

# Leadership during slowdown

Great CEOs see opportunity even when the general mood is gloomy



**HUMAN FACTOR**

SHYAMAL MAJUMDAR

Leadership, especially during a downturn, throws up many challenges. One of the lesser discussed impacts of an economic crisis is the psychological toll it often takes on a significant number of employees. Management experts have a name for it: Psychological recession, which is a feeling of economic and psychological vul-

nerability and a growing sense that the employer gives a damn about them.

Studies worldwide have found evidence that a slowdown has significant psychological repercussions on the workforce because of the fear of unemployment, having to work more and salary cuts, leading to anxiety and depression. The cost of such fears can be heavy since even in normal times, distractions consume as much as a third of the average worker's day and sap productivity.

That is when true leadership comes in. Able leaders would make sure that they create an ecosystem to help people break through hopelessness and channel their anxieties into results. That requires engaging with employees more, especially with the talent they need to stay on.

But if history is any guide, many companies prepare too little, too late, and too defensively. A majority of employees say they have not heard from their leaders how their company will be

impacted by the slowdown, leading to harmful gossip that helps nobody. Pink slips may become inevitable in periods of slowdown, but the pain can be reduced if they are done in a way that those who stay back feel those who had to go have been fairly treated.

Great leaders, however, continue to operate in the long term as well as the short term, and maintain focus on people as well as on results so that the company can be positioned for recovery. They focus on maintaining loyalty among high-value customers. Think of examples like Hyundai's Assurance programme, which allowed customers to return cars if they lost their jobs.

One of the most celebrated examples of leadership during a crisis is Honeywell, which experienced a sharp drop in new orders in 2008. There was little room left to cut costs through additional efficiency improvements and the task before CEO Dave Cote was to make

a choice of whether and how to cut the workforce costs. While layoff was the most obvious choice, Cote decided to opt for furloughs (temporary unpaid leave) in the belief that downturns don't last forever and because they instilled a sense of "we're all in this together". The move paid off handsomely as Honeywell was ready for the growth phase with an army of loyal employees.

Companies like Apple have succeeded because they have chosen to act reactively rather than proactively. For example, Apple released its first iPod in 2001 — the same year the US economy experienced a recession, contributing to a sharp drop in the company's total revenue. Its long term focus prompted Apple to keep investing in transforming its product portfolio through constant innovation and increased spending on research. These strategic bets have made Apple what it is today.

Ford's dramatic turnaround following the financial crisis of 2007-08 happened because of one man — Alan Mulally who took over as Ford's CEO in September 2006 at a time when the expectation was that the company would have to file for bankruptcy after a crush-

ing \$12.7 billion loss. By the time Mulally retired in 2014, Ford had achieved an incredible turnaround.

Mulally realised soon enough that Ford had a toxic, macho culture that was ruthless to outsiders, had forgotten its customers, and had an outdated and bloated product lineup of vehicles that fewer and fewer customers wanted. On top of this, it was running out of money.

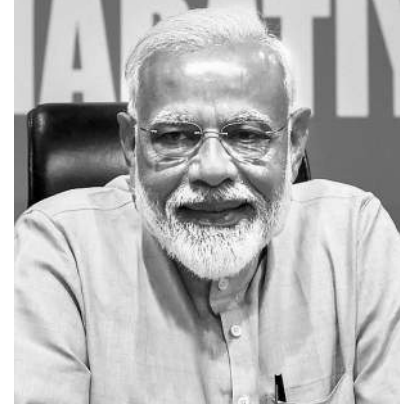
At the centre of Mulally's plan was people. That explained his "One Ford" vision which was to bring suppliers, customers, and even the unions into the fold as partners. He created "One Team" to eliminate pre-existing silos and turf battles, and set up a simplified leadership structure that aligned with his vision to get people to work together across the company as a global team.

In one of his interviews, Mulally summed up his leadership strategy during the crisis beautifully: "All of us want to know that we are doing great things, that we are touching a lot of people, and that what we are doing is something bigger than ourselves."

Any leader who can manage to spread this feeling of togetherness will be a winner.

## CHINESE WHISPERS

### Eco-friendly campaign



Campaigning for the Haryana Assembly polls is set to begin with Prime Minister Narendra Modi's (pictured) public meeting in Rohtak on September 8. It is being billed as his first eco-friendly public rally where the use of "single-use plastic" would be kept to a minimum. The Bharatiya Janata Party (BJP) flags will be made of cloth. No plastic bottles will be used to carry/distribute water; as many as 10,000 matkas, or earthen pots, have been arranged for the purpose. The use of plastic to erect the stage will also be minimal. The BJP won all the 10 Lok Sabha seats in Haryana in the Lok Sabha election and hopes to repeat the performance in the Assembly polls. Modi's rally will mark the culmination of Chief Minister Manohar Lal Khattar's 22-day campaign across the state. Rohtak is the stronghold of Congress leader Bhupinder Singh Hooda.

### Basking in wife's glory

Uttar Pradesh minister Sidharth Nath Singh, who has served as the national spokesperson of the Bharatiya Janata Party (BJP) in an earlier stint, has a way with words. He chose to keep the record intact while sharing an anecdote at an MSME conclave in Lucknow. Singh, who recently shifted from the state health to the MSME ministry, said just because he was the head of the state health ministry, people had started prefixing "Dr" to his name. While he wasn't a doctor, the bespectacled Singh observed that he was nonetheless happy to bask in reflected glory. His wife is a physician.

### Battle-ready in Bihar

The Assembly polls in Bihar are a year away. There is speculation in Patna and Delhi whether the alliance between the Janata Dal (United), or JD(U), and the Bharatiya Janata Party (BJP) will remain until then. Recent comments by election strategist Prashant Kishor, who is also vice-president of the JD(U), on the National Register of Citizens have further roiled the waters. The BJP's Nityanand Rai, currently a minister of state at the Centre, could be its face for the polls if Kumar were to exit. Sources in the BJP, however, reject the possibility of Kumar walking out of the alliance. On the other side of the spectrum, there is much jousting within the Opposition ranks to be designated the chief ministerial candidate. Leaders like Tejashwi Yadav, Upendra Kushwaha and Jitan Ram Manjhi are all aspirants. On its part, the Congress is playing the wait and watch game.

# A link among inequality, conflict and cooperation

In the concluding part of the series, the author explores the variety of reasons why inequality can have serious inefficiency consequences



PRANAB BARDHAN

The link between inequality and crime has often been pointed out both in scholarly and popular discussion. There is empirical confirmation of the association between inequality of visible or conspicuous expenditure and violent crime, as there is also evidence from several countries of a positive relation between income inequality and property crimes and violent crimes like robbery, homicide and murder. A visit to cities like Nairobi, Johannesburg and Rio de Janeiro, to take the cities in three highly unequal countries, often makes it plain even for the most casual observer.

Similarly, the link between inequality and social and political conflicts (and hence, economic disorder and instability) is also often suggested. Here the evidence is more mixed. There are several reasons for this. Firstly, one is not always clear about the nature of conflict one wants to study — conflicts can range from industrial strikes and agitations all the way to violent civil wars. Secondly, for most of these conflicts grievance arising out of economic disparity is not enough; one needs resources, organisation, agency, initiative and leadership to mobilise action that takes the form of conflict, and, more importantly, to sustain it, as the long history of failed rebellions and suppressed popular resent-

ment would testify. Thirdly, when group conflict arises out of inter-group disparity, the measure of disparity that may be more relevant than that of usual inequality is what some scholars measure as polarisation, which takes into account the depth of cleavage or distance between the groups, as well as their size. Fourthly, conflict may originate in the tension that may grow more from the change in the relative income status of two even similar groups rather than the overall level of inequality. Then there is what is called the Tocqueville paradox — in his words: "The hatred that men bear to privilege increases in proportion as privileges become fewer and less considerable, so that democratic passions would seem to burn most fiercely just when they have least fuel".

Just as the evidence on the relation between inequality and conflict is mixed, that between inequality and the obverse of conflict, that is, cooperation (whether in team production efforts, or in resolving disputes in collective action, or in the management of the local commons like forestry, fishery or irrigation water) is also not straightforward. I have a co-edited book, *Inequality, Cooperation, and Environmental Sustainability* (Princeton University Press, 2007) on this subject.

A review of the empirical literature on, for example, the relation between inequality and cooperation in management of water resources for irrigation in developing countries shows the complexity of the relation. There are sometimes important initial set-up costs in an irrigation management regime, which the rich and powerful people in the village often provide or take the leadership in mobilising and sustaining. On the other hand, there is quite a bit of evidence that relative equality helps in the formation and maintenance of water user associations, in the following of

water allocation rules and in the broad-based resolution of water disputes. There is also similar evidence in the community management of forests, fisheries and grazing lands.

The empirical evidence is, however, often deficient in providing sufficiently refined data to discern among varied theoretical hypotheses about norms, bargaining power and perceptions of fairness under situations of inequality. Experimental evidence suggests that people whose fallback positions are very different are less likely to come to agreements than are more equally-situated ones. Also, under inequality, bargaining failures may occur because inequality heightens informational asymmetries among the bargaining partners, or because very unequal offers based on disparities in initial wealth or bargaining power are likely to be perceived as unfair and rejected (as one usually finds in experimental play of what are called "ultimatum games").

It is quite common to observe in the labour market (which is qualitatively different from markets in say, vegetables, as it more directly involves social institutions and norms) that perceived inequality may disrupt norms of individual dignity and autonomy of the worker, and thus affect labour discipline, loyalty, turnover, and ultimately productivity. Looking particularly to the future patterns of work, as the nature of human work is likely to involve more personalised or customised (including care giving) services and more of production and dissemination of knowledge, the role of intrinsic motivation (i.e. when you do something largely for your own satisfaction/esteem not just for external rewards) and of shared norms inherent in these lines of work will be increasingly important — perceived inequality palpably affects these motivations and norms.



ILLUSTRATION: AJAYA KUMAR MOHANTY

It has been widely observed and commented upon that economic inequality enables the rich and the corporate sector to pour resources in the political influence machine to get the system to work in their favour, particularly through lobbying (not just in improving access, but in the US the lobbyists now actually develop and draft the legislation in some cases, and even are put in charge of its implementation) and election finance. This often results in laws and regulations in favour of wealth concentration and perpetuation of plutocratic power and away from efficient outcomes, apart from undermining democracy. Corporate power in lobbying, bribing, election-funding and media-shaping is rampant in many developing countries as well.

Another political mechanism through which inequality can affect efficiency in the delivery of public services is what is called "secession of the rich": Rising inequality is usually associated with the rich opting out of public services and turning to private providers (private schools, nursing homes, gated communities for safety, etc.); this "exit" results in a lowering of the general quality of public services as they lose influential political support ("voice").

Social inequalities also have adverse economic efficiency effects. In countries of acute gender inequality women's edu-

cation, health and work participation suffer, and this has negative consequences not merely for the women themselves, but also for the children that these women bring up. Thus society pays the price of gender inequality across generations.

Similarly, if there are serious inequalities across neighborhoods and localities, a child born in a backward area will have inferior schools, roads and other facilities, and less exposure to good networks, peer groups, and role models in the neighbourhood and other forms of social capital. This has obvious effects on future economic performance of the child.

We have thus considered several reasons why inequality can have serious inefficiency consequences even from the narrow point of view of economists, belying their traditional dogma of equality-efficiency trade-off. Inequality is thus not just ethically distasteful, it can be economically harmful, even ignoring problems of absolute poverty. (Series concluded)

The writer is professor of Graduate School at University of California, Berkeley. His most recent two books are *Awakening Giants, Feet of Clay: Assessing the Economic Rise of China and India*, and *Globalisation, Democracy and Corruption: An Indian Perspective*; the article was first published in the international blog *3 Quarks Daily*

## INSIGHT

# How the states are doing post GST



HASMUKH ADHIA

The goods and services tax (GST) completed two years recently. It has been the biggest reform of the indirect tax system in India. There were anxieties expressed initially by all the industrialised states like Maharashtra, Tamil Nadu, Gujarat, Karnataka that they would have major shortfalls in their revenue post the implementation of GST. It is now time to look at the data and see which are the states that are losing and which are the states that are facing a shortfall.

We have data available for 2017-18 and 2018-19. The year 2017-18 is not representative because a large amount of the ₹1.76 trillion of IGST was lying undistributed at the end of that year. But in 2018-19, most of the IGST was distributed either by way of regular settlement or provisional settlement. So we can take the figures of 2018-19 to see who is gaining and who is trailing.

First let us understand how the figures for revenue shortfall or revenue surplus were derived for this article. The revenue of 2015-16 of all the states was frozen as the base revenue. On top of that, a yearly increase of 14 per cent was calculated for 2016-17, 2017-18 and 2018-19. This gave us the revenue to be protected in 2018-19 for each state. We deducted from this the SGST earned by the state as well as the IGST settled, both regular and provisional, to arrive at the figure of revenue shortfall or deficit in

terms of percentage of revenue to be protected. The average revenue shortfall of all the states put together was 16 per cent in 2017-18, which came down to 12 per cent in 2018-19.

Here are the headlines from this data analysis. The north-eastern states are the biggest gainers. Mizoram was the biggest gainer, getting 62 per cent more revenue compared to protected revenue. Also Arunachal Pradesh gained a surplus of 58 per cent, Manipur 35 per cent, Nagaland 24 per cent and Sikkim 12 per cent. Apart from the north-east, the only two states that gained a surplus in 2018-19 were Andhra Pradesh at 4 per cent and Telangana 1 per cent. The reason for the gain by the north-east states is that their own tax collection mechanism was weak before GST and hence the revenue base was low. They gained also because they get tax for all the goods imported from other states and consumed locally.

The states that had excessive shortfall in 2018-19 were Puducherry (43 per cent), Punjab (37 per cent), Himachal Pradesh (36 per cent), Uttarakhand (34 per cent), Jammu and Kashmir (27 per cent). These states have some issues with their tax structure that caused this shortfall.

If we look at some of the big industrialised states, the position is not as bad as was expected. The revenue shortfall of Maharashtra was only 4 per cent, that of Tamil Nadu only 5 per cent, West Bengal was 8 per cent only, Gujarat 14 per cent, Haryana 16 per cent, while Telangana and Andhra Pradesh were in surplus. The only surprise in this list was Delhi and Karnataka that had a shortfall of 22 per cent and 20 per cent respectively. The reason why most industrialised states had a minor shortfall is that their

consumption base is large, and they also have a share in the service tax income.

Let us look at the position of some of the big consuming states. Uttar Pradesh has a shortfall of only 6 per cent, Rajasthan 8 per cent, Madhya Pradesh 14 per cent, Jharkhand 14 per cent, Bihar 18 per cent, Odisha 24 per cent, and Chhattisgarh 25 per cent. The expectation that the consumption states would gain post GST has come largely true, except in the case of Orissa and Jharkhand.

There are some common trends observed among states with a large shortfall. These include natural and structural factors such as geographical location, size of the economy, smaller and skewed taxable base and low domestic consumption. For most of these states, the contribution of CST or purchase tax or cesses was very high in the subsumed taxes. The share of CST in subsumed taxes was as high as 29.5 per cent in Uttarakhand, 27 per cent in Puducherry, 14 per cent in Himachal Pradesh as against the national average of 8 per cent. These were therefore the highest shortfall states.

One of the main reasons for the decline in revenue in Punjab was the loss of revenue from agriculture produce. During 2015-16, Punjab got ₹2,000 crore from purchase tax and ₹1,041.75 crore from infrastructure development fee (ID fee) on the procurement of food grains, which was lost post-GST. The revenue under these two heads constitutes about 21 per cent of the protected revenue. Uttarakhand and Himachal Pradesh had industries set up because of central excise exemption, from which the state got huge CST income, which stopped with GST. Also, with no tax exemption,

some of the units may have shifted their production base, thus impacting their revenue further.

One more reason was that the overall growth rate of taxes subsumed during the four-year period prior to the implementation of GST was much lower as compared to the growth rate of 14 per cent which was promised. It was 5.88 per cent in Puducherry, 5.45 per cent in Punjab, 11 per cent in Himachal Pradesh. This indicates the potential to grow revenue was missing prior to GST. And hence the revenue gap is bound to remain if the 14 per cent growth rate is taken for granted. Unless these states buck up their revenue efforts, this gap of 5-10 per cent will remain after the compensation period is over.

Bihar's revenue shortfall is mainly because of the fact that its revenues had grown at the rate of more than 17 per cent in the four years preceding GST which became the base. The revenue pre-GST was high because it had increased VAT on many items to counteract loss of alcohol revenue after prohibition. Also it got a windfall of entry tax after the judgement of the Supreme Court. Odisha and Chhattisgarh might have lost CST revenue on minerals exported to other states.

Of course, the entire shortfall of all the states is being met out of the revenue of approximately ₹1 trillion being collected as compensation cess, which will continue till June 2022. Once the economy picks up, we can expect shortfalls to reduce. A major increase in revenue will come when the new system of filing of tax returns is brought in, in which there will be no possibility of false input tax claims. Even after 2022, the taxes collected as compensation cess will be an additional source of revenue for both the Centre and the states. So we can expect that revenue shortfall will be significantly reduced by then. Some states with large shortfalls will have to put in extra efforts for revenue mobilisation.

The writer is former Union finance and revenue secretary

## LETTERS

### Leave people free



This refers to "Strong government, weak reform" (SWOT, September 5) by Kanika Datta. India needs a government which gives freedom to people — even freedom from the nationalist rhetoric from Kashmir to Kanyakumari and from Gujarat to Arunachal Pradesh. Is it possible? The answer is yes, provided all the dogmas of so-called glorious history to the Nehruvian thinking are kept in cold storage and the focus is kept on the present times.

The government should be so strong that it has the courage to leave people alone and free. The government should get out of the banking sector, agriculture, aviation and so on so forth completely. That requires courage and India needs such a courageous government. The government should have the courage to pursue policies even if it is defeated in the state as well as the national elections. India needs strong government which helps people feel free.

Chandrashekar G Ranade  
Washington DC

### PC fails litmus test

This refers to "SC rejects P Chidambaram's plea for anticipatory bail in INX Media case" (September 5). The Supreme Court's refusal to grant the pre-arrest bail to former Union minister P Chidambaram in the INX Media money laundering case, registered by the Enforcement Directorate (ED), could not have come at a worse time. Significantly, the apex court's candid observations — pointing out that "it is not a fit case to grant anticipatory bail (as a matter of right) and that economic offences have to be dealt with differently as it affects economy of the country — speak volumes about the gravity of this case.

As far as the Supreme Court asking Chidambaram, who has held key portfolios such as finance and home during his tenure as minister, to approach the court concerned for grant of regular bail in the case is concerned, his plea is highly unlikely to be accepted by the trial court for obvious reasons. However, one earnestly hopes that the Congress party would now realise the folly of playing the political victim card aimed at gaining some false public sympathy for him.

S Kumar New Delhi

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



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## The benchmark problem

RBI's move can have unintended consequences

The Reserve Bank of India (RBI) on Wednesday made it mandatory for all banks to link new floating-rate loans — to retail customers and micro, small and medium enterprises (MSMEs) — to an external benchmark from October 1. The external benchmark could be the policy repo rate, yields on three- and six-month treasury bills, as published by the Financial Benchmarks India Private Ltd (FBIL), or any other benchmark rate published by FBIL. Borrowers with a floating rate loan who are eligible to prepay without pre-payment charges can also switch to the external benchmark. Evidently, the move is aimed at ensuring a better transmission of monetary policy. Theoretically, the RBI diktat should lead to better transmission because banks would be required to reset rates at least once in three months.

However, the move could have unintended consequences. For instance, it may not translate into a big relief for borrowers in the immediate short run. Since banks have rightly been allowed to charge a spread over the benchmark, they would want to cover all risks and costs associated with lending. If the spread is high, though it would reflect the change in the benchmark over time, lending rates could remain at reasonably higher levels. To be sure, the issue of slow transmission is not new. In 2003, the system was moved from the prime lending rate, which was introduced in 1994, to the benchmark prime lending rate. Then in 2010 to the base rate system and, later, to the marginal cost of funds-based lending rate system in 2016. Since internal benchmarks did not help improve transmission as desired, the RBI has now moved to external benchmarks.

However, in the present context, it is important to understand why transmission is weak. The Indian banking system is struggling with high non-performing assets and intends to protect margins. In a competitive environment, with a reduction in the cost of funds, banks should reduce rates to attract borrowers and expand their balance sheets. It is not that banks are making excessive profits by charging higher rates of interest. Poor transmission, therefore, reflects friction and inefficiency in the system. Also, a higher fiscal deficit and a large borrowing by the government affect the transmission of policy rates. The central bank, for instance, did open market operations worth about ₹3 trillion in the last fiscal year to ease liquidity in the system.

Nonetheless, now that the regulator has imposed external benchmarking, the banking sector might face additional pressure, at least in the short term. It is possible that banks will also have to link deposit rates to an external benchmark to protect their interest margins. It is not clear how Indian depositors would react to, say, a reset of fixed deposit rates every three months. The move to an external benchmark will increase interest rate risk for both the customer and banks. There can be situations when policy rates are set high—if banks automatically move up rates in tandem, borrowers can find themselves in serious difficulty. The RBI needs to keep in mind that rates can go both ways. While banks would be in a better position to hedge, risk-averse retail depositors may look for other avenues, such as small saving instruments, which may not allow banks to freely set deposit rates. Consequently, margins can come under pressure and, since the bulk of the banking system is state-owned, it would have fiscal implications. It is not obvious that these unintended consequences have been thought through. A better option would have been to allow banks to freely move to an external benchmark that would have given them the time for necessary adjustments.

