



NEARBY



Odd-even scheme may be extended: Kejriwal

NEW DELHI
The odd-even scheme may be extended given the deteriorating air quality of the Capital, Chief Minister Arvind Kejriwal said on Wednesday. The scheme, which came into force on November 4, is scheduled to be in place till November 15. The CM trained his guns on the governments of Punjab and Haryana for not keeping stubble burning in check.

CITY ► PAGE 3

Punjab govt. to compensate farmers

CHANDIGARH
The Punjab government has decided to pay ₹2,500 per acre as compensation to small and marginal farmers who have not burnt their paddy straw. State Agriculture Secretary Kahan Singh Pannu on Wednesday said farmers cultivating non-basmati paddy and owning land up to five acres, would get ₹2,500 per acre compensation for not burning the residue.

NATION ► PAGE 9

‘Office of Chief Justice of India comes under RTI Act’

Transparency, accountability go hand-in-hand: SC Bench

LEGAL CORRESPONDENT
NEW DELHI

The office of the Chief Justice of India (CJI) is a ‘public authority’ under the Right to Information (RTI) Act, a five-judge Constitution Bench led by Chief Justice of India Ranjan Gogoi declared on Wednesday.

The main judgment of the Constitution Bench authored by Justice Sanjiv Khanna said the Supreme Court is a “public authority” and the office of the CJI is part and parcel of the institution. Hence, if the Supreme Court is a public authority, so is the office of the CJI.

Justice Khanna, who shared his judgment with CJI Gogoi and Justice Deepak

We should not be understood to mean that the independence of the judiciary can be achieved only by denial of access to information... Judicial independence and accountability go hand-in-hand

JUSTICE SANJIV KHANNA



Judiciary needs to be protected from attempts to breach its independence. Such interference requires calibration of appropriate amount of transparency in consonance with judicial independence

JUSTICE N.V. RAMANA



Gupta, observed that “transparency and accountability should go hand-in-hand”. Increased transparency under RTI was no threat to judicial independence, he held.

Justice D.Y. Chandrachud, in his separate and concur-

ring opinion, eloquently observed that “judicial independence is not secured by the secrecy of cloistered halls”.

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MORE REPORTS ► PAGE 12

Amended Finance Act: SC strikes down rules on tribunal postings

LEGAL CORRESPONDENT
NEW DELHI

A Constitution Bench of the Supreme Court on Wednesday struck down in entirety rules framed by the government under the Finance Act of 2017 to alter the appointments to 19 key judicial tribunals, including the Central Administrative Tribunal.

The Bench, led by Chief Justice Ranjan Gogoi, held

that the Tribunal, Appellate Tribunal and other Authorities (Qualifications, Experience and other Conditions of Service of Members) Rules, 2017 suffered from “various infirmities”.

“These rules formulated by the Central Government under Section 184 of the Finance Act, 2017, being contrary to the parent enactment and the principles

envisaged in the Constitution as interpreted by this Court, are hereby struck down in entirety,” the Bench declared.

In his majority opinion, Chief Justice Gogoi referred to a larger Bench the issue and question whether the 2017 Act could have been passed as a money Bill.

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SC upholds disqualification of 17 Karnataka MLAs by Speaker

Court adds that their ouster is no bar to contesting elections afresh

KRISHNADAS RAJAGOPAL
NEW DELHI

The Supreme Court on Wednesday upheld the disqualification of 17 dissident Congress and Janata Dal (Secular) legislators by then Karnataka Assembly Speaker K.R. Ramesh Kumar under the Tenth Schedule (anti-defection law) but held that their ouster was no bar to contesting repolls.

“Neither under the Constitution nor under the statutory scheme it is contemplated that disqualification under the Tenth Schedule would operate as a bar for contesting re-elections,” a Bench led by Justice N.V. Ramana said in a judgment.

The court said Section 36 of the Representation of the People Act, 1951, does not contemplate such disqualification.

91st Amendment

On the provisions introduced in the 91st Constitutional Amendment, the judgment said they were brought in specifically to ensure that a legislator disqualified for defection was not appointed as a government Minister or to any remunerative post from the date of his disqualification either till the expiry of his term of office or till he was re-elected to the legislature, “whichever is earlier”.

“In the light of the existing

All eyes on byelections

While the Supreme Court judgment came as a boost to the BJP, the Congress has sought the dismissal of the Yediyurappa government in Karnataka

■ 16 of the disqualified Congress and Janata Dal (Secular) MLAs are scheduled to join the BJP on Thursday

■ 12 of them are likely to be fielded in the coming bypolls on December 5

■ But a rebellion is brewing as this decision has not gone down well with some leaders in the ruling party

■ Raju Kage, a former MLA from Kagawad, has announced his decision to join the Congress while Sharath Bache Gowda, son of Chickballapur BJP MP B.N. Bache Gowda, is all set to contest as an independent from Hoskote

■ Former Shivajinagar legislator R. Roshan Baig is unlikely to join the BJP as there were reservations in the party on fielding him or his son Ruman in the coming byelections

constitutional mandate, the Speaker is not empowered to disqualify any member till the end of the term. However, a member disqualified under the Tenth Schedule shall be subjected to sanctions provided under Articles 75(1B), 164(1B) and 361B of Constitution, which provides for a bar from being appointed as a Minister or from holding any remunerative political post from the date of disqualification till the date on which the term of his office would expire or if he is re-elected to the legislature, whichever is earlier,” the court held.

In short, the court has, with this judgment, paved the way for the ousted legislators to contest the coming bypolls in December and face their electorate with the “taint” of disqualification on them.

The court rejected the MLAs’ contention that their

disqualification was invalid as they had tendered their resignations.

Act of defection

But it said the act that led to their disqualification preceded their offer of resignation.

The court said: “We do not agree with the submission of the petitioners that the disqualification proceedings cannot be continued if the resignations are tendered...”

“Disqualification relates back to the date when the act of defection takes place. Factum and taint of disqualification does not vapourise by tendering a resignation letter to the Speaker. A pending or impending disqualification action does not become infructuous by submission of the resignation letter, when act(s) of disqualification have arisen prior to the member’s resignation letter.”

The court noted that it would defeat the purpose of the Tenth Schedule if it was held that disqualification proceedings would become infructuous upon tendering resignation.

Resignation and disqualification were “distinct mechanisms provided under the law which result in vacancy” but they had very different consequences.

The court, however, upheld the MLAs’ submission that they had a right to resign. “A member may choose to resign for a variety of reasons and his reasons may be good or bad but it is his sole prerogative to resign. An elected member cannot be compelled to continue his office if he chooses to resign,” the judgment observed.

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DISQUALIFIED, YET QUALIFIED
► EDITORIAL

JNU partially rolls back hostel fee hike

Students’ Union not convinced, calls decision a gimmick, demands full rollback

JAIDEEP DEO BHANJ
NEW DELHI

The Jawaharlal Nehru University Executive Council’s decision to “partially rollback” the hostel fee hike on Wednesday failed to pacify students who have been protesting against it since October 28.

The JNU Students’ Union called the “rollback” a gimmick and demanded a complete scrapping of the planned increase. It said the university had not communicated anything to it and the media was the only source of information.

Appealing to students to call off their protest, JNU Vice-Chancellor M. Jagadesh Kumar tweeted: “The Executive Council of JNU gives major concessions based on student feedback. JNU administration appeals to the protesting students to resume academic activities.”



Strong opposition: JNU students protesting outside the University Grants Commission office in New Delhi on Wednesday. ■ SUSHIL KUMAR VERMA

The Registrar said the hostel fee had been approved by the Executive Council with measures to provide for students from weaker sections.

50% concession

“The EC decided that all students belonging to the below poverty line (BPL) category, excluding those who have JRF, SRF and other equiva-

lent fellowships/scholarships either from outside organisations or JNU, are eligible to be given 50% concession in the hostel charges,” the Registrar said.

The refundable mess security deposit for all categories of students has also been rolled back from ₹12,000 to ₹5,500.

The room rent for a single

seater at JNU hostels has been raised from ₹20 per month to ₹600 per month for all students. BPL students would have to pay ₹300 for the same room. For a double seater, the room rent which used to be ₹10 per month has now been increased to ₹300. BPL students need to pay ₹150 for the same room. Utility charges and service charges would be charged as per actuals and BPL students would get a 50% concession.

The JNUSU said that the student community unanimously “rejects” the EC’s decision that had alienated the student community from the decision-making process. “The administration has refused to recognise our right to influence the decisions that in turn influence our entire academic life,” the union said.

SEE ALSO ► PAGE 5

Capital gasps



Heavy smog hangs over the floodplains of Yamuna in New Delhi on Wednesday as the pollution levels touched alarming levels in the Capital. ■ V.V. KRISHNAN (REPORTS ON PAGE 3)

At 4.62%, retail inflation climbs to a 16-month high

Driven by food inflation at 6.93%, the highest since August 2016

SPECIAL CORRESPONDENT
NEW DELHI

Retail inflation climbed to a 16-month high of 4.62% in October, driven by food inflation, which hit its highest level since August 2016, official data on Wednesday showed.

The Consumer Price Index (CPI) grew sharply in October from 3.99% in September, which itself was the highest reading in 14 months. The inflation level in October breached the 4%

benchmark, set by the RBI and the Finance Ministry till 2021. It, however, still remains within the upper limit of 6%. Within the CPI, inflation in the food and beverages category continued its sharp acceleration, at 6.93%. This figure is the highest since August 2016.

Food inflation was at 4.7% in September, the highest in nearly two years.

“The overall jump in inflation partly reflects the spurt in demand because of the

festive season in October and partly the impact of scarcity of the monsoon in certain areas of the country,” D.K. Srivastava, chief policy adviser at EY India, said.

