



The Indian EXPRESS

FOUNDED BY
RAMNATH GOENKA

BECAUSE THE TRUTH INVOLVES US ALL

THE WITHERING

Congress fumbles for a new centre of gravity, unable to perform its role of main opposition. This has consequences

ELECTIONS ARE DUE in Haryana and Maharashtra later this month and Congress is still too busy losing itself to take on the BJP. Over four months after being crushed by the Narendra Modi led-BJP in the general elections, it hasn't stopped being in decline. The stories in both states, erstwhile Congress bastions, where it has been the defining pole of political competition, are similar. In both, the incumbent BJP has rallied together a broad coalition of the non-dominant castes, the non-Marathas in Maharashtra and non-Jats in Haryana, while also making inroads in the dominant castes through the politics of fear and favour, strategies of carrot and stick. In both, it has broken both its ally and its political opponent, quite literally, weaning to its side MLAs and other defectors from their ranks. And in both, the Congress has been unresisting. Its leaders have squabbled loudly, and there have been high-profile exits. Like former Haryana Congress chief Ashok Tanwar, who has complained bitterly of the party's "internal contradictions", "feudal attitudes" and "medieval conspiracies". The Lok Sabha wound may still be too fresh but there has been little or no evidence of a prescription in terms of setting the agenda, showcasing new leaders or scripting a compelling story.

It matters that, as new polls come around, the Congress does not look up to the task of picking itself up from its setbacks. That the party may be giving tidy walkovers to its rival in Haryana and Maharashtra is consequential beyond these two states. It speaks of a party that, after Rahul Gandhi's resignation as president, has yet to find a new centre of gravity. One that is unable, therefore, to perform its role of the main opposition to the BJP. A large and diverse democracy like India is as much about its opposition as it is about its ruling regime, as much about the quality of political argument as it is about the victor and the winning tally. Be it the abrogation of Article 370 or the manner of implementation of the NRC in Assam and potentially elsewhere, that the BJP can have its way without a sense of the limits of its own power is in large part due to the Congress withering. The BJP is able to dismiss and discount dissent and the voice of the minority because the countervailing forces are depleted so terribly.

Many in the Congress complain — not without reason — that a section of the cheer-leading TV media keeps the microphone away from them, but the answer cannot be a sulk or a lament. The party has to be more imaginative, its governments in four key states could, through performance and delivery, become the megaphone it needs. Regardless of the outcome of the elections in Haryana and Maharashtra, it is not BJP dominance, but the lack of any apparent checks on it, the weakening of the call to accountability, that is reason to worry.

TWO WRONGS

Bihar CJM invoking sedition against public intellectuals is absurd. Silence of Nitish government is worrying

IT IS SHOCKING that a chief judicial magistrate has ordered that a case of sedition be registered against 49 prominent citizens for writing an open letter to the prime minister criticising the conduct of the Union government. The letter, written in July, had appealed to the prime minister to take action in the numerous incidents of mob lynching. The CJM, Muzaffarpur, Bihar, ordered action on a PIL filed by a local advocate who felt the letter "tarnished the image of the country and undermined the impressive performance of the prime minister" and supported "secessionist tendencies". There is little in the open letter signed by the likes of filmmakers Adoor Gopalakrishnan, Shyam Benegal and Mani Ratnam, historian Ramachandra Guha, actor Soumitra Chatterjee and musician Shubha Mudgal, that is even remotely seditious — the law is clear that criticism of the government does not constitute sedition. In fact, the letter needs to be seen as an act of responsible citizens performing their democratic duty of demanding accountability from an elected government.

In 2016, the Supreme Court ruled that the authorities, while dealing with the offences under Section 124A of the Indian Penal Code, shall be guided by the principles laid down by the Constitution Bench in the 1962 *Kedar Nath Singh vs State of Bihar* case. The apex court had then said that sedition charges must be applied only to acts involving intention or tendency to create disorder, or disturbance of law and order; or incitement to violence. Recently, Justice Deepak Gupta of the Supreme Court, speaking at a seminar, asked for a re-look at the sedition law, saying the provision was being invoked against those who critical of an elected government. Criticism by itself cannot amount to sedition, he said. The Muzaffarpur CJM seems oblivious of the public debate, including in the judiciary, on the rampant misuse of the sedition law and therefore, the need to keep it under check, if not remove it from the statute book. It is also a reflection of the current toxic political culture that a law officer is emboldened to ignore the directives of the apex court on the sedition law and admit frivolous pleas that are clearly meant to harass those who disagree with the powers that be.

The silence of the Nitish Kumar government in this case is equally telling — it amounts to a tacit endorsement of the magistrate's misreading of the law. The Patna High Court must step in and take remedial measures so that the judiciary doesn't get discredited by one law officer.

JOKER, THE INCEL

The film has been criticised for its portrayal of a violent character. Empathy can be disturbing, but is it immoral?

THAT AN ONLINE subculture is misogynist, racist and promotes violence is, unfortunately, not much of a surprise. But even by the standards of the internet, "incels" present a disturbing trend. A group of largely white men, their complaint is that they are "involuntarily celibate", and that society (read women) owes them sex, love, admiration. These garbled articulations of misogyny and entitlement have had grave consequences: Many recent mass murders in the US have been committed by men identifying as, or repeating the tropes of, the incels. Yet, can a film be blamed for their actions or for being appealing to the "incel community"?

Both before and after its commercial release last week, *Joker*, starring Joaquin Phoenix, was owned by incels. A lonely, white male, driven to insanity and wanton violence by a society that rejects him (this much is apparent from the trailers) — there is certainly an argument to be made that Phoenix's depiction of Batman's most iconic adversary sympathises with those who murder and maim because they feel let down. However, to expect a movie — even one that tries to subvert the superhero genre — to adhere to so severe a moral compass, both exaggerates and undermines the power of art.

From *A Clockwork Orange* to *Taxi Driver* and *American Psycho*, a host of films have been accused of glorifying violence, rape, vigilantism and murder. To call them a cause of violence would be an exaggeration. Each of these films did indeed try to get into the mind of a killer, to go where most people are unable or unwilling to go. Cinema — any art form, really — that examines the disturbing side of humanity, of putrefying loneliness, requires empathy. The *Joker* is, after all, a villain. And maybe he is an incel. A film that tries to understand the worst in us can be criticised on many counts — narrative structure, artistic and technical finesse, acting. But is it immoral?



DEB MUKHARJI

SHEIKH HASINA, THE Prime Minister of Bangladesh, made a four-day official visit to India from October 3 to 6. Besides discussions with her Indian counterpart, she also addressed the India Economic Summit of the World Economic Forum. The joint statement issued after the visit contained mutual appreciation for steps taken in various fields and outlines of what is intended in the use of ports and connectivity, water sharing, power, gas, education, culture, defence. For Bangladesh, the reference to the plight of the "forcibly displaced" persons of Rakhine in Myanmar is a positive development, hopefully undoing the damage done earlier by India's hasty acceptance of Myanmar's version of the developments. If the joint statement lacked the vision of the one issued after Hasina's visit in 2010, it must be recalled that the effort then was to raise the relationship by the bootstraps after a dark period of suspicion and hostility. Today, it has matured greatly and it is possible to undertake projects that underline continuity and interdependence. Hasina has looked forward to a golden period of India-Bangladesh relations.