## Valley of discontent

Normalcy is elusive even a month after Article 370 decision

It has been one month since the government fulfilled a key agenda of the Bharatiya Janata Party (BJP) by abolishing Jammu & Kashmir's (J&K's) special status by reading down Article 370 of the Constitution and bifurcating it into two Union Territories of J&K and Ladakh. In that period, it is fair to say that there has been little sign of the peace and prosperity that the government had promised for the region as a result of these moves. On the contrary, the state continues to be under lockdown, with shortages of food and medicine, curfew, and a communication blackout in place and local leaders under house arrest. On September 4, Union Home Minister Amit Shah promised a group of sarpanches and local businesspeople that communications would be restored in 25 days and the state would pay local fruit growers insurance for their inability to sell their produce.

This is encouraging news, and it is true that the situation is transitory and final judgments on whether the government move will deliver the promised results must wait for normalcy to return. But it is unclear why it should require one more month to restore normalcy for a move that was deemed to be the best thing that happened to the Kashmiri people. In the month since, in fact, J&K bears little resemblance to the visions of sunlit uplands that Mr Shah outlined in his speech in the Rajya Sabha on August 5. The move has undeniably strengthened the BJP's standing within its base in mainland India. In J&K, however, the Article 370 decision has been experienced as unending hardship and the arbitrary arrests of people, including minors, under a highly controversial Public Safety Act. Many of them have been spirited out of the state and incarcerated in jails elsewhere. The presence of the security forces — which has been a reality of the region for the past three decades — has compelled Kashmiris to stay away from schools and places of work even when curfew is lifted for some hours every day. It speaks volumes for the economic outlook of the state that youths from Muslim-dominated areas in the state are rushing to sign up in the army's first recruitment drive since August 5. The much-vaunted "investor summit", which was scheduled for October 31, has been indefinitely postponed, suggesting that the "development" that Mr Shah assured everyone is unlikely to materialise anytime soon.

It was also said that Article 370 was the root of terrorism in the state and the biggest hurdle to normalcy. Ironically, terrorism does not appear to have abated despite the heavy presence of the central security forces. Prime Minister Narendra Modi's diplomatic offensive may have encouraged some prominent world leaders to view J&K as an internal matter but Pakistan appears not to have received that memo. The army is reporting that the Lashkar-e-Taiba appears to be pushing infiltrators into the Valley to carry out terrorist activities, just as it did in years gone by. In the one month since Article 370 became history, the new normal in J&K is little different from the old, in which terrorism remained a perennial threat. Therefore, it is important for the government to take the locals into its confidence and restore normalcy in the Valley. Continuing with the present situation will not only alienate the people of Kashmir but will also affect India's international standing.

ILLUSTRATION: AJAY MOHANTY



## Why India should take dissent seriously

A country cannot self-correct if it sees dissent as treason

Powerful nations need to be self-correcting if they are to undo the harm that all nations do to themselves.

The United States was built on two crimes against humanity. The first was the extermination of the native populations of the regions now known as America. The European invasion wiped out 90 per cent of the original inhabitants. The second was slavery, which kept millions in bondage. Slavery ended after horrific violence in which hundreds of thousands of Americans died.

More American soldiers were killed in their civil war fighting one another than all of India's dead in all of our wars, all of our insurgencies and all the wars on Her Majesty's behalf that India's mercenary army fought.

There was no interest for the winning side, the North, led by Abraham Lincoln, but the cause of humanity and the human rights and freedoms of all Americans, no matter their colour. They were sufficiently invested in these to say they could not look away from the suffering of other humans. The military losses in terms of lives were greater for the North but it prevailed because it was backed.

India doesn't have this element of uninterested action taken on behalf of values and humanity. This is observable. The Mumbaikar and the Surti have zero visible interest in what is being done today to

Kashmiri children and women in the name of nationalism. And, of course, what is being done to them today by the Indian state has been going on for three decades.

This is not the sign of a self-correcting nation and there is little pressure on the state in India to stop continuing its practices. The relationship between the Indian citizen and, especially the military arm of the state, is that of a supplicant who must unquestioningly offer devotion and obedience.

This is unhealthy and it prevents the state from properly weighing its choices. Any form of military action India will take, whether against its own people or others, must be applauded.

Some of the most dogged resistance to the Vietnam War, fought 50 years ago, came from young Americans in universities and the actions of celebrities like the great Muhammad Ali.

America lost 50,000 of its soldiers in that lost war, which should never have been prosecuted, but it is fair to say that one reason it finally ended was public opposition to it inside America.

Our history shows that it is difficult for India to exit conflict. Where there is a clean victory (1971) or a clean defeat (1962) it becomes easy to accept or hand out terms. Where there is a draw (1965) the Indian state must depend on external powers to sort out its mess.



AAKAR PATEL

## Urban water: A formidable challenge

It is my considered view that problems of urban water are going to prove the most difficult India has faced so far. The number of people living in urban India is expected to grow to around 800 million by 2050. But access to safe drinking water has already become a fearsome challenge for the vast majority.

There are four unique elements of the urban water conundrum. One, the problem of wastewater. In India, cities produce nearly 40,000 million litres of sewage every day and barely 20 per cent of it is treated. Only 33 per cent urban Indians are connected to a piped sewer system and roughly 50 million still defecate in the open. The country has installed capacity to treat only 30 per cent of the excreta it generates. Just two cities, Delhi and Mumbai, which generate around 17 per cent of the country's sewage, have nearly 40 per cent of the country's installed capacity. As a result, many urban stretches of rivers and lakes, as also groundwater, have untreated effluents and sewage dumped into them, which are poisoning sources of water with toxic chemicals and wastes.

Two, the "unaccounted" groundwater. Averaged for 71 cities and towns, groundwater constitutes 48 per cent of water supply. More than half, or 56 per cent, of metropolitan, class-I and class-II cities are dependent on groundwater, either fully or partially. This groundwater has filled out the gaps in public water supply. But it has also led to simultaneous depletion and contamination of aquifers.

Three, the dependence on "distant" water to meet needs of cities, which involves high capital and energy costs. And four, the problem of exclusion. Large parts of cities remain unconnected to the sewage system as they live in "unauthorised" areas. They also get excluded from piped water supply. The good news, however, is that each of these elements also potentially enables us to design new 21st century solutions that can help leapfrog the exorbitant, unsustainable options of the mid-20th century.

The first priority for cities when planning water supply should be the restoration, protection and recharge of their traditional water-bodies. Cities must get funds for water projects only when they have accounted for the water supply from local lakes and

ponds. This would reduce costs of supply from a distance, promote inclusion and preserve the ecology of the city, while also protecting regions whose water, cities are currently poaching on.

Second, the demands of inclusion and sustainability require a groundwater management plan for urban India, sensitive to the diversity of aquifers found in our towns and cities. As a first step in this direction, Himanshu Kulkarni, India's foremost scholar of groundwater and I, have classified 150 key towns and cities into a 6x4 matrix, which captures both the stage of urban expansion (four stages) and their aquifer type (six types). We also show how the strategy to address the problem of urban water would need to be different in each of the 24 cells of this matrix.

Across this diversity, there are some common building blocks: One, identify status of existing groundwater resources through participatory mechanisms; two, demarcate natural recharge and discharge zones, quantify transmissivity and storativity of aquifers and estimate groundwater quality; three, register stakeholders, including users, tanker operators and drilling agencies and their water sources; four, build hydrogeology into waste-disposal, sewage and sullage management and design of sewerage and sewage-treatment systems; five, develop a framework of regulatory norms around urban groundwater use and protection of urban aquifers; six, understand the relationship between aquifer systems and rivers flowing through the city; and seven, develop an institutional structure required for managing the aquifers.

Perhaps, the most important lesson from urban water work is the imperative to tackle water and wastewater together. In most cities, settlements have grown without underground sewerage infrastructure. Fitting in the sewage lines into already built, crowded and haphazard construction is a difficult task. This challenge is compounded by the fact that even where sewerage lines exist, they are already buried, broken or choked. Decentralised, at times even mobile, wastewater management systems can overcome many of these problems by catering to the un-served areas, reducing cost of treatment,

Internal conflicts, which have been going on in some cases for the entire length of independent India's existence, can continue to drag on because there is no pressure on the state to end the killing of civilians and soldiers. Once the magical mantra of "national interest" has been uttered, we must all cower and surrender to it.

The question is: How do nations self-correct? It is clear that from within the state there is not much resistance. The Supreme Court, tasked to be the guardian of the Constitution, has been busy in utterly irrelevant things like the national anthem in cinema halls or damaging ones like the National Register of Citizens. It cannot be relied upon to uphold fundamental rights on principle and I am hardly saying something scandalous. This is visible today. The apex court has been co-opted into this "national security/national interest above all" way of thinking.

There is actually only one way in which nations and especially powerful ones can self-correct. And that is to encourage a diversity of views. The primary reason America can self-correct and India cannot is the first amendment of both nations' constitutions. Theirs insists on absolute freedom of expression and the right to peaceful assembly. Our first amendment takes away these freedoms from the citizens and upholds the rights of the state.

If one doesn't have the freedom to express dissent freely, will that dissent be taken and debated seriously? It will not. This is why we live in a nation where all dissent is treason and where change will continue to be difficult unless externally enforced.

In America, the dissenter is celebrated. He may have his detractors and they might even outnumber his supporters, but he is allowed to speak and to write. We seem to lack the capacity to produce a Noam Chomsky, to promote and publish a Chomsky and to listen to her.

Freethinking gives another advantage to civilised nations and it is economic. Even if one is a hardened and unthinking nationalist, this is one reason to consider being more tolerant.

There is a specific reason India doesn't invent much and it is that Indians are not allowed to explore ideas. Powerful nations have the capacity to harm their own citizens and their neighbours more than weak states. They require maturity and openness and debate to be able to guide their strength in the right direction. India shows little sign that it is able to do this.



WATER: REFORM OR PERISH

MIHIR SHAH

## Dalits' Harlem moment



BOOK REVIEW

UTTARAN DAS GUPTA

Early in the book under review, the writer recalls an incident from his childhood when his grandmother, who used to work as a domestic help, took him to the house of her employers. "One day, a curious 10-year-old, I... followed her to see where she worked. She was mortified... [that] I was each individual's caste-consciousness is there, watching her clean a toilet. I suddenly got the urge to pee." Initially hesi-

tant to let him use the toilet she had cleaned, Mr Yengde's grandmother did finally allow him. But, caught in the act both he and his grandmother were subjected to generous abuse by the woman of the house. "This incident brought home to me my beingness as a Dalit," writes Mr Yengde.

A little later, he espouses the central question of the book: "What does it mean to be a living Dalit in today's caste-capitalist India?" For Mr Yengde, India is not yet a nation, but an improvisation, somewhat like a jazz band, held together by nothing more than its Constitution. He quotes Ambedkar to argue that each caste is a nation in itself and the purpose of worked. She was mortified... [that] I was each individual's caste-consciousness is there, watching her clean a toilet. I suddenly got the urge to pee." Initially hesi-

of national feeling". Mr Yengde proceeds to reveal the deep-rooted and intricate nature of casteism prevalent in society through a mixture of personal recollections and erudite academic work.

Mr Yengde writes that the Dalit community is having a Harlem moment. The correlation between Dalit movements and anti-race movements of the US are of course as old as the 1970s, when Namdeo Dhasal and J V Pawar started the Dalit Panthers and were recognised by the Black Panthers. But what Mr Yengde claims is that Dalit movements — in India and abroad — are able to be louder and command more space in the media and public debates than they were ever before.

This might sound a little counter-intuitive: If Dalits have found greater access to privileges then how can they still claim to

be oppressed? (This is often the bedrock of the Savarna argument against reservations.) Mr Yengde is a fine example of a Dalit man who has been able to overcome

the handicap of poverty and discrimination to get the best education in the world. But, as with race, matters of caste was more complicated than they seem. "The Dalit lives in no-time," writes Mr Yengde, quoting the philosopher Martin Heidegger.

He is also critical of those Dalit, who, having emerged from their conditions of deprivation, start imitating the lives and rituals of the dominant castes. "The mimicry of the affluent castes is reproduced at every level. Thus, just as Brahmins find an incentive in discriminating amongst themselves based on

sub-caste affiliations, every other caste entangled in the adamant cobweb of the caste system does the same." A little later he focusses his attention on such Dalits:

"Dalit middle-class dreams are yet to mature; for now, they exist in the mimicry of the oppressor Other... The Dalit middle-class, by the virtue of its purchasing power, gets seen and heard more than the struggling working-class Dalit." Mr Yengde is aware that caste exerts its hegemony like syllogism, perpetuating itself through the even unconscious actions of the oppressor and the oppressed.

The final chapter of the book is called "Brahmins and Brahminism"; in it, the writer looks at those Brahmins, such as Jyotirao Phule and Swami Chakradhar,

who gave up their caste privileges to align with the Dalit cause. Having recognised them, however, Mr Yengde writes: "Of these Brahmins, however, very few qualify as revolutionary radicals." He also takes on Brahmin scholars who have built their careers by writing on Dalit issues. "... they have not actively invested in producing another generation of Dalit scholars." He detects that most are suffering from a saviour syndrome. In such an analysis for even the so-called liberal Brahmins: The real work of abolishing caste is not through lip service, but active investment in such issues. This was an important lesson at least for this reader.

CASTE MATTERS

Suraj Yengde

Penguin Viking

Pages: 325; Price: ₹377

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# Opinion

FRIDAY, SEPTEMBER 6, 2019



## DEEP LEARNING

President of India, Ram Nath Kovind

We have abundance of knowledge and then we have good values but in the era of globalisation and competition, we need to have a coordination between AI and human compassion

## Sectoral solutions are the key to reviving GDP growth

The government has to focus on troubled sectors if the economy is to turnaround anytime soon

**F**INANCE MINISTER NIRMALA Sitharaman has done well to talk of the government responding to sectoral problems as and when they are brought to the government's attention; indeed, in her first press conference to announce changes in tax rates on FPIs etc, she had indicated that the next set of measures would be in real estate. There are, of course, macro solutions that need to be taken, such as ensuring India's tax rates are on a par with those in competing countries like China and Vietnam, getting labour policy right, giving environment clearances quickly, and so on. Beyond that, however, everything is sectoral and the impact of policy changes will be both quicker and, possibly, even sharper.

Now that the government has allowed 100% FDI in commercial coal mining, for instance, it must focus on ensuring Indian levies are brought down to reasonable rates; as compared to 7-15% in Australia and 0.5-4% in China, India's royalty rates are 30-35%. A Niti Aayog strategy paper had pointed out that while India's prospective geology is very similar to that of Western Australia, only 10% of it has been explored, as compared to 95% for Australia, and an even smaller 1.5% is being mined right now; according to Niti, even doubling the area being explored could create an additional 5 million jobs by 2022-23. Similarly, if environment clearances are not streamlined, there will be no big mining investment. In the telecom sector, similarly, it is not lower corporate taxes that will drive investment, it is the reduction in statutory levies that is required; from 12% in 2011, the pre-tax government share of telecom revenues rose to a crippling 25% in 2018. And, thanks to the government never settling the issue of what 'revenue' is, telcos face the possibility of a ₹92,000cr bill once the Supreme Court rules on this; a ruling is expected soon. In the case of the oil and gas sector, thanks to unfriendly government policy, while prime minister Narendra Modi planned to cut import dependence by 10 percentage points by 2022, a series of major policy missteps ([bit.ly/2lVXdN4](http://bit.ly/2lVXdN4)) ensured that import-dependence rose, from 83% in FY13 to 86% in FY18 in the case of oil, and from 30% to 45% in the case of gas. Indeed, going by the BP Energy Outlook, for 2019, this is going to continue to rise further, to around 95% for oil by 2040 and around 60% in the case of gas.

In the case of the real estate sector, similarly, as this newspaper has consistently argued, the government has to be more pro-active in taking over stuck projects, and giving these to builders who have a reputation for delivering—the Centre telling the Supreme Court that it would consider tax concessions to the public sector NBCC if it was willing to take over Jaypee's projects and complete them, is a step in the right direction. Given the large multipliers the sector has—both for employment as well as for consumption—this can really spur growth demand and GDP growth. In the case of the power sector, similarly, while the issue of ₹ 77,000 crore of SEB dues and stressed assets is a very real one, the power ministry has made some concrete progress and has interesting plans for the future. It is really about sectoral reforms, and the sooner these start, the better.

## RBI gets it quite wrong

Forcing banks to cut lending rates is a really bad idea

**H**AVING GONE THROUGH a massive NPA crisis, which has cost taxpayers close to ₹15 lakh crore, banks today are a lot more cautious about how they use precious capital. If the flow of credit has slowed sharply over the past few months, it is because there aren't too many credit-worthy borrowers; the sharp slowdown in the economy has left companies, especially smaller ones, in trouble. At a time like this, it is surprising the Reserve Bank of India (RBI) should be forcing banks to price retail loans—home and auto—and loans to MSMEs over an external benchmark. This could be the repo, the three-month or six-month treasury bill, or any other market benchmark interest rate published by Financial Benchmarks India Pvt Limited.

The move is ill-timed, and not just because interest rates—both the risk-free yield and the repo—are at relatively low levels, but also because the rate of growth of deposits is slow. Borrowers find it hard to cope when rates go up, and when the economy starts looking up, interest rates are bound to rise. Also, banks have been reducing the interest rates on deposits, but most of the cuts have already taken place, with not too much room for more. Indeed, from here on, the fall in deposit rates would be just slightly more than the fall in the repo. But, more than 90% of banks' resources are sourced from term and demand deposits, and a very small portion, of less than 5%, is raised from the repo market. Ideally, therefore, banks should price their loans over the weighted-average cost of funds. Also, the central bank should allow banks to offer floating rates on deposits, given the interest rate swap market is shallow. Given that the MCLR is higher than those on repo-linked instruments, if banks price their loans over an external benchmark, their margins are likely to suffer. In the current environment, where there are not too many good borrowers, banks will be unable to garner enough volumes to offset the lower pricing.

Although the spread can be raised only if there is a substantial change in the borrower's credit assessment, banks might come up with ways to bill the borrower to compensate for the loss on the rate. It will not be easy, but they will try. Analysts point out that the base rate and the MCLR ultimately impacted net interest margins to a lesser extent than anticipated, and the transmission in the case of MCLR took almost two years. Banks may also opt for shorter-term deposits to be able to manage the interest rate cycle better. That will hurt savers. RBI may be frustrated that transmission isn't faster, but forcing banks to lose out on their margins is simply not fair. This is a free market and banks must be allowed flexibility to price their loans.

## Censoring OTT

Censoring OTT content a bad idea, govt should adopt certification-based regulation for both OTT content and cinema

**T**HE GOVERNMENT IS mulling over a censorship regime for the likes of Netflix, Amazon Prime Video, Voot, HotStar and other over-the-top (OTT) platforms. A report in *The Economic Times* suggests that talks of regulating online content were triggered by Hindutva groups' opposition to shows like *Leila* (Netflix) and *The Patriot Act* on grounds that they hurt the majority community's religious sentiment, and further a "Hindu-phobic" propaganda. How much of this, objectively, is a genuine grievance is debatable. But, OTT content has long been a bone of contention in India, with many petitions filed against content variously labeled "vulgar," "violent" or otherwise inappropriate. The Supreme Court, indeed, had asked of the Centre if there was a need to regulate content on OTT platforms.

While some would argue that OTT platforms have been spared the proverbial censor's scissors—such platforms being beyond the purview of the Indian Cinematograph Act 1952 and the Central Board of Film Certification (CBFC)—most OTT platforms are already signatory to a self-regulatory Code of Best Practices, drafted under the aegis of the Internet and Mobile Association of India; it is not very different from the Indian Broadcasting Foundation's Broadcasting Content Complaints Council that regulates cable TV content. Under this, various platforms stream pre-censored content, even though they are not required to by law. Besides, these platforms come with built-in parental controls and detailed labels for age-appropriateness, thereby allowing users to make informed choices about their viewing preferences. At a time when the viewer is keen on accessing content that is not limited by "majority community's sentiments" or other such concerns, trying to police content is an insult to the viewer's intelligence and undermines the creative freedom of the producers who, in any case, are adhering to a set of broadly accepted standards as defined by the self-regulation code. Some would argue that if cinema is censored, then why not OTT content? Even if one is to ignore the fact that access to OTT content is nowhere in the same territory as access to cinema, the better route would be to move away from censorship for cinema, as the Shyam Benegal committee had suggested, and instead stick to just certification.

## THROUGH THE LOOKING GLASS

LARGE DIGITAL DATABASES LIKE THE GST NETWORK CAN GIVE GRANULAR INSIGHT, CREATE PREDICTIVE MODELS; THIS CAN LEAD TO MORE GROUNDED INTERVENTIONS

# Leveraging open data for policymaking

**A**LOT HAS BEEN said about the current economic slowdown. Econometricians have opined on whether the fall in growth rate is structural or cyclical; economists have wondered whether the response has to be from the supply side or whether demand needs a boost; politicians have traded barbs on whether the issue is the mismanagement of the local economy or the impact of the global trade wars and suchlike; industry and stock market participants have loudly called for succour, fiscal prudence be damned, as their profits and positions suffer even as bureaucrats and government think-tanks continue to talk of India becoming a \$5 trillion economy.

Since the macro-economy affects all participants, it is natural for all of them to have an opinion and voice it out clearly. As they perceive the current slowdown from their own vantage points and perspective, the diagnosis, prognosis and solutions depend either on the tools of trade available to them, or on their own reasonable self-interest. Any macro-economic change creates a unique Tower of Babel—too many people talking about too many things and, in many cases, talking past each other, or with deep contradictions.