“Some of the crops were affected and there was a scarcity.”

“It reflects a need to calibrate our food imports with the emerging scarcities,” Mr. Srivastava added. “The supply side should have been managed better.”

Final volume of Nehru’s work set for release

Confidential material on Kashmir or China was not released to us, says editor

PRISCILLA JEBARAJ
NEW DELHI

The final volume of the *Selected Works of Jawaharlal Nehru* – a 100-volume project – will be released on the occasion of Nehru’s birth anniversary on Thursday, bringing to completion an exercise which has spanned almost half a century.

The volumes, which have an average length of 700 pages each, have been brought out by the Jawaharlal Nehru Memorial Fund, a private trust chaired by Congress president Sonia Gandhi. The first volume appeared in 1972, under the editorship of eminent historian Sarvepalli

Gopal assisted by a team of researchers.

The latest editor is historian Madhavan Palat, who took over the project in 2011, beginning at Volume no. 44.

‘Largest collection’

“This is the largest archival collection published anywhere in India. Nehru was very prolific. He spoke a lot. He wrote a lot. I have felt it best to be comprehensive, so we have included whatever we could get... A lot of work has gone into collecting source material,” said Dr. Palat.

The volumes include Nehru’s letters, speeches, interviews and writings. Material

that was found in Teen Murti Bhavan is owned by the Fund, and displayed at the Nehru Memorial Museum and Library, as are copies of papers collected from various Ministries. Other papers are held by private parties. The volumes appear in chronological order and are further divided by subjects, with extensive cross-referencing to make them easier to navigate.

“There is a huge amount not published as it was not made available. Whatever was considered confidential – on Kashmir or China – was not released to us. The MEA [Ministry of External Affairs]

and MHA [Ministry of Home Affairs] have released very little, so there is a disappointingly small quantity of his writings on Kashmir, for instance,” said Dr. Palat. “Not even Indira Gandhi [the first chair of the Fund] was able to extract that material.”

He noted that despite the 30-year declassification norm, “nothing of real importance ever gets declassified in India, only trivia gets declassified”. When scholars of the Nehruvian era search for certain types of material, it may be found in the archives of other countries, but there is a lacuna from the Indian side, he said.

3-party CMP to strive for policy direction

SPECIAL CORRESPONDENT
MUMBAI

A common minimum programme being drafted by the Congress-NCP combine and the Shiv Sena will discuss matters starting from distribution of Ministries to broader policy-based issues, sources say.

The programme is, however, likely to skip controversial issues. “The CMP will be about policy direction and will not include every issue in the State today,” said a senior Congress leader working on the draft.

DETAILS ON ► PAGE 13

Air quality of Delhi-NCR			
Delhi	456	Gurugram	447
Ghaziabad	467	Faridabad	446
Noida	470	Greater Noida	462
■ Good 0-50 ■ Satisfactory 51-100 ■ Moderate 101-200			
■ Poor 201-300 ■ Very poor 301-400 ■ Severe >401			
AIR QUALITY INDEX AT 4 P.M., YESTERDAY (AVERAGE OF PAST 24 HOURS) [SOURCE: CPCB]			

Nursery admissions from Nov. 29

PRESS TRUST OF INDIA
NEW DELHI

The process of admission to nursery in approximately 1,600 private schools here will begin from November 29, a fortnight ahead of usual schedule.

The Delhi government's Directorate of Education (DoE) has released a detailed schedule according to which the last date of submitting application forms is December 27.

The first and second lists will be out on January 24 and February 12 respectively. The process will conclude on March 16.

All private schools have been told to upload their criteria, with points for each criterion, for admission in open seats on their websites by November 28.

Even residents of posh colonies going to Mohalla Clinics: CM

SPECIAL CORRESPONDENT
NEW DELHI

The Delhi government's flagship Mohalla Clinic programme is a "hit" and the city's health system is "on a par" with the private sector, Chief Minister Arvind Kejriwal said on Wednesday.

He made the comments during an inspection of a mohalla clinic in posh Hemkunt Colony, Greater Kailash-I.

Mr. Kejriwal met several patients and the clinic staff in addition to making inquiries about the people's level of satisfaction with the facilities being provided.

"When those who can afford expensive private hospitals start using government services as a matter of choice, it is the biggest certificate of quality. At a posh GK colony, I found upper-middle-class residents using the clinic. They are very satisfied. Could you have imagined this a few years ago?" the CM tweeted.

"I am so glad that all of you have faith in government hospitals. Earlier people used to presume that government hospitals would not be good enough. All the Mohalla Clinics are in good condition and are well maintained," said Mr. Kejriwal, who got his blood pressure checked at the clinic.

"I am so happy that the Delhi government's health system is now at par with private health systems, just like how our government schools are becoming better than private schools," he told residents.

The Delhi government has set an ambitious target of establishing 1,000 such clinics. So far, there are 302 such clinics across the city, where 109 essential medicines and 212 free diagnostic tests are available.

'Roadside air purifiers failed to curb pollution in Capital'

Environment Secretary says more experimenting needs to be done

JACOB KOSHY
NEW DELHI

Roadside air purifiers and those installed on the top of buses to combat pollution have failed, Union Environment Ministry Secretary C.K. Mishra said at a conference on Wednesday.

"Some measures have worked, some have not. The NEERI air purifiers on roadsides that were meant to suck polluted air have not worked; HEPA filters installed on top of buses have also not worked. However, we have to try different solutions and keep experimenting," said Mr. Mishra.

He was the keynote speaker at a conference organised by The Energy Resources Institute. On Wednesday, the air quality in the city was in the 'severe' category.

The National Environmental Engineering Research Institute (NEERI), a Nagpur-based laboratory of the Council of Scientific and Industrial Research (CSIR), had developed WAYU to address air pollution at traffic



NEERI developed WAYU to address air pollution at traffic intersections and dense traffic zones in the city.
■ FILE PHOTO: SANDEEP SAXENA

intersections and dense traffic zones.

It comprises a fan that sucks in air and sieves out dust and particulate matter using three filters of varying sizes. The air then moves into another chamber where carbon monoxide and hydrocarbons are oxidised into the less harmful carbon dioxide using activated carbon coated with titanium dioxide. The purified air is then released back into the atmosphere.

Prototypes of the device had been installed at the ITO

Junction and Mukarba Chowk in north Delhi. Minister for Science and Technology Dr. Harsh Vardhan unveiled the prototypes last September. Developers of WAYU claimed that the devices could reduce PM10 values from 600 micrograms per cubic metre (ug/m3) to 100 ug/m3; and PM2.5 values from 300 ug/m3 to 60 ug/m3 in 30 minutes.

NEERI director Rakesh Kumar said that WAYU was specifically made for traffic junctions and that follow-ups by his organisation

showed that the devices were mostly working as intended, but tweaks were necessary. "It is designed to clear air in a 20-metre radius. Secondly, we have found that the size of the dust particles is bigger than expected. So, we may need to change the filters. Finally, of the 20-odd devices installed around the city, some were vandalised. We are improving the design and further tests are on," he told *The Hindu*.

Along with WAYU, former Environment Minister Dr. Vardhan had, last December, also launched Pari-ayantra. These were a fleet of 30 buses with air filter units mounted on the roof. "As the vehicle moves, air passes through the holes in front of the device. The filters inside the unit trap the pollutants. What comes out is clean air," according to Manav Rachna University, from where a team had designed the filters. *The Hindu* could not immediately reach out to them for comment.

Schools shut today, tomorrow as air quality deteriorates

Capital's AQI reaches higher end of 'severe' category

SPECIAL CORRESPONDENT
NEW DELHI

The schools in the national capital will be closed on Thursday and Friday, the Delhi government announced on Wednesday.

The city's air quality reached the higher end of the 'severe' category on Wednesday, even as the Centre's Task Force, meant to advise on implementing the Graded Response Action Plan, recommended that schools be shut and industrial activities be curbed till November 15.

Delhi's Air Quality Index (AQI) on Wednesday was 456 (severe), up from 425 (severe) on Monday, according to the 4 p.m. bulletin by the CPCB, which is the average of the past 24 hours. Several surrounding regions – Faridabad, Gurugram, Ghaziabad, and Noida also recorded 'severe' pollution levels.

Earlier this week, forecast agencies had warned of an incoming Western Disturbance – a weather system from Afghanistan that usually brings rain – over Delhi



The air quality is expected to marginally improve by Friday.
■ SUSHIL KUMAR VERMA

and parts of North India. These would lead to over-cast conditions, higher moisture levels and prevent dust and pollutants from being flushed out. A drop in windspeed and unburnt particles from rice stubble in Punjab would exacerbate pollution levels.

"The overall Delhi AQI is at the higher end of the severe category... The air quality condition is likely to marginally improve by November 15, but reasonable improvement to 'very poor' category is expected only November 16," said SAFAR, a forecast agency.

"North-westerly winds

and increased incidents of stubble burning (estimated to be 18% on November 11) have also contributed to deterioration... from November 14, winds are likely to be stronger resulting in better dispersion of pollutants," said the Task Force.

Chairman of the Centre for Chest Surgery, Sir Ganga Ram Hospital, Dr. Arvind Kumar said: "In 1988, patients of lung cancer were mostly known smokers. In 2018, 50% lung cancer cases are non-smokers." He warned, at a conference here, that Delhi is likely to see an explosion of lung cancer cases in the coming years.

Odd-even rule may be extended, says Kejriwal

Scheme brought in to curb pollution is set to end on Friday

SPECIAL CORRESPONDENT
NEW DELHI

The odd-even scheme may be extended given the deteriorating air quality of the Capital, Chief Minister Arvind Kejriwal said on Wednesday. The scheme, which came into force on November 4, is scheduled to be in place till November 15.