Going beyond the anodyne which usually permeates high-level joint statements and leaves one in the dark on sensitive issues, on this occasion, there is, on the record, PM Hasina's address to the Indo-Bangladesh Business Forum. Here, she articulated points critical for the future welfare of South Asia. The first of these prescriptions says: "We must move beyond the majority-minority mindset... Pluralism has been the strength. So, we should be able to celebrate South Asia's diversities in religion, ethnicity and language". This may be applicable to all, including elements in her own country, but cannot be seen as a veiled admonition to the Indian establishment today.

Yet another prescription — "We must manage our geo-political realities through friendship and collaboration. Let us appreciate and balance regional political realities for the interest of our peoples. We cannot trade off long-term interests for short-term gains" — may be universally fundamental to statecraft, but may also be seen as directed to those of her countrymen reluctant to forge closer relations with India.

In the months preceding general elections in Bangladesh in December 2018,



AJIT ABHYANKAR

WITHIN THREE MONTHS of the budget session, unprecedented tax breaks have been announced outside Parliament, almost rewriting the tax regime. The government coffers will be lighter by Rs 1.45 lakh crore, and the nation will have to wait for the private corporate sector to rescue us from the slowdown. Surprisingly, there is a deafening silence on the issue of fiscal deficit despite the fact that the revenue forgone is more than 1 per cent of GDP.

Will this extraordinary measure pull the Indian economy out of the slowdown? The slowdown is essentially sluggish aggregate demand in the economy leading to a fall in production, investment, employment and income. To decipher it, we have to decode the components of aggregate demand. It should be noted that the slowdown has been years in the making with the market shrinking due to adverse terms of exchange faced by majority of the population and also due to rising structural unemployment.

With low and falling employment elasticity, the multiplier effect of GDP growth will not lead to healthy growth in private consumption demand. Employment elasticity, which indicates the percentage growth in employment for each 1 per cent change in growth, has come down from 0.4 per cent in the 1990s to 0.2 per cent for the five years preceding 2014, reaching a low of barely 0.1 per



Be neighbourly

Delhi needs to do more to protect and deepen ties with Dhaka

Looking at the balance sheet of Indo-Bangladesh relations, it would have to be acknowledged that the ledger tilts, perhaps heavily, in favour of Bangladesh. The Ganga Waters Agreement had removed what had appeared to be an intractable problem permanently vitiating the relationship. Given the emotions aroused over a long period, then PM Hasina had shown great political courage in addressing the issue constructively. The Land and Maritime Boundary Agreements were of mutual benefit, the former a victim of mutual lethargy over time and finally a four-year hold imposed by the BJP in parliament. Bangladesh would seem to have comprehensively addressed Indian concerns with regard to support to militant elements in the North-east, for long an area of Indian concern.

members of the BNP, which still had the semblance of a cohesive political party, visited India to persuade public opinion on two counts. Firstly, that the party had abjured its hitherto anti-Indian posture and, if re-elected, would pursue a path of co-operation with its neighbour. Secondly, with public opinion in Bangladesh turning rapidly against the Awami League for its mis-governance, it would be in its own interest for India not to be perceived as committed to the Awami League. Some would-be game players in India seemed prone to be not indifferent to the BNP's arguments. Governments in Bangladesh are chosen by its people and Indian endorsement is only of perceived importance. But perceptions do matter and India's perceived quasi-support to the BNP prior to the 2001 elections and its consequences should not be lightly forgotten.

After two terms in power, it would not be surprising if there is a degree of public apathy towards the Awami League government. But the balance sheet should include a steady increase in the GDP, improvement in all parameters of economic activity as well as law and order. Above all, the committed pushback against jihadi activities supported from foreign shores. One only has to recall the period prior to Hasina's assumption of power and the sense of helplessness that seemed to prevail with the rising tide of fundamentalism sponsored by the state and its allies.

It could be argued that the Bangladeshi state today has shown intolerance of criticism. The case of the charges against Shahidul Alam is illustrative. Unfortunately, this is an area where Indians today cannot seek to advise.

The National Register of Citizens (NRC) has been a worry for Bangladesh in the past months. It has been repeatedly assured at the highest level that it should have no cause for concern. The formula appears to be that the NRC is a Supreme Court mandated exercise for Assam and there are provisions for various stages of appeal. Given the impoverished and uneducated status of those affected, it is questionable how the levels of appeal can be accessed. Nor is there clarity about what transpires when the process is exhausted. The comment of the foreign secretary of Bangladesh: "We were told that this is an internal matter of India. Our relation-

ship is best of the best at present. But at the same time we are keeping our eyes open (on the NRC issue)". The words "at present" and "our eyes open" would not have been carelessly uttered. The NRC, to be extended to all of India, may well be largely for internal political objectives, but its eventual fall-out on Bangladesh and Indo-Bangladesh relations is too evident to brush aside.

Looking at the balance sheet of Indo-Bangladesh relations, it would have to be acknowledged that the ledger tilts, perhaps heavily, in favour of Bangladesh. The Ganga Waters Agreement had removed what had appeared to be an intractable problem permanently vitiating the relationship. Given the emotions aroused over a long period, then PM Hasina had shown great political courage in addressing the issue constructively. The Land and Maritime Boundary Agreements, approached by different means, were of mutual benefit, the former a victim of mutual lethargy over time and finally a four-year hold imposed by the BJP in parliament. Bangladesh would seem to have comprehensively addressed Indian concerns with regard to support to militant elements in the North-east, for long an area of Indian concern. On its part, India continues to be unable to deliver on Teesta. The Ganga Barrage project in Bangladesh carries economic advantages as well as political overtones, but has not been addressed with suitable despatch by India to enable Bangladesh to obtain external funding. Delay in implementation of the BBIN (Bangladesh, Bhutan, India, Nepal initiative) is inexplicable. Even if India is not chiefly responsible, one may have expected greater attention.

Lastly, the hate mongering and incidents of lynching of Muslims in India cannot but affect public perceptions. It is to the credit of the Awami League government that we have not as yet seen any hostile reactions from the people, considering the reactions after the destruction of the Babri Masjid in 1992. But this can only be a slow burning fuse. One earnestly hopes that India's internal aberrations do not derail the one substantive relationship we have developed in the neighbourhood.

The writer is a former High Commissioner to Bangladesh

THE WRONG WAY OUT

Higher government spending, not tax cuts, is the way to boost growth

What is needed is enhanced government spending and investment, to enlarge the scope of employment guarantee to urban areas. This could save the economy from falling into a recession. The tax breaks are counterproductive, as they would almost paralyse the already weak financial muscle of the government.

cent in recent years. Also, it has been observed that capital expenditure (capex) in the private sector has been falling for seven years.

Expenditure by the central government, as a percentage of GDP, has also been falling for the last four years. It declined from 13.3 per cent in 2013-14 to 12.2 per cent in 2018-19. Of this, capex has come down to 2.4 per cent from 3 per cent over the same period. Also, capex plans of public sector enterprises are at the lowest levels in the last 14 years.