In the current case, the epicentre seems to be the automotive sector, though, now, many other sectors are beginning to report slower growth numbers. As is usual in a large and complex economy, not all sectors behave in unison—there are some sectors (say, aviation, paints, etc) where growth continues to remain high. Depending on which side of the

table one is on, data points can be brandished at will. The challenge for policymakers is to absorb all this cross-talk and to convince most, if not all, of them that their interests will eventually be taken care of.

If one looks at the commentary, a significant amount of time and effort is invested in trying to identify the causes of slowdown. Most economy watchers have created their own Le Keqiang index of their favourite high-frequency data points: a former CEA used some indicators to come up with a measure of India's economic growth while a data reporting company uses its chosen eight indicators monthly. The creation of collections of such sub-indicators only adds to the cacophony of the commentary; these indicators may neither be completely representative nor adequately comprehensive to capture the complexity of the economy.

What is the way out?

One way in which the Tower of Babel can be made less confused is if everyone agrees on some fundamental axioms. This can happen when what is being commented upon is based on facts that are universally acknowledged and agreed upon, rather than on data points that are selectively available. Generation and



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Views are personal

dissemination of data is a trust-based public good that is entrusted to a monopoly: the government. India has recently gone through a rough phase, where its macro-economic data has been questioned. Questions and suspicions can quickly corrode trust—reinstating and rebuilding trust requires a long-term, patient approach.

The formal sector of the economy, which is currently suffering from a slowdown, is now largely digitally connected with the government. With the roll-out of the GST network and the digital interface of the direct taxes, there is a large data exhaust that is now available to the government. With the expected collection of ₹14 trillion of GST at an average rate of, say, 14%, the GST network now gets an insight into ₹100 trillion of value-addition. This represents around half of the ₹200 trillion Indian economy.

The GST network has valuable data, the analysis of which can shed light on a wide variety of questions: which sectors are hurting, how are the upstream and downstream ecosystems coping, are there stress signs in adjacent or dif-

**Generation and dissemination of data is a trust-based public good that is entrusted to a monopoly: the government**

ferent sectors, which states seem to be facing bigger issues and which are holding up, etc. There can be deep analysis of size, scale, networks, complexity, etc. The need for privacy of an individual entity is well-recognized and, indeed, is upheld in law as a fundamental right. However, meta-analysis of consolidated, anonymised data can throw up meaningful, actionable insights.

The GST system has stabilised over the last couple of years. India should use this 'crisis', as every commentator who loves to paraphrase Rahm Emanuel would attest, to create a framework for data sharing. Once a constant and consistent stream of data is available, a large self-interested community of analysts, both in the private and public sector, will begin to dig deeper and build sophisticated tools to help not only identify where the current slowdown is hurting but also what and where to look to identify the next downturn or exuberance.

Given (1) how important data is as a public good, (2) the importance of developing evidence-based policies, and (3) the public funding of various digital networks of the government, opening of anonymised, consolidated data to the public should not pose any legal or technical challenge. A five-star framework of Open Data policies, developed by Tim Berners-Lee, the inventor of the world wide web, sets out a framework for authorities globally.

India should harness its available data to come to more grounded conclusions, solutions and interventions.

## NBFC reforms to enhance credit-access

NBFCs are now a dominant supplier of credit to several segments. Given the current liquidity crisis, a structural reforms agenda that would enable sustainable growth of the NBFC sector is crucial

### SAURABH TRIPATHI & DEEP MUKHERJEE

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**IT IS EVIDENT**, and acknowledged that the importance of NBFCs in the Indian financial system is rising. To the extent that India has to enhance access of credit to a diverse set of borrowers with unique requirements, NBFC's centrality is likely to increase. NBFCs have graduated from being a significant class of lender to being a dominant supplier of credit to several segments. In FY19, NBFCs contributed 40% of new loan accounts in retail, consumer, housing, and small business segments. This contribution is broad-based across geographies—49% in tier one and two centres, and 32% in tier five and six centres. This is much more than that of other lenders, such as public sector banks, private sector banks or others, including MNC banks, all of whom play in these segments. In terms of providing credit to first time borrowers, or "new-to-credit (NTC) customers", NBFCs have done an outstanding job—57% of NTC borrowers in tier one and two, and 55% in tier five and six get their first loan from an NBFC.

It is reassuring to note that both, the government and RBI have worked in concert to support the NBFC industry during the liquidity crisis. The government's budget announcement to provide first loss guarantee for portfolio purchases from NBFCs, and a slew of measures from RBI to ease flow of credit to NBFCs are strong signals that the state is backing this pillar of Indian lending. Further, changes in the RBI Act, giving it more powers to better supervise and regulate NBFCs, clearly signal the intent for a more hands-on role of the regulator towards developing the NBFC sector.

The system should promote more NBFCs with unique capabilities in data, analytics, and technology to set shop. Given the increasing complexity of assessing credit quality in small business, SMEs and NTC customers, there is a need for constant entry of innovative, quick-footed lenders, with the mandate to experiment. Depending on the existing banking set-up, to take up the entire mantle of financial innovation and experimentation, given the stringent regulatory asks, is a tad opti-

mistic. However, there is a need to re-look the entire framework of regulatory consideration to ensure that NBFCs achieve their full potential in terms of enabling financial inclusion.

The crisis provides an opportunity to reflect on structural reforms agenda, to enable sustainable growth of the NBFC sector. Such measures fall under five categories relating to regulation, innovation in funding instruments, bank finance reforms, strengthening market discipline, and reinforcing systemic support for NBFCs.

■ **Regulatory cognisance of heterogeneity:** NBFCs are a heterogeneous space, given their focus on specific assets class and borrower segment. The risk-return profiles, and overall financial profiles of these players in terms of return on equity, risk-adjusted return on capital, application lifestyle management, and liquidity gaps are quite diverse. The regulatory requirement for liquidity and capital should, ideally, be cognisant of this structural diversity, and avoid one-size-fits-all regulations, particularly with respect to liquidity and capital requirement. Else, it may potentially distort market structure, affecting credit availability in certain segments.

■ **Diversifying source and instrument of funding:** Apart from banks and mutual funds, we need to enhance funding from insurance and pension funds. Such long-term investors are risk-averse by design. Since many NBFCs are unlikely to be rated at, or above AA levels, such investors will not be able to invest in NCD of NBFCs. To address this, it is critical to encourage financial market innovations like covered bonds. Covered bonds are safer than both, stand-alone corporate bonds, as well as secu-

ritised papers, and would be favoured by conservative investors.

■ **Banks need to treat NBFC as partner, not borrower.** Banks' lending model of treating NBFCs as any other institution borrower needs to change. Co-lending may be the preferred model of the future. The co-lending scheme, introduced by RBI, allows NBFCs to lend to customers jointly with banks. NBFCs acquire the customer, lend a part of the loan to them, and provide first loss guarantee to the banks to lend the remaining part. Banks lend to the same customer at a lower rate, in line with their lower cost of funds and lower consequent risk costs. Banks and NBFCs can operate more closely. Technology integration of their systems will ensure much faster decision-making, and seamless customer experience while controlling the risk.

■ **Enhance market disclosure:** NBFCs may be subject to enhanced market disclosures. Specifically, granular and in-depth disclosures on asset portfolio quality, funding sources, and liquidity profile may be required. As such, increasing liquidity or capital requirement may not solve for ill-considered lending strategy for some NBFCs. However, disclosures, and consequent market scrutiny will force a certain discipline in maintenance of prudential limits on both, the asset and the liability side of the business.

■ **Backstopping NBFCs:** Create a refinancing and liquidity support institution for NBFCs engaged in SME finance. As the present crisis has shown, liquidity, more often than insolvency, takes an NBFC down. NBFCs require a lender of last resort. We need one institution that has the capability to undertake repo of securities, backed by NBFC loan portfolio, that can be resorted to at a time of need, to raise funds for short periods.

## LETTERS TO THE EDITOR

### Politicians' arrest

By now, it has become quite clear that the Modi government is not quite averse to using, or, more precisely, misusing the central agencies to take revenge on 'political enemies'. It is ingenious to suppose that agencies like Enforcement Directorate and CBI are 'politically neutral', or even-handed, and act independent of government control. The perception that they are made tools in the hands of the government to go after political adversaries is not without substance. The cases of Congress leaders P Chidambaram and DK Shivakumar spring to mind. Chidambaram is a vocal critic of Modi government's policies. Shivakumar is the go-to man for the Congress; specifically, he secured Ahmed Patel's win to the Rajya Sabha, much to the dismay and wrath of Amit Shah. It is observed that no leader of BJP, or of other parties who joined it to escape possible cases, is booked for economic offences. In case any case exists against members or supporters of the ruling party, it is not pursued with the same vigour as the cases of Opposition leaders. The selectivity shown by the Modi government in 'money laundering cases' is glaringly obvious. The law must take its own course, and not the one paved by political machetes. The law should not be bent to suit the political convenience or interest of the ruling party, lest democracy becomes diminished and less valued. — G David Milton, Maruthancode

### Teacher's day

In an era where technology has emerged as a domineering force, teachers remain a force to be reckoned with. Few could dispute the fact that technology can only supplement the learning process, but could hardly become a substitute for teachers. With education now becoming a commodity, teachers are now being perceived more as service providers than educationists, which is a cause for great concern. — M Jeyaram, Sholavandan

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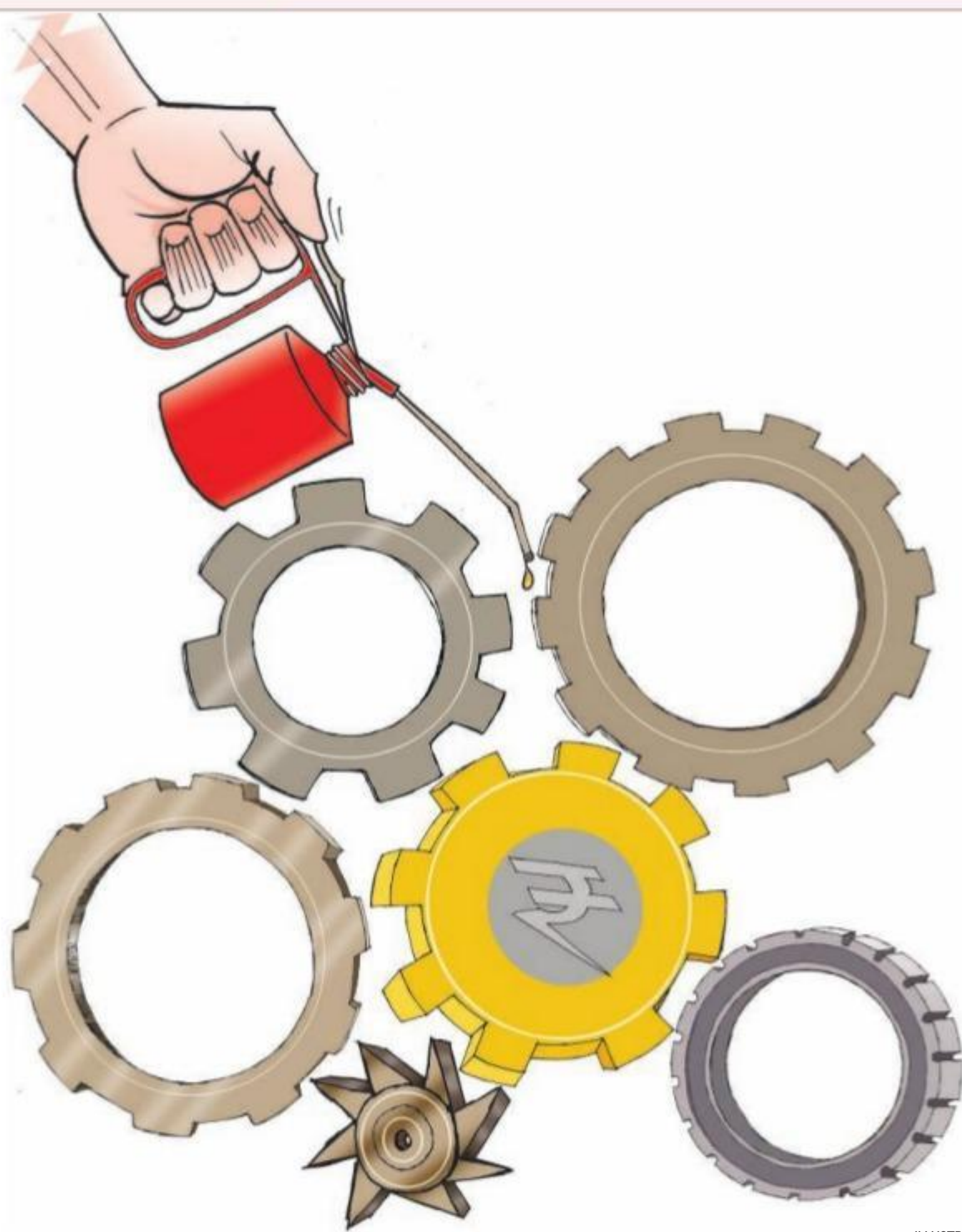


ILLUSTRATION: ROHNIT PHORE

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# To revive the ailing Indian economy...

The slowing economy needs a holistic approach and not ad hoc measures. Policymakers must systematically remove hurdles in each and every sector of the economy

**T**HE INDIAN ECONOMY is going through one of the most difficult phases in the post-Liberalisation era. Economic growth in the first quarter of this financial year (2019-20) has slipped to a six-year low of 5%. The manufacturing sector expanded by just 0.6%, while agriculture grew 2% and construction 5%. The inflation-adjusted GDP growth has slipped to 6.8% in 2018-19 from 7.2% in the previous year. Corporate results in each of the quarters reflect a slowdown in profit growth across all sectors, limiting the industry's capacity to modernise or expand.

The slowdown is reflecting on job creation, too. Unemployment hit a four-decade high of 6.1% in 2017-18. The data showed that 7.8% of all employable urban youth were jobless, while the figure for rural India was 5.3%. Meanwhile, the working-age population—those above the age of 15—is expanding by 13

million a month. India needs to create 18.6 million jobs a year to ensure that the demographic dividend is not frittered away. Just to stay at the current unemployment levels, the economy will have to generate 8.1 million jobs a year, but the numbers are not very encouraging.

The RBI intervention and decisions by FM Nirmala Sitharaman may help. But only if, 1,123 BCM is estimated as average annual utilisable water. Of this utilisable water, 60% is surface water. According to the Central Ground Water Board (CGWB), total water utilisation in India is projected to be 1,447 BCM in 2050, against the available quantum of 1,123 BCM. Thus, the demand will outstrip availability between 2030 and 2040. India is the largest extractor of groundwater; it extracts nearly 25% of the world's groundwater, according to UNESCO. The NITI Aayog has declared that 21 cities, including Delhi, Chennai and Bengaluru, are expected to run out of groundwater by 2020. Currently, India is extracting, on average, 62% of groundwater from its active recharge zone, of which almost 90% is for irrigation purposes. However, this average figure is highly deceptive. We have regions where water exploitation is more than 200%, making the situation critical. Intensive exploitation of groundwater has severe consequences. If continuous extraction of groundwater exceeds the total replenishable rate, it leads to land subsidence, salt water intrusion, and becomes technically and financially non-feasible for stable water supply. Moreover, India suffers from geogenic pollution (elements naturally present in the geology) of arsenic, fluoride, iron and nitrate. Over-utilisation of groundwater has a cascading effect on the water quality, creating a higher concentration of these elements in

ment. The slowdown is broad-based; it has affected manufacturing, trade, hotels, transport, communication, broadcasting, construction, agriculture—covering the entire economy. All analysts point to the need for long-term policies based on principles, and not just short-term measures to address the symptoms and not the malice itself. The Prime Minister is seized of the situation, evident from the concerns he raised in his Independence Day speech. The right approach is to have a long-term vision with short-term goals helpful in achieving the vision. So, what are the structural changes needed to make India an economic superpower? The first step is the realisation that the economy is in dire straits.

The course correction must come in systematic steps. It is important to move away from discussions whether unemployment is frictional (between jobs), cyclical/seasonal or structural. In India, the approach has to be structural as our requirement for job creation is 18.6 million every year and ensure that the young population doesn't become a liability; it cannot be left to market corrections. The global slowdown cannot be a fig leaf as India is still a work in progress for social security, unemployment allowance and public healthcare. If India gets into the whirl of slowdown, the path to recovery will be much more difficult.

The stated objective of making India a \$5-trillion economy by 2024 and \$10-trillion by 2032 is a benchmark set by the government. Of the country's total population, 65% is below the age of 35 who seek avenues for quality employment or enhancement. If the unemployment rate is the highest in 45 years and the growth rate is not up to the required level, we need to go back to the drawing board and set non-negotiable principles. Our approach to the cost of raw materials, power tariffs, credit availability, interest rates, labour laws and taxation needs clarity and long-term understanding. We need to converge the agreed principles and goals to enhance growth and create quality jobs.

As the PM rightly pointed out, the focus of the government should be on solving issues of labour layoffs and salary cuts in major sectors, and not on uncertainties in the share market or fluctua-

tions in gold prices. The laid-off staff gets added to the ranks of job seekers, putting pressure to find quick fixes in the manufacturing sector, especially MSMEs, or vibrant services sectors such as tourism. Ad hoc solutions will not resolve the issue and we need decisive steps to gain the confidence of local and foreign investors that our policies are predictable.

The structural changes required are specific to each sector. For instance, mining—the only sector showing positive growth trends amidst the downturn. We need to take a look at the mining material cap on the cost-plus principle to ensure there is no profiteering by mining companies that will push input costs for manufacturing. The sector also needs to rationalise five types of royalties into a single levy to facilitate simplification.

Similarly, the guiding principle for imposing import/customs/safeguard duty should be to have lower or nil levies on what we do not have in India like coking coal, scrap and ferro nickel so as to bring down the input cost for the manufacturing sector. While mining shows positive growth trend, one needs to look at whether it adds to the input cost? The key is to differentiate between having normal profits and profiteering. There is a need to cap profits in input sectors such as mining and establish a 'cost-plus' approach. The same principle needs to be applied to other natural resources such as spectrum and minor minerals as these belong to the entire population.

Another area of focus is GST; a few items are still outside the GST purview and then there are multiple cesses. There is a need to collapse GST into two bands—maybe 5% and 12%—and rationalise the filing of returns. Tax payment can be quarterly, but paperwork should be made half-yearly. This will bring confidence in industries and traders, and create the ground for self-declaration of taxes. The idea behind the GST was to widen the base for tax collection and for this reason it is important to come up with stable long-term tax rates and timelines before bringing more items under the GST regime. A related issue is insistence of current or different account for even businesses like consultancies. The efforts were done to collapse the multiple bank accounts, but GST and other requirements are not in sync with the same.

There is a need to revise minimum wages in both rural and urban areas. The convergence of the MGNREGA with Finance Commission grants will trigger infrastructure growth in rural areas. Urban areas should take up works of ward improvement of infrastructure using Finance Commission grants and other revenues. If Indore in Madhya Pradesh is getting the cleanest city tag year after year, it is because of efficient utilisation of available resources. There is no reason why other cities can't replicate the effort.

Stepping up of agriculture production and value addition of farm produce as well as improving storage facilities will trigger rural employment and ensure enhanced income in rural areas. For example, the round bamboo sticks for making incense sticks are imported. In the coming years, the entire activity can be indigenised by local cultivation of the bamboo of a particular variety required by the industry. Making of long-term consistent policies is the only way to success. The import of concentrates to make fruit juice needs to be reconsidered; value addition at the local level is key to long-term success of the sector and creation of well-paid jobs. Make in India has been successful in the steel industry because of the holistic approach adopted by the government and the industry.

The slowing economy needs a holistic approach and not a patchwork. The policymakers need to resist from pushing issues under the carpet and systematically remove the hurdles in each and every sector of the economy. While immediate results are possible in some sectors, others will take time to come up with sustainable outcomes. India needs to cushion its more than 1 billion citizens from global shocks and ensure that the population becomes an asset, not a curse.

## Does e-commerce harm competition?

**ABIR ROY**



The author is founder, Sarvada Legal

A CCI study seems to suggest online markets must be treated on a par with offline markets

**T**HE COMPETITION COMMISSION of India (CCI), on August 30, released its interim findings on the ongoing study of the e-commerce sector. This study was initiated by the CCI on account of rapid growth of the sector and the rising importance of online trade. The findings are: (a) preferential terms and visibility to certain 'preferential' sellers, higher search rankings, etc, although the same have been vehemently denied by the platforms as they claimed all sellers are independent third-party sellers; (b) platforms playing a dual role raising issues of neutrality; and (c) strict on-board reseller norms to reduce the nuisance of counterfeiting.

While these findings were released by the CCI after a lengthy discussion with all the stakeholders over a period of time and seem to note down the concerns of the offline trade, it is yet to come out with its analysis of the issues presented in these interim findings. It would be interesting to find out the final approach of the CCI considering that, in the past, it has had a chance to review this sector in a combination decision (the Walmart-Flipkart deal) and in an abuse of dominance case (AIOVA case against Flipkart).

Interesting, in the combination case, the CCI noted the concerns outlined above and noted that these may require an analysis under Section 3 (provisions relating to anti-competitive agreements), and as such the CCI had to approve the transaction since the concerns highlighted therein were pre-existing and not a result of the investment of Walmart in Flipkart. However, the CCI has not yet analysed the same under Section 3 and the final study may throw some light on the same. The key point for the CCI is to see herein whether the activities of the major e-commerce players, Amazon and Flipkart, i.e. their agreements with preferential sellers (if they exist), cause an anti-competitive foreclosure to other non-preferential sellers. This would, in turn, depend on whether the online market is separate from the offline market. In 2014, the CCI, in one of the cases, had noted that offline and online markets are not separate; however, with great deference, the case was decided five years ago and may require a *de novo* outlook.