Speaking to reporters on the sidelines of his inspection of a newly-opened Mohalla Clinic, the CM trained his guns on the governments of Punjab and Haryana for not keeping stubble burning in check.

"Odd-even may be extended if necessary. I would like to appeal to the Opposition not to oppose the scheme," Mr. Kejriwal said.

"The Air Quality Index (AQI) of Delhi was in the 'satisfactory' category till October 10. NASA satellite images show that there were



Arvind Kejriwal ■

no instances of stubble burning in the country till then... stubble burning started after October 10 and pollution levels in Delhi started rising all the way to the 'severe' category. I want to know why should the people of Delhi suffer due to this? What is their fault?" he added.

Mr. Kejriwal said he had met several experts over the past few days to explore options for optimum utilisation of stubble such as con-

verting it into CNG. Officials from Indraprastha Gas Limited are keen to purchase the CNG generated from a stubble-converting plant established in Karnal, he said.

"Haryana and Punjab should support the establishment of such plants as there is already a buyer for the product. The farmers will earn money by selling stubble and it will all be converted into CNG," he added.

Meanwhile, the provisions of the scheme returned to Delhi's streets after being suspended for two consecutive days for the observance of Gurupurab.

A total of 552 motorists were fined for not following the restrictions of the scheme. The Delhi Traffic Police challaned 308 motorists; 166 fines were issued by the Transport Department; and 78 by the Revenue Department.

SC notice to Delhi govt. on plea challenging odd-even

Top court seeks data on pollution in city from Oct. 1 to Nov. 14

PRESS TRUST OF INDIA
NEW DELHI

The Supreme Court on Wednesday issued a notice to the Delhi government on a plea challenging the odd-even scheme currently being implemented in the Capital.

A Bench of Justices Arun Mishra and Deepak Gupta also directed the Delhi government and the Central Pollution Control Board to place before it data on pollution in the city from October till November 14 this year.

The Bench also directed them to submit pollution data from October 1 to Decem-

ber 31, 2018.

The petition, filed by a Noida-based advocate, has alleged that the Delhi government's November 1 notification on the scheme violates fundamental rights. It alleged that the odd-even rule violates citizens' rights to practice any profession, carry out any occupation, trade or business and to move freely throughout the country.

The Delhi government's odd-even scheme this year came into effect on November 4 and will continue till November 15. Under the scheme, four-wheelers with

registration numbers ending with odd digits ply on odd dates and those ending with even digits ply on even dates.

The PIL has alleged that the scheme is arbitrary, contrary to statutory provisions and is nothing but a "political and vote bank gimmick".

"The odd-even scheme violates the fundamental rights of residents of Delhi and adjoining States who daily commute in/out of the city to do their jobs/business to earn their livelihood and is ultra vires Article 19(1)(g) of the Constitution," the plea contended.

DMRC awards contract for Phase IV network

New metro corridor will be an extension of the existing Magenta Line

STAFF REPORTER
NEW DELHI

The Delhi Metro Rail Corporation (DMRC) on Wednesday said that the first civil contract of the Phase IV network has been awarded for construction of a segment of the Janakpuri West-R.K. Ashram Marg corridor.

The corridor is set to be an extension of the existing Magenta Line, which connects Janakpuri West and Botanical Garden.

"The contract includes

construction of a portion of the Janakpuri West-R.K. Ashram Marg corridor with 10 stations, including Keshopur, Paschim Vihar, Peeragarhi, Mangolpuri, West Enclave, Pushpanjali, Deepali Chowk, Madhuban Chowk, Prashant Vihar and North Pitampura," said a DMRC official.

The construction work is likely to begin by the end of November and is scheduled to be completed within 30 months, the corporation

said in a statement.

22 stations

"The 28.92-km-long Janakpuri West-RK Ashram Marg corridor will come up with 22 stations. The given work involves the part design and construction of elevated viaduct, elevated ramp, siding line and station buildings," the statement read.

The Aerocity-Tughlakabad, Janakpuri West-RK Ashram Marg and Majipur-Majlis Park corridor are

three out of the six proposed corridors under Phase IV which were approved by the Centre.

The three approved corridors will add above 61 km to the existing DMRC network.

"The new metro lines shall be constructed across three different corridors comprising 45 metro stations. These new sections shall provide interconnectivity among the already operational sections of Delhi Metro," the statement read.

Street vendors protest at Civic Centre, demand halt to evictions

NEW DELHI
Street vendors under the banner of the National Street Vendors' Association of India held demonstrations at the Civic Centre on Wednesday demanding a halt to evictions till a survey of vendors is completed. Unable to meet municipal authorities, the group said that it would continue its strike. They have also demanded the establishment of a grievance redressal committee.

Health Minister felicitates family of organ donors

NEW DELHI
To spread awareness about organ donation, AIIMS-Delhi organised a felicitation programme for the families of cadaver donors. The event was organised by the Organ Retrieval Banking Organization and saw the participation of Union Health Minister Harsh Vardhan, MP Mary Kom and singer Mohit Chouhan.

‘Lawyers’ strike taking a toll on criminal justice system’

Police say they are forced to make fewer arrests, unable to present undertrials in court

SAURABH TRIVEDI
NEW DELHI
The ongoing indefinite strike called by lawyers across all six district courts in the city is hindering the criminal justice system, said a police officer on Wednesday.
The officer said they are making arrests only in heinous crime cases like murder, attempt to murder, robbery and others which are unavoidable. On Wednesday, a total 157 persons were arrested in all 15 police districts and other units like special cell and crime branch. The count is almost half the average number of arrests that were being made before the strike.

Cautious police
“Due to the ongoing tension, we have advised poli-

cemen not to visit courts till next orders. We are trying to pacify the situation by holding a meeting with office-bearers of bar associations. Both [police and lawyers] are part of the criminal justice system and we should together to solve the issue as it is causing inconvenience to litigants,” said a police officer.
The strike has forced policemen to present arrested persons before a Magistrate at the concerned jail directly. The Magistrates are unable to record statement of victims/complainants under CrPC 164 and it also delaying bail pleas of undertrials as no lawyer is ready to represent them in court. Chargesheets have been prepared in many criminal cases and they need to be submitted in courts. All that

is pending because of the strike, said a police officer.
“I had a hearing date in November and I had booked a ticket and applied for leave at my office [in Mumbai]. I had to cancel my ticket and leave because of the lawyers’ strike. I don’t know when the courts will resume work and when I will get my next date,” Suresh Khanna, a litigant in a civil suit, told *The Hindu* over the phone.

Alternative measures
The communication unit of the Delhi Police, in an advisory to all district police heads, ordered that undertrial prisoners should not be taken to the courts until the situation becomes normal. It said that arrangements should be made for videoconferencing with the

undertrials and in urgent cases, judges may be requested to hold courts in respective jails.
The lawyers, meanwhile, have said that the strike will continue till November 20. N.C. Gupta, president, Delhi Bar Association, said that lawyers from all across Delhi will stage a protest march from Patiala House Courts to Parliament on November 20. The strike has been supported by lawyers across the country.
On November 2, a major clash broke out between Delhi Police personnel and lawyers inside Tis Hazari Courts allegedly over a parking row. The lawyers have been on strike since then demanding action against the police personnel who allegedly attacked them.

Plea seeks action against advocates

STAFF REPORTER
NEW DELHI
A petition before the Delhi High Court has sought action against advocates who allegedly thrashed litigants, policemen and the general public during the strike in district courts following a clash between lawyers and police.
A Bench of Chief Justice D.N. Patel and Justice C. Hari Shankar, however, on Wednesday said that issues between the police and lawyers were being resolved at present and posted the case for hearing on February 11, 2020.
The petition by Ajay Gautam, a social activist, has alleged that protesting lawyers stopped litigants from entering court premises. The petition has further claimed that the continuing strike in district courts is disrupting judicial proceedings in the subordinate courts.

Callers left in distress as helpline 100 loses SOS tag

People confused as new emergency no. 112 is yet to gain popularity and the old one isn’t helping much

SAURABH TRIVEDI
NEW DELHI
Need Delhi Police help in an emergency situation? Don’t dial 100 for assistance.
The popular helpline number won’t serve your purpose anymore, not because it does not connect when you need it the most, but because it has been replaced by an integrated emergency helpline number ‘112’, launched last month.
The transition from 100 to 112 has been so sudden that it has left people confused about how to contact the police when in distress.
“Dial 100” is the first thought that comes to the mind of an ordinary citizen caught in a law and order

problem, but the number now leads to an Interactive Voice Response (IVR) which directs the caller to press ‘8’ for 112 service, without mentioning that it’s the new police helpline number. People disconnect the call thinking it’s a cross-connection issue or some problem with the mobile network provider.
“It happened with my father where he dialled 100 in an emergency situation. After the IVR the call got disconnected. He then called me and after I reached home, I contacted the police by dialling 112. Police should not discontinue the 100 helpline till people get used to the new number. Till that time, all calls on 100 should

be routed to 112,” said Sahil Makkar, a resident.
Review on cards
Asked about the confusion, the police said they will review the process and make required changes for the convenience of people after getting approval from senior officers.
“We tried to keep the IVR short in order to reach out to the caller at the earliest. We will rework on the IVR, for example – ‘for police assistance, press 8’ – to make it sound more authentic,” said a senior police officer.
The officer added that they are in the process of replacing ‘Dial 100’ mentioned on PCR vans with ‘Dial 112’.