Around 44 per cent of the labour force works in agriculture. Their share in the GDP is merely 15 per cent and is declining faster than the fall in their proportion of the labour force employed in the sector. The exit of labour from agriculture could have been a positive step towards industrialisation. But, unfortunately, it is not so. They are dropping out due to deep economic distress, and not for gainful alternative employment. This has led to two disturbing consequences: First, there is a substantial rise in the rate of open unemployment; and second, a large segment of the population, particularly women, are dropping out from the labour force.

That is the reason why the labour force participation rate of women in India has declined to 23 per cent in 2018 from 42 per cent in 2011. The overall figure (male and female) has dropped to about 50 per cent in 2018 from

63 per cent in 2011 (all figures are for the age group 15-63 from PLFS report).

The bargaining power of the working class in industries and services except in the top layer in the IT and finance sectors, has been falling over the past two decades due to lax enforcement of labour laws, leading to the informalisation and contractualisation of almost 80 per cent of employment in the formal sector. The share of the labour in value added in the formal sector has dropped from 33 per cent in 1990-91 to 23 per cent in 2012-13.

Thus, it is unrealistic to expect that the private corporate sector or even foreign investment would invest in an economy with a shrinking market. Would they risk their capital in new ventures or expansion just because the rate of taxation is low? The Keynesian equation that rising inequality essentially leads to a shrinking market size at the macro level is being vindicated in India.

What is needed is enhanced government spending and investment, to enlarge the scope of employment guarantee to urban areas. This could save the economy from falling into a recession. The tax breaks are counterproductive, as they would almost paralyse the already weak financial muscle of the government.

The writer is member, CPM Maharashtra state committee and a CITU activist

OCTOBER 8, 1979, FORTY YEARS AGO

NAIR GOVT RESIGNS
KERALA CHIEF MINISTER, P K Vasudevan Nair, submitted the resignation of his 11-month-old ministry to the governor of the state. He, however, did not advise the dissolution of the state's Legislative Assembly. Nair announced that he was resigning because it had become impossible for the government to function as there were differences of opinion among the United Front partners on a "crucial issue". While hectic efforts are on for forming an alternative government, the Assembly will be meeting as scheduled tomorrow morning and the chief minister will inform the House of the resignation.

WILTED MARIGOLDS
MUCH OF THE enthusiasm and the traditional colour seemed to be missing at the annual "Phool Walon Ki Sair" festivities which concluded at Mehrauli in New Delhi. The crowds lining the Mehrauli township to watch the procession of flower *pankhas* were thin, the illuminations of Jahaz Mahal and its surroundings was not on the grandiose scale of previous years and the floral decorations were meagre. PM Charan Singh, who was to have been the chief guest failed to show up and the Lt Governor, D R Kohli officiated in his place. The scarcity of blossoms was particularly noteworthy as the function is billed as a flower festival: Only a few strings of

wilted marigolds festooned the Jahaz Mahal.

NO POLL DELAY
PRIME MINISTER CHARAN Singh reiterated that the Lok Sabha elections will not be postponed in any eventuality. "I was opposed to the postponement from the very beginning," he said while talking to newsmen at the circuit house after flying in to Bilaspur to assess drought conditions in the Chhattisgarh region. Singh said he had immediately contradicted Raj Narain when the latter talked about postponement of elections. Earlier in Nagpur, Singh dismissed as politically motivated the criticism of the preventive detention ordinance issued by his government.

Kangaroo tribunals

Foreigners' Tribunals, set up to adjudicate citizenship disputes in Assam, need strict judicial supervision, must be freed from government control



FAIZAN MUSTAFA

THE SUPREME COURT'S taking of strong exception to BJP leader and UP cooperative minister Mukut Bihari Verma's purported statement — that the "Supreme Court is ours" and the judgment in the Babri case will be in favour of Hindus — is reassuring. Unfortunately, Foreigners' Tribunals (FT) in Assam have been working in the most partisan manner. Gauhati High Court, in the latest order of its suo motu proceedings — in response to an email dated April 23, 2018, by the member-in-charge of Morigaon FT to Assam Government — has quashed FT's proceedings of Morigaon in 57 cases, and, ordered these cases to be heard afresh. The court was shocked at some of the details of the 282 cases dealt with by the FT: 17 persons on a note sheet were declared Indian citizens, but the order declared them foreigners; in 11 cases, judgment was not found on record; in 32 cases, people were earlier exparte declared foreigners but were eventually found to be Indians, though the earlier court orders were not vacated; in five cases, dual judgments were discovered and, in two cases, proceedings were to be initiated against Rabindra Chandra Pachar Ali, but a different pair — Rahima Khatun and Anwara Khatun, who were not in any way related to the proceedings — was declared as foreigners.

Similarly, Mujibur Rahman, a serving assistant sub-inspector of BSF and his wife were ex-parte and, without any notice, declared foreigners by the Jorhat FT though the couple belong to a family of freedom fighters. They even had property documents of 1926. The Gauhati high court subsequently quashed this order. A Kargil war hero and honorary lieutenant, Sanaullah, was declared a foreigner and sent to a detention centre. The high court had to grant him bail to save him from detention.

Though technically quasi-judicial bodies, these tribunals, lately, have divorced all the canons of fair trial, almost becoming another arm of the BJP government in Assam. Strangely, the working of these tribunals has been approved by the Supreme Court. The Indian Constitution was amended in 1976 to insert the provision about tribunals: It talks of administrative and other specialised tribunals. However, the Constitution doesn't mention any tribunal to pronounce on the citizenship of people.

Foreigners' Tribunals were established under The Foreigners' Act, 1946, that is, a pre-Constitution and colonial legislation that was meant to deal with foreigners rather than citizens. By 1979, we had 10 such tribunals, which rose to 64 in 2015. Today, we have some 100, with another 200 being established now. They were given the power to devise their own procedures, and thus the inconsistency in the workings of these tribunals.

Initially, they were supposed to have retired senior judicial officers of district judge or additional district judge rank. Now, even civil servants and lawyers with just seven years' experience are appointed as FT members. In terms of training, they have to undergo just two days' orientation course. Shockingly, the services of members whose record in declar-



CR Sasikumar

ing foreigners is poor, are dispensed with. There is no security of tenure for them. Initially they used to be appointed for two years, this has now been reduced to one year.

Under Section 2 (a) of the Act, a foreigner is a person who is not a citizen. Thus it will be applicable only to persons against whom there is strong evidence of being a foreigner — in the sense that s/he was caught while entering India or was in possession of a passport of another country. It is a shame that the cases of three lakh people, who were declared Doubtful Voters in 1997, without any enquiry or notice, have been excluded from the NRC and now have to face the FTs.

In many cases, almost all the residents of villages are being summoned at short notice (24 to 48 hours) to appear before the FTs, situated at distant places, in many cases they are 200 to 300 miles away. Though Para 3 (1) of Foreigners' Tribunal Order of 1964 clearly mandates that notices shall mention the "main grounds", notices issued by FTs do not mention any ground. People have to defend themselves without knowing the charges.