Digressing from the CCI issue slightly, the concerns raised by offline traders that have been put in by the CCI in the interim findings may require to be reviewed from the perspective of FDI norms, too. Earlier this year, FDI norms qua e-commerce were revised substantially and this change came against the backdrop of objections raised on (i) predatory pricing and loss funding; and (ii) web of preferential sellers created by such dominant e-commerce players. The changes to the said policy addressed some of the concerns.

Now, if the final study of the CCI does indicate that this practice exists of preferential sellers, discounts provided by such practices, *dehors* the fact that such practices may or may not require an analysis under the provisions of the Competition Act, may fall foul of the violation of FDI policies. Interestingly, in a case concerning Snapdeal some time ago, the CCI had ruled that Snapdeal does determine prices and is not a pure play marketplace. The same would be applicable to other prominent marketplaces.

On the issue of counterfeiting, the Delhi High Court rounded up major e-commerce platforms like Amazon, Flipkart and 1mg, throwing light on the various practices they were indulging in. This case comes as a relief to companies that are engulfed in consumer complaints and counterfeiting with no relief as these platforms take the defence of 'intermediaries'. The Delhi High Court holds these platforms liable for inducing breach of contract and allowing the sales of unauthorised products on their platforms. Therefore, all the said issues pointed out by the traders are likely to find a mention in the final study that would be released by the CCI and it may have an implication both under the Competition Act and also on other laws like the FDI policy and consumer protection laws *et al.* E-commerce players have long deflected liability claiming themselves as mere intermediaries, but post the above observation by the Delhi High Court coupled with the changes in consumer laws by bringing in definition of product seller and electronic service provider in consumer protection laws may no longer be the case.

*(The author represented as an advocate to the Confederation of All India Traders (CAIT) in their challenge to the Walmart-Flipkart deal before the CCI, which is currently in appeal before the National Company Law Appellate Tribunal.)*

**I**NDIA RECEIVES AN annual precipitation of 1,100-1,200 mm, which accounts for a total volume of 4,000 billion cubic metres (BCM), including 21 cities, including Delhi, Chennai and Bengaluru, are expected to run out of groundwater by 2020. Currently, India is extracting, on average, 62% of groundwater from its active recharge zone, of which almost 90% is for irrigation purposes. However, this average figure is highly deceptive. We have regions where water exploitation is more than 200%, making the situation critical. Intensive exploitation of groundwater has severe consequences. If continuous extraction of groundwater exceeds the total replenishable rate, it leads to land subsidence, salt water intrusion, and becomes technically and financially non-feasible for stable water supply. Moreover, India suffers from geogenic pollution (elements naturally present in the geology) of arsenic, fluoride, iron and nitrate. Over-utilisation of groundwater has a cascading effect on the water quality, creating a higher concentration of these elements in

## Using water crisis as an opportunity

India doesn't have a problem of water scarcity, it suffers from overexploitation of groundwater; opportunity lies in supplementing resources by natural and artificial recharge

**ABHAYA AGRAWAL**

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the groundwater reservoir.

Most of the Indian riverine system is rain-fed, and due to large-scale removal of the green cover, the retention capacity has decreased tremendously. This has led to the major part of the precipitation into run-off, leading to flash floods in many parts of the country. In addition, due to decreased retention capacity, the natural capacity of groundwater recharge has also reduced. Decreased natural groundwater recharge capacity, coupled with over-exploitation of groundwater, has led to a decrease in the baseflow (part of the groundwater that flows into the river) to the rivers in the non-monsoon period, due

to which many rivers either run with the decreased flow or run dry.

Due to the increasing pressure on the development of groundwater resources, it has become the need of the hour to supplement these depleting resources. The natural recharge to the groundwater reservoir is restricted to a period of only 10 to 100 days, and is not adequate to keep up with the current rate of exploitation. Since a large volume of the precipitation flows out into the sea or gets evaporated, artificial recharge has been encouraged to supplement the natural recharge.

Artificial recharge is the process by which the groundwater reservoir is aug-



mented through increased infiltration by using artificial structures. It could be understood in two ways—direct and indirect. In the direct method, contact area and residence time of surface water over the soil are increased to augment the groundwater, which can be achieved by either surface or subsurface techniques. Surface techniques include recharge basins, percolation tanks, contour bunding, etc. Subsurface techniques include injection wells, gravity head recharge well, recharge pits, recharge shafts. In the indirect method, rather than direct supply of water into aquifers, indirect methods are involved for recharging like induced recharge, bore blasting, hydrofracturing.

Mexico, by the Nation's Waters Law of 1992, declared water as a national property and it became obligatory for all consumers to legitimise their rights through procurement of water leases. Big industrial and commercial water users were quick to apply for a lease. However, the real challenge was registering water rights of agricultural users, who withdraw 80% of the total groundwater and keep track on their extraction. If Mexico, with 0.09 million wells, found it difficult to enforce the law, we can imagine the situation in India (19 million wells) if we also declare groundwater a government property. Currently, only in the notified area by the CGWB, the con-

struction of wells is restricted, but can still be used for domestic use.

The government must encourage saving in consumption as well as rainwater harvesting through twin measures of pricing water on its economic cost and suitably rewarding bulk users (industry, farmers) through discounted tariff upon achieving measurable groundwater recharge.

India doesn't have a problem of water scarcity; it suffers from variation in the scale of time and location of the precipitation. Rainwater harvesting, coupled with increased green cover (the government has proposed to increase the green cover of the country to 33% of the total area), is the ideal solution for the current water crisis because it can buffer out the spatial and temporal variation in the precipitation. Also, natural filtration by the geology of the Earth leads to better quality of water. Rainwater harvesting not only helps in replenishing the groundwater for future use, but also provides water for local use without transfer costs—this has social and environmental benefits. The study of our scriptures reveals that ancient thinkers such as Sarasvati and Manu, with a scientific bent, were also interested in exploring the means of storing rainwater.

*The waters of sky, the waters of rivers, and water in the well, whose source is the ocean, may all these sacred waters protect me.*

—Rig Veda.

*(Anshul Tyagi contributed to the article.)*





## The Indian EXPRESS

FOUNDED BY  
RAMNATH GOENKA

BECAUSE THE TRUTH INVOLVES US ALL

## Our pride, our Constitution

Section 377 judgment offers lessons in how to use the Constitution to build coalitions and bring change



MENAKA GURUSWAMY

## RESTORING THE BOND

In a more uncertain world, India and Russia try to revive an old intimacy, build on a new convergence

HERE WERE NO dramatic agreements that came out of Prime Minister Narendra Modi's annual summit with the Russian President, Vladimir Putin this week, on the margins of the annual Eastern Economic Forum at Vladivostok. The two sides agreed to intensify energy cooperation in various sectors and develop transport connectivity between Chennai and Vladivostok. They also addressed the long-standing problem of spare part supply for the large inventory of Russian weapons with the Indian armed forces. Delhi and Moscow will now set up production facilities for spares in India. All this is welcome incremental progress. But to understand the importance of the 20th meeting in six years between the two leaders, look elsewhere.

The unfolding turbulence in India's major power relations has been brought into sharp relief by the international response to New Delhi's decision to change the constitutional status of Jammu and Kashmir. India's relations with China, already under considerable strain, have gotten worse amid Beijing's harsh response and its decision to move the United Nations Security Council in support of Pakistan. While the western powers have extended support for India's argument that the developments in Kashmir are internal to India, they have also raised questions about the human rights situation there. Russia's support seemed to come with fewer caveats and Modi has thanked his "great friend" Putin for that in Vladivostok. Even more importantly, the joint statement issued by the two leaders emphasised the shared understanding on the "inadmissibility of intervention in the internal affairs" of nations.

In the last few years, Delhi and Moscow seemed to drift apart. If Russia was concerned about India's deepening partnership with the US, Delhi warily watched Moscow's strategic embrace of Beijing and its flirtation with the Pakistan army and its proxy in Afghanistan, the Taliban. More recently, though, there has been some effort at rebuilding mutual confidence. India refused to buckle under US pressure to stop buying advanced Russian weapons like the S-400 missile system. Moscow has signalled that it will remain mindful of Delhi's interests even as it aligns with Beijing. Both Modi and Putin know that the world has entered an uncertain era and they need to keep all their options in play. Neither of them wants to squander the benefits of a solid bilateral relationship built over decades in this moment of transition in major power politics. Even as India and Russia restore their strategic bonds, there should be no illusions about returning to the good old days. For, the density of Russia's partnership with China and India's engagement with America is today greater than the ties between Delhi and Moscow. The big missing link in the India-Russia relationship is a solid commercial foundation. In Vladivostok, Modi and Putin affirmed their commitment to address this weakness. They must now deliver on that promise.

## OWNING THE PROBLEM

Repeated infusion of capital in state-owned banks underlines the growing costs of government retaining control

THE FAILURE OF the government to let go or to lower its holdings in banks is extracting a huge cost, as the repeated infusion of capital in these banks shows. On Tuesday, the Cabinet approved a capital infusion of Rs 9,300 crore in IDBI Bank, as a one-time exercise, with LIC to pump in Rs 4,743 crore while the government will provide Rs 4,557 crore in proportion to its shareholding of 49 per cent. This, it says, will help address the issue of legacy bad loans of a bank which reported a net loss of Rs 3,801 crore in the quarter to June 2019, with a gross Non Performing Assets or NPA ratio of 29.12 per cent in the same period as a percentage of its total advances or loans.

Clearly, the cleaning up of the books of a bank in which the government is not a majority shareholder is turning out to be costly considering that part of IDBI Bank's legacy bad loans of over Rs 9,000 crore were transferred to a Stressed Assets Fund well over a decade ago. It also illustrates the political failure to move on privatising the bank which was identified as a potential first candidate by the government which later backpedalled, reckoning that public opinion was yet to evolve on this sensitive issue. The former Chief Economic Advisor, Arvind Subramanian, who left the government last year, too, had pitched for privatisation of some PSU banks, indicating that without major changes, the problems are likely to linger and recur. Former RBI Governor Duvvuri Subbarao, in an article that appeared in these columns on Thursday, flagged the issue of whether the government should own banks at all. He has suggested that it would be better off unveiling a roadmap for shedding majority stake in these banks.

The other serious concern is that of LIC's use of policyholders' funds for investments in weak banks such as IDBI Bank and the bet on its investments paying off later. That seems to be a long haul in this case. Clearly, the fiscal costs of retaining control in many banks and other state-owned firms is high when there are competing demands for funds in sectors such as health, education and infrastructure and with pressure on meeting the annual fiscal deficit target. From a political economy perspective, it would make sense for the government to retain ownership control in the country's largest bank, SBI, which has a share of nearly one-third of the banking business and perhaps a couple of other large PSU banks, while divesting the rest once there is an economic upturn.

## LIFE AND DEATH OF NIE

Her journey encapsulated the tragedies of Mao Zedong's Cultural Revolution

NIE YUANZI, WHO died at 98 this week, created the poster for, and became the poster-child of, Mao Zedong's Cultural Revolution. Nie, a mid-level Communist Party of China (CPC) functionary at the University of Peking in 1966, put out what Mao called "the first Marxist-Leninist big character poster", which denounced senior functionaries at the university. Mao, eager to assert himself once again after being somewhat sidelined in the CPC following the failure of the Great Leap Forward in the previous decade, pounced on the poster as a way to root out "revisionists" and "reactionaries" from China. What followed was over a decade of purges, murder, anti-intellectualism and chaos, which culminated ultimately in the end of the reign of the "Gang of Four" and tarnished Mao's image to a great degree.

For a couple of years, Nie became a political celebrity, feted for her loyalty to the leader and party, and held up as an example to follow. She was a leader of the Red Guards — CPC gangs, really — and helped bring down the undesirables. But soon enough, she fell from favour, accused of disobedience and later, of the torture of Deng Pufang, Deng Xiaoping's son. For most of her life, she insisted that her role was limited to making the poster.

The trajectory of Nie's political career mirrors that of many stalwarts of the CPC, including Mao himself. The children of the revolution, the leaders of the party, from Lin Bao, to Deng, Luo Ruiqing, found themselves labelled disloyal following sectarian battles and personal vendettas, often stemming from insecurities at the top. Tragedies like the Great Leap Forward and Cultural Revolution were ideological creations: They tried to force people to fit a vision of society. Nie was one among the many who were lifted up and then cast in the process.

THIS DAY, ONE year ago, the Supreme Court in their judgment in *Navtej Singh Johar* held that LGBT Indians would be protected by constitutional values of equality, non-discrimination, dignity, expression, life and liberty. The Court read down Section 377 of the Indian Penal Code, 1860 or the unnatural sexual offences penal provision. Today, as we celebrate a year of freedom for queer India, we must also look to our Constitution and its values that fuelled the court battle and enabled this victory.

In April 2016, five LGBT Indians led by Navtej Singh Johar, on the back of a soul-shattering court loss in 2013, and curative petitions that were left unheard, believed enough in the Constitution's promises of equality, dignity, non-discrimination, life and liberty to let us lawyers take their stories to court.

Between early 2018, when the Supreme Court issued notice on this case, to July 2018 when the hearings started, five more writ petitions would be filed. From Keshav Suri, the scion of a business house, to Arif Jafar who had been imprisoned for being gay; from young ITians wearing coloured kurtas and jeans to the veteran LGBT activists of the Humsafar Trust, queer Indians came to court in waves that threatened not to stop till they were given their rightful place as citizens. Such was their belief in the promise of the Constitution that it would act as a beacon of hope for queer Indians to approach the court.

We have a long way to go towards full citizenship. Full citizenship would include social and civil rights, the ability to have joint bank accounts or a lease for a home or marriage to a partner. Subsequent to the judgment, we face many new obstacles such as the Surrogacy Bill and the Transgender Bill that are waiting to be notified.

As we embark on the journey towards full civil rights, let us take a moment to reflect on the lessons offered by jurisprudence of the *Johar* court in how to use the Constitution to build coalitions and make change in India today. To appreciate this, let us start from the origins of the Constitution.

The Constitution of India is special.

It is also time for movements working on gender, caste and labour issues to embrace their LGBT brethren within and outside. Similarly, queer citizens in India must also realise that a national register used against one community can well be extended to another. German history teaches us this. In isolated communities, we have little power. But in coalitions, we have the ability to fight for the fulfillment of the promises of our Constitution.

Drafted between 1946-1949, it envisaged a new country. This new nation would make reparations for previously socially-sanctioned discrimination like the caste system. India's Constitution is unique in its approach for making reparations for the historical discrimination that defines the present and future of marginalised communities. By contrast, America's Constitution makes no apology nor enables reparations for slavery.

The *Johar* court was aware of the expectations of our Constitution and her drafters. Therefore, they located their decision in core constitutional expectations of counter-majoritarianism and constitutional morality. What are these expectations? And why are they relevant for all of India, and not just queer India?

Counter-majoritarianism is the role courts adopt to prevent muscular majorities from trampling upon minorities, who are numerically weaker or even less influential. Constitutional morality is the morality of the Constitution, or core values like equality, non-discrimination, liberty for all. Both counter-majoritarianism and constitutional morality have their origins in Ambedkar's vision of a Constitution addressing historical discrimination against lower castes.

Our constitutional commitment to addressing caste discrimination has meant that courts, through the years, have made it their role to go against majoritarian social morality that may well be in favour of maintaining the caste system. This judicial role of going against majoritarian morality to protect constitutional morality would move the court to protect LGBT citizens. This court would not abdicate its responsibilities when confronted with the violation of fundamental rights of a group of citizens.

In early 2016, the constitutional protection of inter-caste and inter-religious couples, inspired us lawyers to frame the key *Johar* plea: The right to a sexual partner. It would be reflected in the court's judgment of the right to a companion for all — including LGBT Indians. This shows that we are reinforced by each other's freedoms, and weakened by state or society-sanctioned

discrimination against any set of citizens.

The *Johar* court's finding that the Constitution protects the right not to conform in food, dress, ideology, faith or sexuality is a constitutional lifeline to religious, sexual and political minorities. It is constitutional light that can only keep shining in our current political climate, if minorities and historically-discriminated groups form coalitions in this quest to keep our constitutional values intact. Our freedoms do not exist in silos, they exist in tandem with each other.

In constitutional litigation, we use existing rights of freedom and dignity of one marginalised group to extend it to another, arguing that such rights are due to every citizen. Similarly, diverse movements must recognise that in standing with each other, in ensuring the freedoms and equality of each group, they shore up their own.

It is also time for movements working on gender, caste and labour issues to embrace their LGBT brethren within and outside. Similarly, queer citizens in India must also realise that a national register used against one community can well be extended to another. German history teaches us this. In isolated communities, we have little power. But in coalitions, we have the ability to fight for the fulfillment of the promises of our Constitution.

The fraying of social fabric and the normalisation of discrimination in present day India, batters constitutional values of fraternity, equality and dignity. This leads to a weakening of the Constitution itself.

The vision of the Constitution's drafters, still holds promise for so many; queer and straight, conforming and non-conforming, newly empowered and also the newly persecuted. The Constitution enables all of us to express our hearts, amplify our voices and powers our aspirations; it is that vision that we celebrate, today. It is that vision that we must defend.

The writer is a senior advocate at the Supreme Court of India. She represented multiple petitioners in the challenge to Section 377



YOGINDER K ALAGH

## THE REVIVAL PATH

Measures to arrest economic slowdown are a good first move. Tough steps are awaited

IN AN ARTICLE on the Union Budget, I had predicted that a stimulus would come before November. It was announced in all its glory on August 25. The finance minister the training as an economist she received at JNU. She was possibly taught by Ashok Guha, who in my mind is one of the top experts in the profession. Unlike the budget, which made many promises but allocated money only for a fund for self help groups, the stimulus plan announced was action packed. Most of the announcements will take a few weeks to implement. But if the action starts now, the last quarter of the year should see the economy clocking a 6 plus per cent growth rate.

The time-bound announcements on ensuring a friendlier, transparent, rule-based and randomised tax compliance administration will make us a civilised country and will make the Enforcement Directorate and the Central Bureau of Investigation do the job they should be doing. The announcement that the government will be like all of us and will pay its bills in a fortnight is good in a country which has memories of a rapacious state. I hope this will mean that some day the friendly neighbourhood cop will pay for his *chai pani*. Incidentally, I once chaired a committee which argued that civil servants must get decent salaries.

The removal of criminal prosecution for

defaulting on CSR obligations shows maturity. Of course, correctly, civil prosecution possibilities exist. Such gestures will let investors engaged in real capital formation to concentrate on their real responsibilities rather than looking over their shoulders all the time. The provision of Rs 70,000 crore for capital infusion in public sector banks is less than what they demanded. Yet, it makes sense since all such steps must be both exceptional and performance evaluation-based by the owner — in this case, the banking division of the finance ministry, acting on behalf of the President. Insistence that the changes in bank rates must get reflected in the cost of borrowing going down, rather than an oligarchic bank bureaucracy fattening itself, is to be commended.

The steps for micro, small and medium enterprises are all fine, although the drama in the announcement could have been moderated in what was essentially orchestrated as a professional policy exercise. There is no harm in an economic ministry being occasionally professional. In fact, there was a time when they were largely so. Finance, planning and commerce (trade policy) was serious stuff. It was not about playing to the gallery, since in a globalising world, everyone else is looking on.

In fact, Nomura has just given a GDP quarterly forecast, which is more pessimistic than others. We must now credibly show

that the last quarter will be better. Political parties will score brownie points. Visions are at a discount in a two minute sound bite in a channel. It would have been appropriate to stay away from giving sops to individual industries. Let the ministry make the overture and you give a majestic decision finance minister, otherwise we will be worrying about suitcases in North Block, finance minister, JNU withstanding.

I remember when the original suitcase wallah made the news. I was vice-chancellor of JNU and Manmohan Singh had cut my budget following Bretton Woods' advice. I was collecting non-government of India funds for my university and jokingly said that I'm available at the north gate of JNU, if anybody wants to give us a suitcase. We will also give him a receipt.

More importantly, the FM's announcements do not take cognisance of the RBI governor's plea that the finance ministry must come out with a fiscal stimulus to reverse the declining investment rates (as a share of GDP). He was clear that the steps he wanted the monetary policy committee (MPC) to take would be effective only in a friendly fiscal state. All that (tough measures) remains for the FM's next announcement. Well begun is half done, as they say.

The writer, an economist, is a former Union minister



## SEPTEMBER 6, 1979, FORTY YEARS AGO

## ACUTE INFLATION

INDIA MAY GET deeper into the morass of inflation because the steps required to meet the situation are difficult to implement. The finance ministry has submitted to the cabinet a note which, according to a minister, gives "such a gloomy picture that it makes you miss a heart-beat". It is estimated that the rate of inflation in the next few months will be 4 per cent a month as against 2.5 per cent so far. By the time the new government is in the saddle in January, inflation may have gone beyond 25 per cent. Officials are almost on the point of throwing up their hands because the situation is not being assessed properly and the measures proposed have

not received serious consideration.