They have also instructed all heads of district police and other units to publicise ‘112’ by updating their profiles on social media.
System-generated calls
“After we shifted to 112, the police control room witnessed heavy volume of emergency calls on the number. Later, we realised that most of the calls are system-generated that originate from mobile phones or computer devices when the user accidentally presses the emergency button on the device,” said the officer.
To attend to genuine callers who actually need police assistance they have added a filter ‘8’ to the helpline. The

police can’t waste time responding to system-generated calls, said the officer.
According to the police, on Tuesday, they received around 5.44 lakh calls on 112 and out of them 5.33 lakh were system-generated calls. “On an average we get 10,000 genuine calls and out of them only 5,000-6,000 are actionable calls,” added the officer.
The ‘112’ helpline is an integration of police (100), fire (101), ambulance (102) and women safety (1090) helpline numbers. The main call centre in Delhi has been set up in Shalimar Bagh, which is operating under DCP (operations and communication).

DELHI

Timings

THURSDAY, NOV. 14

RISE

06:42

SET

17:29

RISE

18:59

SET

08:06

FRIDAY, NOV. 15

RISE

06:43

SET

17:28

RISE

19:48

SET

09:05

SATURDAY, NOV. 16

RISE

06:44

SET

17:28

RISE

20:42

SET

10:04

Delhi Weather	max	min
Delhi City	28	13
Safdarjang	28	13
Palam	27	14

Delhi Palam Today
26°C Severe pollution levels are likely to continue. Dry weather wil prevail. Day will be comfortable.

Delhi Palam Tomorrow
26°C Moderate fog will prevail. Day will remain very high polluted.

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DELHI TODAY

Talk: Lecture on “Sustainable Infrastructure - Role of Quantity Surveyor” by various eminent speakers at Lecture Room - II, India International Centre (IIC), 6 p.m.

Talk: Discussion on the book, “The Swachh Bharat Revolution: Four Pillars of India's Behavioural Transformation”, edited by Parameswaran Iyer. Discussants: Amitabh Kant, CEO, Niti Aayog; Naina Kidwai, Chairperson, India Sanitation Council; and Hari Menon, Country Director, Gates Foundation, India at Conference Room - I, India International Centre (IIC), 6:30 p.m.

Music: Indian classical flute recital by Rajat Prasanna of the Benaras Gharana with tabla accompaniment by Mahavir Chandravat at Amaltas Hall, India Habitat Centre (IHC), 7 p.m.

Exhibition: 'Shrinathji Swaroopam', a solo exhibition of contemporary pichwais on silk and paper by Delhi based artist Jai Khanna at Art Centrix Space, Jain Farm, Behind Sector D2, Vasant Kunj, 11 a.m. - 7 p.m.

Exhibition: 'Pehchaan', a solo show of paintings by Abid Maqsood Zaidi, based on the theme that vultures are facing a losing battle of their survival, is on display at Booth No. 81, India Art Festival at Thyagaraj Stadium, INA Colony, 11 a.m. - 7 p.m.

(Mail your listings for this column at cityeditor@delhi@thehindu.co.in)

EC members were taken to ‘undisclosed’ venue for meet

Teachers who are part of the panel claimed they were not kept in the loop

JAIDEEP DEO BHANJ
NEW DELHI

There was much drama on campus at Jawaharlal Nehru University (JNU) on Wednesday morning outside the Convention Centre that was supposed to be the venue for the Executive Committee meeting of the university.

Students gathered to protest at the venue and planned to stop the members from entering the building.

But the administration changed the venue of the meeting at the last minute, and the EC members were taken to an “undisclosed” place where the meeting took place.

The elected teachers’ representatives, who are part of the EC, said that they along with five other Deans, reached the Convention Centre at 10 a.m. but the JNU vice-chancellor did not show up. His team of Rectors, the Registrar and external members were also missing.

“We tried to call the Registrar and the V-C’s office but we did not get any communication. Around 11.15 a.m., some of the members were approached by a security official who told them to accompany him to an undisclosed location, without any official communication of the same,” the teachers said.

The teachers said that around 12.40 p.m., they received a mail from the administration informing them that the meeting was to be held at the Association of Indian Universities, and that it would be held at 12.30 p.m.

The JNU Registrar, however, said that EC members were told about the new venue and most of them reached the place in time.

Changes made to draft hostel manual

Clauses deleted from new draft hostel manual after the Executive Committee meeting:

- “The residents should be back in their respective hostels latest by 11.00 p.m. or by half-an-hour after time for library closing, whichever is later. Students who are found outside their respective hostel premises after the stipulated time and involving in any violence or otherwise disturbing the peace on campus and privacy of JNU community will be evicted from hostel forthwith apart from any other disciplinary action by the University.”

- “All residents and guests should come to the dining hall appropriately dressed.”



JNU students protest outside the administration building on Wednesday. ■SUSHIL KUMAR VERMA

Particulars	Existing charges	Revised charges for all students, including BPL students with scholarships	Revised charges for eligible BPL category students
Room rent - single seater	₹20 per month	₹600 per month	₹300 per month
Room rent - double seater	₹10 per month	₹300 per month	₹150 per month
Utility charges	Nil	As per actual	50% of actual
Service charges	Nil	As per actual	50% of actual
Refundable mess security / mess advance	₹5,500	₹5,500	₹5,500

SOURCE: JNU

Reacting to a statement issued by the university regarding the EC meeting, the JNU Teachers’ Association said that it was absolutely clear that there is no rollback of the shift to an entirely self-financing model of running the hostels... “the university is washing its hands off its responsibilities completely”.

Cosmetic changes

“The increase in monthly charges for most students will remain roughly ₹3,000. This will be an exorbitant increase for several students even if they are not in the BPL category as many low income households are not

counted in that category. Even for BPL category students, the increase in charges will be to the order of ₹1,500 per month, a burden which no BPL household can bear,” the teachers said, calling the changes cosmetic.

“These changes do not even remotely address the problem that JNU will be shutting its doors to students from underprivileged backgrounds through hike in hostel fee,” the teachers said.

After the Executive Committee meeting was shifted to a new location, the students protesting at the Convention Centre moved their agitation to the administra-

tion block where they raised slogans. They said that they would not leave the venue till the Vice-Chancellor addressed them directly.

Some students even defaced the walls of the Vice-Chancellor’s office.

Complete rollback

The students said that their movement would continue till there was a complete rollback of the draft hostel manual and that the partial rollback – apart from increasing the hostel fees by nearly 1,000% – was silent on user fees of water and electricity that is proposed to be as per actual consumption.

DU students support JNU agitation

STAFF REPORTER

NEW DELHI

Students’ groups of Delhi University on Wednesday held demonstrations in support of Jawaharlal Nehru University (JNU) students agitating against a hike in hostel fee. At the Arts Faculty, protesters burnt an effigy of the JNU vice-chancellor.

The Democratic Students’ Union said it stood by JNU students and it opposed the government’s attacks on democratic institutions and universities.

The All India Students’ Association said it was determined to fight against the New Education Policy, which it said would lead to the destruction of affordable higher education.

High-rise near DU: students hold rally

STAFF REPORTER

NEW DELHI

Delhi University students, who have been protesting against the proposed construction of a 39-storey building near North Campus, took out a cycle rally to Raj Nivas on Wednesday to petition the Lieutenant-Governor over the issue.

In a letter to the L-G, students highlighted the risk to privacy of surrounding women’s hostels that the construction poses.

The students claimed that following a meeting with the L-G, a three-member panel had been formed to look into the permissions received by the private builder. The panel will submit a report within three days.

AAP to observe ‘Dhoka Diwas’ on November 16

‘Regularising colonies a poll gimmick’

SPECIAL CORRESPONDENT

NEW DELHI

The Aam Aadmi Party (AAP) announced on Wednesday that it will observe ‘Dhoka Diwas’ on Saturday to protest against what it termed was the BJP’s “false promise” to regularise unauthorised colonies.

The announcement came as senior BJP leaders visited unauthorised colonies in the city on Wednesday as part of an outreach campaign. Senior BJP leaders told residents about the Pradhan-mantri Uday Yojna scheme, which seeks to confer ownership rights to roughly 40 lakh citizens residing in such settlements.

“Prime Minister Narendra Modi has taken the decision to ensure a respectable life for 40 lakh people living in unauthorised colonies of Delhi,” BJP national vice-president and Delhi in-charge

81 areas in Delhi to be declared urban villages

NEW DELHI

The Delhi Development Authority on Monday directed the city’s civic bodies to declare a total of 81 rural villages, under which unauthorised colonies fall, as “urban villages”. The move has been made in order to execute regulations formed under the Centre’s recent directions to regularise unauthorised colonies in the city. The proposal for declaring these areas as urban villages will have to subsequently notified by the Delhi government.

Shyam Jaju told a gathering in south Delhi’s Deoli.

Calling the Centre’s announcement to regularise unauthorised colonies an “election gimmick”, senior AAP leader Gopal Rai alleged that the BJP’s intentions were “not genuine”.

OFFICE OF THE SUPERINTENDING ENGINEER,
XVIII CIRCLE, U.P. JAL NIGAM, SECTOR-1,
OPP. NEW GHAZIABAD RAILWAY STATION,
GAZIABAD (U.P.) - 201002

Letter No.: 637/Vivdh-13/52
Date.: 08.11.2019
SHORT TERM E-TENDER NOTICE
E-tender for "Survey, investigation, design and Construction of TW-1No. Pump House-2 Nos., RCC OHT (Capacity 1400kl/18m), RCC CWR (Capacity 250kl), Rising Main 3465m, Distribution System 37.44 k.m.s., Staff Quarter 1 Set, Boundry Wall & Gate, approach road 96m, Ground water recharge unit-1 No, Repair of old OHT 2 Nos. (including 3 months trial run)" works for Debai Water Supply Reorganisation Scheme under State Sector programme are hereby invited by U.P. Jal Nigam, which shall be available at e-procurement website <http://etender.up.nic.in> from **15.11.2019 at 13:00 hrs** onwards upto **30.11.2019 at 14:00 hrs**. E-Tender will be opened on dated **30.11.2019 at 16:00 hrs**. at the office of Superintending Engineer, XVIIIth Circle, U.P. Jal Nigam, Ghaziabad. Detailed information of E-Tender will be available on U.P. Jal Nigam website www.jn.upsdc.gov.in.

