September 18). BSP MLAs in states other than UP are not willing to do Mayawati's bidding mainly because she wants to use them as bargaining chips. Other parties are also not always ready to throw in their lot with the BSP because of its record of renegeing on alliances. Mayawati seems to be strict only when it comes to safeguarding her political interests. **Tarsem Singh, Mahipalpur**

### FINES ARE NEEDED

THIS REFERS TO the report, 'Transport

### 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](mailto: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

strike to slow down city today' (IE, September 19). Transporters have a right to go on strike. The amendments to the Motor Vehicle Act were mooted more than 10 years ago. The heavy fines became necessary because traffic rules were flouted on a large-scale.

AL Agarwal, Delhi

Compiled by Seema Chishtii

## THE URDU PRESS

### BEYOND THE STARS

CHANDRAYAAN 2'S VIKRAM Lander reaching so close to its goal has received a warm and soaring response in editorials in the Urdu press.

Using Allama Iqbal's famous ghazal their being more lands ahead of the moon, *Urdu Times*, on September 8, speaks of how the ISRO chief K Sivan was "consoled by Prime Minister Narendra Modi who boosted his morale and sent a message to youngsters that they must not be disappointed by failure, and keep trying".

*Roznama Rashtriya Sahara* in its editorial on the same day writes: "No country has gone onto the South Pole of the Moon but India has landed there, even if contact is lost. This may be a partial failure but ISRO has dedicated its best efforts for this mission." The paper writes that "all of India is very proud of the landing".

*Urdu Times* in an editorial on September 12 'Katauti' or Cut, strikes a different note. It speaks of a "thousand employees at ISRO have been receiving lesser wages now, by at least Rs 10,000 each. The employees are very discouraged and are saying that despite working towards such an important national

mission, instead of a wage hike, they are getting a wage cut." The paper says: "The government has no dearth of funds, it has recently taken Rs 1.76 lakh crore from the RBI, despite this being a very controversial decision. But when it is not giving this to government servants and reducing peoples' salaries, why should common citizens hope they will get Rs 15 lakh in their accounts?"

### FAROOQ'S ARREST

ON SEPTEMBER 19, *Inqilab* quotes a "reputable English language daily," as saying that Farooq Abdullah's detention is "unbelievable". The editorial argues that "the Centre will have to prove how the chairman of the National Conference, a sitting Lok Sabha MP, a former Rajya Sabha MP, a former Union minister and a former chief minister is a threat to public safety, and why the Public Safety Act (PSA) has been used against him, which is invoked against terrorists." The paper writes that "the irony is that just days before the lockdown on August 5, he met PM Modi with a team of representatives including his son and also former chief minister, Omar Abdullah." It adds: "Atal Bihari Vajpayee trusted him enough to call him to

the Agra summit in July 2001."

On September 18, *Munsif* asks why the PSA has been imposed on Farooq Abdullah. "A few days after the CPM chief and a Congress leader secured conditional permission to go to Srinagar, the PSA has suddenly been imposed on an ex-chief minister. This indicates that the BJP, after 43 days, is scared that if the restrictions are removed and if curfew is relaxed, the people will hit the streets and the government's assertions of control and peace will fall flat on the ground." The paper recalls that "just after August 5, the Home Minister Amit Shah had clearly lied and said in the House that no one was arrested. He had also said that Abdullah was fully free and there were no restrictions on anyone to meet him but other ex-chief minister was stopped from entering the state soon after."

*Etemaad*, the AIMIM daily, sees a connection with the United Nations General Assembly (UNGA) and events in Kashmir. On September 18 it says, "on the eve of the UNGA, the government appears worried that if any leader from the Valley speaks on Article 370, it would hurt them a lot, hence the actions against Farooq Abdullah." The paper believes, though, that this act has hurt the BJP's bid to

"woo locals and agitated a lot of people".

### HINDI WOES

SIASAT ON SEPTEMBER 17 has an editorial on the imposition of Hindi titled 'Hindi domination may prove to be problematic for the BJP'. The editorial says: "People in South India and now political parties too are criticising the government's move to impose Hindi." The paper writes that "in states where regional languages are very important, like West Bengal and Kerala, where the BJP has used these languages to build a base, it will be hit".

*Etemaad* on September 16 writes: "At a time when the concern at the UN is the preservation of the mother tongue and various steps are being taken to do that, the BJP has started an argument to promote a particular agenda and a point of view which is just not acceptable." It writes that "India is an example of unity in diversity where many different languages are spoken and we must preserve them all, rather than a One Nation-One Language domination. If done, this would weaken the beauty of India's federal character."