The genesis of denial of due process by these FTs really lies in the SC's controversial decision in *Sonowal* (2005) that struck down as unconstitutional The Illegal Migrants (Determination by Tribunals) Act (IMDT), 1983, by invoking Article 355 that imposes a duty on the Centre to protect the states from external aggression. It seems the court got carried away by the exaggerated figures of infiltration provided by governor S K Sinha in his highly prejudiced 1998 report. Whenever the constitutionality of a parliamentary law is challenged, as per *R M Dalmia* judgment (1957), the court has to start with the presumption in favour of constitutionality. Moreover, the court has to examine whether the subject of legislation falls in the state list. If it doesn't, the law is to be upheld as constitutional except where it violates any fundamental right. The apex court did not undertake this exercise as IMDT Act was certainly constitutional by these parameters. Strangely, the court first defined "state" in broader terms to include Assam residents and then, on the basis of unverified figures of illegal infiltration from Bangladesh, concluded that there is a threat to the security of the state. That the state does not mean mere territory but also the people living there, will have huge implications when the unilateral abrogation of Article 370 is examined by the apex court on November 14.

The burden of proof under our legal sys-

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tem is on the person who makes an assertion. Since criminal law is a state instrument, it is always on the prosecution: It is the prosecution's duty to prove its allegations beyond any doubt. If there is the slightest doubt in the prosecution story, the benefit is always given to the accused. Section 9 of Foreigners' Act has put the burden of proof on the alleged foreigner. But then, this section is talking of foreigners not citizens. It should have no application in cases of citizenship by birth. There is a strong presumption in favour of citizenship and the burden of proving that a person is not a citizen, has to be on the person who makes an allegation against one's citizenship.

To ensure that genuine Indian citizens are not deprived of their citizenship, the IMDT Act had provided that the prosecution shall prove that the accused is not an Indian citizen. Abandoning all known principles of determining constitutionality of the law, the apex court, just on the basis of the burden of proof being on the prosecution, struck down IMDT Act. Because of this controversial judgment, genuine citizens are today excluded from NRC and many are forced to live in miserable conditions in detention centres. More than 50 have reportedly died in these centres. But the court overlooked the fact of their poverty and has put the condition of two sureties of one lakh each.

Due to the erroneous judgment of the SC, the heavy burden of proving citizenship is now on the citizens — they have to prove it on the basis of pre-1971 legacy and linkage documents. The law completely ignores the illiterate and destitute's daily struggle for livelihood — they cannot possibly be meticulously keeping documents, particularly when most of them have had their homes ravaged by floods five to seven times on an average.

Till March 2019, as many as 1.17 lakh people had been declared foreigners, of which 63,959 were declared as such ex-parte. Since a nationwide NRC is now on the cards, let these FTs be brought under the strict supervision of concerned high courts and freed from governmental control. Let there be only persons with judicial experience on board, and let the FTs follow the due process. Otherwise, these kangaroo tribunals will damage India's standing as a nation committed to fair trial and justice.

The writer is vice-chancellor, NALSAR University of Law, Hyderabad. Views are personal

WHAT THE OTHERS SAY

"It is time for logic to resume its position among Hong Kong public opinion. It would be in the best interests of everyone for the city to reclaim its natural identity."
— GLOBAL TIMES, CHINA

Vanilla in the neighbourhood

Vice-President Naidu's visit to the Indian Ocean islands should be a moment for Delhi to launch economic, defence cooperation with the littoral



RAJA-MANDALA
BY C RAJA MOHAN

AS VICE-PRESIDENT Venkaiah Naidu heads to the Comoros and other destinations in Africa this week, Delhi might want to add another geography for its diplomatic lexicon — the Vanilla Islands. As India devotes greater attention to the Indian Ocean, many places that have long fallen off Delhi's political radar are coming into view. The Comoros and the Vanilla Islands, as a collective, are bound to draw ever more interest from Delhi in the years ahead.

A group of exotic island states in the South Western Indian Ocean — The Comoros, Madagascar, Mauritius, Mayotte, Reunion, Seychelles — joined hands a few years ago to promote tourism to their corner in the Indian Ocean. That many of them grow vanilla — which gives us the popular ice cream flavour — was a good enough reason for calling themselves after it.

Naidu, of course, will have a lot more than vanilla on his mind. As the first senior figure from the Indian leadership to visit the Comoros, Naidu would receive a warm welcome in the island nation. Comoros has been more than eager to step up its engagement with India. Delhi is finally showing up; and there is much to do.

As part of the growing interaction with the island states, Modi met leaders of the Caribbean Community (CARICOM) and the Pacific Islands Forum (PIF) on the margins of the UNGA last month. Together they account for more than 40 members. Their large numbers and impact on the voting patterns in the UN and other multilateral forums had always made island states of interest to major powers. Today, a number of other factors lend them additional significance.

Immediate vulnerability to rising sea levels has made island states the most active champions of urgent global action to mitigate climate change. Island states have also taken the lead in developing the concept of "blue economy" focused on sustainable use and development of ocean resources. Modi's activism on countering climate change and promoting blue economy have made the island states special partners for India.

Many of the island states are also beginning to see themselves as more than specks of land in the vast blue sea. Some of them are calling themselves large "Ocean States". Rightly so. Thanks to the provisions of the Law of the Sea, the ocean states are entitled to large exclusive economic zones (EEZ). One of the Vanilla Islands, Seychelles for example, has a land area of approximately 455 sq km spread over 115 islands and a population of barely 100,000. But its EEZ is close to 1.3 million sq km.

Naidu would want to build on the mul-

tiples lines of connection with the Comoros. The island nation is a founding member of the International Solar Alliance launched by Modi in 2018. It is a member of the Indian Ocean Rim Association that Delhi has sought to revive in recent years. The Comoros is also a member of the Arab League that India always has strong ties with and the Organisation of Islamic Cooperation that India has begun to reach out in recent years. As Delhi appreciates the renewed geopolitical significance of the Comoros, along with the other Vanilla Islands, the vice-president is expected to lay the foundation for sustained strategic cooperation with the Comoros.

In the colonial era, the Vanilla Islands were very much the object of rivalry among the European powers. With all the sea lines of communication between Europe and the Indian Ocean came round Africa and went through the Mozambique channel, the Vanilla islands became attractive way stations.

The Comoros was of special importance as it sits at the northern end of the Mozambique channel and provided a strong base from which to control the channel. France gained the upper hand among the European powers in the Vanilla Islands in the 18th century. The construction of the Suez Canal linking the Mediterranean and the Red Sea in the mid 19th century obviated the need for European shipping to go round Africa. This, in turn, reduced the strategic significance of the Vanilla islands.

As African resources become important for Asian powers like China, Japan and India, the SLOCs from Africa's east coast and the Vanilla islands that straddle them have once again become important. As they appreciate their renewed salience, the islands are looking to develop partnerships with the major powers. As elsewhere in the region, India can contribute significantly to the security and prosperity of the Comoros.

Although India has had strong ties with one of the Vanilla Islands, Mauritius, Delhi has long seen it through the prism of the Indian diaspora. It is only recently that Delhi has begun to pay attention to the strategic dimensions of the relationship with Mauritius. During PM Modi's first term, the Foreign Office set up a separate Indian Ocean Division with a focus on the island states. It clubbed Maldives and Sri Lanka with Mauritius and Seychelles, but left out the other Vanilla Islands.