## RED CROSS BUNGLING

AN EMERGENCY MEETING of the Indian Red Cross Society executive committee is to be held on September 6 to discuss a report submitted by the Central Vigilance Commissioner, M G Pimpotkar, alleging large-scale bungling of relief material and manipulation of the society's accounts during the Bangladesh relief operations of 1971-72. Criticism of the Red Cross' role during the relief operations has been voiced both in the press and Parliament, but up until now the Red Cross authorities had ignored the accusations. However with the submission of the

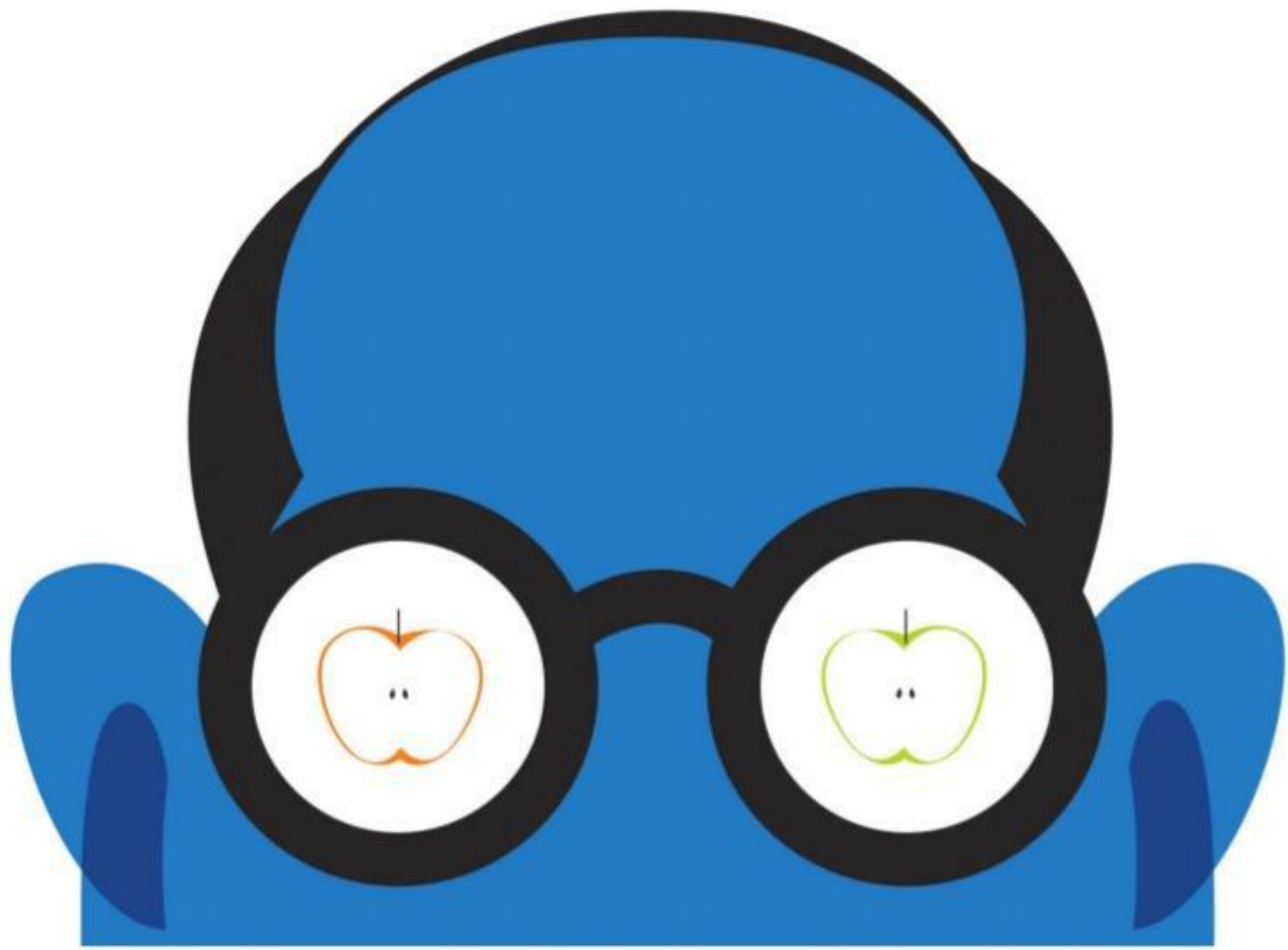
report, it becomes difficult for the society to continue its ostrich-like stand.

## ROYAL FUNERAL

KINGS, PRINCES, POLITICAL leaders and diplomats from various parts of the world attended the state funeral of Lord Mountbatten of Burma, who was killed off the Irish coast on June 27 by a bomb planted in his boat by Irish terrorists. India was represented by Vice President Mohammad Hidayatullah, the acting high commissioner, I P Singh, and his wife, and some 50 personnel of the Indian Army who are in London on a training programme. G S Dhillon represented the Congress (I).



# 13 THE IDEAS PAGE



## WHAT THE OTHERS SAY

"Western media is a special force that obstructs Hong Kong from returning to stability. They are eroding the Hong Kong people's interests."  
— GLOBAL TIMES, CHINA

## Whose civil services?

It is time officers renewed their commitment to the nation, not the government of the day



MEERAN CHADHA BORWANKAR

ARE THE civil services being used and abused? Are the Enforcement Directorate and the Central Bureau of Investigation mere stooges in the hands of the party in power? Are taxmen deliberately hounding the businesses and the media which dare to differ with the government?

The common man, busy in satisfying the bare minimum needs of his family, may be unaware of the serious imputation of the above questions, but many of us — in comparatively comfortable positions — can only ignore it at our own peril. We engage in drawing room discussions about the country's "trusted steel frame", but with hardly any concrete measures to offer that can strengthen and refurbish it. Celebrating Civil Services Day is one such limp step we took and embellished it with rewarding young officers for their innovative work. The training academies in Mussoorie, Hyderabad, Nagpur, Baroda, Shimla etc. are no doubt state-of-the-art and well-equipped to enhance the skills of trainees who reach there after passing a tough competitive exam at the national level. These institutes do labour hard to impart training in subjects specific to the job profile of each service.

But what about the spirit of the civil services? What about "the impartiality and incorruptibility of administration", that Sardar Patel expected from us? What about the backbone to withstand the pressures of expediency, politicians, media and mobs of different hue?

I have known examples of lone fighters: A commissioner of police who, when asked not to oppose the bail of a film star who was the son of a Mumbai politician, refused to comply, politely but firmly — a way to smartly salute the minister and walk away with his cap held high, his pride in the Indian Police Service shining through.

A young IAS officer who refused to write the interview marks of candidates appearing for a teachers' interview in pencil — so the politicians on the board could "manipulate" them later. I have also known of a tax officer refusing to open a closed file to "teach a lesson to an unfriendly" business house.

However, these "principled stands" are known only to a few. While there are awards for innovation and achieving targets, has anyone thought of awarding an officer for standing by the principles she is supposed to be true to? Case studies have been developed for performance, but none exist for those who abide by their commitment to a just and equitable society, and thus, dare to differ with "orders from the top".

The result has been the poaching of the defined sphere of work of civil servants by self-serving politicians of all political parties. Being street smart, they identified the holes in the civil services and, following each election, they have dug deeper. A day will come when the civil services will sink and we shall have a bureaucracy committed to serve the politicians, not the society. Many fear that with lateral entry we have already reached that point in time.

Yet, no one is mourning the slow demise of the civil services. Perhaps, because we have been projected as slow in the delivery of services and tardy in the implementation of policies. Maybe because we have become corrupt and luxury-loving. Some would say that all of this is true and that the services lost their speed of delivery and idealism in the 1960s. That post liberalisation, their relevance in any case is limited.

Yet, the common man we talked about earlier, sees a lot of hope in the civil services. His dream is to have his child join them for the prestige and power that the services still seem to carry. This man or woman in the street still clings to the prospect of a just, fair and prosperous society — the "Ram Rajya" he has heard of since his childhood. To him, the services represent a very important tool to establish an equitable society through which he hopes to better his life and the future of his children. He does not think of "using" the services for his selfish ends but for the common good.

For the sake of this man or woman, let the civil services perform their specific role earnestly. Let them spread the culture of performance and accountability, and punish the corrupt. Let them develop a spine to resist undue pressures from different players, and concentrate on delivery of services to the poor — for whom they are meant.

Let the civil services not forget that, at the end of the day, Justice H R Khanna remains the most remembered for his principled stand against Emergency. Very few have heard of the other four judges, and even if they have, is there any respect for their being party to the curtailment of our fundamental rights. The political breeze blew Justice Khanna away from the coveted chair of the Chief Justice of India. But I know about 50 law graduates of a Pune college, each writing about Justice Khanna for his refusal to toe the line of the selfish political leadership of the time.

Times have changed, but not the political parties. We need the likes of Justice Khanna to motivate the civil services to take a principled stand. We need the likes of that commissioner of police, in Mumbai, who lost his chair but refused to agree to the bail of a VIP. And, we need someone like the young officer who did not buckle to induct the "teacher of choice". Wake up, civil services, as some are busy writing our epitaph. They may succeed in writing it too, if we do not break out of our slumber and stand erect, in the service of the nation.

The writer is an IPS Officer who retired as DG Bureau of Police Research & Development

## Babasaheb and Kashmir

Ambedkar disagreed with Nehru government's stance on Article 370. But his notion of nationalism was at complete variance with the vision of Syama Prasad Mookerjee



VALERIAN RODRIGUES

FOLLOWING THE CHANGES to Article 370 of the Constitution converting the state of Jammu and Kashmir (J&K) into two Union Territories, J&K and Ladakh, several leaders of the BJP have attempted to construct a narrative that invokes B R Ambedkar to justify the measures. Some of them have even aligned his views and concerns on this issue with those of Syama Prasad Mookerjee, the founder of the Bharatiya Jana Sangh, who led an agitation against the mandatory permit to visit J&K, demanding the full merger of the state with India. Ambedkar and Mookerjee are then projected as allies pitted against Jawaharlal Nehru, who by defending an autonomous constitutional status to J&K, undercut the determined efforts of Sardar Patel towards India's national consolidation. To what extent does this narrative square with what we know about Ambedkar's stance on this issue?

Kashmir figures prominently in Ambedkar's resignation speech as the Union law minister in the interim Parliament on October 11, 1951, when he cites his disagreement with the Nehru government's policy towards the state. He argues that "the right solution" to the J&K dispute "is the partition of Kashmir. Give the Hindu and Buddhist part to India and the Muslim part to Pakistan as we did in the case of India". "Or if you like", he adds, "divide it into three parts — the ceasefire zone, the Valley, and the Jammu-Ladakh region and have a plebiscite only in the Valley."

Ambedkar cites the following reasons for it: First, given India's commitment to hold a plebiscite in the state and Pakistan's belligerent claims on it, "the Hindus and Buddhists of Kashmir are likely to be dragged into Pakistan against their wishes". On the other hand, if the

Valley chose to be part of India through the plebiscite, then Pakistan's claim over it can be debunked decisively. Second, if the pot is kept boiling in Srinagar, which Nehruvian policy has resulted in, armed stand-off with Pakistan will be a permanent feature of India's security policy, eating up resources that should rightfully be used to improve the condition of people in India. He felt that India's defence expenditure was eating up more than half of the Union revenue. Third, the excessive attention that J&K has cornered in policy circles has led to ignoring several other urgent concerns, particularly those arising from the carving out of East Pakistan. Fourth, India has lost much goodwill, its social capital, at the time of independence, in global forums, due to the foreign policy of the Nehruvian regime, in which J&K figured prominently.

Ambedkar repeated many of these arguments in the manifesto of the Scheduled Caste Federation in 1951, released soon after his resignation from Parliament. In this context, it is interesting to point out that Sheikh Mohammad Abdullah in his autobiography, *The Blazing Chinar*, takes little notice of these arguments, although the media at the time extensively commented on the issue and conservative Hindu politicians denounced Ambedkar's position on the Kashmir Valley.

Ambedkar's critique of Article 370 is directed against its justification by partisans of the measure. While moving the Article (then Article 306 A) in the Constituent Assembly on October 17, 1949, N Gopalaswami Ayyangar had argued that this special provision is made because "that particular state is not yet ripe for this kind of integration. It is the hope of everybody here that in due course even Jammu and Kashmir will become ripe for the sort of integration as has taken place in the case of other states". He further said, "the Government of India have committed themselves to the people of Kashmir in certain respects. They have committed themselves to the position that an opportunity would be given to the people of the state to decide for themselves whether they will remain with the Republic or wish to go out of it. We are also committed to ascertaining the will of the people by means of a plebiscite provided that peaceful and normal

Kashmir figures in Ambedkar's resignation speech as Union law minister in the interim Parliament on October 11, 1951, when he cites his disagreement with Nehru government's policy towards the state. He argues that 'the right solution' to the J&K dispute 'is the partition of Kashmir. Give the Hindu and Buddhist part to India and the Muslim part to Pakistan as we did in the case of India'. 'Or if you like', he adds, 'divide it into three parts — the ceasefire zone, the valley, and the Jammu-Ladakh region and have a plebiscite only in the Valley.'

conditions are restored and the impartiality of the plebiscite could be guaranteed". Ambedkar thought that such a policy measure had never taken off, and led to nomination of even representatives of the state to Parliament. Ambedkar had consistently opposed representation through nomination from his submission before the Southborough Committee in 1919. He felt that the Article, as it stood in 1951, denied democratic rights to the people of J&K in the name of safeguarding the state's autonomy.

While Ambedkar's attack on the Nehruvian policy on Kashmir was scathing, it was not less so with regard to Hindu nationalism and the idea of national unity that Syama Prasad Mookerjee subscribed to. In *Pakistan or Partition of India* (1946), he had argued that nationality is a "feeling of consciousness of kind" which binds together a people and the absence of a political setting germane to this feeling may reinforce nationalism, that is, "a desire for a separate national existence". Nationalism enacts itself by forging the common bond and shedding that which divides. Use of force to suppress the feeling of nationalism has proved counterproductive. While there was much in common among Muslims and Hindus in India, the former have increasingly come to consider themselves as a nationality and there has been no conscious and reflective attempt to undo such a feeling. If secession is inevitable, it has to be carried out through a plebiscite in the concerned territory and appropriate institutions and processes for the relocation of people and to protect minority rights must be put in place.

Ambedkar also argued that if a nationality wants to go its way, and efforts to forge a common bond were in vain, then the security of the state and the prosperity of its citizen-community leave one with little option but to part ways, rather than be caught in the quagmire of violence and insecurity. Clearly such a notion of nationalism, and the consequences that follow from it, would not be acceptable to Syama Prasad Mookerjee and his political progeny.

The writer taught political science at Mangalore University and JNU

## THE URDU PRESS

### NRC WOES

THE PUBLICATION of the final National Register of Citizens (NRC) "list" and the consequent controversy has been commented on.

*Inquilab's* editorial on September 2 comments on the trouble faced by those dispossessed because of the lack of documents, especially those excluded in the NRC list finalised on August 31. "In a country like India, where a huge section of the people is homeless, the demand for documents is very strange. Before putting the burden on people to prove that they are citizens, it may have been better for the government to make such documents available." The editorial concludes by asserting: "Years of living under British dominance and the Partition of the country should make it clear that there are no 'ghuspaithiye' or infiltrators. It is ironic that India boasts about the creation of Bangladesh at one level and at another level, uses the 'Bangladeshi' tag to try and take away peoples' citizenship."

*Siasat's* editorial on September 1, 'The defects in Assam's NRC', also elaborates on the trouble and harassment faced by people as a result of documentation processes. It asks governments to ensure that real citizens do not suffer.

*Munsif* on September 2 cites the complexities of the NRC and describes it as a

"puzzle". It points out that in Telangana, a BJP MLA has vouched for the NRC by referring to "suspicious Bangladeshi and Rohingya presence, while another BJP MLA in Assam has talked of a conspiracy to exclude Hindus and assist Muslims". The paper blames "such politicians" for making the NRC a puzzle that is hard to decode.

*Etemaad*, the Hyderabad-based daily of the AIMIM contends that "fears over the NRC are justified". "Lakhs of citizens have been turned into non-citizens overnight, because of ordinary mistakes (in paperwork)," it points out. The editorial draws attention to known personalities, including a "Kargil War hero and an ex-MLA who are absent from the list". The daily finds it odd that in the "same family some are included and others excluded, though all of them submitted the same documents." It cites the concerns expressed by international human rights groups like Amnesty International. The editorial concludes by pointing out that "the future of 19 lakh people depends on foreigner tribunals and courts. If they lose their case, their future is uncertain. We hope these tribunals and courts do an impartial job."

*Aag*, on September 1, has an editorial titled 'Yahan se kahan jaayin hum?' (where do we go from here?). It points out that "people are unaware of the facilities and help that governments may have extended to them. The lines of grief on their faces are visible and

they claim, 'we are born in Assam, our parents were born in Assam, we have spent our lives here, educated our children here and it was time to start thinking about their future, but suddenly everything has come to an end'. But, says the paper, "in this atmosphere of despondency, some Muslims have not lost hope and they say a long legal battle will be fought. We hope we will succeed because if we don't, we do not know where to go."

### MONEY MATTERS

URDU PAPERS HAVE commented on the transfer of Rs 1.76 lakh crores by the RBI to the Centre and the merger of public sector banks.

*Siasat* on August 28 writes: "For some time this may help but the long-term impacts of the move, if any, are bound to be negative because the government is not willing to get to the root of the country's economic problems". The paper points out that "for 30 years, the question of a fresh set of reforms has been discussed, but it appears that the government does not care about the views of economic experts. Small changes will not stabilise the economy."

*Inquilab's* editorial on September 5 is titled, 'Is the merger of banks good for strengthening the economy?' The editorial tries to answer the question by pointing out that "the question of bank mergers has been

proposed since the 1990s. Many committees have also recommended this". But then, it asks: Was this the right time for the merger? The editorial notes: "It appears unnecessary at a time when the economy needed to be put back on track, especially the segments that were undergoing a slowdown. The slowdown and the consequent unemployment in the automobile sector means that people connected with the sector are in desperate need of some confidence-boosting measures."

### PEHLU KHAN'S MURDER

THE ACQUITTAL of all those charged for the lynching of Pehlu Khan, the dairy farmer lynched in Alwar has attracted comment.

*Munsif's* editorial on August 16 notes that "the Congress government in Rajasthan has said that it will appeal the order in the High Court. It must ensure that the shortcomings in the prosecution's case, which were pointed out by the lower court, are rectified." It concludes on an emotional note: "The late Pehlu Khan must get justice. His spirit is perhaps asking: 'Main kiske haath pe apna khoon talaash karun? Tamaam shahar ne dastaane pehne huye hain' (On whose hands do I look for my blood? The entire city is wearing gloves)."

Compiled by Seema Chishtii

## LETTERS TO THE EDITOR

### BANKS FOR THE TIMES

THIS REFERS TO the article, 'Bank for the buck' (IE, September 5). Nationalisation of banks happened at a time when mostly the rich and the middle-class used banks. Things have changed drastically. As a former RBI Governor rightly asked, do we really need public sector banks when private banks can be found in every corner of the country? By merging banks and creating 10 bigger banks, the government has saved on capital. However, reviving the economy and generating employment will require structural reforms.

Bal Govind, Noida

### NOT JUST NUMBERS

THIS REFERS TO the editorial, 'For children's sake' (IE, September 4). The government seems to be interested in targets when it comes to social schemes rather than the spirit behind these schemes. This holds true for the Jan Dhan where bank staff deposit money in accounts to show them as active. This also holds true for the Clean India mission. Social Schemes like the mid-day meals in schools have become part of "votebank politics". Till the government implements these schemes in spirit, there will be more Pawan Jaiswals.

Suchak D Patel, Ahmedabad

### DOCTORS MATTER

THIS REFERS TO the editorial, 'No panacea' (IE, September 5). The author tries to point out the shortcomings of centralised healthcare regulations. But he does not take into consideration the views of doctors, paramedics and other health sector workers. Government

### 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

medical college graduates end up in the private sector and do not give back to society. How does one explain that?

Aishwarya Shetty, Mumbai

### DISSENT IN DANGER

THIS REFERS TO the editorial, 'Give and take' (IE, September 5). The withdrawal of the draconian extradition bill has met only one of the Hong Kong protesters' key demands. China has not affirmed that it will honour its 1997 commitment towards self rule in Hong Kong. The possibility of crushing dissent in by an aggressive China cannot be ruled out.

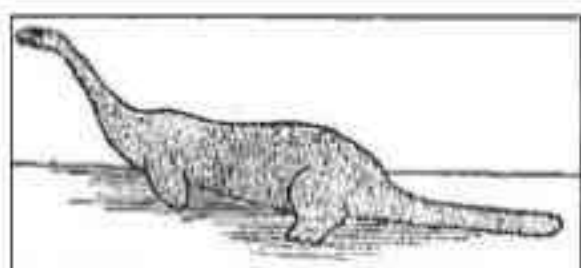
SS Paul, Nadia



## FACT CHECK, GROUND REALITY

### WAS THE 'LOCH NESS MONSTER' A GIANT EEL? WHAT DNA STUDY FOUND

SINCE THE 1900s, the legend of the "Loch Ness Monster" has been the subject of much debate around the world. Did such a prehistoric creature really live in the waters of Loch Ness in the Scottish Highlands? In the absence of any conclusive evidence, there have been various theories about whether "Nessie" ever existed, or whether it was an identifiable creature. On Thursday, scientists announced one more theory: the Loch Ness Monster may have been a giant eel.



The alleged monster, as sketched in 1914 by Arthur Grant. *Wikipedia*

Professor Neil Gemmill, a geneticist from New Zealand's University of Otago, told reporters in London that an intensive analysis was carried out on traces of DNA in the Loch's icy waters. The results ruled out the presence of large animals such as dinosaurs, but there was a lot of eel DNA in the Loch. "Eels are very plentiful in the Loch system — every single sampling site that we went to pretty much had eels and the sheer volume of it was a bit of a surprise. We can't exclude the possibility that there's a giant eel in Loch Ness but we don't know whether these samples we've collected are from a giant beast or just an ordinary one — so there's still this element of 'we just don't know,'" Reuters quoted Gemmill as saying. Gemmill noted, however, that despite the idea of a giant eel having been around for decades, nobody had ever caught a giant one in the Loch.

