



THE SPIRIT OF DEMOCRACY IS NOT A MECHANICAL THING TO BE ADJUSTED BY ABOLITION OF FORMS. IT REQUIRES CHANGE OF HEART. — M K GANDHI

The Indian EXPRESS

FOUNDED BY RAMNATH GOENKA

BECAUSE THE TRUTH INVOLVES US ALL

STATES AT CENTRE

With their revenues stressed and strained, states need to focus on mobilising their own resources

IN RECENT TIMES, economic discussion in India has focused largely on the stress on central government finances. But state government finances are also facing headwinds. And as states increasingly account for a larger share in general government (Centre and state) spending, this has grave implications for the economy. As an RBI report on state finances notes, over the past two years, the overall size of state budgets has reduced which may have "inadvertently deepened" the economic slowdown. The situation is unlikely to change this year. States have pegged their revenues to grow at a slower pace largely due to lower tax devolution and grants. And as revenue expenditure tends to be sticky in nature — it is also rising due to higher interest and pension payments — states have offset slower revenue growth by curtailing capital spending, which will lower overall public sector capex.

The strains on state finances stem from several sources. First, states are increasingly undertaking capital expenditure through state public sector enterprises. And though states extend support to these enterprises through guarantees on their borrowings, "weak cost recovery mechanisms", as in the case of the power and transport sectors, pose a fiscal risk. Second, under UDAY agreements, states have to take over incremental losses of power discoms. This exerts pressure on already stretched finances. Third, sharp cuts in corporate taxes and sluggish GST collections will also impact tax devolution to states. And then there are concerns over the fiscal costs of Ayushman Bharat. The RBI report also notes that state debt to GDP has surged to 25 per cent of GDP in 2019-20. Bringing it down to 20 per cent, in line with the recommendations of the FRBM (fiscal responsibility and budget management) review committee, will be challenging given the current trajectory of state finances.

On its part, the Centre has been increasingly relying on collections through cesses and surcharges to fund its expenditure. And as revenue through these sources does not form part of the divisible tax pool, it is not shared with states. In 2019-20, the Centre hopes to mop up Rs 3.69 lakh crore through cesses and surcharges (or 15 per cent of its gross tax revenue), implying that states' share in gross tax revenue works out to just 32.9 per cent. To put this in perspective, this amount is more than the Centre's capital expenditure or its allocation to centrally sponsored schemes. Further, the Centre has also asked the 15th Finance Commission to look into the possibility of providing funds for defence and internal security. These are likely to come at the expense of states. In this scenario, states must focus on resource mobilisation. But with little scope to raise own-tax revenue, they must focus on raising non-tax revenue, through hiking user charges on services like power and irrigation.

MISSING CLOSURE

The low turnout elections in Afghanistan may raise more questions than they are likely to settle

THE LOW VOTER turnout in the presidential elections held in Afghanistan last Saturday is no surprise. The Taliban had openly denounced the elections. In the weeks preceding voting day, the country was witness to brutal bombings in which scores of people were killed. Voting took place only in under 5,000 polling stations out of over 7,000 due to security reasons. There was not much of an election campaign as there was uncertainty about whether an election would be held at all — the talks between the Taliban and the US, until they were abruptly cancelled, were pointing in the direction of a nominated elected government. The final voter turnout is expected to be not more than 2.5 million, out of 9.6 million registered voters. While this may well be the cleanest and least fraudulent vote in Afghanistan since 2004, the low number of voters is certain to raise questions about the legitimacy of the election, and of the winning candidates, complicating an already complex and fragile situation.

When the US called off the talks with the Taliban at the beginning of September, Afghans who believe in the democratic system were relieved that this gave the presidential elections a chance, and that the newly elected leadership could negotiate on its own with the Taliban. In fact, President Ashraf Ghani, who had been excluded from the US-Taliban talks, specifically asked voters for a strengthened mandate to open peace talks with the insurgents. But if the Taliban were contemptuous of Ghani and his government as "American puppets", saying it was better to deal with the puppet masters directly, they would find even less reason to talk to the new government. In their eyes, the new dispensation would be as much American as the last one, with the added drawback of being voted in by far fewer people.

But before all that, the result itself may be contentious, if the last election is anything to go by. The three leading candidates — President Ghani, Chief Executive Abdullah Abdullah and former warlord Gulbuddin Hekmatyar — have already declared themselves the winner, though the counting is still ongoing and results are to be declared later this month. Last time, the transition to the new dispensation could not take place until the US stepped in to broker an agreement between Ghani and Abdullah, the two candidates with the highest number of votes. If the results are deadlocked again, there may be no mediator. It would give the Taliban exactly the opening it is waiting for.

GET OUT OF HER WAY

Because when mummies race, they illustrate that it is possible to be faster, higher, stronger

FOR TOO MANY women, there comes a time, usually after professional promise shades away to euphoric motherhood and complete exhaustion, when they realise it is impossible to win the mommy race. Being on the mommy track usually involves running at full blast, without moving an inch, with maternal guilt and professional inadequacy for company. And in your ear, a diabolical question, like the crack of a gunshot as you take off: "Can you really have it all?" Well, yes, world — sometimes you can.

Even if it often remains a heroic ask, in the words of Shelly-Ann Fraser-Pryce, "the females keep showing up" and winning. As she did on Sunday, when the 32-year-old Jamaican athlete raced to a fourth 100m gold at the World Championships at Doha, Qatar. With her, on the victory lap, was her two-year-old son, whose birth in 2017 had forced her to skip the championship. She was not the only new mom to wrest triumph, and prove a point. Chinese athlete Liu Hong, who too had taken a year off after having a child, won the 20km race walk. And to add to the "mother's day" celebrations, American athlete Allyson Felix won her 12th World Championship gold medal in the 4x400m mixed relay. For those who asked, that is one more than Usain Bolt's tally of 11.

For Felix, this is sweet revenge. She was returning to the tracks 13 months after a difficult pregnancy, and a high-profile battle with Nike, in which she and other athletes forced the company to change their maternity policies. Taken together, this trio of powerful performers, as well as athletes as varied in strength and guile as Serena Williams and Mary Kom, land a knockout punch to the perception of women as physically constrained, especially by biological destiny. They illustrate that it is possible to be faster, higher, stronger, even if motherhood makes arduous demands of the body and the mind. When mummies race, they play to win. Now, the world better get out of the way.



PARAMESWARAN IYER

The people's policy

In last five years, Swachh Bharat mission has captured people's imagination, they have owned the change

MAHATMA GANDHI DREAMT of an India where no one had to suffer the indignity of open defecation. There cannot be a better tribute to him than the transformation of the country, in the last five years, from being the highest contributor to global open defecation to torch-bearer for global sanitation.

What the prime minister has managed to do, through his inspirational leadership for a cause his predecessors stayed silent about, is a testament to his connect with and understanding of the needs of our people at the grassroots. In the last five years, India has triggered a sanitation revolution. The world recognises this, and the Global Goalkeepers Award that the PM was presented with during his recent visit to the US, more than vindicates his decision to put sanitation at the front and centre of India's developmental agenda.

As the states prepare to dedicate an open defecation free (ODF) country to Gandhi@150, it is timely for us to analyse how this campaign became the global benchmark for participatory and transformative development. Team Swachh Bharat Mission Grameen (SBM-G) has identified four key pillars of India's sanitation revolution, which can, more or less, be applied to any large-scale transformation in the world.