To be effective in the south western Indian Ocean, however, Delhi must begin to treat the Vanilla Islands as a single strategic space. It can build on its traditional presence in Mauritius to launch substantive economic and defence cooperation with the littoral. Naidu's visit to Comoros this week and President Ramnath Kovind's travel to Madagascar last year are first steps in what could be an exciting Indian journey to the Vanilla Islands.

The writer is director, Institute of South Asian Studies, National University of Singapore and contributing editor on international affairs for The Indian Express

Charity for business

Allowing religious trusts to invest in startups could catalyse the ecosystem



SUNIL GOYAL

"JISKA KOI NAHIN, uska toh khuda hai yaaron," (he who has no one, has God, my friends) was a hit song from the 1981 film, *Laawaris*. Its lyrics are as relevant for today's budding entrepreneurs.

For most founders who have struggled through uncertainty, all that separates those who will succeed from the ones who won't, is the power of self-belief and prayer. Sometimes this prayer is directed at investors who can be their saviours, while sometimes it's a plea to the divine. Whichever god one believes in, or does not, the fact is that founders will try everything they can to make it work, and for them investors can be gods.

Religious trusts have been historically known to be repositories of wealth donated by disciples and followers. However, this opaque world has opened up in recent times with the income and profitability of some of the well-known trusts now available with credit rating agencies as well.

Globally, the Vatican is reported to be worth \$10 billion or more, while the Mormon Church in the US is estimated to be worth four times more. In 2015, the Islamic Development Bank estimated that Muslims donated "Zakat" worth \$262-560 billion, of which a sizeable share would have been to religious organisations. Various media reports indicate that the richest temple trust in the world — the Padmanabhaswamy Temple in Thiruvananthapuram — is, even

by conservative estimates, valued at approximately \$17 billion. Combine the value of antiques accumulated over centuries and this amount could be 10 times or \$170 billion. That's equivalent to the GDP of oil-rich Qatar. Many similar temple trusts like those of Tirupati Balaji, Shirdi Sai Baba, Vaishno Devi, Siddhi Vinayak and Golden Temple are known for holding onto their wealth or investing it in government securities alone. Almost all of them reportedly saw huge spikes in "donations" immediately after demonetisation in 2016.

This raises a question of national priorities and liquidity: A government that has aggressively championed and executed projects to reform and bolster almost all the sectors of the economy, must focus on this locked-in wealth. While prevailing rules prevent charitable institutions from deploying these contributions in anything that is not specifically mentioned, is it not the time to question this logic? Is it not the time to consider a change in policy that could potentially go a long way in bringing in wider funding options to India's deserving entrepreneurs and startups who need continuity and stability, in planning as well as in execution at the policy level, along with the involvement of key stakeholders in the entire decision-making process?

In 2018, India turned out to be the world's third-largest startup ecosystem, with \$38 billion in foreign direct investment. Imagine the

multiplier effect on employment generation if thousands of genuine startups start seeing capital inflows through these religious institutions. At present, the wealth in funds/trusts is mandated to be invested/deposited as per their respective guidelines and there is no provision for investments in alternate investment funds (AIFs). Even if these trusts/funds invest 5-10 per cent towards entrepreneurship or venture capital, it will facilitate the creation of the largest pool of capital for venture capitalists in the next decade.

Consider the cascading effect: This can trigger a fresh new wave of entrepreneurship and job creation, one that will make the world sit up and take notice of India in a new light. If the policies pertaining to investment/deposit of such trusts/funds are amended to include investment in AIFs Category-I, then, by further investment in startups, they can generate direct and indirect employment in huge numbers, giving a fillip to the economy.

The evidence of employment generation exists from our own experience wherein YourNest Venture Capital (AIF Category-I) has generated 820 direct and many more indirect jobs from just 14 startups, most of whom are enterprise-driven, B2B (business to business) firms. A B2C (business to consumer) startup such as PayTM is believed to employ over 13,000 people and has over three million merchants on its platform. Reportedly, Flipkart has over 30,000 employ-

ees, Zomato has around 4,300. In addition, these startups have also generated innumerable employment opportunities indirectly through their partners.

Such precedents exist in the global scenario: The institutions equivalent to charitable trusts are endowment funds, which are allowed to invest in Indian small and medium enterprises and startups, and are being rewarded for their proactive investments. Early-stage businesses offer attractive returns whereas India's own long-term funds are not participating in this asset class.

If India's aim is to be a more efficient economy, policy-makers must allow our charitable/religious trusts to invest/deposit part of their corpus into the startup eco-system. This can be achieved by amending Section 11(5) of the Income Tax Act, 1961 which pertains to modes of investments/deposits made by charitable/religious trust. This section can include "Investment by acquiring of units of SEBI registered AIF (Category I & II)".

Ambitious, as it may be, there will certainly be many arguments opposing this move. But, if we remain focused on the fact that idle wealth should be unlocked for the benefit of the economy, then employment generation will get an actual boost leading towards a positive rush in the Indian economy.

The writer is managing director and fund manager, YourNest Venture Capital

LETTERS TO THE EDITOR

LEADERSHIP DEFICIT

THIS REFERS TO the article, 'Saffron side up' (IE, October 7). The root cause of the mass exodus from the Congress-NCP combine is the absence of a strong, identifiable leader. As in any profession, individuals will gravitate towards a leader who provides direction. The BJP has done well in building up Maharashtra Chief Minister Fadnis as a strong and decisive leader. Similarly, Bal Thackeray's decision to appoint son Uddhav as Shiv Sera CEO may have split the party but it prevented an exodus. In today's presidential-style elections, the Congress' reluctance to groom capable state-level leaders is costing it dear.
SB Bhalerao, via email

LESS GOVERNMENT

THIS REFERS TO THE ARTICLE, 'A buffer called Saudi Arabia' (IE, October 7). The writer has aptly suggested that making Saudi Arabia our business partner shall serve twin purposes. First, furthering of the country's commercial interests and second, safeguarding from any imminent military attack by Pakistan. Also, it is high time for government to make oil sector competitive by encouraging private players. Past governments had promised to provide a level-playing field to the public and private sector, but so far the former has complete control over the price mechanism and many private players in the 2000s were compelled to wind up. Government needs to live upto its commitment of minimum government.
Deepak Singhal, Chennai