The Reuters report referred to the first written record of a monster — Irish monk St Columba is said to have banished a "water beast" to the depths of the River Ness in the 6th century. In 1934 came the famous "surgeon's photo", showing a head on a long neck emerging from the water. It took 60 years more before it was established as a hoax — the photo of a model attached to a toy submarine. In 2003, the BBC funded a scientific search across the Loch. Then three years ago, a high-tech marine drone found a "monster" which, Reuters said, turned out to be replica used in the 1970 film *The Private Life of Sherlock Holmes*.

Nessie is described as having a long neck with multiple humps on its back. Even today, many tourists travel to the Loch only to see if they might catch a sighting of the monster.

## TELLING NUMBERS

### India rises in WEF travel rankings; how countries scored

A REPORT released by the World Economic Forum (WEF) on Wednesday ranks the travel & tourism competitiveness of 140 economies. The biennial "Travel and Tourism Competitive Report" shows that India has made the greatest improvement since 2017 among the top 25 per cent of the countries that were previously ranked, the WEF said in a statement. Overall, India is ranked 34, up six places from 2017.

#### TOP 5 OVERALL

Spain	5.4
France	5.4
Germany	5.4
Japan	5.4
United States	5.3

Source: WEF

cultural rankings, by just three places each, but India's rank was already high in the latter (see table).

The four broad indicators looked at 14 variables, which were further subdivided into 90 indicators such as property rights, efficiency of the legal framework, quality of electricity supply, female labour force participation, visa requirements and the number of World Heritage cultural sites.

#### HOW INDIA COMPARES WITH THE BEST (SCORE IN BRACKETS)

Basis	Rank 1 in 2019	India rank in 2019	India rank in 2017
Enabling Environment	Switzerland (6.2)	98 (4.4)	108 (4.1)
T&T policy and enabling conditions	New Zealand (5.1)	69 (4.5)	79 (4.1)
Infrastructure	United States	(5.8) 55 (3.8)	58 (3.7)
Natural and cultural rankings	China (6.1)	9 (5.0)	12 (4.8)
Overall rank	Spain (5.4)	34 (4.4)	40 (4.18)

## SIMPLY PUT QUESTION & ANSWER

# Mapping lightning across India

For the first time, a report has mapped lightning strikes across the country, and the lives they have claimed. What are the findings, and how can these be used to prevent damage in the future?

AMITABH SINHA  
NEW DELHI, SEPTEMBER 5

LIGHTNING STRIKES have caused at least 1,311 deaths in the four-month period between April and July this year, according to a first-of-its-kind report on lightning incidents in India. It has been prepared by Climate Resilient Observing Systems Promotion Council (CROPC; interview with chairperson Sanjay Kumar Srivastava alongside), a non-profit organisation that works closely with India Meteorological Department (IMD). UP accounted for 224 of these deaths, followed by Bihar (170), Odisha (129) and Jharkhand (118).

#### What has the report found?

It counted 65.55 lakh lightning strikes in India during this four-month period, of which 23.53 lakh (36 per cent) happened to be cloud-to-ground lightning, the kind that reaches the Earth. The other 41.04 lakh (64 per cent) were in-cloud lightning, which remains confined to the clouds in which it was formed.

Odisha recorded over 9 lakh incidents of lightning (both kinds), the maximum for any state but fewer deaths than Uttar Pradesh, which had 3.2 lakh incidents.

#### Why are these findings important?

The report is part of an effort to create a database that can help develop an early warning system for lightning, spread awareness, and prevent deaths. Between 2,000 and 2,500 people are estimated as killed every year in lightning strikes in the country.

It is possible to predict, 30-40 minutes in advance, when a lightning strike heads towards Earth. The prediction is made possible through study and monitoring of the in-cloud lightning strikes. Timely dissemination of this information can save several lives.

After carrying out a pilot project in 16 states, the IMD has begun providing lightning forecasts and warnings through mobile text messages from this year. However, this is not yet available in all regions, and there isn't enough awareness as yet on the kinds of action that need to be taken after an alert.

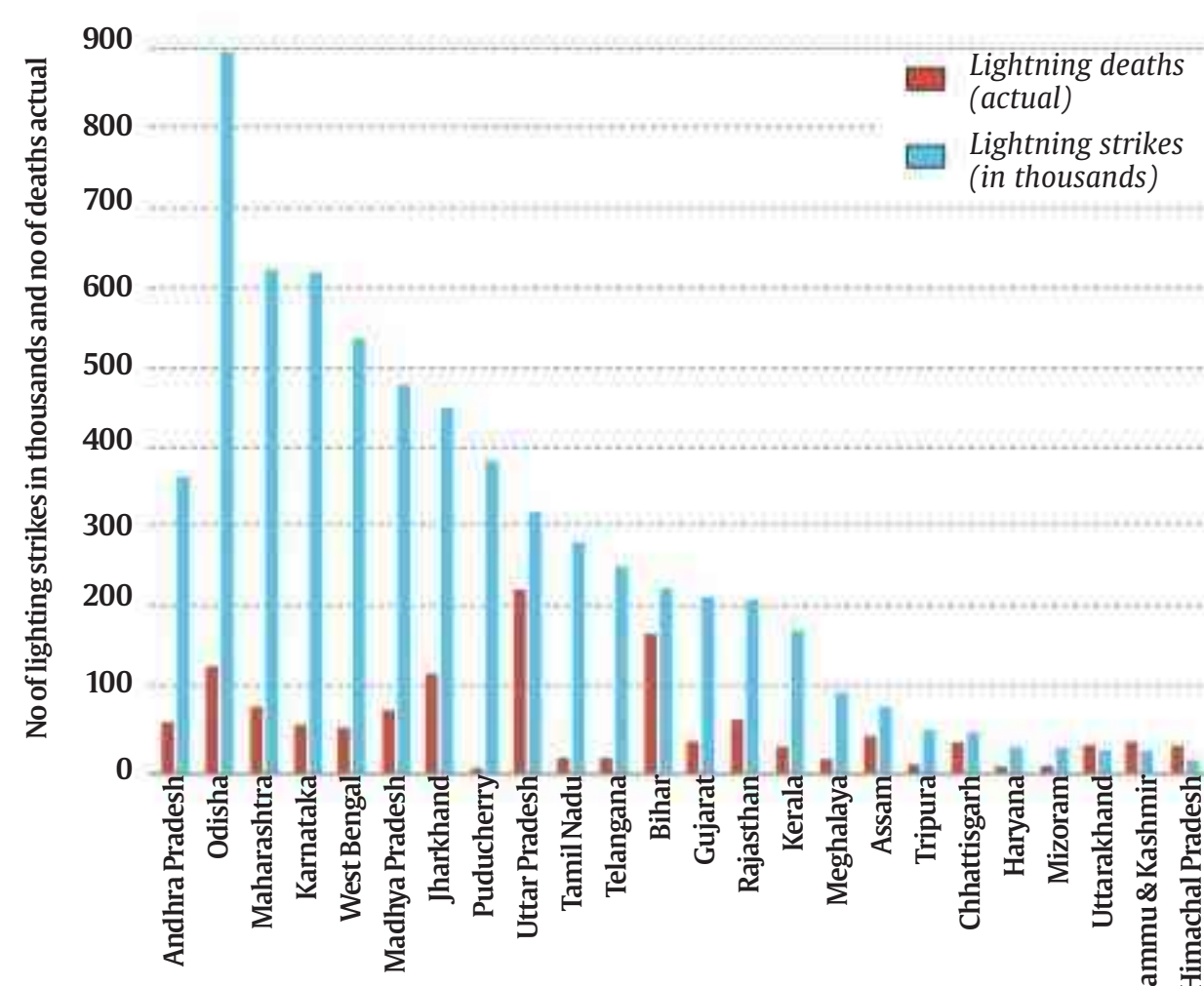
#### How is lightning formed?

Lightning is a very rapid and massive discharge of electricity in the atmosphere. Some of it is directed towards the Earth. It is a result of the difference in electrical charge between the top and bottom of a cloud. The lightning-generating clouds are typically about 10-12 km in height, with their base about 1-2 km from the Earth's surface. The temperatures at the top range from -35°C to -45°C.

As water vapour moves upwards in the cloud, it condenses into water due to decreasing temperatures. A huge amount of heat is generated in the process, pushing the water molecules further up. As they move to temperatures below zero, droplets change into small ice crystals. As they continue upwards, they gather mass, until they become so heavy that they start descending. It leads to a system where smaller ice crystals move upwards while larger ones come down. The resulting collisions trigger release of electrons, in a process very similar to the generation of electric sparks. The moving free electrons cause more collisions and more electrons; a chain reaction is formed.

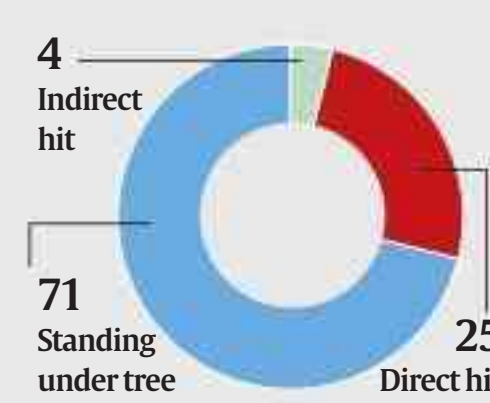
The process results in a situation in which the top layer of the cloud gets positively charged while the middle layer is negatively charged. The electrical potential difference between the two layers is huge, of the order of billions of volts. In little time, a huge current, of the order of lakhs to millions of amperes, starts to flow between the layers. It produces heat, leading to the heating of the air column between the two layers of cloud. It is because of this heat that the air column looks red during lightning. The heated air col-

## MOST STRIKES IN ODISHA, MOST DEATHS IN UP



Source: Mid-Monsoon 2019 Lightning Report

#### PRIMARY CAUSES OF LIGHTNING DEATHS



#### DEATHS, URBAN VS RURAL



#### GENDER BREAK-UP



## AN EXPERT EXPLAINS

# States should use data, create emergency response systems



SANJAY KUMAR SRIVASTAVA

#### What went into the preparation of the report on lightning?

The Mid-Monsoon 2019 Lightning Report has been prepared by using IMD's lightning forecasts including Nowcast, Indian Institute of Tropical Management-Pune's lightning network data, NRSC, ISRO inputs, other satellite data and ground-based impacts reports received from the active network of Lightning Resilient India Campaign. The network includes state governments, NGOs, media, etc. This is part of our effort to prepare a lightning risk map of India and identify lightning hotspots.

#### What is the role of state governments?

IMD-installed sensors across India have been giving alerts since April. State governments should take the data and start an emergency response system and relay the information to the district level. Location-based SMS services is available,

but this is not done in many states, resulting in high casualties. States like Odisha, Karnataka, and Andhra Pradesh are doing this systematically.

#### Odisha had the highest number of lightning strikes in four months, but fewer casualties than many other states. How did this happen?

After receiving alerts from IMD, they send pre-fixed messages to the grassroots utilising their network. Vulnerable people have been trained how to respond after hearing the warning siren. Safe shelters were created. Lightning arresters have been installed on many buildings. Mayurbhanj, which saw 152 deaths last year, recorded only 17 this year. The state took proactive measures like changing housing patterns, providing education. They planted palm trees, which attract high-voltage electricity.

#### And Jharkhand, Bihar, UP saw less than a sixth of the lightning strikes but more than a third (51) of deaths...

In Bihar, disaster management is in place, but until recently it was focused on floods. In UP, the CM has initiated a scheme, but due to bureaucratic issues, the work is yet to be implemented. Jharkhand has done its groundwork, but since there is no manpower in the State Disaster Management Authority, there is no outreach.

#### Why did the study stress lightning protection to prevent extinction of tribal communities such as Birhor, Pahadiya?

Recent observations confirm that the Chhotanagpur plateau, which is the confluence of Jharkhand, Odisha, part of Chhattisgarh and West Bengal and is inhabited by tribals, is the most lightning-prone area. The area is electrostatically and thermodynamically charged, resulting in lightning. East Singhbhum has the highest number of lightning strikes — more than 2 lakh — compared to any other district in India. These areas are predominantly inhabited by tribals who need to be relocated to safer spaces, else their population will go extinct.

#### Is there a connection between lightning and climate change?

We found that areas prone to heat-waves were also prone to lightning. Pollution increases aerosols in the atmosphere, which in turn increases lightning. There have been at least two or three instances of lightning strikes without rainfall, killing persons in Jharkhand.

Col (retired) Sanjay Kumar Srivastava is Chairperson at Climate Resilient Observing Systems Promotion Council, which prepared the lightning report, and Convener, Lightning Resilient Campaign. He spoke to **Abhishek Agard**

umn expands and produces shock waves that result in thunder sounds.

#### How does lightning strike Earth?

The Earth is a good conductor of electricity. While electrically neutral, it is relatively positively charged compared to the middle layer of the cloud. As a result, an estimated

20-25 per cent of the current flow gets directed towards the Earth. It is this current flow that results in damage to life and property.

Lightning has a greater probability of striking raised objects on the ground, such as trees or buildings. Once they are sufficiently near the ground, about 80-100 m from the surface, they even tend to redirect their course to hit

the taller objects. This is because travelling through air, which is a bad conductor of electricity, the electrons try to find a better conductor and also the shortest route to the relatively positively charged Earth's surface.

Thousands of thunderstorms occur over India every year. One thunderstorm can involve more than 100 lightning strikes.

# What ED and I-T have against Karnataka Congress leader D K Shivakumar

JOHNSON TA  
BENGALURU, SEPTEMBER 5

THE ENFORCEMENT Directorate (ED) has arrested senior Karnataka Congress leader D K Shivakumar in action that the party has decried as political vendetta by the BJP. Shivakumar was arrested in Delhi on Tuesday, and subsequently remanded in the custody of the agency until September 13.

#### What is the origin of the ED's money laundering case (ECIR/HQ/4/2018) in which Shivakumar has been arrested?

The origins of the ED's case lie in an investigation carried out by the Income-Tax Department beginning August 2017. Based on the findings of this probe, a deputy director for investigations in the I-T Department had filed a private complaint on June 13, 2018 in a special court for economic offences in Bengaluru.

The complaint alleged that Shivakumar and four associates based in Delhi and Bengaluru were part of "a well hatched conspiracy"

to help the Congress leader evade tax.

"Investigation has painstakingly acquired the leads over a period of time about the extensive network of tax evasion set up by Accused no. 1 (Shivakumar) and has been successful in discovering unaccounted cash and in the process established beyond any revocable doubt that Accused no. 1 has involved in organised tax evasion as part of a conspiracy by engaging others," I-T said.

On the basis of the I-T investigations, and complaint to the court of tax evasion and criminal conspiracy to evade tax under Section 120 B of the Indian Penal Code, the ED registered a case against Shivakumar and his associates in September 2018.

The four associates named in the ED case were: Sachin Narayan, a real estate businessman and Shivakumar's business partner; Sunil Kumar Sharma, a businessman and Shivakumar's associate; Anjaneya Hanumanthaiah, a government employee who was the caretaker of properties and funds linked to Shivakumar; and Rajendra N, an aide of the Congress leader.

The case was registered under The

Prevention of Money Laundering Act (PMLA), 2012, and IPC Section 120B (criminal conspiracy).

#### So what specific findings from the I-T investigation led to the ED case?

At the core of the ED case is the discovery, during the I-T searches of 2017, of unaccounted cash to the tune of over Rs 8.5 crore in four apartments in New Delhi linked to Shivakumar and his associates Sachin Narayan and Sunil Kumar Sharma.

Shivakumar has been accused of money laundering also on the basis of statements — which were subsequently retracted — by Anjaneya Hanumanthaiah and N Rajendra, who allegedly stored cash in these apartments on the Congress leader's behalf.

Hanumanthaiah who "was responsible for storing/handling unaccounted currency of Accused no. 1 in Delhi", and the custodian



Arrested on September 3

of the keys to the flats where the cash was found, told the I-T department that all the cash found in the flats belonged to Shivakumar — although his associates, who owned two of the flats, too, have claimed it.

"It is clear through the statements of Accused no. 4 (Hanumanthaiah) recorded from all four premises searched and also the facts found during the course of search proceedings that the cash found at all these four premises were brought and kept as per the direction of Accused no. 1," I-T said in its court complaint.

"The object of purchasing these flats... was to entertain the guests of Accused no. 1 and... to store the unaccounted cash generated by Accused no. 1. Therefore, the cash generated by Accused no. 1 in Bengaluru and other places used to be transported by Accused no. 3 (Sunil Sharma), stored in the

flat, which in turn used to be distributed to various sources as directed by Accused no. 1. The entire conspiracy was hatched by Accused no. 1, Accused no. 2 (Sachin Narayan) and Accused no. 3 at Bengaluru for the purposes of evading tax," the June 13, 2018 private complaint said.

According to I-T, Shivakumar did not provide valid documentary evidence to account for the cash seizures. It has also said that documents found during the searches suggest that payments were made to AICC functionary V Mulgund from the stash in the flats. The I-T searches were carried out as Shivakumar was sheltering 44 Gujarat Congress MLAs from poaching by the BJP in a resort outside Bengaluru ahead of a crucial Rajya Sabha election in which senior Congress leader Ahmed Patel was a candidate.

#### How has Shivakumar responded to the I-T and ED cases?

On June 25, 2019, a special court in Bengaluru rejected Shivakumar and his associates' plea for discharge in the I-T case.

In February 2019, Shivakumar and his

associates asked the Karnataka High Court to quash the summons issued by the ED for appearance for investigation of the money laundering case.

Shivakumar has argued that he cannot be prosecuted under PMLA since the cash found in the I-T searches was not the proceeds of crime, as stipulated under the money laundering law. He has also argued that the tax evasion case brought against him by I-T remains, and he cannot, therefore, be prosecuted in the PMLA case.

The ED has said that it is empowered to investigate whether the unaccounted funds were "proceeds of crime" irrespective of the outcome of the I-T cases.

On August 29, Justice Arvind Kumar of Karnataka High Court rejected Shivakumar and his associates' plea to quash the summons, and directed them to appear for the ED investigations. The ED issued a fresh notice on the same day, asking Shivakumar to appear before it on August 30 for questioning. After four days of questioning, the ED arrested Shivakumar on September 3, saying he had failed to cooperate.