कार्यालय अधिशासी अभियन्ता, यांत्रिक
खण्ड, उ०प्रा० जल निगम, मेरठ
एन०आइ०सी० संख्या : 1316 /निविदा /280
दिनांक : 08.11.2019
अव्य कालीन निविदा सूचना
उ०प्रा० जल निगम की ओर से
नगर निगम मेरठ के उपय हाउसों की मरम्मत एवं आन्तरिक विद्युतीकरण के कार्यों हेतु
‘Electrical & Mechanical works including supply & Installation of Pumping Plant’ along with pipe laying ‘ए’ / ‘बी’ / ‘सी’ श्रेणी में पंजीकृत ठेकेदारों से निविदायें आमंत्रित की जाती हैं।
निविदा की बिक्री दिनांक 14.11.2019 से 16.11.2019 तक कार्यालय समय में इस कार्यालय से की जायेगी। मुहर बन्द 17:00 बजे तक इस कार्यालय में डाली जायेगी। प्राप्त निविदायें दिनांक 18.11.2019 को अधिशासी अभियन्ता, यांत्रिक खण्ड, उ०प्रा० जल निगम, मेरठ कार्यालय में निविदा समिति द्वारा उपस्थित ठेकेदारों के सम्मक्ष 15:00 बजे खोली जायेगी। निविदा प्रपत्र का मूल्य रु० 1000 +18% GST है। निविदा के कार्यों का विस्तृत विवरण जल निगम की वेब साईट jn.upsdc.gov.in पर अथवा सम्बन्धित कार्यालय से प्राप्त किया जा सकता है।

‘SGPC should foot the \$20 pilgrim fee’

Instead of flaunting their money, they should support the pilgrims: Amarinder

SPECIAL CORRESPONDENT
CHANDIGARH

Amid low footfalls at the newly built Kartarpur Corridor, Punjab Chief Minister Amarinder Singh has asked the “cash-rich” Shiromani Gurdwara Prabandhak Committee to pay the \$20 per pilgrim fee out of its coffers.

Capt. Amarinder has also urged the Prime Ministers of both India and Pakistan to waive the passport condition

for travel through the corridor and instead accept other forms of identity.

‘No visa to be stamped’
“These should be acceptable since there was no requirement of visa to be stamped on the passport in any case,” he said.

“The low number of devotees reportedly crossing over to the historic gurdwara was not because of lack of inter-

est among the people but because of the two conditions of passport and \$20 fee. Lakhs of pilgrims were waiting to visit ... but were held back because of these problems,” he added.

He urged Mr. Khan as well as Mr. Modi to resolve the issue.

Pointing to the lavish spendings of the SGPC on holding separate programmes to commemorate

the 550th birth anniversary of Guru Nanak Dev Ji, the Chief Minister said it was evident that the religious body was flush with funds. “Instead of flaunting their money, they should spend it on supporting the devotees, especially the poor ‘yellow card’ holders who did not have the money to pay the fee to Pakistan for entering their territory and pay obeisance at the gurdwara.”

Bihar cattle trader lynched

PRESS TRUST OF INDIA
KATIHAR

A man taking cattle to sell at a market in West Bengal was beaten to death in Bihar’s Katihar district for allegedly refusing to pay money demanded by some miscreants, the police said.

The incident took place on Monday evening.

Mohammed Jamal was surrounded by one Sagar Yadav and some other persons who demanded money. As Jamal refused to pay he was lynched, the police said. An FIR has been filed against Sagar and other accused.

Tejpal rape case: victim cross-examined in Goa court

PRESS TRUST OF INDIA
PANAJI

The woman who lodged a sexual assault case against founder of *Tehelka* magazine Tarun Tejpal was cross-examined by the defence counsel in a Goa court for the third consecutive day on Wednesday.

The trial in the case is being held in-camera.

District judge Shama Joshi in Mapusa town of North Goa is hearing the case against Mr. Tejpal lodged by his former woman colleague.

“The cross-examination in the case resumed on Monday after being adjourned on October 23. It will continue till Thursday,” public prosecutor Frasisco Tavora told reporters here.

Mr. Tejpal was present during the trial, he said.

The district court adjourned the trial last month after the victim was cross-examined for two days.

An in-camera hearing is conducted in private with only the judge, lawyers, accused, victim and witnesses concerned in attendance. The proceedings of such

hearing are not made known to the media or members of the public.

A Supreme Court bench had in August asked the Goa court to complete the trial in the case, preferably within six months, and refused Mr. Tejpal’s plea to quash the First Information Report (FIR) filed against him.

Mr. Tejpal, who is alleged

to have sexually assaulted the complainant inside an elevator of a five-star hotel in Goa in 2013, was arrested on November 30, 2013 by the Crime Branch after his anticipatory bail was rejected. He has been out on bail since May 2014.

In September last year, the district court framed charges against Mr. Tejpal.

Navlakha moves HC for pre-arrest bail

SONAM SAIGAL
MUMBAI

A day after the Pune sessions court rejected his anticipatory bail plea for alleged role in the Elgaar Parishad case, activist Gautam Navlakha moved the Bombay High Court on Wednesday.

The matter will be heard by Justice P.D. Naik on Thursday. On November 4,

advocate Yug Chaudhry appearing for Mr Navlakha had moved the same HC Bench seeking relief, however Justice Naik had refused to hear the matter urging him to first go to sessions court.

While rejecting his plea the Pune court had said, *prima facie* there is enough material to show Mr. Navlakha is not only a member of a

banned organisation (Communist Party of India-Maoist) but also ‘an active leader’ of the party.

Mr. Navlakha’s protection from arrest granted by the Supreme Court expired on November 12. He has been charged with sections from the Indian Penal Code and Unlawful Activities Prevention Act.



IN BRIEF
'Jolly's motive was to grab ancestral property'
KOZHIKODE
A remand report on Jolly Joseph, prime suspect in the Koodathayi serial murders, has said that she had poisoned to death her father-in-law Tom Thomas to secure his ancestral property. Six persons were allegedly killed between 2002 and 2016, at Koodathayi village in Kozhikode district of Kerala.

Student held for Maoist link in police custody
KOZHIKODE
The Kozhikode Sessions Court on Wednesday granted the request of the prosecution for the custodial interrogation of CPI(M) worker Alan Suhaib who had been booked for Maoist links a fortnight ago. The 20-year-old student, whose connection with the banned Communist Party of India (Maoist) was prima facie revealed, will be in police custody till November 15.

Actor Rajasekhar escapes unhurt in car accident
HYDERABAD
Tollywood actor Rajasekhar had a narrow escape when he lost control of his car leading to an accident in Shamshabad here late on Tuesday. The police said that the vehicle hit the divider and flipped a couple of times before falling on the other side of the road. However, he escaped unhurt as the air bags inflated after the accident.

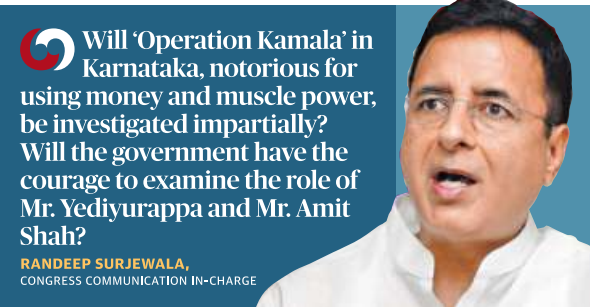
Loco pilot's condition continues to be critical
HYDERABAD
The condition of loco pilot L. Chandrasekhar, who suffered multiple fractures and other complications, continued to be critical on Wednesday. He was caught in the mangled coach of the MMTS train, which rammed another train a little away from the Kacheguda railway station on Monday.

Cong. demands resignation of Karnataka CM

Poses 5 questions; asks for probe into 'Operation Kamala', 'Yediyurappa tapes'

SPECIAL CORRESPONDENT
NEW DELHI
The Congress party demanded the resignation of Karnataka Chief Minister B.S. Yediyurappa and the dismissal of the Bharatiya Janata Party (BJP) government in the State following the Supreme Court's decision to uphold the disqualification of 17 Congress and Janata Dal (Secular) MLAs. The party alleged that allowing the disqualified MLAs to contest the bypolls had exposed the BJP's 'Operation Kamala' in the State. The party has also de-

manded a probe into Home Minister and BJP President Amit Shah's role in the 'Operation Kamala'. The Supreme Court, while upholding Speaker K.R. Ramesh Kumar's order, struck down a portion of his order, which said that the legislators had been disqualified till the end of the 15th Karnataka Assembly. The court has allowed the 17 disqualified legislators to contest December 5 bypolls. "It is now established beyond doubt that a democratically elected government was felled by using



massive inducements, threats and allurements in disregard of every basic tenet of public propriety. It goes on to establish that the present Yediyurappa government is an illegitimate government," Congress spokesperson and Rajya Sabha MP Abhishek Manu Singhvi said.

Congress communication in-charge Randeep Surjewala said that there is a need to probe the Yediyurappa tapes. "Public opinion and democratic values demand that not should only the illegitimate Yediyurappa government be sacked, but the BJP's conspiracy to bring down an

elected government on the basis of money power of the legislators investigated. The 'Yediyurappa tapes' need to be investigated. Where did all this black money come from? What was the role of the BJP leadership?" Mr. Surjewala asked.