LETTER OF THE WEEK AWARD

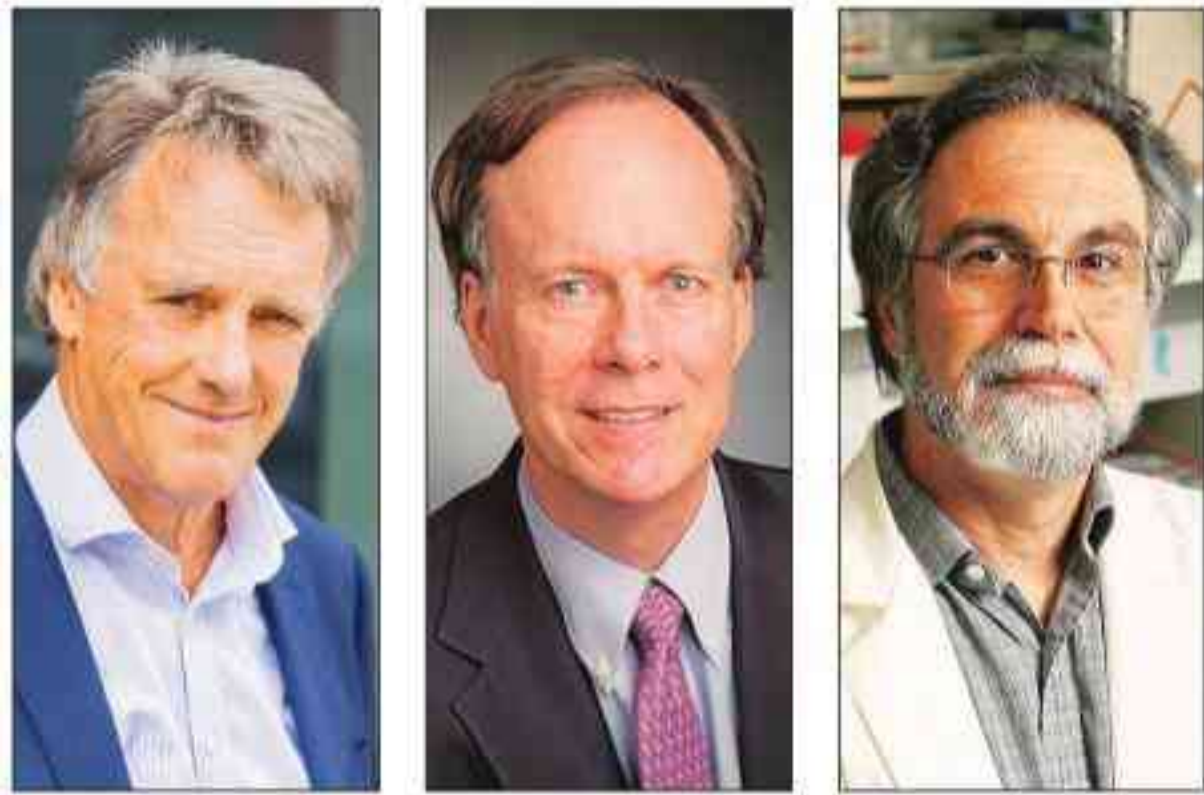
To encourage quality reader intervention, The Indian Express offers the Letter of the Week award. The letter adjudged the best for the week is published every Saturday. Letters may be e-mailed to editpage@expressindia.com or sent to The Indian Express, B-1/B, Sector 10, Noida-UP 201301. Letter writers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

THE WINNER RECEIVES SELECT EXPRESS PUBLICATIONS

GANDHI FOR FUTURE

THIS REFERS TO the article, 'Gandhi, the minimalist' (IE, October 7). Mahatma Gandhi was an advocate for minimalism. For Gandhi, nature and its resources are but collective property and it's man who is supposed to be their trustee for the future generations. PM Narendra Modi, keeping this ethos in mind, has urged the people to give the excess items in their homes for the use of the indigent on the lines of the "give it up" of the LPG subsidy.
Satish Reddy Kanaganti, Nalgonda

ANIMALS USE OXYGEN TO CONVERT FOOD INTO ENERGY. HOW DO CELLS SENSE AND ADAPT TO CHANGING AVAILABILITY OF OXYGEN?



(From left) Nobel Laureates Professors Ratcliffe, Kaelin, and Semenza

THE 2019 Nobel Prize in Physiology or Medicine has been awarded jointly to Harvard University professor William G Kaelin Jr, Sir Peter J Ratcliffe of London's Francis Crick Institute, and Prof Gregg L Semenza of Johns Hopkins University "for their discoveries of how cells sense and adapt to oxygen availability".



NOBEL IN PHYSIOLOGY OR MEDICINE

Boston, and became a full professor at Harvard Medical School in 2002. He has been an investigator at the Howard Hughes Medical Institute in Chevy Chase, Maryland, since 1998. Prof Ratcliffe is director of clinical research at the Francis Crick Institute in London, director of the Target Discovery Institute in Oxford, and a member of the Ludwig Institute for Cancer Research, headquartered in Zurich, Switzerland.

Prof Semenza became a full professor at Johns Hopkins University in 1999, and he has been the director of the Vascular Research Program at the Johns Hopkins Institute for Cell Engineering since 2003.

LAST YEAR'S WINNERS

The Nobel Prize in Physiology or Medicine in 2018 was awarded to James P Allison of the United States and Tasuku Honjo of Japan for their work on immunotherapy, or unleashing the body's immune system to attack cancer. This breakthrough has resulted in an entirely new class of drugs and brought lasting remissions to many patients who had run out of options.

THE OTHER NOBELS

Tuesday: Nobel Prize in Physics
Wednesday: Nobel Prize in Chemistry
Thursday: Nobel Prizes in Literature for 2018 and 2019. The 2018 Prize was postponed after the husband of an Academy member was accused, and ultimately convicted, of rape — a crisis that led to the departure of several board members and required the intervention of the King of Sweden.
Friday: Nobel Peace Prize
Monday (October 14): Nobel Memorial Prize in Economic Science

NOBELPRIZE.ORG, THE NEW YORK TIMES

WHY HAVE THEY WON?

The Nobel Academy at Karolinska Institutet said the scientists have been recognised for their identification of the "molecular machinery that regulates the activity of genes in response to varying levels of oxygen". Their discoveries have provided the "basis for our understanding of how oxygen levels affect cellular metabolism and physiological function" in animals.

WHY THE WORK MATTERS

The discoveries, some of which date back to the mid 1990s, have proved fundamentally important for physiology, and shed light on the previously unknown mechanics of how cells respond to changes in their environment. Their work has established a new basis for understanding cellular metabolism and physiological function, and enhanced understanding of the body's metabolism, immune response and ability to adapt to exercise.

The discoveries have paved the way for promising new strategies to fight anaemia, cancer, and many other diseases. Randall Johnson, a member of the Nobel Assembly, described the work as a "textbook discovery" and said it would be something students would start learning at the most basic levels of biology education.

WHO ARE THE WINNERS?

Prof Kaelin established his own research lab at the Dana-Farber Cancer Institute in

SIMPLY PUT QUESTION & ANSWER

The fight over Aarey Colony

The SC has stopped further cutting of trees on a plot where the Mumbai Metro wants to build a car shed. Government says the site is the most convenient; Bombay HC has rejected the arguments of activists

LAXMAN SINGH
MUMBAI, OCTOBER 7

Where do things stand in the Aarey Milk Colony tree-felling case matter?

A special Vacation Bench of the Supreme Court on Monday ordered "status quo [to] be maintained till the next date of hearing with respect to cutting of trees". This means that while the Mumbai Metro Rail Corporation Limited (MMRCL) cannot cut any more trees at the site of the proposed car shed, it can go ahead with construction activity related to the project.

Solicitor General Tushar Mehta, appearing for Maharashtra, said that "whatever [trees] has to be cut, is cut", and "nothing further is to be cut". The MMRCL had proposed — and had been permitted by the Brihanmumbai Municipal Corporation's Tree Authority — to cut 2,185 trees, and transplant 460.

