

# Opinion

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## UPS AND DOWNS

Managing Director, IMF, Kristalina Georgieva

Two years ago, the global economy was in a synchronised upswing. Measured by GDP, nearly 75 per cent of the world was accelerating. The global economy is now in a synchronised slowdown



## ON THE BOIL

WITH PERCEPTIONS ABOUT INSPECTIONS BY PRIVATE COMPANIES HAVING CHANGED, THE INDIAN BOILERS ACT, 1923, AND THE ENTIRE SEVENTH SCHEDULE, NEEDS A RELOOK

# Junk Boilers Act and relook Seventh Schedule

**B**OILERS, THAT IS, steam boilers, have been important enough to engage the attention of both Union and state governments. Boilers figure as entry no. 37 in the Concurrent List. I don't think anyone paid much attention to boilers in Constituent Assembly debates. Boilers figured in the "Concurrent Legislative List" (entry no. 21) of Government of India Act, 1935, and got included in the Seventh Schedule by default. In Government of India Act, 1919, boilers figured in the list of provincial subjects, but warranted no separate entry. They were simply mentioned as a sub-head under industrial matters (entry 26), along with "factories, settlement of labour disputes, electricity, gas, and smoke nuisances". Between 1919 and 1935, boilers increased in importance. It is easy to see why. The Indian Boilers Act of 1923 was passed "to consolidate and amend the law relating to steam-boilers". This was amended in 2007, and the then Minister of State in Department of Industrial Policy and Promotion (DIPP) moved the Bill, stating, "The Indian Boilers Act of 1923, which this Bill seeks to amend, served its purpose well in the initial years of its operation, but with revolutionary technological changes, with the expansion of the economy, with new technologies becoming available for boiler manufacturers and for boiler component-manufactures as also for users, it was considered necessary to introduce certain necessary amendments to the Bill to make it more effective, to lend it efficacy, practicality and a user-friendly ambience."

He also added, "You will also know that the State Government inspection gave rise to long delays, corruptions;

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and there were complaints of inappropriate certifications, etc. All of that is sought to be addressed by introducing new organisations and making other inspecting agencies in the private sector to come forward and render this extremely critical function." Irrespective of whether boilers needed oil and grease or not, inspectors did. Since 2014, there have been more relaxations, with self-certification pushed, though this is primarily the domain of states. Nevertheless, one should read "State Business Reform Action Plan", the implementation guide DIPP prepared for states. I am indebted to Arghya Sengupta of Vidhi for asking an interesting question. Why must boilers continue to be on the Concurrent List? This doesn't mean boilers should move from the Concurrent List to the State List. Why must boilers have a separate entry? Why can't they be covered under industrial safety clauses, as used to be the case under the 1919 Government of India Act? To state it more strongly, this isn't a question of amending and tweaking Indian Boilers Act. Why can't Indian Boilers Act be repealed?

Between 1919 and 1935, what ostensibly changed was enactment of Indian Boilers Act. In my view, what really changed was the report of the Boilers Law Committee. This was a committee set up in 1920 (FD Ascoli was the president), and it submitted a

report in 1921. It was this Committee's report that led to Boilers Act of 1923. People often refer to this Committee, and to the explosion that occurred in Calcutta in 1863. I don't know how many have read the Ascoli Committee's report. It begins with the sentence, "The necessity for boiler legislation is due to the fact that the steam boiler is an extremely dangerous instrument, that is liable to explode with disastrous consequences, on account of faults in design and construction, the effects of wear, tear and usage and as the result of careless handling and management at the time of working." The world (and boilers) has moved on since then. The Calcutta explosion in 1863 led to a loss of 13 lives, and resulted in Act VI of 1864, which applied to Calcutta and its suburbs. Thereafter, two accidents in Bombay led to Act VI in Bombay in 1869, later extended after explosions in "Broach and Ahmedabad in 1871". Following the Committee's report, uniform all-India legislation, with government inspection, was introduced through the 1923 Boilers Act.

Reading the Ascoli report, I find the discussion comparing the United

Kingdom and India extremely interesting. "It is important to remember that in the United Kingdom it is the custom to insure boilers against the risk of accident of explosion, and that on this account steam boilers are subject to inspection and control by influential Boiler Insurance Companies and Associations." Therefore, beyond provisions that applied to factories and workshops, Britain didn't have any system for government inspection of boilers, and no such legislation. "It has been suggested that it might be possible to adopt in India a system similar to that prevalent in the United Kingdom. We have carefully considered the suggestion, but have arrived at the conclusion

that it is impracticable. The evidence that we have heard shows unanimously the popularity of official inspection and the confidence resulting from the fact that it is done by a Government agency. The inspection is generally efficient, effective and economical—far cheaper than would be possible in the hands of a private commercial concern, the ultimate aim of which must be the payment of a dividend to

its shareholders. It is obvious that in India the same confidence would not be placed in inspection at the hands of a private commercial company." It is this perception that has changed. That's the reason we no longer need amendments to Boilers Act. We no longer need that specific legislation, and the specific entry in the Seventh Schedule. Boilers are only an example. The entire Seventh Schedule needs a relook.