First, political leadership. Arguably the biggest game-changer for the SBM, was the prime minister investing his personal political capital in the mission. Inspired by his leadership and commitment, various chief ministers took up the cause, creating a domino-like effect, cascading leadership to the chief secretary and in turn to collectors, all the way down to sarpanchs at the grassroots level. Leaders at all levels are prime catalysts for large-scale transformations.

Second, public financing. Typically, no large-scale transformation can be an unfunded mandate. Over Rs 1 lakh crore was committed to ensuring universal access to sanitation, thereby backing the political will with budgetary support. About 90 per cent of the 10 crore households which received toilets were from socially and economically weaker sections of society and they received

financial incentives to build and use toilets.

Third, partnerships. The SBM (G) partnered with implementors and influencers alike — national and international development agencies, media houses, civil society, celebrities, as well as all departments/ministries of the government of India, who pledged an additional \$6 billion for sanitation in their respective sectors. This "all hands on deck" approach, making sanitation everyone's business, helped to mainstream it into the national consciousness.

And fourth, peoples' participation. The SBM-G trained over half a million swachhagrahis, grassroots motivators, who triggered behaviour change in every village of India. Ordinary people undertook extraordinary roles and inspired others to build and use toilets. Stories of sanitation champions emerged from every nook and corner of the country. A large-scale transformation can be truly successful if it captures the imagination of the people, and becomes a people's movement or a jan andolan.

While the four pillars provided the SBM-G its strategic focus, administrative disruption led to efficient on-ground implementation, which has traditionally been the Achilles heel of large programmes in India. It started with the prime minister setting a target, a sunset clause for the Mission — October 2, 2019. A sunset clause brought with it a sense of urgency and accountability. The deadline drove states to prioritise SBM-G and inspired Team SBM-G to imagine possibilities that they may not have done otherwise.

The next important step was building a team of people who believed that the goal is achievable. Younger people with fresh perspective and lesser administrative baggage believe anything is possible and focus on finding creative solutions. SBM-G brought in a unique blend of young professionals and experienced but driven bureaucrats, and each person became committed to the goal.

It was also important to think scalability during the design process. We attempted to devise solutions which are easy to implement, like the on-site twin-pit toilet systems

for rural India, as opposed to expensive networked sanitation solutions. By providing flexibility to states and implementers by design, the mission allowed them to tailor solutions to local contexts.

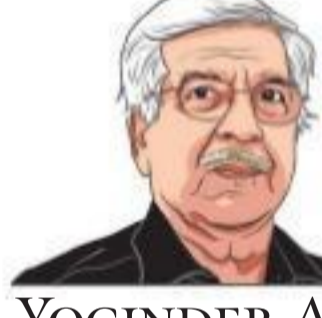
To build faith in the rest of the administrative system, it was important for the mission to demonstrate some quick wins. We targeted the low-hanging fruit first — the districts with the highest sanitation coverage — to become ODF on priority. This created a demonstration effect for others to learn from, and created belief in the system. Nothing succeeds like success.

Continuous engagement with implementers made the mission agile. Team SBM-G visited each state multiple times and engaged directly with district collectors through learning workshops, informal gatherings and WhatsApp groups, promoting healthy competition among implementers which spurs local innovation.

The SBM-G made sanitation glamorous by engaging extensively with the media, leveraging popular culture, and associating Bollywood stars, sportspersons and other influencers to promote the message of sanitation. And lastly, the mission kept the buzz alive throughout its lifecycle through regular, large-scale events with the PM at important milestones, helping sanitation stay on top of public recall.

The job is not over. We recently released the forward-looking 10-year sanitation strategy to move from ODF to ODF Plus, focusing on sustaining the SBM-G gains, ensuring that no one is left behind, and ensuring access to solid and liquid waste management for all villages. The next ambitious goal announced by the PM on August 15 this year is to ensure piped water supply to all households by 2024. This will be an additional shot in the arm for SBM-G's sustainability efforts. India has achieved what was unimaginable a few years ago, but the show must go on.

The writer is Secretary, Department of Drinking Water and Sanitation, Ministry of Jal Shakti. Views are personal



YOGINDER ALAGH

BOPAL IN TIMES OF NITI AAYOG

Why 2005 declaration on synergy between government and NGOs is still relevant

IN THE 90s of the last century, an outrageous idea started to emerge. It held that apart from the government agencies, corporates, the cooperative sector, and other citizens could get together for common developmental causes. In some ways this was the creative and "developmental" aspect of what is today loosely called the Fifth Estate. It began in a small way. A former IIM, Ahmedabad director, Ravi Mathai, chucked it all up one day and decided that he would spend his life in seeing if he could develop what a student of his later called 'the bottom of the pyramid'. Ravi set up a "university" for artisans — the rural university.

In Gujarat, former IAS officer Anil Shah got involved in a similar initiative. He set up the Development Support Centre at Bopal, near Ahmedabad (now a part of the metropolis). By then, the Fifth Estate was old hat. In fact, the first round of problems had begun to emerge. There were conflicts with government and corporate entities — all those who had "sanctioned budgets". There was corruption and no one to lead the well meaning when problems arose. The apocryphal story was the so-called message from Bihar that said my son is doing well and has registered an NGO. So a Magna Carta was needed.

Development required technology, capital and other resources but above all, motivation and capability of the concerned people to utilise their resources in efficient, equitable, and sustainable manner. Such participation was the core of sustainable development. The decade of 90s saw sweeping, almost revolu-

tionary changes, in the way rural development — particularly matters relating to the natural resources, crucial for the well being of people living in rural areas — was conceptualised. Rural communities were required to prepare and implement micro plans appropriate to local conditions and needs. Joint Forest Management (1990), watershed development (1995), participatory irrigation management (1997) and Swajaldhara (2003) are good examples.

Those working for participatory management of natural resources were hoping to strengthen and carry forward the participatory approach in 2000-2001 at the time of the formulation of the Tenth Plan. However, the trends in the 10th Five Year Plan were alarming. They point to distortions and reversals of the healthy trends of the 90s. This was forcefully brought out by Anil Shah, by now at the Development Support Centre. When his paper reached M S Swaminathan and me, we encouraged Shah to organise a national deliberation to draft the principles that should guide the formulation and modification of schemes pertaining to natural resources management by the Centre, states or donors.

This led to a national-level meeting on January 16, 2005 at Bopal. It was attended by about 30 leaders from NGO community, academics and policy makers from various parts of India. The deliberations were guided by me and the late B N Yugandhar. That meeting prepared eight declarations based on eight principles proposed by eminent leaders in their respective field.

The first proposed by MYRADA was the centrality of community-based organisations (CBOs). The second proposed by SEWA Mandir at Udaipur was about equity. The third, mooted by the irrigation department in Andhra, was decentralisation. The fourth, proposed, by the N M Sadguru Water Development Foundation, was about the need of a facilitating agency. The fifth by BAIFF at Pune pertained to monitoring and evaluation. The sixth, mooted by V B Eswaran, an IAS officer, was about training and software. Anil Shah proposed the seventh as sustained momentum of development — so that the success story is not just a flash in the pan. And the eighth was proposed by my college friend at Wharton, Pradip Khandwala — organisational restructuring.