## बिज़नेस स्टैंडर्ड वर्ष 12 अंक 172

### मानक की समस्या

**भारतीय रिजर्व बैंक** (आरबीआई) ने बुधवार को सभी बैंकों के लिए यह अनिवार्य कर दिया कि वे खुदरा ग्राहकों और सूक्ष्म, लघु एवं मझोले उपक्रमों (एमएसएमई) के लिए फ्लोटिंग दर वाले ऋण को 1 अक्टूबर से बाहरी मानक से जोड़ें। यह मानक नीतिगत रिपो दर, तीन और छह महीने के ट्रेजरी बिल का प्रतिफल अथवा फाइनेंशियल बेंचमार्क

इंडिया प्राइवेट लिमिटेड (एफबीआईएल) द्वारा जारी कोई भी अन्य मानक दर हो सकती है। फ्लोटिंग दर वाले कर्जदार जो बिना पुनर्भुगतान शुल्क के पहले भुगतान करने के योग्य हैं वे भी चाहें तो बाहरी मानक का रुख कर सकते हैं। स्पष्ट है कि यह कदम मौद्रिक नीति का बेहतर परिणाम सुनिश्चित करने से संबंधित है। सैद्धांतिक तौर पर देखा जाए तो

आरबीआई के निर्देश के बाद परिषद बेहतर होना चाहिए क्योंकि बैंकों को कम से कम तीन महीने में एक बार दरों को नए सिरे से तय करना होगा।

बहरहाल, इस कदम के कुछ अनचाहे परिणाम भी हो सकते हैं। उदाहरण के लिए संभव है यह तात्कालिक तौर पर कर्जदारों के लिए बड़ी राहत लेकर न आए। ऐसा इसलिए क्योंकि बैंकों को मानक दर के ऊपर शुल्क लेने की इजाजत है तो वे चाहेंगे कि वे अपने तमाम जोखिम तथा उधारी से जुड़ी समस्त लागत बचा लें। अगर उक्त शुल्क ज्यादा है तो मानक दर में बदलाव परिलक्षित होगा लेकिन ऋण दरें काफी ऊंचे स्तर पर बनी रह सकती हैं। निश्चित तौर पर धीमे परिषद का मुद्दा नया नहीं है। सन 2003 में

व्यवस्था को प्राथमिक ऋण दर (सन 1994 में लागू) से हटाया गया और इसे मानक प्राथमिक ऋण दर पर स्थानांतरित किया गया। सन 2010 में आधार दर व्यवस्था लाई गई और सन 2016 में मार्जिनल कॉस्ट ऑफ फंड्स आधारित ऋण दर तय की गई। चूंकि आंतरिक मानकों ने परिषद सुधार में बाँधित मदद नहीं की इसलिए अब आरबीआई ने बाहरी मानकों का रुख किया है।

बहरहाल, मौजूदा संदर्भ में यह समझना आवश्यक है कि परिषद कमजोर क्यों है। भारतीय बैंकिंग तंत्र फंसे हुए कर्ज के बड़े स्तर से त्रस्त है और वह मार्जिन बचाए रखने का जतन कर रहा है। एक प्रतिस्पर्धी माहौल में फंड की लागत कम होने पर बैंकों को दरें कम करनी चाहिए ताकि और कर्जदार

आकर्षित हों और उनकी बैलेंस शीट का विस्तार हो। ऐसा नहीं है कि बैंक उच्च ब्याज दर लेकर कोई बहुत अधिक मुनाफा कमा रहे हैं। खराब परिषद हमारे तंत्र की अक्षमता को उजागर करता है। उच्च राजकोषीय घाटा और सरकार की बड़ी उधारी भी नीतिगत दरों के परिषद को प्रभावित करती है। उदाहरण के लिए केंद्रीय बैंक ने गत वित्त वर्ष में करीब 3 लाख करोड़ रुपये की नकदी डाली ताकि तंत्र में पैसा बना रहे।

अब जबकि नियामक ने बाहरी मानक लागू किया है तो बैंकिंग क्षेत्र पर अतिरिक्त दबाव पड़ सकता है। संभव है कि बैंकों को भी अपनी जमा दर को बाहरी मानक दर से जोड़ना पड़े ताकि उनका ब्याज मार्जिन बच सके। यह स्पष्ट नहीं है कि भारतीय जमाकर्ता

हर तीन महीने पर जमा दर तय करने पर कैसी प्रतिक्रिया देंगे? बाहरी मानक दर के कारण उपभोक्ताओं और बैंक दोनों का ब्याज जोखिम बढ़ेगा। बैंक हेजिंग की दृष्टि से बेहतर स्थिति में होंगे, वहीं जोखिम से बचने वाले खुदरा जमाकर्ता अन्य रास्ते तलाश सकते हैं। ऐसे में अल्प बचत योजनाएं शायद बैंकों को जमा दर तय करने के मामले में राहत न दें। परिणामस्वरूप मार्जिन पर दबाव बन सकता है और चूंकि बैंकिंग क्षेत्र का बड़ा हिस्सा सरकारी है इसलिए इसके राजकोषीय प्रभाव भी होंगे। इन अनचाहे प्रभावों के बारे में विचार किया गया होगा। बेहतर विकल्प यही होता कि बैंकों की बाहरी मानक दर तक मुक्त पहुंचे। इससे उन्हें बेहतर समायोजन करने की मिलता।



अजय मोहनती

# बैंकों का विलय 'बिग बैंग' सुधार नहीं

सरकार ने 10 सार्वजनिक बैंकों के विलय की घोषणा कर बैंकिंग क्षेत्र को सशक्त बनाने की कोशिश है। लेकिन व्यापक बैंकिंग सुधार के लिए यह काफी नहीं है। बता रहे हैं देवाशिष बसु

वित्तीय बाजार अक्सर 'बिग बैंग' सुधारों का जिम्मेदार होता है। भारत सरकार से अपेक्षित कदम उठाने की मांग करते रहते हैं। इस शब्दावली की कोई स्पष्ट परिभाषा नहीं है लेकिन अश्लीलता के मामले में अमेरिकी सुप्रीम कोर्ट के न्यायाधीश पॉटर स्टीवर्ट के विचारों से इसे समझ सकते हैं। न्यायाधीश स्टीवर्ट ने कहा था, 'जब मैं इसे देखता हूँ तभी मैं इसे जान पाता हूँ।' हाल में वित्त मंत्री निर्मला सीतारमण ने कुछ सार्वजनिक बैंकों के विलय की घोषणा की तो कई को लगा कि बिग बैंग सुधार कैसे होते हैं? कुछ लोगों ने तो उत्साह में 1991 के दौर को याद करना शुरू कर दिया। क्या वाकई में ऐसा है? बिग बैंग सुधारों को दोतरफा परखना होता है: तात्कालिक रूप से बेहद सकारात्मक असर डालने के साथ ही यह अचल भी हो। वर्ष 1991 में सरकार बनाने के कुछ महीने बाद ही पी वी नरसिंह राव ने एकाधिकार एवं प्रतिबंधात्मक व्यापार कार्य अधिनियम जैसे बेवकूफाना कानून को खत्म कर दिया था। लगभग हर चीज की किल्लत वाले दौर में वह कानून उत्पादन को नष्ट करने के बजाय पैदा करता था। इस लिहाज से उस कानून का खाम्ता एक बिग बैंग सुधार था क्योंकि उसने दशकों से बोलत में बंद उद्यमशीलता के जिन को अजाद कर दिया था। मैं आश्चर्य है कि इन बैंकों के विलय में भी कुछ फायदे निहित होंगे लेकिन कमजोर सार्वजनिक बैंकों के समूह का विलय कर उन्हें बड़ा बनाने का कदम बिग बैंग सुधारों

की परीक्षा में नाकाम हो जाता है। बैंक ऑफ इंडिया के सेवानिवृत्त चेयरमैन एम जी थिडू का कहना है कि इस विलय से बैंकों की लागत घटेगी और उनके पास तकनीक में निवेश के लिए पैसा मौजूद होगा। इसके अलावा कम बैंक होने से उनमें राजनीतिक नियुक्तियों होने की आशंका भी कम हो जाएगी। हालांकि एक अन्य सार्वजनिक बैंक के पूर्व चेयरमैन की राय इसके उलट है। वह कहते हैं, 'अगर आप छोटी गड़बड़ियों को एक साथ ला देते हैं तो फिर आपको एक बड़ी गड़बड़ी ही मिलेगी।'

### खराब ट्रेक रिकॉर्ड

हमें इंतजार कर यह देखा जा सकता है कि आगे क्या होता है? हालांकि इस सरकार के ट्रेक रिकॉर्ड से बचा नहीं जा सकता है। इसने हमें तमाम कारण दिए हैं कि सार्वजनिक बैंकों के विलय से जुड़े प्रयोग को लेकर भी हम आशंकित बने रहें। सरकार आरोही सुधारों के जरिये चार वर्षों से सार्वजनिक बैंकों की समस्या दूर करने की जद्दोजहद करती रही है। लेकिन जमीनी स्तर पर नाममात्र की प्रगति हुई और इसके तमाम सबूत हैं कि नेता हकीकत को समझते नहीं हैं। वे अपनी ही दुनिया में मगन रहते हैं।

**ज्ञान संगम:** जनवरी 2015 में प्रधानमंत्री नरेंद्र मोदी ने बैंकिंग सुधारों की एक कार्य योजना बनाने के लिए सार्वजनिक बैंकों के प्रमुखों के साथ बैठक की थी। इस उच्चस्तरीय बैठक को ज्ञान संगम का नाम

दिया गया था जिसमें वित्त मंत्री, आरबीआई गवर्नर, वित्त राज्यमंत्री जयंत सिन्हा और वित्त मंत्रालय के सचिवों ने भी शिरकत की थी। प्रधानमंत्री बैंकिंग क्षेत्र में हुई गलतियों पर एक व्यापक सहमति बनाकर इस बात की रूपरेखा बनाना चाहते थे कि सार्वजनिक बैंकों की स्थिति सुधारने और उसे सशक्त करने के लिए बैंकों के साथ सरकार को भी क्या कदम उठाने चाहिए? आधिकारिक विज्ञापन के मुताबिक प्रधानमंत्री एक सुधारात्मक कार्य योजना की रूपरेखा तय किए जाने के पक्ष में था। मैंने उक्त बैठक के ठीक पहले दिसंबर 2014 में लिखा था कि सार्वजनिक बैंकों को बेसल-3 मानकों पर खरा उतरने के लिए वर्ष 2018 तक 2.4 लाख करोड़ रुपये की इक्विटी पूंजी की जरूरत पड़ेगी। अगर इस बैठक में मुश्किल सवाल नहीं उठाए जाते हैं तो ज्ञान संगम केवल किनारे पर ही रह जाएगा और सार्वजनिक बैंकों की हालत पहले जैसी ही बनी रहेगी। लेकिन कुछ नहीं हुआ। उसके एक साल बाद भी ज्ञान संगम की एक और बैठक हुई और उसे भी भुला दिया गया। हालत यह है कि पांच साल बाद सार्वजनिक बैंकों की हालत और खराब हो चुकी है।

**इंद्रधनुष:** इस सात सूत्री योजना की घोषणा अगस्त 2015 में की गई थी। इसने वरिष्ठ पदों पर बेहतर नियुक्तियों करने, बैंक बोर्ड ब्यूरो (बीबीबी) के गठन, अधिक पूंजी डालने, फंसे कर्जों की मात्रा कम करने, बैंक प्रबंधन को मजबूत बनाने, जवाबदेही और प्रशासन को बेहतर बनाने का वादा किया

था। लेकिन यह योजना भी प्लॉप शो ही साबित हुई। पहले तीन कामों को करना आसान था, लिहाजा बीबीबी का गठन कर दिया गया लेकिन उसे भी काफी हद तक नजरअंदाज ही किया जाता रहा। बैंकों के पुनर्जीकरण का ऐलान 2018 के आखिर में किया गया और अब भी यह टुकड़ों-टुकड़ों में अंजाम दिया जा रहा है।

### बैंकिंग की राजनीति

क्या सार्वजनिक बैंकों का सुधार वास्तव में एक आर्थिक उद्देश्य है? मेरा मत है कि हमें इस सरकार के लक्ष्यों एवं योजनाओं के बारे में बहुत कम जानकारी होती है। हमें कहे गए शब्दों के मायने समझने के साथ ही गतिविधियों पर नजर रखनी होती है। ज्ञान संगम बैठक में मोदी ने बैंकों से जनधन योजना का दूसरा दौर चलाने के बारे में कहा था। इसमें स्कूलों में छात्र संसद की तरह प्रतिस्पर्द्धाओं के जरिये वित्तीय साक्षरता बढ़ाने की पहल करनी थी। उन्होंने बैंकों को सांफ्टवेयर एवं विज्ञान में साझा ताकत विकसित करने, प्रति बैंक 20,000-25,000 स्वच्छता उद्यमी तैयार करने, छात्रों को कर्ज बांटने और सुस्त बैंकिंग से परहेज करने का भी निर्देश दिया था। प्रधानमंत्री ने बैंकों से कहा था कि कॉर्पोरेट सामाजिक दायित्व (सीएसआर) के हिस्से के तौर पर उन्हें हर साल एक क्षेत्र को चुनकर उसमें सकारात्मक भूमिका निभानी चाहिए। भयानक संकट से गुजर रहे सार्वजनिक बैंकों के लिए इस तरह का एजेंडा तय करना काफी विचलित करने वाला है।

तत्कालीन वित्त राज्य मंत्री जयंत सिन्हा ने 2015 की शुरुआत में कहा था, 'अगर हम सार्वजनिक बैंकों में अपनी हिस्सेदारी कम करते हैं तो हम संकटग्रस्त मूल्यांकन पर ऐसा करेंगे। हमें इन बैंकों का प्राइस-टु-बुक दायरा बढ़ाने की जरूरत है और उन्हें निजी क्षेत्र के बैंकों की बराबरी पर लाने की जरूरत है। यह सुनिश्चित करना हमारी जिम्मेदारी है कि अगर हम अपनी हिस्सेदारी बेचने जा रहे हैं तो हमें यह काम समुचित मूल्यांकन पर अंजाम देना होगा क्योंकि यह हिस्सेदारी भारत के लोगों की है।' उसके बाद से धंधली एवं बड़े खाते में डाले जाने से बैंकों का मूल्यांकन लगातार कम होता गया है। मैंने पहले भी कह चुका हूँ कि नेता अपनी अलग दुनिया में ही रहते हैं।

दिवंगत अरुण जेटली ने बिग बैंग सुधारों को लेकर दीवानगी होने पर सवाल उठाते हुए कहा था, 'हम छोटे-छोटे क्रमिक सुधारों से भी बहुत कुछ हासिल कर सकते हैं।' यह बात तभी सही है जब छोटे बदलावों को अहम सुधारों से बचने का बहाना न बनाया जाए।

क्या सार्वजनिक बैंकों का क्रमिक विलय इन बैंकों के कामकाज पर असर डालने वाले मूल मुद्दों- भ्रष्टाचार और प्रोत्साहन की कमी का हल निकालेगा? क्या वे इस बात का ध्यान रखेंगे कि पूंजी एवं प्रबंधन की हालत सुधारने पर भी कर्जदार सार्वजनिक बैंकों पर अब अधिक निर्भर नहीं रह गए हैं? कमजोर बैंक विलय से आने वाले समय में पूंजी, प्रतिस्पर्द्धा और तकनीक की चुनौतियां दूर नहीं होंगी। लेकिन वह एक अलग कहानी है।

# उर्वरकों और मृदा स्वास्थ्य पर सरकार का रवैया विरोधाभासी

**प्रधानमंत्री नरेंद्र मोदी** ने इस साल अपने स्वतंत्रता दिवस भाषण में देश के किसानों से मृदा स्वास्थ्य बनाए रखने के लिए किसानों से रासायनिक उर्वरकों का इस्तेमाल रोकने या इसकी मात्रा कम करने का आह्वान किया है। प्रधानमंत्री मोदी के इस आह्वान के कृषि क्षेत्र के लिए मिश्रित उर्वरक पोषक तत्व इसका सतर्कता से विश्लेषण किया जाना चाहिए। इसमें कोई शक नहीं है कि रासायनिक प्रदूषण से मृदा स्वास्थ्य को होने वाले नुकसान को लेकर प्रधानमंत्री की चिंता जायज है, लेकिन उनके द्वारा सुझाया गया समाधान मृदा स्वास्थ्य के संरक्षण के लिए पर्याप्त नहीं है। भूमि क्षरण और इसकी उर्वर शक्ति कमजोर करने के लिए केवल रासायनिक उर्वरक इनका इस्तेमाल रोकने या इसमें कमी करने से समस्या का समाधान नहीं दिख रहा है।



खेती-बाड़ी सुरिंदर सूद

**एक ओर सरकार रासायनिक उर्वरकों का इस्तेमाल कम करने की सलाह देती है, वहीं दूसरी तरफ इनकी खपत बढ़ाने के लिए इन पर भारी सब्सिडी (यूरिया के मामले में 70 प्रतिशत तक) देती है**

भूमि संसाधनों की हालत बिगाड़ने के लिए कई रासायनिक, भौतिक और जैविक कारक जिम्मेदार हैं। मई 2018 में मृदा स्वास्थ्य पर राष्ट्रीय कृषि विज्ञान अकादमी (एनएएस) की 'संक्षिप्त नीति' में इन कारकों पर चर्चा की गई है।

एनएएस ने इसके लिए अनुपयुक्त जोत, अकुशल कृषि योग्य भूमि एवं जल प्रबंधन, मृदा क्षरण, जल जमाव, लवणता एवं क्षार की उपस्थिति, उर्वरकों का असंगुलित इस्तेमाल, मिट्टी की उर्वरा शक्ति में कमी और सबसे अहम जैविक खाद के इस्तेमाल को नजरअंदाज करने जैसे कारकों को जिम्मेदार बताया है।

हरित क्रांति से पहले रासायनिक उर्वरकों का इस्तेमाल नहीं के बराबर होता था। हालांकि उस समय उत्पादन भी कम था और बढ़ती आबादी का पेट भरने के लिए यह अपर्याप्त साबित हो रहा था। खाद्यान्न की कमी के मद्देनजर उर्वरकों के प्रति संवेदनशील ऊंची उपज देने वाली फसल किस्मों की पैदावार पर जोर दिया गया। यह पहल हरित क्रांति का जनक बनी और देश ज्यादातर खाद्यान्न के मामले में आत्मनिर्भर बन पाया। ऐसी ऊंची पैदावार देने वाली किस्मों के लिए अधिक मात्रा में मृदा पोषक तत्वों की जरूरत होती है, जिनकी आपूर्ति सामान्य जैविक खादों से नहीं की जा सकती है। वैसे ये जैविक खाद सूक्ष्म पोषक तत्वों की आपूर्ति में

सहायक होते हैं, जो आम तौर पर रासायनिक उर्वरक नहीं कर पाते हैं। कृषि विशेषज्ञ कुल मिलाकर बेहतर परिणामों के लिए रासायनिक और जैविक खाद के मिले-जुले इस्तेमाल की सलाह देते हैं। अध्ययनों से यह बात सामने आई है कि सही मात्रा में सही समय पर और सही जगह पर रासायनिक उर्वरकों के साथ जैविक खाद के इस्तेमाल से मिट्टी की उत्पादकता बढ़ती है, न कि इसका ह्रास होता है।

इस तरह फॉर्मूले में तीन तरह के अलग-अलग, लेकिन साथ-साथ काम करने वाले सूक्ष्मजीवी होते हैं। इनमें एजोटोबैक्टेरिआ, नाइट्रोजन मृदा में अवशोषित होने में मदद करते हैं, जबकि बाकी दो पेंगोबैक्टेरिया टाइलोपी और बैसिलस डिग्लोरोटेरिओनिस क्रमशः फॉस्फेट और पोटेशियम को अधिक विलयशील बना कर काफी कम कीमतों पर पौधों के लिए इनकी उपलब्धता सुनिश्चित करते हैं। ऐसे उपचारों से प्रधानमंत्री का आह्वान फलीभूत हो सकता है, साथ ही इनसे कृषि उत्पादन पर भी कोई नकारात्मक असर नहीं होगा।

उर्वरकों एवं मृदा स्वास्थ्य को लेकर सरकार का रवैया विरोधाभासी है। एक ओर सरकार रासायनिक उर्वरकों का इस्तेमाल कम करने की सलाह देती है, वहीं दूसरी तरफ इनकी खपत बढ़ाने के लिए इन पर भारी सब्सिडी (यूरिया के मामले में 70 प्रतिशत

## कानाफूसी

### विभाग से घटकर इकाई!

कांग्रेस अध्यक्ष सोनिया गांधी ने पार्टी के डेटा एनालिटिक्स विभाग को पुनर्गठित किया है। प्रवीण चक्रवर्ती की अध्यक्षता वाले इस विभाग ने वर्ष 2019 के लोकसभा चुनाव के दौरान कांग्रेस के न्यूनतम आय गारंटी के वादे से जुड़े अभियान का नेतृत्व किया था। इसके अलावा उसने पार्टी के सदस्यता अभियान का भी संचालन किया था। परंतु लोकसभा चुनाव में पार्टी को 120 से अधिक सीटें मिलने का इसका पूर्वानुमान बुरी तरह गलत साबित हुआ था। ऐसे में पार्टी के भीतर ही चक्रवर्ती के खिलाफ कई आवाजें उठने लगी थीं। चक्रवर्ती को राहुल गांधी का करीबी माना जाता है। अब पार्टी अध्यक्ष सोनिया गांधी ने इसे एक विभाग से घटाकर एक विभाग के अधीन एक इकाई का दर्जा दे दिया है। पिछले दिनों पार्टी के महासचिव के सी वेणुगोपाल ने एक पत्र लिखकर कहा कि यह विभाग अब संगठन विभाग के अधीन तकनीक और डेटा इकाई के रूप में काम करेगा। चक्रवर्ती इस इकाई के अध्यक्ष बने रहेंगे लेकिन अब उन्हें पार्टी अध्यक्ष के बजाय संगठन विभाग के अध्यक्षों से विभिन्न प्रकार की मंजूरियां लेनी पड़ेंगी।



## आपका पक्ष

### आर्थिक मोर्चे पर विफल सरकार

देश की अर्थव्यवस्था मंदी के दौर से गुजर रही है। आर्थिक मोर्चे पर असफल होने के कारण केंद्र सरकार की चोतरफा आलोचना हो रही है। मतदाताओं ने केंद्र की भाजपा सरकार को काफी उम्मीदों के साथ दूसरी बार भारी बहुमत से विजय दिलाई थी। आर्थिक सुस्ती के चलते जीडीपी 5.8 प्रतिशत से फिसलकर 5 फीसदी रह गया है। विनिर्माण क्षेत्र मात्र 0.5 फीसदी तथा कृषि क्षेत्र 2 फीसदी से बढ़ रहा है। भारी मात्रा में कर्ज डूबने की वजह से देश के सार्वजनिक बैंक घाटे में हैं। उत्पादित वस्तुओं की मांग की कमी के कारण कंपनियों को अपने कर्मचारियों की छंटनी करनी पड़ रही है। सरकार भी इस अप्रत्याशित मंदी से अनिभिन्न थी तथा इससे निपटने के लिए तैयार नहीं थी। अचानक आई इस मंदी से उबरने के लिए कई फैसले किए जा रहे हैं। ये फैसले कितने असरदार होंगे यह भविष्य में पता चलेगा। अर्थशास्त्रियों एवं



विशेषज्ञों के मुताबिक यह मंदी अचानक नहीं आई है बल्कि सरकार द्वारा पिछले वर्षों में लिए गए गलत आर्थिक निर्णयों के कारण आई है। जीएसटी आम व्यापारियों के लिए काफी जटिल साबित हुई तथा इसका क्रियान्वयन उचित ढंग से नहीं किया गया। इससे व्यापारी हतोत्साहित हुए। नोटबंदी की वजह से अर्थव्यवस्था 2 फीसदी नीचे आ

**देश में मंदी का असर वाहन उद्योग पर पड़ा है जिससे वाहन विक्री में कमी आई है -पीटीआई**

गई और कई छोटे-बड़े उद्योग डूब गए। सरकार किसानों के लिए कई योजनाएं लाई लेकिन वे किसानों तक नहीं पहुंच पाई। इससे किसान से अर्थव्यवस्था 2 फीसदी नीचे आ

भी उनकी उपज का उचित दाम नहीं मिल रहा है। इसलिए कई किसान कृषि छोड़ कर रोजगार की तलाश में शहर पलायन कर रहे हैं। अतः सरकार को पिछली गलतियों से सबक लेकर अर्थव्यवस्था को पटरी पर लाने के लिए योग्य अर्थशास्त्रियों एवं विशेषज्ञों को नियुक्ति करनी चाहिए।