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## RSS head should have been unambiguous on lynching

Bhagwat should have condemned lynching in a more forthright manner; did well to support privatisation/FDI

**R**SS SANSANGHACHALAK MOHAN Bhagwat's annual Dussehra address has come in for flak given it is somewhat ambiguous in parts. While talking about lynching, Bhagwat says the "incidents have not been one-sided", going by the transcript on the RSS's official media Samvada, and that there are "allegations and counter-allegations". Bhagwat is right in saying some reports of lynching are distorted/fabricated, but there are enough videos and other testimonies that make it clear that lynchings took place; so, why even bring in the possibility of some fake news since it makes it look as if he is defending the lynchings? Nor is it clear what the *sansanghachalak* meant when he denounced such incidents being 'branded' as 'lynching'; that is precisely what they were. Yet, Bhagwat's address is also very clear in saying that such instances have "crossed the limits of the law and order," and that "neither this tendency is the tradition of our country nor does it fit in the spirit of the Constitution". No matter how "deep the difference of opinion" is or "howsoever provocative actions might have taken place", Bhagwat rightly advises citizens to go to the police; he said the Sangh condemned such actions and that *swayamsevak*s were working to ensure that such incidents never took place. And, like prime minister Modi did earlier, Bhagwat talks of how "so-called leaders" create clashes between Hindus and Muslims, and "have made an industry out of their pursuits for self-aggrandisement".

Given these statements, Bhagwat should ideally have just condemned the incidents and talked of how they were against both Indian traditions and Constitution, and not brought in the possibility of some of them being fake or distorted; after all, you do have fake allegations of rape and murder, but you don't discuss the issues of rape/murder by saying there is a lot to be said on both sides of the case. When, according to Bhagwat, there is an attempt to "defame our country and the entire Hindu society" that "has to be countered at all levels" and "alertness is a constant necessity", the RSS needs to unequivocally condemn such incidents. On a similar note, while it is true that the FIR against prominent citizens who wrote to Modi about lynching and mob violence was an action taken by a district court, had the government said that it didn't agree with the way the court was equating criticism with sedition, this would have made its stand on dissent very clear.

And, while Bhagwat has done well to support the government on its policies like disinvestment and further liberalising of rules for FDI, the speech makes it clear the support is a reluctant one. To "strengthen the economy", he said, "the government is compelled to take steps such as allowing Foreign Direct Investment and disinvestment of industries". The government is bringing in FDI to make Indian industry more competitive and, in several cases, to improve the country's export prospects or, as in the case of the oil sector, to reduce import dependence. Given how PSUs are bleeding the taxpayer and how their poor performance in areas where they dominate—like minerals—has meant large imports, the RSS chief needed to be more welcoming of privatisation and shutting down these PSUs. Over the last five years, Air India's losses were ₹28,952 crore despite getting ₹17,320 crore of fresh equity from the government, BSNL's ₹39,879 crore, and MTNL's ₹14,145 crore. Saying the Sangh's philosophy of *swadeshi* didn't mean cutting off from the rest of the world is, of course, a good thing.

## Green Wall of hope

India needs a forest wall against the march of desertification

**W**ITH A PLAN to create a 1,400-km-long and 5-km-wide green belt, from Gujarat to the Delhi-Haryana border, India is committing to concrete steps to combat desertification and land degradation. The plan, as per a *Times of India* report, was to be unveiled at the UN Convention to Combat Desertification (UNCCD) conference that India hosted last month, but with final clearance pending, it wasn't announced. The Green Wall of India—modelled after the Great Green Wall proposed for Africa—could not only help nurse degraded land and vegetation in the Aravallis that run through Gujarat, Rajasthan, Haryana and Delhi but also help combat the eastward march of the Thar desert.