Around each declaration is a brief text adopted at Bopal on January 16, 2005. Each principle was elaborated with examples from centrally sponsored schemes and other projects. We lobbied for the execution of these principles in Delhi, with opinion makers, including the press. They had an impact. Also failures.

If we decide to plan again with the large number of new schemes that were declared after planning was abolished, we must reinvent these principles. I have just returned from my morning walk and saw some slum dwellers doing their thing in a defecation free city. Let's do Bopal again.

The writer, an economist, is a former Union minister

OCTOBER 2, 1979, FORTY YEARS AGO

NO POLL DELAY
PRIME MINISTER CHARAN Singh has denied that the government was considering putting off the elections due to drought conditions prevailing in many parts of the country. The working president of the Lok Dal was quoted as saying in Varanasi that since many workers of his party were in favour of the elections being postponed, he would discuss the matter with the Prime Minister. Raj Narain told newsmen in Delhi that personally he did not favour a postponement. The PM said in a statement that, "I would like to make it categorically clear that neither I nor my government is in favour of postponing Lok Sabha polls on this account."

GANDHI SMRITI RULES
AS THE GANDHI Samadhi Samiti has prohibited any person from carrying "Ganga jal" into the samadhi grounds, Raj Narain has modified his original programme and now plans to take a self-purifying bath tomorrow morning along with his followers on the lawns opposite the samadhi. Despite the slight alteration in the venue, trouble is expected tomorrow morning as the president of the Yuva Janata, Vikram Singh, has announced that Yuva Janata volunteers will not allow Narain to indulge in "puerile exhibitionism" which would show disrespect to Gandhiji on his birthday.

IMPEACHMENT NO ISSUE
THE JANATA PARTY will not make the impeachment of the president an election issue. Although, the party's manifesto will contain criticism of his action in denying the Janata Party an opportunity to form a government and for dissolving the Lok Sabha — This was stated during an official briefing on the second day's discussions on the draft manifesto and party's election strategy by the national executive. Not one of the nearly 50 members of the national executive made the demand for making the impeachment of president Sanjiva Reddy an election plank. Most of the speakers, however, criticised the president, according to the official spokesman.



15 THE IDEAS PAGE

WHAT THE OTHERS SAY

Though China's achievements should be celebrated, there should also be a critical review to see what can be improved internally to create greater social harmony and freedom, paired with economic prosperity. — **THE DAWN**

Bypassing Gandhi

For too many Gandhians, Gandhism is only a facade or a tactic



RAM MADHAV

WHAT IS COMMON between Dominique Pire, a Belgian priest, Adolfo Perez Esquivel, a teacher in Argentina, Martin Luther King Jr and Nelson Mandela? The immediate answer would be that all four were recipients of the Nobel Peace Prize. Also common to all four is the fact that they were all followers of Gandhism, the philosophy of Mahatma Gandhi — Gandhi was one Asian leader in the last century who wielded such a powerful influence and had such an impact across nations and continents. His ahimsa and satyagraha — non-violence and truthful resistance — were the only original political programmes offered by any leader from the southern hemisphere in the last two centuries.

Gandhi was a phenomenon; a phenomenon that wouldn't perish. A hundred and fifty years after his birth and 71 years after death, he continues to stir the imagination of generations across the world. He was a great irritant to many in his lifetime, but he was and continues to be an inspiration to millions more. Whether you hate him or love him, you have to surrender before him. Winston Churchill loathed Gandhi: "It is alarming and also nauseating to see Mr Gandhi, a seditious middle temple lawyer, now posing as a fakir of a type well known in the east, striding half-naked up the steps of the viceregal palace, to parley on equal terms with the representative of the king-emperor", he had bristled. But there Gandhi was, in his "half-naked" attire. When somebody later asked him if it was not improper to go in that attire, Gandhi's reply was "the king had enough dress for both of us".

Even Nathuram Godse, who killed Gandhi, had to admit, "I am prepared to concede that Gandhi did undergo sufferings for the sake of the nation. He did bring about an awakening in the minds of the people. He also did nothing for personal gain... I shall bow in respect to the services done by Gandhi to the country, and to Gandhi himself for the said service".

Gandhi-haters are still there, though Gandhi wouldn't mind it. "If I had no sense of humour", he wrote in 1928, "I would long ago have committed suicide". Gandhi used to say that, "Nobody can hurt me without my permission."

Gandhi inspired many to dedicate their lives in silent service. Renowned among those true Gandhians were Thakkar Bapa, who worked selflessly for many years among the so-called untouchables and tribals, and Vinoba Bhave, who championed the cause of the landless. Men and women continue to toil among the under-

privileged masses in far-flung areas even today, away from the glare of the floodlights, inspired by the zeal of Gandhi.

But as far as Gandhians are concerned there are far too many. For some, it is a facade more than faith. For others, it is a tactic. Not just today, even when Gandhi was alive, there were several types of Gandhians. Jawaharlal Nehru, one of the leading lights of Gandhism, was hardly a believer in it. Eminent journalist Frank Moraes wrote that one day he wanted to meet Nehru. "Come and see me during Gandhiji's prayer meeting. I'm never there!", Nehru told Moraes. For Nehru, Gandhism was just a political compulsion and tactic.

Gandhism doesn't lie in spinning the charkha or wearing khadi alone. "If Gandhism means simply mechanically turning the spinning wheel, it deserves to be destroyed," Gandhi had declared bluntly. Gandhi didn't merely preach, he lived by his words. It was his life that had inspired the masses, while leaders and intellectuals continued to juggle with his words and statements. Gandhism is not any creed or sect — Gandhi never wanted it to be that way. Gandhism is to be lived, not lectured.

Gandhism is about truth, non-violence, transparency, openness to criticism, fearlessness, rejection of image consciousness and political correctness. Gandhi's life was an open book. He was not someone from the outside and someone else from within. And he was truly a man of the masses. He lived among the people and spoke for them. He insisted that people should strictly follow certain norms and morals in life. But he was also, always, open to those who disagreed with him. He never believed in tit for tat. "An eye for an eye would make the whole world blind" was his famous quote. It is something that is often repeated but hardly followed by the political class.

Gandhi's life was an example in humility and boldness. "I have nothing new to teach the world. Truth and non-violence are as old as the hills. All I have done is to try experiments in both on as vast a scale as I could," he used to say. He never believed in his infallibility. Deification of Gandhi was a strict no-no for him. Gandhi had the supreme courage to own and correct his mistakes.

We invoke Gandhi aphoristically. We tend to use this invocation either to glorify ourselves or to vilify others. It is a big question as to whether the real Gandhi was ever understood by us. To understand Gandhi, we have to enter his mindscape. Gandhi introduced into our social consciousness a set of values like truthfulness, non-violence, and a courage of conviction that was absent in the public life of his time. Upholding these ideals is Gandhism.

"They might kill me, but they cannot kill Gandhism. If truth can be killed, Gandhism can be killed", is Gandhi's life-lesson for the world.

The writer is national general secretary, BJP, and director, India Foundation

LETTER TO THE EDITOR

NEW GENERATION

THIS REFERS TO the article, 'Will contest election from World' (IE October 1). In departing from family tradition and throwing his hat into the electoral ring Aaditya Thackeray has demonstrated a mind of his own. This will enthrone Shiv Sena cadres unable to come to terms with playing second fiddle to the BJP. Post elections he should assume an important responsibility in the cabinet, in case the coalition is voted to office. The exposure would enable him to emerge as a leader in his own right out of the shadows of the earlier generation Thackerays.