The court directed that everyone arrested for protesting the felling of the trees should be released. All 29 individuals who had been arrested were released on bail on Sunday night.

The Bench of Justices Arun Mishra and Ashok Bhushan directed that the matter be listed before the court's Forest Bench for October 21.

How did the case reach the Supreme Court? What is the core issue?

A 21-year old Greater Noida-based law student, Rishav Ranjan, wrote to Chief Justice of India Ranjan Gogoi on Sunday, seeking a stay on the cutting of trees for the MMRCL's car shed located on 33 hectares land in Mumbai's Aarey Colony. The site is on the bank of the Mithi River, with several channels and tributaries flowing into it — and construction for the "polluting industry" could flood Mumbai, he argued. The court accepted the letter as Public Interest Litigation (PIL) and set up the special Bench.

The tussle between environmental activists and the government over the Metro car shed has been ongoing since 2014. On Friday, the Bombay High Court dismissed four petitions challenging the decision to cut trees at Aarey. The petitioners had questioned the propriety and legality of the BMC Tree Authority's permission for the tree-felling, and asked for Aarey to be declared a flood plain and a forest. Activists argue that Aarey is an extension of Sanjay Gandhi National Park, and that the car shed would pave the way for greater commercial exploitation of the area.



(Above, below) The site of the proposed Metro-3 car shed at Aarey. Prashant Nadkar

Why does Metro want the car shed here?

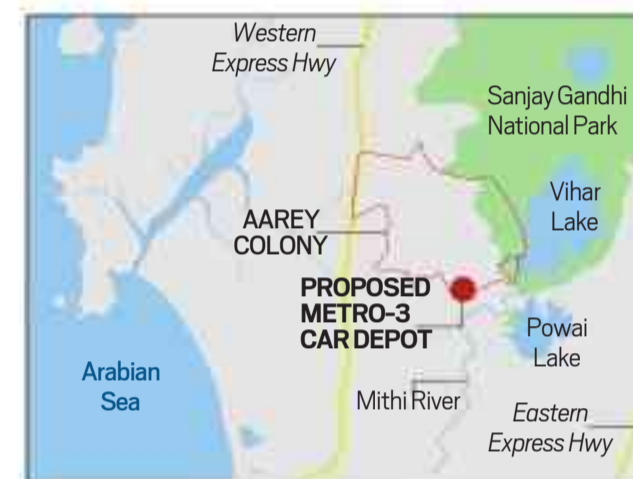
MMRCL argues that this land belongs to the state — it is with the Dairy Development Department — and therefore, the long, messy, and expensive process of acquisition can be avoided, with zero additional cost to citizens. Aarey is located 800 metres from SEEPZ, the last station on the 33.5-km Colaba-SEEPZ line — the optimum distance from where operations can be serviced swiftly. In case of an emergency, the depot must be easily accessible for operating staff by alternative means.

The activists want the depot to be in Kanjurmarg, which is 10 km from SEEPZ. Acquiring land at this site is likely to increase the cost of the Rs 23,000-crore Metro line 3 project (the Colaba-SEEPZ line, which will be serviced by the car shed) by Rs 5,000 crore. It will also delay the project, and add to the cost.

Earlier, the government had said the Kanjurmarg site was under litigation. But while arguing its case in the Bombay High Court, the government said the site would be used to house the depot for a different Metro line.

What kind of facility is proposed to be built at the Aarey site?

The proposed car shed will house washing, maintenance, and repair works facilities.



A railway car shed is a "Red Category" industry, which causes the highest level of pollution. Activists say activities at the shed will generate oil, grease, and electrical waste, besides hazardous materials such as acid and paints. Effluents will be discharged into the Mithi, and could pollute the groundwater, they say. Also, construction of the depot will increase exploitation of ground water resources, they say.

MMRCL says it will set up mechanisms to prevent any kind of pollution. An existing ban on the setting up of Red Category industries on river banks was revoked in 2015.

What is the argument about the environmental cost of the project?

According to a report on "Biodiversity of Aarey Milk Colony and Film City" prepared by

researchers Zeeshan A Mirza and Rajesh Sanap, the area is home to 86 species of butterfly, 90 species of spider, 46 species of reptiles, 34 species of wildflower, and nine leopards.

As per the BMC's tree census, there about 4.5 lakh trees in Aarey, which is described as Mumbai's green lung. Activists says the Aarey depot plot is the sole surviving natural flood-plain of the Mithi, whose reclamation through construction and felling of trees would lead to greater inundation during the monsoon.

However, the proposed car shed will be set up on only 33 hectares, which is barely 2% of the 1,278 hectares of the green belt. The MMRCL has said that beyond this 33-hectare plot, no other part of Aarey will be disturbed, as the site is accessible by road from three sides.

Also, the trees that were felled over the weekend stood on only 17% of the land earmarked for the car shed. The MMRCL has said that 60% of the trees are non-native and exotic, and can be replaced by native species.

According to a report by Dr Rajendra Shinde, Head of the Department of Botany at St Xavier's College, 36 of the 87 species of trees at the site were indigenous — they included Dhaman (502), Sehmat (445), Mango (82), Mahua (21), Palash (8), Tendu (8), Vad (3), Teak (1) and Behda (1). One of the petitions filed in the High Court mentioned the following non-native species: Subabul (522), Rain Tree (169), and Gulmohar (26).

The MMRCL has argued that the Metro will bring enormous environmental benefits by reducing the overall carbon footprint: seven days of Metro operation is projected to cut carbon dioxide equivalent to that absorbed by 2,700 trees in a year.

What is the controversy over the categorisation of the area as a 'forest'?

In 2015, Stalin D of the NGO Vanshakti filed a petition in the National Green Tribunal (NGT) asking that Aarey be declared a "forest". The petition was dismissed in September 2018.

Another petition was filed by Amrita Bhattacharjee of Aarey Conservation Group in 2017, seeking the quashing of the change in land use of Aarey from No Development Zone to Metro car shed. That petition was dismissed by the Bombay High Court in 2018. The court upheld the government's notification changing the land use.

Both Bhattacharjee and Stalin filed Special Leave Petitions in the Supreme Court in 2018. These petitions have now been listed for hearing on October 21, along with Ranjan's petition.

Trees and car sheds: How Delhi Metro did it

MALLICA JOSHI
NEW DELHI, OCTOBER 7

STARTING 1998, building the first three phases of the Delhi Metro — covering more than 350 km — involved cutting 31,855 trees and transplanting another 6,636 by the Delhi Metro Rail Corporation (DMRC).

There was sporadic outrage against the tree felling. The biggest opposition was seen after DMRC decided to build a depot (car shed) in Sultanpur on a belt in Rajokri where several trees would have to be cut.

The activists forced DMRC to redesign the depot, with an elevated Automatic Train Washing plant — the only one of this kind among the DMRC's 12 plants. The DMRC's depots are located at Shastri Park, Khyber Pass, Najafgarh, Yamuna Bank, Mundka,

Sarita Vihar, Sultanpur, Dwarka Sector 21, Vinod Nagar, and Kalindi Kunj.

The DMRC says a depot generally requires around 2.5 lakh square metres of space to set up stabling lines (where the trains are parked), inspection bays, workshops, and washing plants. The main functions performed at the depots are parking, maintenance, and inspection.