Nearly 97 million hectares (ha), or over 29% of the country's land is degraded. Of this, 82.64 million ha is undergoing desertification. While desertification across the globe has occurred throughout history, its pace has accelerated 30-35 times the historical rate in recent decades. India, too, is seeing more rapid degradation and desertification—the increase was 1.87 million ha and 1.16 million, respectively, between just 2003-05 and 2011-13. Such desertification/degradation exacts heavy economic costs—a TERI estimate pegs this at \$48.8 billion, or almost 13% of the gross value added from agriculture and forestry in 2014-15. Against such a backdrop, the government eying the restoration of nearly 26 million ha of degraded land by 2030 is a worthy, but Herculean quest. Isro's India desertification and degradation atlas shows that Gujarat, Delhi, and Rajasthan are among the states that face the biggest risks of desertification, with more than 50% of their land already degraded. Efforts to contain desertification in Rajasthan, led by the Central Arid Zone Research Institute (CAZRI) in Jodhpur, show how restoring vegetation and forests could hold the key. Using brushwood and tree to create shelterbelts against wind erosion, CAZRI has helped slow the march of degradation/desertification significantly. In Jaisalmer, as per a 2016 CAZRI report, shelterbelts have helped check wind velocity in their leeward side, and have helped curb soil loss by 76%. This has helped soil moisture rise by 14%, and has meant a sharp increase in crop yields. In the Indira Gandhi Nahar project area, such plantations have brought down the number of dust storms from 17 to five a year. So, it is not hard to imagine the scale of gain from the Green Wall of India.

Though the particulars of the project are to be finalised—and there will be many challenges in implementing an inter-state greening project of such a scale, quite like how it has been for the Great Green Wall of Africa, a trans-national project—there can be no doubt that land restoration has to be an urgent focus, more so given the impact climate change is likely to have on precipitation and soil quality. The government should make the Aravallis the focal point of the project, given how state governments have not just neglected the Aravalli vegetation but also, using loopholes in policy and laws, actively contributed to its degradation.

## Ideal IMMERSION

Delhi shows the way on celebrating festivals, idol immersion and all, and fighting pollution at the same time

**I**NDIAN CITIES HAVE not done too well on battling environmental pollution. The relevant laws are mostly observed in their flouting. Delhi, however, has turned a new leaf. The city made sure that the Durga Puja celebrations—idol immersions are a key ritual—would not contribute to the pollution of the Yamuna. The city police patrolled the Yamuna area keeping a check on all activity across the river bank, and diverting people to immersion pits created across the city. India has had a lax attitude towards environmental pollution. Religion has often taken precedence. The Central Pollution Control Board (CPCB) only listed guidelines for idol immersion after the Bombay High Court asked it to do so. While these were released in 2010, and the issue of immersion pits is raised each year by NGT, guidelines have rarely been followed.

Despite CPCB reports highlighting the impact of idol immersion, people have repeatedly ignored warnings. CPCB's *Impacts of Dussehra Festival on the River Hooghly: A case study*, showed that, every year, at least 15,000 idols of the goddess are immersed in the Hooghly River. This releases 16.8 tonnes of varnish and *garjan* oil and 32 tonnes of colours, leading to an increase of 0.99 milligram per litre (mg/l) of oil and grease, and of 0.104 mg/l concentration of heavy metals, like manganese, lead, mercury and chromium. A similar report for Bengaluru found a 100% increase in TDS due to immersion. Delhi's success shows that, with effective implementation and coordinated action, the state can curb the menace of environmental pollution. This can certainly serve as a template for other Indian cities; that said, Delhi needs to sustain this success year after year to make a meaningful impact and follow it up with a less polluting Diwali.

## Thunberg going radical won't help

National leaders see it as their job to do as much for the environment as is politically feasible and economically reasonable; they don't take kindly to anyone who won't acknowledge that

**POLITICAL LEADERS AROUND** the globe have celebrated the 16-year-old climate activist Greta Thunberg—but, can they handle her as she and her supporters turn more radical? The protests launched in big cities worldwide by the environmental campaign group Extinction Rebellion are a first test.

Extinction Rebellion, like Thunberg, wants governments to treat climate change as an emergency and to take urgent action to cut greenhouse gas emissions. The group blocks traffic at cities' busiest intersections. In Berlin on Tuesday, police broke up their day-long occupation of a central square, Potsdamer Platz, but hundreds of protesters continued to hold another area, around the city's Victory Column. Throughout Europe, and in Sydney, Australia, hundreds of protesters have been arrested for disrupting traffic.

Thunberg supports the radical action; on Tuesday, she retweeted Extinction Rebellion's call on "rebels" to "stay strong."