SB Bhalerao, Mumbai

STRATEGY FOR ONIONS

THIS REFERS TO the article, 'Wipe away onion tears', (IE, September 30). In the 2018-19 budget, the government proposed Operation Greens on the lines of the Operation Flood with the idea of developing an integrated value chain for tomato, onion and potato. These crops undergo seasonal supply fluctuation and have a very high price volatility. The scheme involves short term price stabilisation measures and a long term integrated value chain development projects. The long term strategy holds promise.

Sudip Kumar Dey, Kolkata

POLLS, MISTRUST

THIS REFERS TO the editorial, 'Election, restriction' (IE, October 1). Unless normality returns to J&K by polling day, the local body elections will be held in a climate of mistrust. With citizens not allowed free movement, there's unlikely to be proper canvassing. Public transport is off roads, communication networks do not function and every town is teeming with security personnel.

Sankar Paul, Nadia

LETTER OF THE WEEK AWARD

To encourage quality reader intervention, The Indian Express offers the Letter of the Week award. The letter adjudged the best for the week is published every Saturday. Letters may be e-mailed to

editpage@expressindia.com or sent to The Indian Express, B-1/B, Sector 10, Noida-UP 201301.

Letter writers should mention their postal address and phone number.

THE WINNER RECEIVES SELECT EXPRESS PUBLICATIONS

VENDETTA POLITICS

THIS REFERS TO the editorial, 'A win for diplomacy' (IE, September 30). The vendetta politics played by Pakistan in the UN general assembly meeting clearly shows Pakistan's intention. It doesn't want peace to return in Kashmir valley. Pakistan has handed over 5,000 sq km of PoK to China in 1963, without the consensus of all stakeholders. It has changed the demography of PoK.

Niranjan Yadav, Goa

SEAS AND FOOD

This refers to the editorial, 'At the heating seas' (IE, October 1). The oceans are repositories of marine life which are sources of livelihoods and food security. The acidification of seas will therefore also impact people's eating habits.

Bharat Sethi, Mumbai

Windows before walls

Gandhiji never left us, we left him. He is with us, but are we with him?



ELA R BHATT

WE DO NOT need Gandhiji today. We killed him then, and kill his ideas, his imagination, year after year.

Gandhiji gave us enough to think and act upon during his lifetime. I was aware of his life and thinking when I started to work at the Textile Labour Association (TLA) founded by Anasuyaben with Gandhiji in Ahmedabad. Industrial relations were re-defined in terms of not capital against labour, but capital and labour for rebuilding a prosperous India. Alas, the industrialist, labour leaders, and the nation have left these ideas behind.

His ideas became valuable to me in terms of women's leadership, where the means of struggle are truth and non-violence. How well he understood the potential of women's leadership and how well he mobilised women in satyagraha. This understanding has appealed to me all my life as I became more and more active in Self Employed Women's Association (SEWA). While facing the overwhelming challenge of moving thousands of working women out of poverty each year, his thinking offered us SEWA sisters a clear way ahead.

The origins of my understanding of Gandhiji were twofold: The immediate reality of thousands of poor honest women workers in the informal sector of Ahmedabad and later, India, and my wonder about if and how Gandhiji's ideas can be or will be of use in addressing that reality. His ideas helped SEWA sisters move towards finding a just, dignified, and secure future of work for thousands of poor work-

ing women in India, and elsewhere.

In our schools, institutions of higher learning, and in professional life today, we are taught how to get to answers quickly. But when we are willing to put in time and effort to observe and understand the process of reaching the answer, in fact understanding the question itself far better and deeper from the point of view of the poorest woman, we do not need Gandhiji. May it be the future of work or the Fourth Industrial Revolution or knowledge economy or social impact investment or cashless banking or modernism in art, design, literature, education and technology.

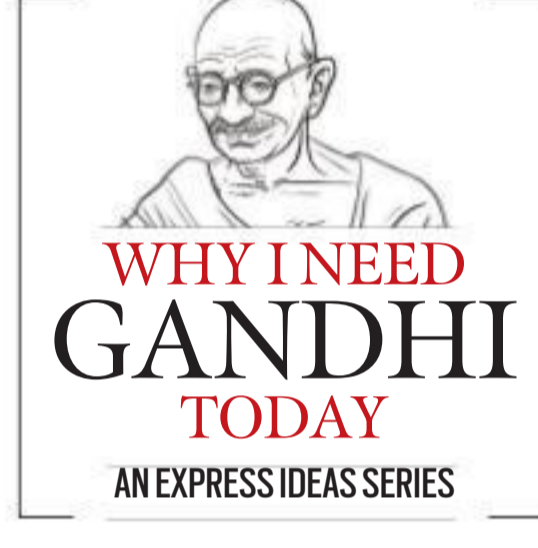
We do not need him because he has given us enough to help deal with new ideas or systems to understand and assimilate them in our thought and action. Coherent, all-inclusive, ever-evolving knowledge for our day-to-day life-long needs: He has given us a way to achieve just prosperity as a nation.

I am not a Gandhian or Gandhi *bhakt*, even though it is my honour to work with dedicated teams of Gujarat Vidyapith or Sabarmati Ashram. Such devotion does not come to me easily. When I think of Gandhiji today, my heart is filled with guilt and what in the Sanskrit language is called *glani*.

Having accepted the automated and mass production as the two most important ways to accelerate economic growth — useful in many ways, but not always — we have reached a stage where we are determined to make us all — tribals, minorities, ethnic groups, women, unorganised sector workers, even as Indians — extinct. He warned us of this *satyanash* almost a century ago.

We have entered a stage in India where Gandhiji and his ideas are valued for what they can give us rather than what he or his ideas can make out of us. The balance between 'to have' and 'to become' has changed in favour of 'to have'. Have more. And fast. And for oneself.

Like the tent of a Mughal emperor, for



Gandhiji offered us a visual vocabulary thorough khadi, ashrams or padayatra. For example, the coarseness of surfaces in textiles; thinking about windows before walls in architecture; settlements surrounding trees or water in a layout plan; meandering pathways towards clear destination, and more. We have underutilised this rich, and Indian, vocabulary.

us his ideas now have less to do with who and how many they cover, but the status it offers in the eyes of the others: Voters, rest of the liberal world, or scholars.

Gandhiji has shown us what we can and must know in terms of satyagraha, sarvodaya, swaraj, or swadeshi, and also the limitations of these ideas. It is up to us, not him, to find out what we do not know about these ideas and how to take these ideas forward in action.

Je peed parai jane re! He offered us a new sense of shared destiny, that your suffering one day will be my own suffering, that we are in this freedom struggle together. As, for the ever-elusive political freedom, we have surrendered economic, social, and even, cultural freedoms and the shared destiny of India.

Gandhiji offered us a visual vocabulary through khadi, ashrams or padayatra. For example, the coarseness of surfaces in textiles, thinking about windows before walls in architecture, settlements surrounding trees or water in a layout plan, meandering pathways towards clear destinations, and more. We have underutilised this rich — and Indian — vocabulary.