'Walk the talk'
The Congress said that the BJP had lost the moral capacity to criticise anyone because what had happened in Karnataka was completely unethical. "Those who preach to us about corruption, moral and Gandhian values, they have to realise that they have to walk the talk," Mr. Singhvi said.

The Congress has posed five questions to the government. "Will Prime Minister Narendra Modi have the courage to sack the illegitimate Yediyurappa government, since he is often found preaching about morality in public life?" Mr. Surjewala asked. "Will 'Operation Kamala', notorious for using money and muscle power, be investigated impartially? Will the government have the courage to examine the role of Mr. Yediyurappa and Mr. Amit Shah? Finally, we want to know, will the BJP give tickets to those MLAs whose disqualification have been upheld today by the Hon'ble SC?"

'Resignation does not nullify prior disqualification of MLAs'

LEGAL CORRESPONDENT
NEW DELHI
The Speaker does not lose his power to disqualify an MLA for defection under Tenth Schedule merely because he chose to resign in the meantime, the Supreme Court held on Wednesday. "If we hold that the disqualification proceedings would become infructuous upon tendering resignation, any member who is on the verge of being disqualified would immediately resign and escape from the sanctions," Justice N.V. Ramana wrote in his judgment of a three-judge Bench upholding the disqualification of 17 Karnataka MLAs by the then Speaker in July 2019. Cutting short a pending disqualification proceeding before the Speaker merely because the MLA had offered his resignation would defeat the purpose of the anti-defection law, the court



Former Lok Sabha MP Adagur H. Vishwanath speaking to presspersons in New Delhi on Wednesday. •PTI

observed. The court made it clear that disqualification dates back to the actual date of defection. "The tendering of resignation does not have a bearing on the jurisdiction of the Speaker in this regard.... the taint of disqualification does not vaporise, on resignation, provided the defection has happened prior

to the date of resignation," Justice Ramana clarified. The pending or impending disqualification action in the present case would not have been impacted by the submission of the resignation letter, Justice Ramana held in the petitions filed by the ousted Karnataka legislators.

A dozen rebels are likely to get BJP ticket

SPECIAL CORRESPONDENT
BENGALURU

Of the 15 constituencies going to the bypolls, 12 rebels who are disqualified and set to join the BJP will in all likelihood get BJP tickets, while the party is considering fielding other candidates in three constituencies.

Party sources claimed that there is no clarity on Hunsur, Shivajinagar and Ranebennur yet.

The Bharatiya Janata Party high command is likely to announce the list of candidates by Thursday evening, said Aravind Limbavali, general secretary of the Karnataka BJP.

The party will be led by a Minister in each constituency – all three Union Ministers from the State and prominent State Ministers including the three Deputy Chief Ministers have been put in-charge.

'Fate of country depends on character of leaders'

KRISHNADAS RAJAGOPAL
NEW DELHI

Speakers veering away from their constitutional duty to remain neutral and political parties indulging in horse-trading and corrupt practices for lure of office and power have denied citizens a stable government, the Supreme Court said on Wednesday.

A three-judge Bench led by Justice N.V. Ramana noted that the fate of the country would depend on the character of the leaders administering it.

The observations came in the court's 109-page judgment on the petitions filed by 17 Karnataka disqualified MLAs.

"Whatever the Constitution may or may not provide, the welfare of the country will depend on the way in which the country is administered. That will depend upon the men who administer it," Justice Ramana

quoted Rajendra Prasad, the country's first President.

A Speaker who cannot stay aloof from the pressures and wishes of his political party did not deserve to occupy his chair.

The court urged Parliament, in these circumstances, to "reconsider strengthening certain aspects of the Tenth Schedule, so that such undemocratic practices are discouraged".

"The Speaker, being a neutral person, is expected to act independently... the constitutional responsibility endowed upon him has to be scrupulously followed. His political affiliations cannot come in the way of adjudication. If Speaker is not able to disassociate from his political party and behaves contrary to the spirit of the neutrality and independence, such person does not deserve to be reposed with public trust and confidence," the court stressed.

Telangana RTC strike: another driver found dead

SPECIAL CORRESPONDENT
MAHABUBABAD/HYDERABAD

A. Naresh, a Telangana State Road Transport Corporation (TSRTC) driver, died in Mahabubabad on Wednesday. This is the fifth death since the Road Transport Corporation (RTC) workers began their strike.

In a letter purportedly written by the driver before his death, Naresh blamed Chief Minister K. Chandrababhan Rao for his death and hoped he would be the last RTC worker to give up his life in connection with the ongoing strike.

The employees held a rally and raised slogans against the State government. A scuffle ensued between the police and the workers, resulting in the arrest of several people.

Government's stance
Meanwhile, the State government on Wednesday said that it was not in a position to accede to the 'orders' of the High Court to constitute a high-powered panel of three former Supreme Court judges to resolve the ongoing strike by TSRTC employees. Chief Secretary S.K. Joshi filed an affidavit, making this statement. Expressing government's inability to accept the HC order on formation of the committee, the CS requested the HC to refer the matter to the Labour Commissioner.

TSRTC workers began the strike on October 5, demanding merger of the RTC with the government and recruitment to various posts, among others.

(Those who require assistance for overcoming suicidal thoughts may contact Roshni at 040-66202000/ 6666 1117)

Amaravati start-up area project unviable: Minister

'Pact cancelled in the interests of A.P.'

STAFF REPORTER
VIJAYAWADA
Andhra Pradesh Finance Minister Buggana Rajendranath Reddy said on Wednesday that the termination of the agreement entered into by the Amaravati Development Corporation (ADC) with the Singapore consortium, Ascendas Singbridge-Sembcorp, for development of the Amaravati start-up area was in the best interests of the State. "It was found to be not feasible. The government realised that the start-up area spanning over 1,700 acres was a small part of the Mega City proposed to be developed. It was also realised that development of the capital region required about ₹2 lakh crore, which was of the size of the annual State budget," Mr. Reddy said in a release. Without developing the

whole area, there was no meaning of having a business district in it, he observed. He pointed out that such a huge project could neither be completed in five years nor did the State finances permitted it.

Holistic development
The government found that the State had other important requirements for holistic development, he said. In this backdrop, the development of the start-up area was an impossible task, the Finance Minister added. "The ADC and the Singapore consortium (represented by the Singapore Ministry of Trade and Industry), therefore, decided to wind up the project with mutual consent. It does not impact the investments from Singapore in India," the Minister said.

Swachh army



Mission clean: NDRF personnel participating in a beach clean-up programme as part of the Swachh Bharat Abhiyan at the RK Beach in Visakhapatnam on Wednesday. •K.R. DEEPAK

Kerala will oppose river link project: Minister

Tamil Nadu is pushing for the project

SPECIAL CORRESPONDENT
THIRUVANANTHAPURAM

The Kerala government is taking all precautions to prevent the implementation of the Pampa-Achencoil-Vaipar river link project, Water Resources Minister K. Krishnankutty informed the State Assembly on Wednesday.

The Minister reiterated the government's stand on the issue in a written reply to the House.

Kerala had opposed the move at the sixth special general meeting of the National Water Development Agency (NWDA) held on August 21 this year. The State government had conveyed its opposition to Tamil Nadu, which is pushing for the project, at a meeting between Chief Ministers Edappadi Palaniswamy and Pinarayi Vijayan in Thiruvananthapuram on September 25 this year.



K. Krishnankutty

The Union Jal Shakti Minister had given an assurance that river interlinking projects would be undertaken only with the approval of the States involved, Mr. Krishnankutty said.

The proposal, listed among the river linking projects of the NWDA, envisages diversion of 634 mm3 of water from the Pampa and Achencoil rivers in Kerala to the Vaippar basin in Tamil Nadu.

It's double the fun in Sirkazhi schools

Small town in Tamil Nadu has 150 pairs of twins, who enjoy confusing their teachers and playing pranks

KATHELENE ANTONY
NAGAPATTINAM
Some of them throw a tantrum if they are not allowed to sit together in school. They back each other up in sticky situations. Strikingly, there are a large number of them for one town.

Sirkazhi in Tamil Nadu's Nagapattinam district has an unusual number of twins, 150 of them, in the school-age group.

Five schools in the town – Vivekananda Matriculation Higher Secondary School, SMH Matriculation School, Best Matriculation Higher Secondary School, Panchayat Union Higher Secondary School and Subham Vidya Mandir –

have at least 20 pairs of twins enrolled in each. Joshua Prabhakarsingh, Principal, Vivekananda Matriculation HS School says the phenomenon is no longer surprising for these institutions. "The town has had twins for decades. We do not know the reason but have become accustomed to it," he says. The school has 53 pairs of student twins. For the teachers, the challenge of telling the students apart adds to the fun of teaching. "They make classes more interesting by answering for each other, exchanging note books and so on. Each class has at least one pair, and their presence encourages us to teach better," says S. Aruljyothi, an



Two together: Some of the twins at a school in Sirkazhi in Nagapattinam district, Tamil Nadu. •SPECIAL ARRANGEMENT

economics teacher. The twins K.M. Prithyanka and K.M. Priyanka of class 12 in Vivekananda Matriculation Higher Secondary School frequently play small pranks to confuse their teachers, classmates and sometimes even family members. "When we were in primary

classes, teachers used to make us sit in different sections to identify us correctly. However, we fussed and threw tantrums till we were allowed to sit together. Now, we play pranks on everyone," says Prithyanka. To everyone's surprise, Prithyanka and Priyanka scored identical

marks, 373, in class 10. "We sat in different halls but scored the same marks. It is called a twin connection," Prithyanka says. M. Thangavelu, administrative officer at SMH Matriculation School, says the school has 22 pairs of twins. "The interesting thing we have noticed is that if one of the twins is warned by teachers, the other one would cry. The student who actually received the scolding would have to console the other one," Mr. Thangavelu says. The same thing happens when they fall ill or are injured. "Researchers might want to study this phenomenon here, but we consider it a blessing."