*निशांत महेश त्रिपाठी, नागपुर*

### डिजिटल युग में स्मार्ट क्लास की जरूरत

राष्ट्रीय शैक्षिक अनुसंधान और प्रशिक्षण परिषद (एनसीईआरटी) की वेबसाइट में कक्षा 1 से 12 तक की किताबें पीडीएफ फाइल में मौजूद हैं। इसके अलावा वेबसाइट में ई-किताबें भी हैं। पीडीएफ फाइल पर उपलब्ध किताबें मोबाइल, टैबलेट, कंप्यूटर आदि में पढ़ी जा सकती हैं। सरकार ने आकाश

टैबलेट का वितरण भी किया था। शिक्षा व्यवस्था में सुधार तथा आधुनिकीकरण के लिए सरकार जोर भी दे रही है। ऐसे में अगर कक्षा 1 से बच्चों को टैबलेट पर पढ़ाया जाए तो कागज के साथ-साथ अन्य चीजों की भी बचत होगी। एक स्मार्ट क्लास बन जाने से बच्चों को पढ़ाई में मन लगेगा तथा वे अधिक ज्ञान अर्जन कर सकेंगे। आजकल छोटे बच्चे आसानी से मोबाइल चलाना सीख जाते हैं। ऐसे में अगर उन्हें टैबलेट दिया जाए तो वह उसे भी चलाना सीख जाएंगे। लिखने के लिए वॉयस टाइपिंग का सहारा लिया जा सकता है। ऐसे में बच्चों की पूरी पढ़ाई टैबलेट पर हो सकती है। अगर इस तरह से पढ़ाई होने लगी तो बच्चों का मार्गिक विकास और बेहतर होगा। बच्चों को भारी बस्ते से भी निजात मिल जाएगी। बच्चे टैबलेट में खेल-खेल में कई चीजें सीख सकेंगे। यही बच्चे बड़े होकर अच्छी तरह से टैबलेट का इस्तेमाल करने लगेगे। इस प्रकार की पढ़ाई पर विचार करने की जरूरत है।

*संदीप शर्मा, नई दिल्ली*

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







# रूस से रिश्ते

**भारत** और **रूस** के रिश्तों में अब पुराने दिन लौटने के संकेत साफ नजर आ रहे हैं। इस बार प्रधानमंत्री नरेंद्र मोदी की रूस यात्रा ज्यादा महत्वपूर्ण और सफल इसलिए कही जानी चाहिए कि दोनों देश अपने आंतरिक मामलों में किसी भी बाहरी दखल के खिलाफ खुल कर साथ आए हैं। रूसी शहर व्लादिवोस्तोक में भारत और रूस के बीच होने वाली सालाना शिखर बैठक के बाद प्रधानमंत्री मोदी और रूस के राष्ट्रपति व्लादिमीर पुतिन ने साफ कहा कि अपने देश के अंदरूनी मसलों में किसी भी बाहरी दखल के वे खिलाफ हैं। यह बात पिछले महीने जम्मू-कश्मीर से धारा 370 को खत्म किए जाने के बाद पाकिस्तान की बौखलाहट के संदर्भ में उठी। पाकिस्तान और चीन ने संयुक्त राष्ट्र से लेकर तमाम देशों के समक्ष कश्मीर से धारा 370 को हटाने का मसला उठाया था। लेकिन हर जगह से पाकिस्तान को यही सुनने को मिला कि यह भारत का अंदरूनी मसला है और इस पर कुछ नहीं किया जा सकता। इसके अलावा अमेरिका भी समय-समय पर इस मामले में मध्यस्थता का शिगूफा छोड़ता रहा है, जिसे भारत ने साफ तौर खारिज कर दिया। ऐसे में अब इस मसले पर रूस ने भी अपना रुख स्पष्ट कर दिया है। रूसी राष्ट्रपति ने तो कहा भी कि पाकिस्तान कश्मीर को लेकर अफवाहें फैला रहा है। भारत की यह बड़ी कूटनीतिक उपलब्धि है। एक पुराने दोस्त ने भारत के साथ पूरी तरह से एकजुटता दिखाई है। भारत और रूस के बीच ईरान को लेकर भी बात हुई। भारत पर अमेरिका का दबाव है कि वह उसके साथ कारोबारी रिश्ते खत्म करे। तेल आयात तो भारत को मजबूरन बंद करना ही पड़ा है। भारत किसके साथ व्यापार करे और किसके साथ नहीं, यह उसका अंदरूनी मामला है। रूस तो खुल कर ईरान के साथ है। इसीलिए पुतिन ने साफ-साफ कहा कि किसी के दबाव में ईरान के साथ रिश्ते खत्म नहीं किए जा सकते। कश्मीर और ईरान के मसले पर रूस का खुल कर भारत के साथ आना बड़ी बात है। हालांकि बदलते वैश्विक परिदृश्य में पिछले कुछ दशकों में भारत का अमेरिका की ओर झुकाव ज्यादा बढ़ा है। लेकिन इसका मतलब यह नहीं कि रूस से भारत के संबंधों पर कोई असर पड़ा। ब्रह्मोस मिसाइल परियोजना से लेकर कई क्षेत्रों में रूस भारत को मदद देता रहा है।

मोदी और पुतिन पिछले एक साल में छह बार मिल चुके हैं। दोनों नेताओं के बीच जिस तरह से निजी रिश्ते बन गए हैं उनका लाभ भारत को मिल रहा है। रूस ने ऊर्जा और अंतरिक्ष क्षेत्र सहित भारत के साथ पंद्रह करार किए हैं। यह इस बात का प्रमाण है कि भारत की तत्कली में रूस जैसे पहले साथ था, वैसे ही आज भी है। दोनों देशों के बीच हुए असैन्य परमाणु समझौते के तहत रूस भारत में वीस परमाणु इकाइयों लगाएगा। दूसरी ओर, भारत रूस के तेल और गैस क्षेत्र में निवेश करेगा। अंतरिक्ष के क्षेत्र में मदद के तौर पर रूस गगनयान मिशन के तहत भेजे जाने वाले भारत के अंतरिक्ष यान्रियों को प्रशिक्षण देगा। पिछले कुछ सालों में तेजी से विकास करने वाले और उभरती अर्थव्यवस्था वाले देश के रूप में भारत की जो छवि बनी है उसकी अहमियत रूस बखूबी समझता है। रूस यह भी जानता है कि भारत को अपने एक पड़ोसी के कारण दशकों से आतंकवाद झेलना पड़ रहा है। ऐसे में भारत को रूस से हर स्तर पर समर्थन मिलना दोनों देशों के रिश्तों को और प्रगाढ़ करेगा।

## आतंक के विरुद्ध

आतंकवादी गतिविधियों पर नकेल कसने के मकसद से सरकार ने एक कदम और आगे बढ़ा दिया है। हाल ही में बने आतंकरोधी कानून के तहत भारत ने पाकिस्तान में पनाह पाए जैश-ए-मोहम्मद के प्रमुख मसूद अजहर, लश्कर-ए-तैयबा के संस्थापक हाफिज मुहम्मद सईद, मुंबई हमले के आरोपी जकी-उर-रहमान लखवी और भगोड़े माफिया दाउद इब्राहिम को आतंकवादी घोषित कर दिया है। कुछ दिनों पहले ही सरकार ने गैरकानूनी गतिविधियां रोकथाम कानून 19६7 में एक महत्वपूर्ण संशोधन किया था। इस कानून के तहत पहली बार इन चारों को आतंकी घोषित किया गया है। पहले ऐसा कानून न होने की वजह से भारत सरकार इन्हें आतंकी का दर्जा नहीं दे पा रही थी। भारत अंतरराष्ट्रीय मंचों पर इन चारों के खिलाफ अपनी बात रखता रहा है, पर अब वह दावे के साथ कह सकता है कि उसने इन्हें आतंकी घोषित कर रखा है। इस तरह वह अंतरराष्ट्रीय मंचों पर इनके प्रत्यर्पण के लिए भी मांग उठा सकता है। अभी तक इनके प्रत्यर्पण की उसकी मांग प्रभावी नहीं हो पा रही थी। हालांकि संयुक्त राष्ट्र ने भी मसूद अजहर और हाफिज सईद को वैश्विक आतंकी घोषित कर रखा है, पर भारत के कानून के मुताबिक इन्हें आतंकी घोषित किए जाने के बाद इन दोनों पर नकेल कुछ अधिक सख्ती से कसी जाने की गुंजाइश बनी है, क्योंकि इन्होंने अपनी ज्यादातर आतंकी गतिविधियों को भारत की जमीन पर अंजाम दिया है।

मसूद अजहर पर जम्मू-कश्मीर विधानसभा परिसर, भारतीय संसद, पठानकोट वायुसेना अड्डे, श्रीनगर के बीएसएफ शिविर और पुलवामा में सीआरपीएफ के काफिले पर हमला करने और भारत में आतंकी गतिविधियों को संचालित करने का आरोप है। हाफिज सईद पर लालकिला, रामपुर में सीआरपीएफ शिविर और मुंबई हमले में शामिल होने का आरोप है। जकी-उर-रहमान लखवी भी इन हमलों में शामिल रहा है। दाउद इब्राहिम पर भारत सहित अनेक देशों में बेनामी जमीन-जायदाद का कारोबार चलाने, धार्मिक कट्टरवाद और आतंकवाद को बढ़ावा देने के लिए आर्थिक मदद पहुंचाने के आरोप हैं। वह तस्करी, जाली नोट के कारोबार, हथियारों की तस्करी, धनशोधन, जबरन वसूली जैसी गतिविधियों में भी शामिल रहा है। 1993 में उसने अपने सहयोगियों की मदद से मुंबई में सिलसिलेवार बम विस्फोटों को अंजाम दिया था, जिसमें ढाई सौ से ऊपर लोगों की मौत हो गई थी। अब वह भगोड़ा है। इन सभी के खिलाफ भारत के पास पुख्ता सबूत हैं, जिन्हें वह पाकिस्तान को सौंप चुका है। अंतरराष्ट्रीय मंचों पर भी वे सबूत साझा हैं।

भारत जब भी अपने यहां हुई आतंकी घटनाओं से जुड़े दस्तावेज पाकिस्तान को सौंपता रहा है, तो वह उन्हें सीधा खारिज कर देता है। वहां की अदालतें उन्हें नकार देती रही हैं। पाकिस्तान की दलील रही है कि मसूद अजहर, हाफिज सईद और लखवी आतंकी नहीं, समाजसेवक हैं। इस तरह इन आतंकवादियों के खिलाफ कार्रवाई नहीं हो पाती थी। अब गैरकानूनी गतिविधियां रोकथाम कानून के तहत इन्हें आतंकी घोषित किए जाने के बाद भारत अंतरराष्ट्रीय समुदाय की मदद से इनके प्रत्यर्पण की मांग मजबूती से कर सकता है। तब पाकिस्तान के लिए इन सबूतों की अनदेखी करना संभव नहीं होगा। वह पहले ही कुलभूषण जाधव के मामले में अंतरराष्ट्रीय अदालत में मुंह की खा चुका है। उसके झूठे दावे और दलीलें खारिज हो चुकी हैं। इसी तरह ताजा घोषित आतंकियों की हकीकत पर परदा डालना उसके लिए आसान नहीं होगा। आतंकवाद के खिलाफ लड़ रहे देशों का भी इसमें भरपूर समर्थन प्राप्त होगा।

# कल्पमेधा

**कोई कार्य तुच्छ नहीं है। यदि मनपसंद कार्य मिल जाए तो मूर्ख भी उसे पूरा कर सकता है पर बुद्धिमान वही है जो प्रत्येक कार्य को अपने लिए रुचिकर बना ले।**

**-विवेकानंद**

### मेनका गुरुस्वामी

**संवैधानिक मुकदमे में हम आजादी और**

**हाशिए पर पड़े एक समूह की गरिमा के**

**अधिकारों को दूसरे तक पहुंचाते हैं, यह**

**तर्क देते हुए कि ये अधिकार हर नागरिक**

**के हैं और उसे मिलने चाहिए। इसी तरह**

**अलग-अलग मौकों पर यह पहचान होनी**

**चाहिए जिसमें लोग एक-दूसरे के साथ**

**खड़े हों, हर समूह की आजादी और**

**समानता को सुनिश्चित करें, वे अपने**

**भीतर ही ताकत और जज्बा पैदा करें।**

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<sup>[2]</sup> हम

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भारत और रूस के रिश्तों में अब पुराने दिन लौटने के संकेत साफ नजर आ रहे हैं। इस बार प्रधानमंत्री नरेंद्र मोदी की रूस यात्रा ज्यादा महत्वपूर्ण और सफल इसलिए कही जानी चाहिए कि दोनों देश अपने आंतरिक मामलों में किसी भी बाहरी दखल के खिलाफ खुल कर साथ आए हैं। रूसी शहर व्लादिवोस्तोक में भारत और रूस के बीच होने वाली सालाना शिखर बैठक के बाद प्रधानमंत्री मोदी और रूस के राष्ट्रपति व्लादिमीर पुतिन ने साफ कहा कि अपने देश के अंदरूनी मसलों में किसी भी बाहरी दखल के वे खिलाफ हैं। यह बात पिछले महीने जम्मू-कश्मीर से धारा 370 को खत्म किए जाने के बाद पाकिस्तान की बौखलाहट के संदर्भ में उठी। पाकिस्तान और चीन ने संयुक्त राष्ट्र से लेकर तमाम देशों के समक्ष कश्मीर से धारा 370 को हटाने का मसला उठाया था। लेकिन हर जगह से पाकिस्तान को यही सुनने को मिला कि यह भारत का अंदरूनी मसला है और इस पर कुछ नहीं किया जा सकता। इसके अलावा अमेरिका भी समय-समय पर इस मामले में मध्यस्थता का शिगूफा छोड़ता रहा है, जिसे भारत ने साफ तौर खारिज कर दिया। ऐसे में अब इस मसले पर रूस ने भी अपना रुख स्पष्ट कर दिया है। रूसी राष्ट्रपति ने तो कहा भी कि पाकिस्तान कश्मीर को लेकर अफवाहें फैला रहा है। भारत की यह बड़ी कूटनीतिक उपलब्धि है। एक पुराने दोस्त ने भारत के साथ पूरी तरह से एकजुटता दिखाई है। भारत और रूस के बीच ईरान को लेकर भी बात हुई। भारत पर अमेरिका का दबाव है कि वह उसके साथ कारोबारी रिश्ते खत्म करे। तेल आयात तो भारत को मजबूरन बंद करना ही पड़ा है। भारत किसके साथ व्यापार करे और किसके साथ नहीं, यह उसका अंदरूनी मामला है। रूस तो खुल कर ईरान के साथ है। इसीलिए पुतिन ने साफ-साफ कहा कि किसी के दबाव में ईरान के साथ रिश्ते खत्म नहीं किए जा सकते। कश्मीर और ईरान के मसले पर रूस का खुल कर भारत के साथ आना बड़ी बात है। हालांकि बदलते वैश्विक परिदृश्य में पिछले कुछ दशकों में भारत का अमेरिका की ओर झुकाव ज्यादा बढ़ा है। लेकिन इसका मतलब यह नहीं कि रूस से भारत के संबंधों पर कोई असर पड़ा। ब्रह्मोस मिसाइल परियोजना से लेकर कई क्षेत्रों में रूस भारत को मदद देता रहा है।

मोदी और पुतिन पिछले एक साल में छह बार मिल चुके हैं। दोनों नेताओं के बीच जिस तरह से निजी रिश्ते बन गए हैं उनका लाभ भारत को मिल रहा है। रूस ने ऊर्जा और अंतरिक्ष क्षेत्र सहित भारत के साथ पंद्रह करार किए हैं। यह इस बात का प्रमाण है कि भारत की तत्कली में रूस जैसे पहले साथ था, वैसे ही आज भी है। दोनों देशों के बीच हुए असैन्य परमाणु समझौते के तहत रूस भारत में वीस परमाणु इकाइयों लगाएगा। दूसरी ओर, भारत रूस के तेल और गैस क्षेत्र में निवेश करेगा। अंतरिक्ष के क्षेत्र में मदद के तौर पर रूस गगनयान मिशन के तहत भेजे जाने वाले भारत के अंतरिक्ष यान्रियों को प्रशिक्षण देगा। पिछले कुछ सालों में तेजी से विकास करने वाले और उभरती अर्थव्यवस्था वाले देश के रूप में भारत की जो छवि बनी है उसकी अहमियत रूस बखूबी समझता है। रूस यह भी जानता है कि भारत को अपने एक पड़ोसी के कारण दशकों से आतंकवाद झेलना पड़ रहा है। ऐसे में भारत को रूस से हर स्तर पर समर्थन मिलना दोनों देशों के रिश्तों को और प्रगाढ़ करेगा।

आतंकवादी गतिविधियों पर नकेल कसने के मकसद से सरकार ने एक कदम और आगे बढ़ा दिया है। हाल ही में बने आतंकरोधी कानून के तहत भारत ने पाकिस्तान में पनाह पाए जैश-ए-मोहम्मद के प्रमुख मसूद अजहर, लश्कर-ए-तैयबा के संस्थापक हाफिज मुहम्मद सईद, मुंबई हमले के आरोपी जकी-उर-रहमान लखवी और भगोड़े माफिया दाउद इब्राहिम को आतंकवादी घोषित कर दिया है। कुछ दिनों पहले ही सरकार ने गैरकानूनी गतिविधियां रोकथाम कानून 1९६7 में एक महत्वपूर्ण संशोधन किया था। इस कानून के तहत पहली बार इन चारों को आतंकी घोषित किया गया है। पहले ऐसा कानून न होने की वजह से भारत सरकार इन्हें आतंकी का दर्जा नहीं दे पा रही थी। भारत अंतरराष्ट्रीय मंचों पर इन चारों के खिलाफ अपनी बात रखता रहा है, पर अब वह दावे के साथ कह सकता है कि उसने इन्हें आतंकी घोषित कर रखा है। इस तरह वह अंतरराष्ट्रीय मंचों पर इनके प्रत्यर्पण के लिए भी मांग उठा सकता है। अभी तक इनके प्रत्यर्पण की उसकी मांग प्रभावी नहीं हो पा रही थी। हालांकि संयुक्त राष्ट्र ने भी मसूद अजहर और हाफिज सईद को वैश्विक आतंकी घोषित कर रखा है, पर भारत के कानून के मुताबिक इन्हें आतंकी घोषित किए जाने के बाद इन दोनों पर नकेल कुछ अधिक सख्ती से कसी जाने की गुंजाइश बनी है, क्योंकि इन्होंने अपनी ज्यादातर आतंकी गतिविधियों को भारत की जमीन पर अंजाम दिया है।

मसूद अजहर पर जम्मू-कश्मीर विधानसभा परिसर, भारतीय संसद, पठानकोट वायुसेना अड्डे, श्रीनगर के बीएसएफ शिविर और पुलवामा में सीआरपीएफ के काफिले पर हमला करने और भारत में आतंकी गतिविधियों को संचालित करने का आरोप है। हाफिज सईद पर लालकिला, रामपुर में सीआरपीएफ शिविर और मुंबई हमले में शामिल होने का आरोप है। जकी-उर-रहमान लखवी भी इन हमलों में शामिल रहा है। दाउद इब्राहिम पर भारत सहित अनेक देशों में बेनामी जमीन-जायदाद का कारोबार चलाने, धार्मिक कट्टरवाद और आतंकवाद को बढ़ावा देने के लिए आर्थिक मदद पहुंचाने के आरोप हैं। वह तस्करी, जाली नोट के कारोबार, हथियारों की तस्करी, धनशोधन, जबरन वसूली जैसी गतिविधियों में भी शामिल रहा है। 1993 में उसने अपने सहयोगियों की मदद से मुंबई में सिलसिलेवार बम विस्फोटों को अंजाम दिया था, जिसमें ढाई सौ से ऊपर लोगों की मौत हो गई थी। अब वह भगोड़ा है। इन सभी के खिलाफ भारत के पास पुख्ता सबूत हैं, जिन्हें वह पाकिस्तान को सौंप चुका है। अंतरराष्ट्रीय मंचों पर भी वे सबूत साझा हैं।

भारत जब भी अपने यहां हुई आतंकी घटनाओं से जुड़े दस्तावेज पाकिस्तान को सौंपता रहा है, तो वह उन्हें सीधा खारिज कर देता है। वहां की अदालतें उन्हें नकार देती रही हैं। पाकिस्तान की दलील रही है कि मसूद अजहर, हाफिज सईद और लखवी आतंकी नहीं, समाजसेवक हैं। इस तरह इन आतंकवादियों के खिलाफ कार्रवाई नहीं हो पाती थी। अब गैरकानूनी गतिविधियां रोकथाम कानून के तहत इन्हें आतंकी घोषित किए जाने के बाद भारत अंतरराष्ट्रीय समुदाय की मदद से इनके प्रत्यर्पण की मांग मजबूती से कर सकता है। तब पाकिस्तान के लिए इन सबूतों की अनदेखी करना संभव नहीं होगा। वह पहले ही कुलभूषण जाधव के मामले में अंतरराष्ट्रीय अदालत में मुंह की खा चुका है। उसके झूठे दावे और दलीलें खारिज हो चुकी हैं। इसी तरह ताजा घोषित आतंकियों की हकीकत पर परदा डालना उसके लिए आसान नहीं होगा। आतंकवाद के खिलाफ लड़ रहे देशों का भी इसमें भरपूर समर्थन प्राप्त होगा।

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