Every citizen, every nation, has to reach a certain level of conscious self-knowledge. Gandhiji helped India do so then, still does today, and will do so tomorrow if we try to understand his ideas.

Understanding the ideas of Gandhiji is a continual process of recreating our own ignorance — and not increasing our scholarship of Gandhiji's writings or ideas alone — in the sense of not knowing what is coming next. We are scared of acknowledging our ignorance of India and Indians.

We do not need Gandhiji today because he never left us. We left him. He is with us. But are we with him?

The writer founded SEWA in 1972 and was its general secretary till 1996. She is presently Chancellor, Gujarat Vidyapith

Reading Gandhi in Catalonia

How the Gandhian idea of non-violence is shaping a political struggle in Spain



RAMIN JAHANBEGLOO

GANDHI'S LIFE CONTINUES to inspire people around the world. He changed India and the world with his vision of compassion, tolerance and peace. But he was above all an accomplished strategist who throughout his life worked to develop theories and practices that would advance the rights of marginalised groups and oppressed communities around the world. He inspired moral and political leaders such as Martin Luther King Jr, Nelson Mandela, Vaclav Havel, the Dalai Lama, and impacted social and political movements in Latin America, Asia, the Middle East and Europe. Despite the geographic and cultural diversity of these places, nonviolent movements there have exhibited a remarkable similarity to Gandhi's strategy for checking power and opposing violence. These indicate the practical success of an ethical commitment to norms of political transparency, non-violent negotiation, reconciliation and mutual respect.

Before Gandhi's satyagraha in India, virtually all modern revolutions had been based on bitterness and violence. The bitterness turned the revolutions bloody and vengeful. Gandhi turned the bitterness and violence of traditional revolutions into the positive power of non-violence. His revolution was not born of hatred and despair, therefore it was not driven by bitterness and violence. Far from being utopian, Gandhi's idea of ethical politics based on non-violence continues to be the most practical path to democ-

ratise liberal democracies that have a tendency to forget their foundational values. This is evident in the non-violent political struggle in Catalonia.

For the Catalans, who have dreamt of independence, disappointment might be real. But must they respond with bitterness, hate and violence? Or should they turn inward in self-defeat and self-pity? Neither, for sure. Because, for those who suffer in a non-violent cause, the most fruitful course is to stand firm and stay hopeful. This is the essence of the Gandhian moment of Catalonia. It is based on moral courage and respect for the otherness of others rather than passive submission to the thermodynamics of power. Cicero said that "freedom is participation in power". But for Catalans who believe in political autonomy and freedom, this power is no other than the ability to implement the demands of dialogue and justice in Catalonia. It is the moral strength to bring about a revolution of values in Catalonia. In this sense, we are talking about a power of love, not love of power.

According to Martin Luther King, Jr., "Power at its best is love implementing the demands of justice, justice at its best is love correcting everything that stands against love." Those Catalans who believe in the force of non-violence in bringing about changes in Catalonia cannot and should not advocate the same conscience-less power that they justly abhor in the Spanish police force. It is precisely this moral collision of the power of the

powerless Catalans with the immoral power of a powerful sovereignty that constitutes the Gandhian moment of Catalonia. That is why creative dissenters of Catalonia know well that the active way of non-violence is the meaningful conviction that they will stand with it till the end. The subversive sweetness and radical tenderness of Catalan non-violence is not only the re-ignition of public life in Catalonia, but also a fundamental transformation of the Spanish and European mode of thinking and living democracy.

As the Gandhian moment of Catalonia is showing the world, democracy is not only about institutions, law-making and carrying on governmental administration by means of popular suffrage and elected officers. Democracy is a mode of thinking and a way of life, where violence is tamed and non-violent social and political arrangements replace coercive and oppressive modes of subordinating individuals to the power of a government. There is no reason why the fundamental beliefs and practices of any democracy, either European, American or Asian, which subjugate and humiliate citizens instead of uplifting them, cannot be put into question. In that sense, democracy has to be a committed journey in the direction of humanness, compassion and maturity. It is a transfer of speech and action from oligarchs and plutocrats to everyday people and ordinary citizens.

Two centuries ago, German philosopher Immanuel Kant said enlightenment was hu-

man being's release from "self-incurred tutelage". It was the process by which human beings could become free of intellectual guardianship, and learn to "dare to think". Kant believed that this tutelage occurred because of many reasons and aspects, cowardice and complacency among them. In other words, for Kant, as for many of us, being mature is about being independent-minded and morally and intellectually mature. This is where the force of non-violent action resides: It helps people to think not only in terms of political autonomy, but mainly in relation to intellectual and moral independence. Where there is a desire and a unity among citizens of a society to think for themselves and emerge from any form of tutelage, that society is already on the path of independence.

This sense of maturity is at the heart of the Gandhian moment of Catalonia. Gandhi's satyagraha showed that the truly civilised party in a clash for maturity, autonomy and independence are those who practise non-violence. This is the moral imperative and the intellectual foundation of Catalonia's political struggle. The line of progress might not be straight in Catalonia, but it is certainly shaping a great spirit of dignity among Catalonians and a sense of respect for Catalonia among those who never believed in the Gandhian moment of Catalonia.

The writer is professor-vice dean, Jindal Global University

TELLING NUMBERS

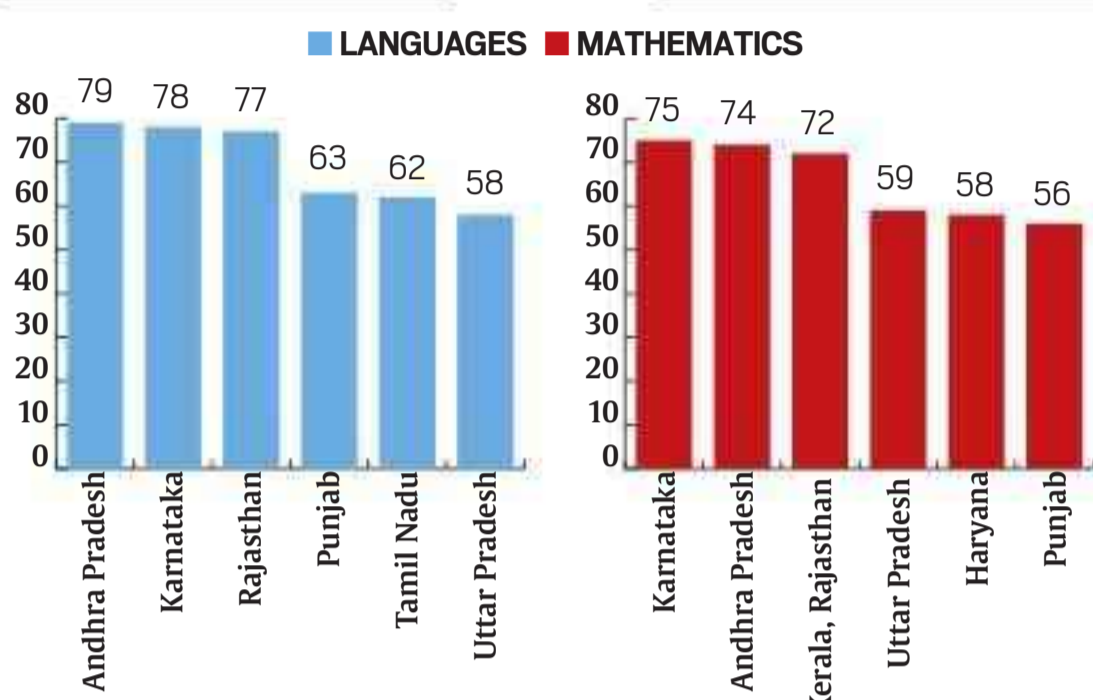
Education Quality Index: how students did in maths, languages

THE GRAPHS below show average scores by students of three classes in 20 "large states" in the National Achievement Survey 2017, and detailed in the NITI Aayog's report on the School Education Quality Index 2019, released on Monday. Performance in languages and mathematics was among various indicators chosen to assess the "overall effectiveness, quality and efficiency of the Indian school education system", and came under the domain of "learning outcomes". The data were sourced mostly from publicly available sources.