A.P. to slap hefty fine for illegal sale, transportation of sand

Nod for English medium in govt. schools from Classes 1 to 6

STAFF REPORTER
VIJAYAWADA

The Andhra Pradesh Cabinet on Wednesday decided to impose a fine of ₹2 lakh on those indulging in illegal storage, sale/resale and transportation of sand and make them liable for imprisonment for up to two years.

An amendment to this effect will be made to A.P. Minor Minerals Concession Rules, 1966. It is aimed at curbing illegal sand mining, said to be the main reason for scarcity.

'Sand week'
Besides, the Cabinet resolved to organise 'sand week' from Thursday to

make at least two lakh tonnes of the mineral available every day to get the construction sector back on rails. The Government wanted to solve the problems of lakhs of workers dependent on the construction sector and the common people, said Minister for Information and Public Relations and Transport Perni Venkataramaiah. Briefing the media about the Cabinet decisions, Mr. Venkataramaiah said the target was to put an end to the crisis in ten days and officials of the mines and police departments were instructed to take necessary steps. The Minister said the Ca-

binet unanimously approved the introduction of English medium from Classes 1 to 6 in government schools with Telugu / Urdu as a compulsory subject from the next academic year.

The views of various stakeholders would be taken before implementing the programme and extending it to higher classes in the subsequent years.

The Cabinet cleared the establishment of the A.P. Environment Management Corporation to take up the responsibility of disposing of the waste/effluents in addition to performing the regulatory function.

IN BRIEF



Lata Mangeskar's health improving

MUMBAI
Legendary singer Lata Mangeskar, who was admitted to the ICU of a hospital earlier this week, is still on ventilator and is “critical but improving”, said hospital sources. PTI

Man who slapped Sharad Pawar in 2011 arrested

NEW DELHI
Arvinder Singh, the 36-year-old man who had allegedly slapped Nationalist Congress Party chief Sharad Pawar at a public function in 2011 and disappeared during the course of the trial has been arrested again, officials said on Wednesday. PTI

CBI gets 2 more weeks to respond to Michel's plea

NEW DELHI
The Delhi High Court on Wednesday granted the CBI two weeks' time till November 29 to submit its response to the bail plea of alleged middleman Christian Michel James, an accused in the AgustaWestland VVIP chopper case. C

Karabi Gogoi appointed Moscow defence attache

NEW DELHI
Lieutenant Commander Karabi Gogoi, a naval engineer, will become the first woman officer from the Navy to be posted as a defence attache at an Indian mission abroad. She has been posted as the assistant Naval attache at the Indian embassy in Moscow and is likely to take up the post in December. C

Govt. allows migrants to change Aadhaar address

NEW DELHI
The government has allowed migrants to change their address on Aadhaar by giving self-declaration – a move aimed at helping them open bank accounts and promoting their financial inclusion. The changes were made by amending the Prevention of Money-laundering (Maintenance of Records) Rules. PTI

They save people from cyclones, but who is saving the Sunderbans mangroves?

Environmental experts point at constant degradation of forests

SHIV SAHAY SINGH
KOLKATA

On November 9, 2019, when the very severe cyclone Bulbul made landfall at Sagar island in the Indian Sunderbans, a group of tourists found themselves stranded near the Kalash island in the violently inclement weather. They got out of their boat and took shelter in mangrove creeks, and escaped unhurt. The cyclone was so powerful that it overturned a large fishing trawler near Sagar; people in that vessel are still missing.
From environmental experts to the State's Chief Minister, everyone has said that

the mangroves had saved the Sunderbans from the gusty winds blowing at between 110 kmph to 135 kmph. “It would have been a disaster if the mangroves had not been there,” said Kalyan Rudra, chairperson of the West Bengal Pollution Control Board and a river expert. In fact, CM Mamata Banerjee, while touring the affected regions, noted that the State will plant more mangroves.

Inhabited areas at risk
Despite this, scientists, wildlife experts and local NGOs have been highlighting the constant degradation of the mangrove forest in the Sun-



Fast disappearing: Mangroves have been cut not only for aquaculture, but also for building embankments and for human settlements. ■ AP

derbans, particularly in areas that are inhabited. The Indian Sunderbans, considered to be an area south of the Dampier Hodges line, is spread over 9,630 sq. km., of which the mangrove forests are spread over 4,263 sq. km. The latest example of an

assault on mangrove forests came to light in an order of the National Green Tribunal (NGT) dated September 23, when it directed a committee to inspect allegations levelled by environmental activist Subhas Datta that the State had allocated houses

under the ‘Banglar Abas’ scheme by clearing acres of mangrove forest on Sagar island.
“The committee inspected and found the allegations to be true. For years, the State government has been felling mangrove trees in the

name of development,” Mr. Datta said, highlighting how Ms. Banerjee invited industrialists to the Sunderbans a few years ago and urged them to invest in eco-tourism.

Rapid destruction

When Mr. Datta moved the NGT in 2014, a satellite image from the Indian Space Research Organisation pointed to a loss of 3.71% mangrove and non-mangrove forest cover along with massive erosion of the archipelago's landmass. The analysis, based on satellite data of February 2003 and February 2014, shows that while a 9,990-hectare landmass has been eroded, there has been an accretion of 216-hectare landmass in the Sunderbans

during the period.
Tuhin Ghosh, Professor, School of Oceanographic Studies, Jadavpur University, said that mangroves have been cut not only for aquaculture, but also for building embankments and for human settlements. He explained that due to dense foliage and the close proximity of trees, the mangrove roots hold soil and the vegetation becomes a shield to protect from cyclones.
Pranabesh Maity, a resident of Sagar who planted over 30,000 mangrove saplings this year, said that there have been numerous instances in which mangroves have been cut for making roads, building embankments, and for fisheries.

Altitude no bar for ITBP winter suits
15,000 more jawans now eligible

VIJAITA SINGH
NEW DELHI

More than 15,000 personnel of the Indo Tibetan Border Police (ITBP) force deployed along the China border are set to benefit from a policy decision on altitude specifications that makes them eligible to get special cold climate clothing.

Earlier, only those ITBP men deployed at an altitude of upto 12,000 feet from the sea level were entitled for special protective clothing. However, last year, the guidelines were revised and personnel deployed at 9,000 feet also became eligible to get the special clothing, a senior government official said.

Difficult terrain

The ITBP is deployed along the Line of Actual Control with China, spanning 3,488 km of difficult terrain up to at an altitude of 18,900 feet. There are five pockets which are not defined and

their territories are claimed by both the countries. Three are in Ladakh and one each in Uttarakhand and Arunachal Pradesh.
The ITBP force comprises 60,000 personnel now. Of this, around 12,000 personnel deployed in Ladakh were entitled to snow clothing.
“The new policy ensures that even those deployed at an altitude of 9,000 feet, that includes the States of Himachal Pradesh and Uttarakhand, would benefit. As many as 15,000 jawans will get the protective gear,” the official said.
The personnel have also been provided with high-grade mountaineering equipment.
An official said that in the past five years, the ITBP had procured around 600 ‘Made in India’ Ghatak 7.62 assault rifles, 55 high-powered vehicles and 126 SUVs for smooth travel in the rugged terrain in the Ladakh sector.

Death in sewer: Chennai mall to pay ₹10 lakh fine

Contractor held; management served show cause notice

R. SIVARAMAN
CHENNAI

The Chennai police on Wednesday arrested the contractor who had engaged labourers, including 26-year-old Arul who asphyxiated while cleaning the sewage channel in the basement of the Express Avenue Mall in the city's Royapettah region, during the early hours of Tuesday.

Supreme Court's order
Meanwhile, the Chennai Corporation issued an order to the mall management, directing them to pay a compensation of ₹10 lakh to the victim's family, as per a recent order of the Supreme Court.

Arul, of Namachivayapuram near Ice House, died when he entered a channel to rescue his brother Ranjith, who was complaining of uneasiness while cleaning sewage at the mall's basement.

The contractor Dhandapani, 52, of Arokkonam area, had frequently engaged Arul and four others for the work.

Based on a complaint from Murthy, the victim's father, the Anna Salai police filed a First Information Report, naming the contractor and the management of the mall as accused.



Arul

The case was booked under Section 3(ii) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, Section 9 of the Prohibition of Employment As Manual Scavengers and Their Rehabilitation Act, 2013 (which stipulates penalty) and Section 304 II (culpable homicide not amounting to murder) of the IPC.

Private employees

On Wednesday, following interrogation, the police produced Dhandapani before a metropolitan magistrate court and remanded him in judicial custody.

On information from the police, the corporation's health officials inspected the

mall. According to a notice served by the Corporation's Nungambakkam zonal officer to the mall management, they found that the management had engaged a few private employees for cleaning a waste water tank, at B3 floor basement, during the early hours of Tuesday.

No safety gears

As safety gears were not provided and safety norms were not followed, a person, namely Arul, has died of suffocation with foul gas inside your premises, the Corporation's notice stated.

As engaging manual scavengers without protective gear is an offence under 5(1)(b) of the Prohibition of Employment as Manual Scavengers and Their Rehabilitation Act, 2013, the notice by the Corporation official said: “You are directed to show cause why legal action should not be taken against your establishment.”

The Chennai Corporation also directed the mall management to give a compensation of ₹10 lakh to the legal heirs of the victim, as per a judgement of the Supreme court, within three days of receipt of the notice.

Failing this, further action would be initiated against the mall authorities as per rules in force.