According to Metro officials who did not want to be named, the experience of then DMRC MD E Sreedharan with the Kolkata Metro proved crucial in the direction that the Delhi Metro took.

"The Kolkata Metro saw several roadblocks and took a long time to build. Most of it was because of objections from citizens, poor road diversion planning, and lack of dialogue between agencies and people. When Mr Sreedharan came to Delhi, it was decided

that the first people to reach out to would be the citizens living in the area," a senior DMRC official said.

Being a special purpose vehicle, the DMRC functions independent of the central and state governments, and has representatives from several agencies on its board.

"The Delhi Metro enjoys a cult status in Delhi NCR because it has managed to do, with as little disruption as possible, what people of Delhi never imagined would happen. When the first line was visualised, it was decided that diversions would be made in a manner so as to disturb as little traffic as possible. That was among the biggest successes for us. Even today, DMRC is the only agency that ensures that roads are up to the mark, even when construction is underway," the official said.

The DMRC also held extensive meetings

with residents of the areas when a train line or station was conceptualised.

"Our first set of meetings, after a project plan was finalised, was with area residents. The Chief Engineer of the project would meet RWAs and residents, explain the project, how it would decongest the area and the mobility it would bring, and take suggestions. If people suggested alternative locations for valid reasons, we always looked at changing the alignment," an official said.

In a lot of cases, however, the DMRC also fell back on the powers it had as an umbrella body and went ahead with the plans, despite opposition.

"It is impossible to listen to all quarters. There will be times that some objections will be overlooked. But that was the last step for us. We took feedback from everyone," the official said.

Commutation of Rajoana's death penalty: the story and the controversy

NAVJEEVAN GOPAL
CHANDIGARH, OCTOBER 7

LAST MONTH, it was reported that the President of India had commuted the death sentence awarded to Balwant Singh Rajoana, who was convicted in the assassination of former Punjab Chief Minister Beant Singh on August 31, 1995. Singh was killed in a suicide bomb attack by Dilawar Singh. Rajoana was the backup option in case Dilawar failed. The explosion killed 16 people apart from Beant Singh.

Who is Rajoana?

A resident of Rajoana Kalan village in Ludhiana district, Rajoana was a police constable who had joined the Punjab Police on October 1, 1987. He was sympathetic to the views of Babbar Khalsa International. He justified Beant Singh's assassination, blaming the CM for "extra-judicial" killings of Sikh youth. It was he who tied the bombs on Dilawar's body. He is currently lodged in Patiala Central Jail.

In his judicial confession recorded under Section 313 of the Criminal Procedure Code on January 22 and 23, 1996, Rajoana stated: "Judge Sahib, Beant Singh assumed himself [to be the] angel of peace after

killing thousand innocent people, compared himself with Guru Gobind Singh Ji and Ram Ji, thereafter we had decided to killed Chief Minister Sh Beant Singh".

Rajoana had also expressed deep anguish over Operation Blue Star and the anti-Sikh riots of 1984. He was angry about the "full liberty" given to agencies and police to "kill" young innocent Sikhs. He had also stated that these atrocities were inflicted by the Chief Minister of Punjab at the behest of "agencies in Delhi".

Punjab Police arrested Rajoana in December 1995, and a special CBI court in Chandigarh awarded him the death penalty on July 27, 2007. It also gave the death penalty to Jagtar Singh Hawara, and life imprisonment to Gurmit Singh, Lakhwinder Singh and Shamsher Singh.

Did he challenge the death penalty?

No. Rajoana didn't even engage a lawyer during the trial. Rajoana had stated: "Yes, I was involved in this murder. I have no repentance of involvement in this murder. I and Bhai Dilawar Singh prepared this bomb". On August 10, 2009, he asked the Punjab and Haryana High Court Chief Justice for his death penalty case to be considered separate from that of his co-accused, who had challenged the conviction by the trial



Balwant Singh Rajoana being taken to hospital after he complained of chest pain during his incarceration in Patiala. Express Archive/Harmeet Sodhi

court. Rajoana had said the death sentence "for this act is justice" and a blessing, and refused to bow before such a "worthless system". "How can I say that I am innocent and why should I engage any advocate when my conscience does not allow me to do so," he

had stated in a letter to the High Court.

What happened thereafter?

Rajoana's hanging was scheduled on March 31, 2012. But resentment and anger in some sections of the population led to the Punjab government, then headed by Akali patriarch Parkash Singh Badal, making efforts to stop it. On March 28, 2012, the Shiromani Gurdwara Parbandhak Committee (SGPC) filed a mercy petition before the President, and the Union Home Ministry ordered a stay on his execution.

First in 2016 and then in 2018, Rajoana went on hunger strike in Patiala Central Jail, demanding a decision on the mercy petition filed by the SGPC. He ended his five-day hunger strike in 2018 after SGPC president Gobind Singh Longowal assured him that his petition will be taken up expeditiously.

What is the political fallout of his death sentence being commuted?

Even before the announcement, political posturing over the issue had intensified. Ravneet Singh Bittu, the Congress Member of Parliament and grandson of the slain Punjab CM, has been mincing no words in attacking the government at the Centre. The current Chief Minister, Capt

Amarinder Singh of the Congress, has distanced himself from the issue, saying the state government had no role in it. But he has also said that at a personal level, he is against the death penalty. Punjab Pradesh Congress Committee chief Sunil Jakhar has described the move as the BJP's attempt to break free from the Akalis, and to establish itself as a separate entity in Punjab. The Punjab BJP leadership has stayed largely silent on this issue.

Has there been action in the case of any other Sikh prisoner?

CM Amarinder Singh has said that a list of 17 Sikh prisoners (including Rajoana), who had served 14 years or more in prison, was given to the Centre for consideration. It has been reported that eight of these prisoners would be freed in November, but there is no clarity on their identities. The original 17 are believed to include Sikh prisoners lodged in jails outside Punjab as well.

As per a recent list prepared by the Punjab government, the cases that have been taken up with the Centre for premature release include that of TADA convict Lal Singh (63), who is lodged in Nabha Maximum Security Jail and has undergone an actual sentence of over 26 years (over 31 years with remission).

Lal Singh's case was taken up for early release on February 2018. In September last year, a conduct report was sent to the Union Ministry of Home Affairs. The Centre subsequently sought a copy of the representation of the convict which was sent in July this year.

The case of another TADA convict Devinderpal Singh Bhullar, whose death sentence was commuted to life imprisonment, has also been sent for premature release. Bhullar, who was shifted to Amritsar Central Jail and from there to a government facility for psychiatric treatment, has spent over 23 years in prison. His premature release case was taken up with the Delhi government.

The case of TADA convict Gurdeep Singh Khaira, who is undergoing life imprisonment, has also been taken up. Khaira has spent more than 29 years in prison and is currently lodged in Amritsar Central Jail after his transfer from a jail in Karnataka.

Other convicts whose cases have been taken up for premature release include Subeg Singh who was sentenced to life in a murder case and has served more than 24 years in prison; he is currently lodged in Patiala Central Jail. Then there is Nand Singh — convicted for life in the same case with Subeg Singh — who has served over 23 years, and is currently lodged in Patiala Central Jail.