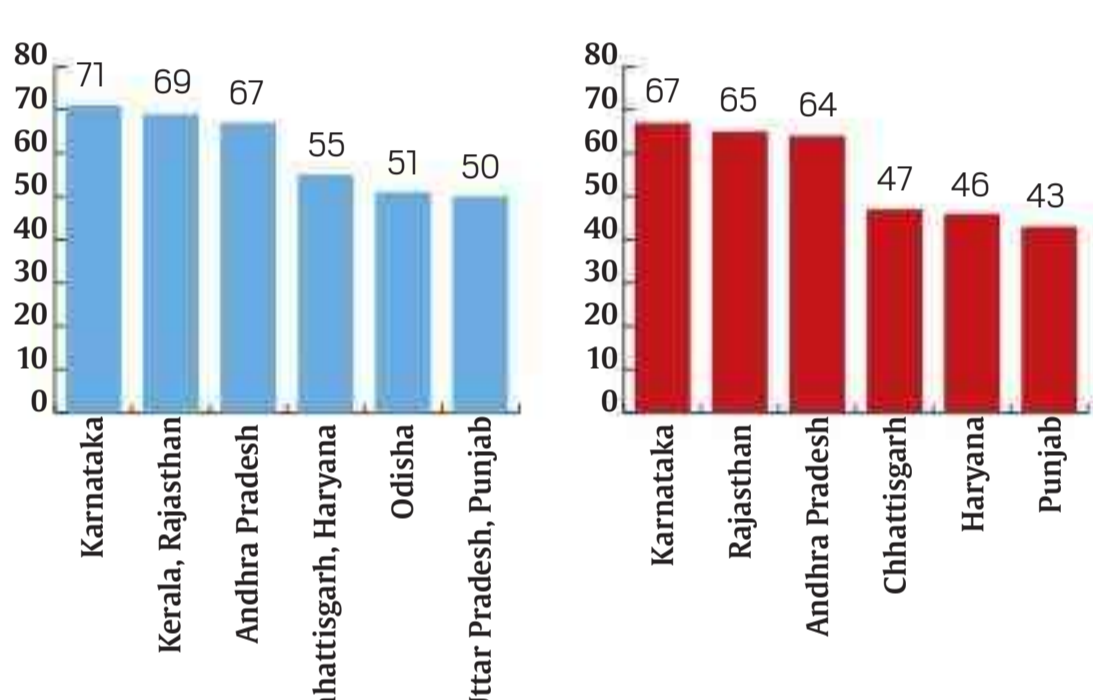
As reported on Tuesday, Kerala had the best overall performance at 76.6 percent and Uttar Pradesh had the worst performance, with 36.4 percent. In Class 3, Andhra Pradesh and Karnataka have the highest average scores in language and mathematics, while Uttar Pradesh and Punjab have the lowest. For class 5, Karnataka tops the list with the highest scores in both language and mathematics, while Uttar Pradesh and Punjab are again at the bottom. For class 8, Rajasthan has the highest average scores for both language and mathematics, whereas Telangana, Uttar Pradesh and Punjab have the lowest scores.

TOP 3 & BOTTOM 3 (LARGE STATES)

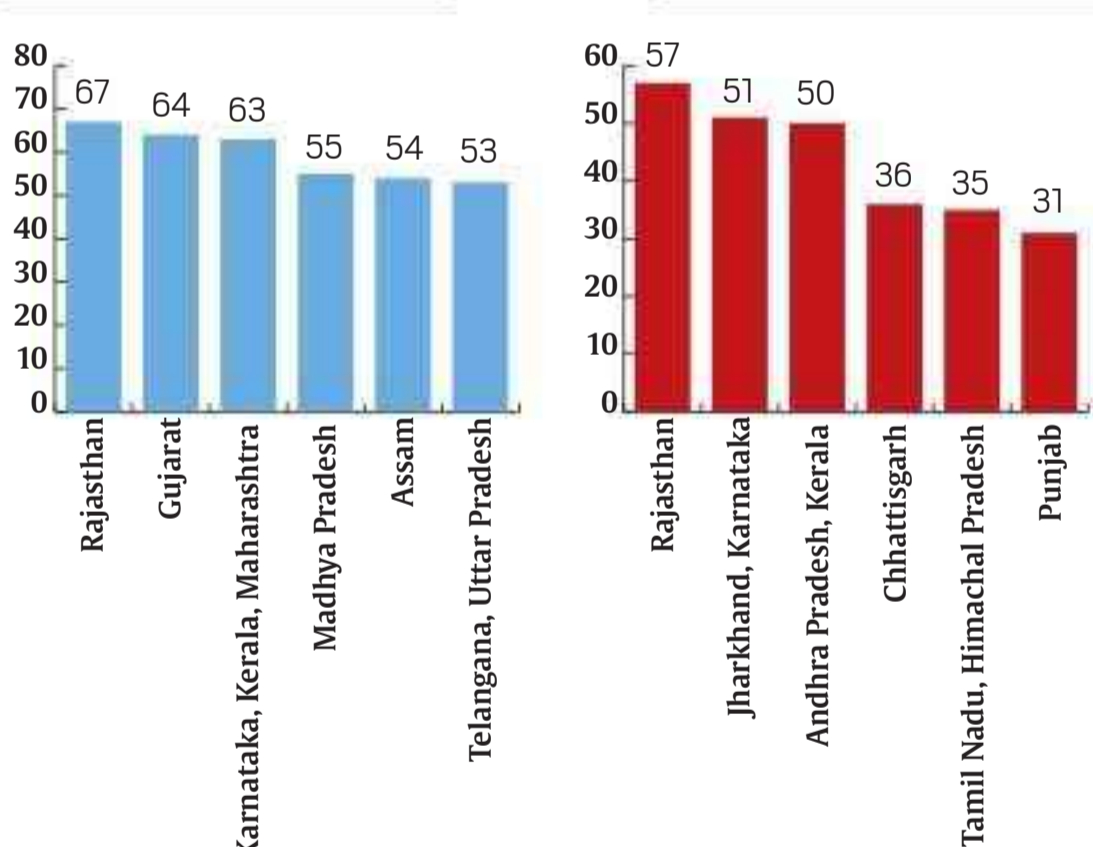
CLASS 3



CLASS 5



CLASS 8



Source: NITI Aayog

AN EXPERT EXPLAINS

SC/ST judgment, in review

The Supreme Court has recalled its 2018 directions that diluted certain provisions of the SC/ST Act. What were these provisions, and under what circumstances does the court review its own rulings?