In London, where more than 300 arrests took place, prime minister Boris Johnson was highly unsympathetic toward the protesters—and dismissive of Thunberg. Speaking at the launch of a Margaret Thatcher biography, he said:

I hope that when we go out from this place tonight and we are waylaid by importunate nose-ringed climate change protesters we remind them that [Thatcher] was also right about greenhouse gases. And she took it seriously long before Greta Thunberg. And the best thing possible for the education of the denizens of the heaving hemp-smelling bivouacs that now litter Trafalgar Square and Hyde Park, the best thing would be for them to stop blocking the traffic and buy a copy of Charles's magnificent book so that they can learn about a true feminist, green and revolutionary who changed the world for the better. Thatcher, who had a chemistry

degree, was indeed an early supporter of climate science. But it is more important that Johnson has added his voice to a virtual chorus of leaders who appear to have had enough of Thunberg since her angry speech at the United Nations last month, with "how dare you" as a refrain.

At the milder end of the reaction spectrum, German Chancellor Angela Merkel has disagreed with Thunberg about the urgency of radical climate action, saying technological advances would give humanity some extra time. French president Emmanuel Macron criticised Thunberg for "radical positions" that, he said, would only "antagonise" our societies, and said the environmentally aware governments of France and Germany aren't the ones she should be attacking.

At the harsher end, the US president Donald Trump and his Russian counterpart, Vladimir Putin, have been mocking and condescending. In contemptuous acknowledgment, Thunberg changed her Twitter profile. "A very happy young girl looking forward to a bright and wonderful future," it read, repeating the language of Trump's sarcastic tweet. And after Putin described her as a clueless victim of adult manipulation, the bio temporarily changed to "a kind but poorly informed teenager."

Thunberg clearly is capable of giving as good as she gets. The question is, however, whether her combativeness helps or hurts her cause. At some point in recent weeks, she appears to have crossed the line between eliciting sympathy and emanating menace. Many national leaders see it as their job to do as much for the environment as is politically feasible and economically reasonable; they don't take kindly to anyone who won't give them high marks for effort.

There is a clear line, too, between the Fridays for Future school strikes Thun-

berg started and Extinction Rebellion. Cutting school for the climate may have struck some parents as wrong, but it was easy to sympathise with children speaking up for their future. Street blockages by adult activists are a public nuisance that leave most people cold. That is why police, who didn't disrupt the Fridays for Future demonstrations, are breaking up these protests.

Thunberg may be personally fine with her growing status as a polarising figure. But, polarisation tends to turn nasty very fast. In Rome, someone hanged Thunberg's effigy off a bridge, horrifying the mayor and other Italian officials. That goes far beyond disagreeing with the concept of climate change as an emergency.

Youthful idealism is often inflexible, and it is not really about getting results. Thunberg has, at times, seemed different from the typical youthful rebel. She has carefully kept to the scientific consensus in her public utterances, and she has emphasised working toward goals set out in a political document, the Paris agreement on climate. That discipline has helped her get her message out as effectively as few activists have ever done.

A little more acknowledgment that sympathetic politicians are at least trying to do something right, and a little less support for radicals, would perhaps disappoint some of Thunberg's more hotheaded supporters. That, however, is likely the way to keep her message politically relevant—and to get moderate votes for Green parties, which are most likely to advance the climate agenda. Otherwise, activism in support of Thunberg's message could degenerate into the incoherence of antiglobalist protests, which have been loud and disruptive, but haven't led to any meaningful change.

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## LETTERS TO THE EDITOR

### Modi-Xi meet

The two day informal summit between prime minister Narendra Modi and Chinese President Xi Jinping in Mamallapuram (also known as Mahabalipuram), near Chennai, is all set to take place amid a blaze of publicity. A place of historical importance that flourished during the Pallava dynasty, Mamallapuram, famed for its architectural marvels, is an international tourist attraction. It has been declared a world heritage site by UNESCO. The buzzing town has spruced up for the high-profile summit—eviction of hawkers, removal of petty shops, and a ban on fishing were needed to give it a facelift. The Madras High Court allowed 'killer' banners to create the ambience for the summit despite a techie becoming a victim of the 'banner culture'. While we cannot predict the possible outcome of the summit, its optics are sure to lift the spirits of millions in thrall of the PM. Modi can play the statesman by pitching the diplomatic settlement of disputes, and peaceful co-existence of India, China, and Pakistan. The US-China hostility and close India-US partnership should not be brought to bear on the summit talks. Geopolitical issues should not come in the way of joint efforts to improve the economic conditions of both countries' populace. We wish to think that India, China, and Pakistan will cut down their defence expenditure to be spend more on enabling their populations (making up over 1/3 of the world population) to unlock their economic potential and lead a life free from want. In its haste to showcase itself as a superpower and as an emerging economic power house, India should not make the mistake of focussing more on competition than collaboration. A spirit of accommodation, as against assertion which is vital for a mutually supportive and beneficial relationship will make the Mamallapuram summit a success. — G David Milton, Maruthancode

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