FAIZAN MUSTAFA

ON TUESDAY, the Supreme Court recalled its directions in a March 20, 2018 verdict that had effectively diluted provisions of arrest under the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, 1989. This was following a plea by the Centre seeking a review of that judgment.

What is review of a judgment?

'Review' of a Supreme Court judgment is done by the same Bench. 'Overruling' means that the law laid down in one case is overruled in another case. When a higher court on appeal alters the judgment of a lower court, it is called 'reversal'.

Generally, a review is heard in the judge's chamber, but may be heard in open court in important cases — as in the Sabarimala and Rafale cases, in which no order has been pronounced yet. In the SC/ST case, a Bench of Justice Adarsh Goel and Justice U U Lalit had admitted a review of the March 20, 2018 judgment in *Subhash Kashinath Mahajan vs State of Maharashtra*. After Justice Goel retired, a new Bench was constituted that eventually referred the matter to a three-judge Bench headed by Justice Arun Mishra (who authored the 51-page review judgment on Tuesday) and included Justice M R Shah and Justice B R Gavai.

Why was the SC/ST Act enacted?

Since crimes against SCs and STs are fundamentally hate crimes, the Rajiv Gandhi government enacted the Act in 1989 in furtherance of the provisions for abolition of untouchability (Article 17) and equality (Articles 14, 15) in the Constitution. In accepting the review, Justice Mishra relied on the Statement of Objects & Reasons of the Bill that stated that "despite various measures to improve the socio-economic conditions of the Scheduled Castes and the Scheduled Tribes, they remain vulnerable. They are denied number of civil rights. They are subjected to various offences, indignities, humiliations and harassment. They have, in several brutal incidents, been deprived of their life and property".



Protest in Jaipur in April 2018, following the SC's March directions Rohit Jain Paras

What was the Subhash Kashinath Mahajan case about?

Mahajan was Director of Technical Education in Maharashtra. Two non-SC officers had made an adverse entry on the character and integrity of a Dalit employee, whom Mahajan in 2011 denied sanction for prosecution against those officers. The denial was challenged on the ground that the state government and not the director was the competent authority. The Supreme Court held that safeguards against blackmail are necessary as "by way of rampant misuse, complaints are largely being filed against public servant/judicial officer/quasi-judicial officer with oblique motive for the satisfaction of vested interests".

In what manner had the 2018 judgment diluted provisions for arrest?

ANTICIPATORY BAIL: Keeping in view the special nature of crimes against Dalits in Section 18 of the Act, Parliament had laid down that the provision of anticipatory bail under Section 438 of the Criminal Procedure Code of 1973 will not be available to an accused under the Act. The provision of anticipatory bail was introduced for the first time on the recommendation of 41st Law Commission in 1973. It is a statutory right, not part of the right to life and personal liberty under Article 21 of the Constitution, and thus there is no fundamental right to anticipatory bail. A few state amendments to Section 438 exclude anticipatory bail. In the March 20, 2018 judgment, the Supreme

Court laid down safeguards, including provisions for anticipatory bail and a "preliminary enquiry" before registering a case under the Act. On Tuesday, the Bench said Section 18 was enacted to instil a sense of deterrence and relied on *Kartar Singh* (1994) in which the court had held that denial of anticipatory bail does not violate Article 21.

FIR: Justice Goel had observed that "liberty of one cannot be sacrificed to protect another", and added that the "Atrocities Act cannot be converted into charter for exploitation or oppression by unscrupulous persons or by police for extraneous reasons". He ordered that neither is an FIR to be immediately registered nor are arrests to be made without a preliminary inquiry by an SSP. An arrest can only be made if there is "credible" information and police officer has "reason to believe" that an offence was committed.

In the review judgment, Justice Mishra said public servants already have a remedy in false cases under CrPC Section 482 and can get such FIRs quashed by High Courts. He rejected the need of an SSP's approval for arrest.

Section 4 of the SC/ST Act casts a specific duty on public servants to record an FIR as per information given. Non-registration of FIR is punishable. Section 22 protects public servants for actions taken in 'good faith', for which no legal proceedings can be initiated against them.

PERMISSION: In 2018, the court had said that even if a preliminary inquiry is held and a case registered, arrest is not necessary, and that no public servant is to be arrested without the

written permission of the appointing authority. The court extended the benefit to other citizens and said they cannot be arrested without the written permission of the SSP of the district. On Tuesday, Justice Mishra said the decision on arrest is to be taken by the investigating authority, not the appointing authority.

Were other provisions diluted?

Justice Goel had observed that "interpretation of Atrocities Act should promote constitutional values of fraternity and integration of the society. This may require 'check on false implication of innocent citizens on caste lines'." Observing that the law should not result in caste hatred, the court overlooked the fact that the Act had to be enacted due to caste hatred. The review judgment said that such riders for registering a report are wrong and it would give an advantage to upper castes whose complaints can be registered without any such inquiry.

How frequently do SCs/STs face atrocities?

A crime is committed against an SC every 15 minutes. Six SC women are raped every day on an average. Between 2007 and 2017, there was a 66 per cent growth in crimes against SCs. Data from the National Crime Record Bureau, which the 2018 judgment was based on, showed cases of rape of SC women had doubled in 10 years.

On Tuesday, Justice Mishra quoted the *Subramanian Swamy* judgment (2014) in which the court had held that where statutory provisions are unambiguous, the court cannot read these down. The court accepted that Dalits have suffered for long and negated the basis of last year's judgment in which the court had commented on false cases under the Act.

Were similar guidelines not issued by the SC in other cases?

The Supreme Court can lay down guidelines only in cases of legislative gaps. For instance, it laid down guidelines on sexual harassment, *khap* panchayats, lynching etc. But where the field is occupied by parliamentary legislation, the judiciary is bound by the text of law. It can, however, examine constitutionality of such a law. The review order observed that the March 2018 guidelines encroached upon the field reserved for Parliament, and therefore recalled these directions.

Faizan Mustafa is a well-known expert in constitutional law

Unnao case: What Apple says on location data

SHRUTI DHAPOLA

NEW DELHI, OCTOBER 1

A DELHI court on Saturday asked Apple to hand over location data from the iPhone of expelled BJP MLA Kuldeep Singh Sengar, an accused in the alleged rape of a minor girl from Unnao. Sengar has cited call detail records to claim he was almost 50 km away when the alleged crime happened in 2017.

What has the court sought; what has Apple said?

The court has issued direction to Apple's "management/concerned officer" in India "to produce GPS location and GPS location chart" of the phone "for the date 04.06.2017".

Apple asked for two weeks "to seek instructions regarding the availability of the data because as of now it is not known whether or where the data is stored, and if at all it is stored, whether it is available or not". Counsel for Apple also said "they are yet to take a decision as to in what format data, if available, can be supplied". The court granted until October 9 to furnish the "relevant information/data", along with "an affidavit containing certificate of the

system analyst/authorised person in terms of Section 65B of Indian Evidence Act".

Does Apple have access to location data of an iPhone?

Under the "Legal Process Guidelines" for government and law enforcement on Apple's website, the following are listed as available: device registration, customer service records, iTunes information, Apple retail store transactions and Apple online store purchases, along with gift cards, iCloud, and Find My iPhone. Games Center details, information regarding iOS device activation, My Apple ID, iForgot Logs, FaceTime and iMessage too, are listed. Location is not listed as an available data point.

Apple's support page for "Location Services" says the iPhone "will periodically send the geo-tagged locations of nearby Wi-Fi hotspots and cell towers... in an anonymous and encrypted form to Apple". The idea, Apple says, is to augment a crowdsourced database of Wi-Fi hotspot and cell tower locations.

In Apple's privacy policy, the paragraph on Location services says services such as Maps "may collect, use, and share precise location data, including the real-time geographic location of your Apple computer or device". It adds

that "unless you provide consent, this location data is collected anonymously in a form that does not personally identify you..."

Does Apple share data with law enforcement agencies?

Yes. Apple's transparency report for July-December 2018 shows that worldwide, it received 49 device-related requests, 28 requests for financial identifiers, 18 requests for accounts, and 8 emergency requests during this period, and complied with 23, 16, 11, and six of these respectively.

Device requests are typically for data related to device identifiers, which could include serial numbers or IMEI numbers; for accounts, it could be information such as email address or Apple ID. Account requests also seek data such as photos, email, iOS device backups, contacts or calendars, according to Apple's transparency report page. In India, Apple has not provided content-related data in any of the account requests.

What about the 'Find Me' feature, and the location data it collects?

'Find Me' (previously 'Find My iPhone'), mentioned in the list of information available

with Apple for law enforcement agencies, helps pinpoint the last location of a lost Apple device; it can also be used to remotely lock or erase a lost iPhone. Apple's support page says "device location services information" is stored on the device, and Apple cannot retrieve this. Connection logs from 'Find My iPhone' are only "available for a period of approximately 30 days". If this data is available, it "may be obtained with the appropriate legally valid request for the requestor's country".

Does Apple push user data to the cloud?

Going by its support page, it does not appear Apple has access to location data on the iPhone. Apple's philosophy on data processing has been to ensure most tasks are carried out on the device itself. Data in users' iCloud accounts is encrypted; Apple says it "retains the encryption keys in its US data centers".

On data extraction from an iPhone, Apple's support page says "it is unable to perform an iOS device data extraction as the data typically sought by law enforcement is encrypted, and Apple does not possess the encryption key". This applies to all devices from iPhone 6 onward, which are on iOS 8 or a later version.

In row over High Court ban on animal sacrifice, echoes of Tripura's past

SOURAV ROY BARMAN

NEW DELHI, OCTOBER 1

ON SEPTEMBER 27, a Tripura High Court Bench of Chief Justice Sanjay Karol and Justice Arindam Lodh banned the sacrifice of animals and birds in temples of the state, and directed the government to sensitise people about constitutional values and the importance of love, humanism, and compassion towards all animals and birds.

The managements of two major temples, mentioned in the judgment, chose to defy the order, citing the absence of a notification on the ban. Meanwhile, Pradyot Debbarman, the son of Tripura's last king Kirit Bikram Kishore Manikya, and the state government intend to appeal in the Supreme Court.

State Law & Parliamentary Affairs Minister Ratan Lal Nath told reporters Monday that the government did not want to "hurt anyone's religious beliefs" through its actions.

Debbarman told *The Indian Express* that while the scale of animal sacrifice must be reduced, "courts cannot play the role of priests".

500-year tradition

Animal sacrifice has been happening for at least 500 years in Tripura. The two major sites are the Tripureswari Devi temple in Udaipur, and the Chaturdash Devta temple in Agartala. Both temples were founded by the Manikyas, Tripura's ruling dynasty from the late 13th century until September 9, 1949.

The Tripureswari Temple, considered one of the 51 *shakti peethas*, was founded in 1501 by Maharaja Dhanya Manikya. The Chaturdash Devta Temple, or 'Temple of Fourteen Gods', who were the royal deities, was established in its current location around 1770 by Maharaja Krishna Kishore Manikya.

What the High Court said

The court ruled that the tradition of sacrificing animals "lacks the essence of economic,

commercial, political or secular character" and cannot be protected under Article 25(1) of the Constitution (*Subhas Bhattacharjee vs The State of Tripura and Others*). Freedom of religion is subject to the rigours of public order, morality, and health, it said. Also, animal sacrifice in a temple is violative of Article 21, the court said, adding that religious practice cannot override provisions of the Prevention of Cruelty to Animals Act, 1960.

Drawing reference from Rev. James Long's 'Human Sacrifices in Tripura', the court said there was evidence that up to 1,000 humans were sacrificed every year until about 1407 — "Thus it is only logical that when human sacrifice could be stopped then nothing can impede a ban on sacrifice of animals as part of religious practice, for life of both humans and animals are legally required to be valued and protected."

Plea not 'anti-Hindu'

The government argued that under the

terms of Tripura's Merger Agreement with the Indian Dominion, worship at Mata Tripureswari and other temples should continue in the traditional manner. Animal sacrifice was part of tantric worship, and the petition had been filed only to "disturb the Hindu sentiment and presumably by anti-Hindu elements", because it did not challenge the practice of animal sacrifice during Bakr Eid, the government said.

The court rejected this argument as "preposterous": "The State cannot be allowed to take such a stand, more so, in the absence of any material, substantiating the same".

It said: "The issue of animal sacrifice by the minority community (Muslims) on the occasion of Bakr Id, already stands settled in *Mohd. Hanif Quareshi (Mohd. Hanif Quareshi & Others vs The State Of Bihar, 1958)*, *Ashutosh Lahiri (State Of West Bengal vs Ashutosh Lahiri, 1994)* and *Mirzapur (Mirzapur Moti Kureshi Kassab vs State Of Gujarat And Ors, 1998)*; hence, such plea

needs to be repelled at the threshold."

Even in those cases, the Supreme Court had ruled that animal sacrifice was not an essential part of Islam and could not be granted protection on the ground of religious freedom, and that states were free to enact laws to ban the practice, the court said. However, on the question of a blanket ban, the courts have held differing opinions.

Tagore in the judgment

"And here we may only remind the State what message Sri Rabindra Nath Tagore conveyed to the then Raja and his citizenry through his famous work, *Bishorjan*," the court said.

Tagore was closely associated with the royal house of Manikyas, who had accorded him the title of 'Bharat Bhaskar', and gave him financial assistance for the construction of Visva-Bharati. He captured a turbulent phase in the history of the Tripura kingdom in his novel *Rajarshi*, which he later

adapted into the play *Bishorjon*.

Rajarshi, written with inputs from Maharaja Bir Chandra Manikya around 1880, chronicled the decision of Maharaja Gobinda Manikya (1660-61 and 1667-76) to ban animal sacrifice, which angered the orthodoxy led by the head priest or Chantai, Raghupati.

The novel begins with the monarch walking on the banks of the river Gomati with a little girl, Hashi. The river is red with blood, and Hashi asks "Eto rokto keno? (Why is there so much blood?)". Soon afterward, Hashi dies of a fever, repeating the question until her last breath.

A shaken Gobinda Manikya bans animal sacrifice at the Bhubaneswari Temple (which now lies in ruins in south Tripura). Raghupati conspires with the king's enemies, and Gobinda Manikya is dethroned in a coup with the help of the Mughals, and replaced by his stepbrother Nakshatra Rai. Gobinda Manikya eventually regains his position with the help of the Arakans.