Sardar Sarovar-hit families battle food crisis

‘No plan to extend contract for food’

SIDHARTH YADAV
BHOPAL

An unusual bustle takes over Hiralal Solanki's boxy shelter every morning. He has two assets that are scarce at the relief camp: a gas cylinder and a stove. With food supply cut, the Sardar Sarovar project-affected families fall back on munificent neighbours to help them tide over the shortage. The other option is to stock firewood and survive on PDS (public distribution system) rice cooked on earthen stoves.

‘Matter of survival’

“If we don't help our brothers during times like this, when else will we? It's a matter of survival. Supporting each other is the need of the hour,” said Mr. Solanki, 23, who lives with two younger brothers and a sister-in-law in a tin shed in Nisarpur in the Dhar district. At Kotda village, now under water, he left behind two shops and a hut.

With the cessation of food supply at 26 camps set up in Dhar, Barwani and Alirajpur districts on October 31, around 3,000 families, awaiting rehabilitation or settlement of claims, have been left to fend for themselves. As the Sardar Sarovar Dam in Gujarat filled over months to its brim of 138.68 metres on September 17, the swelling backwaters

of the Narmada submerged 178 villages in Madhya Pradesh.
“According to the work plan, the provision of food was only until October 31. Oustees are now going about their work and making their own food arrangements,” said Pawan Kumar Sharma, Commissioner, the Narmada Valley Development Authority (NVDA). “For now, there is no plan to extend the contract for the provision of food.”
However, he added, provision of medical facilities, electricity and water would continue at the camps.

‘No evictions’

Dispelling fear among the families of eviction from the camps, set up in 2017 after a Supreme Court order, with a possible expiry of its contract too, Mr. Sharma said, “The camps are the property of the NVDA, so there is no question of a contract with a third party.”
Moreover, the camps were temporary in nature and meant to facilitate only “transition” for the affected families' rehabilitation.
“We want to settle claims of each eligible family as early as possible. We have undertaken a survey of riverine patches cut-off from the mainland to assess the feasibility of sustaining settlements there versus resettlement,” he said.

WEATHER WATCH

RAINFALL, TEMPERATURE & AIR QUALITY IN SELECT METROS YESTERDAY



TEMPERATURE DATA: IMD, POLLUTION DATA: CPCB, MAP: INSAT/IMD (TAKEN AT 18.00 HRS)

Forecast for Thursday: Heavy rain/snow very likely at isolated places over Jammu & Kashmir, Tamil Nadu, Puducherry and Karaikal. Thunderstorm accompanied with lightning and hail very likely at isolated places over Jammu & Kashmir, west Rajasthan, Kerala and Mahe.

CITY	RAIN	MAX	MIN	CITY	RAIN	MAX	MIN
Agartala.....	00.0	19.0	30.0	Kozhikode.....	34.0	25.0	
Ahmedabad.....	33.0	21.0		Kurnool.....	32.0	21.0	
Aizawl.....	26.0	14.0		Lucknow.....	30.0	16.0	
Allahabad.....	30.0	15.0		Madurai.....	32.0	24.0	
Bengaluru.....	29.0	18.0		Mangaluru.....	35.0	24.0	
Bhopal.....	30.0	19.0		Mumbai.....	34.0	24.0	
Bhubaneswar.....	31.0	18.0		Mysuru.....	28.0	19.0	
Chandigarh.....	26.0	14.0		New Delhi.....	28.0	13.0	
Chennai.....	32.0	26.0		Patna.....	31.0	15.0	
Coimbatore.....	31.0	22.0		Port Blair.....	31.0	24.0	
Dehradun.....	29.0	12.0		Puducherry.....	33.0	22.0	
Gangtok.....	19.0	13.0		Pune.....	30.0	18.0	
Goa.....	33.0	23.0		Raipur.....	29.0	18.0	
Guwahati.....	30.0	19.0		Ranchi.....	27.0	13.0	
Hubballi.....	28.0	20.0		Shillong.....	21.0	12.0	
Hyderabad.....	31.0	18.0		Shimla.....	18.0	8.0	
Imphal.....	28.0	15.0		Srinagar.....	6.0	0.0	
Jaipur.....	30.0	21.0		Thiruvananthapuram.....	2.9	34.0	24.0
Kochi.....	31.0	24.0		Tiruchi.....	31.0	24.0	
Kohima.....	22.0	11.0		Vijayawada.....	32.0	23.0	
Kolkata.....	30.0	20.0		Visakhapatnam.....	31.0	25.0	

(Rainfall data in mm; temperature in Celsius)

Pollutants in the air you are breathing							Yesterday	
CITIES	SO ₂	NO ₂	CO	PM2.5	PM10	CODE		
Ahmedabad.....	249	62	175	160	132	■	In observation made at 4.00 p.m., Hisar, Haryana recorded an overall air quality index (AQI) score of 476 indicating a severe level of pollution. In contrast, Tirupati, Andhra Pradesh recorded a healthy AQI score of 42.	
Bengaluru.....	13	65	87	132	103	■		
Chennai.....	9	13	12	66	103	■		
Delhi.....	8	54	82	493	462	■		
Hyderabad.....	12	40	28	167	140	■		
Kolkata.....	11	78	42	280	220	■		
Lucknow.....	9	25	65	422	104	■		
Mumbai.....	22	70	18	177	140	■		
Pune.....	78	11	62	137	104	■		
Visakhapatnam.....	7	31	44	66	73	■		

Air Quality Code: ■ Poor ■ Moderate ■ Good (Readings indicate average AQI)
SO₂: Sulphur Dioxide. Short-term exposure can harm the respiratory system, making breathing difficult. It can affect visibility by reacting with other air particles to form haze and stain culturally important objects such as statues and monuments.
NO₂: Nitrogen Dioxide. Aggravates respiratory illness, causes haze to form by reacting with other air particles, causes acid rain, pollutes coastal waters.
CO: Carbon monoxide. High concentration in air reduces oxygen supply to critical organs like the heart and brain. At very high levels, it can cause dizziness, confusion, unconsciousness and even death.
PM2.5 & PM10: Particulate matter pollution can cause irritation of the eyes, nose and throat, coughing, chest tightness and shortness of breath, reduced lung function, irregular heartbeat, asthma attacks, heart attacks and premature death in people with heart or lung disease

Five Punjab govt. officials dismissed

SPECIAL CORRESPONDENT
CHANDIGARH

Punjab Rural Development Minister Tript Rajinder Singh Bajwa on Wednesday ordered immediate dismissal of five officials for their alleged role in the ₹2.59 crore MGNREGA embezzlement case besides directing the police to file a case against another employee.



Disqualified, yet qualified

In Karnataka MLAs' case, SC clarifies law on interplay between resignation, disqualification

It is not often that an adverse order brings relief along with it. Even while upholding the Karnataka Speaker's orders disqualifying 17 defectors this year, the Supreme Court has allowed the former legislators to contest the December 5 by-elections to 15 Assembly seats. The former Janata Dal (S) and Congress MLAs are now free not only to contest the polls, but may reap the benefits of their amoral crossover by getting a ticket from the ruling BJP. Most of them had tried to resign from their respective parties in July, but the move was seen as a transparent ploy to bring down the JD(S)-Congress regime of H.D. Kumaraswamy. The suspicion, not unfounded, was that they would get ministerial positions as soon as BJP leader B.S. Yediyurappa formed a BJP government. The then Speaker, K.R. Ramesh Kumar, kept them at bay for days by refusing to act on their resignations. Ultimately, he disqualified all of them in orders passed on July 25 and 28 and said the disqualification would go on till 2023 – the end of the current Assembly's term. The Speaker's stance was quite controversial as it appeared to create a conflict between resignation and disqualification. He now stands partially vindicated as his argument that resignation could not be a ruse to evade an impending disqualification has been accepted. The Speaker was also hoping to keep the defectors out of any alternative regime as members disqualified for defection are barred from becoming ministers until they get re-elected.

The court's exposition of the law relating to the interplay between resignation and defection is quite welcome. On the one hand, resignation does not take away the effect of a prior act that amounts to disqualification. On the other, Speakers are not given a free pass to sit on resignation letters indefinitely. Under Article 190(3), a provision under which the Speaker has to ascertain the "voluntary" and "genuine" nature of a resignation before accepting it, the court is clear that it is a limited inquiry, only to see if the letter is authentic and if the intent to quit is based on free will. "Once it is demonstrated that a member is willing to resign out of his free will, the Speaker has no option but to accept the resignation," the court has said. This effectively ends the argument that the Speaker is empowered to consider the motives and circumstances whenever a resignation is submitted. The verdict bemoans the fact that Speakers sometimes tend not to be neutral, and that change of loyalty for the lure of office continues despite the anti-defection law. Identifying its weak aspects and strengthening the law may be the answer.

Gloom deepens

Shrinking industrial output signals slowdown is some distance from bottoming out

Yet another set of economic data from the National Statistical Office has reaffirmed both the depth and all-pervasive width of the ongoing economic slowdown. The latest index of industrial production (IIP) estimates from the NSO show that output shrank by 4.3% in September, with all three component sectors in the index – manufacturing, mining and electricity – posting contractions. This was the sharpest contraction in output since at least April 2012, before which the data was referenced to a different base year. Also, five of the six categories on the IIP's use-based classification of goods registered declines, with only intermediate goods bucking the trend. Disconcertingly, the prolonged slump in the output of capital goods, a proxy for investment activity by businesses, extended into a ninth straight month as production contracted by about 21% for the second month in a row. Consumer durables also posted a fourth straight contraction, with the 9.9% decline appearing in stark contrast to September 2018's 5.4% growth. Clearly, manufacturers of white goods are struggling to find demand for their wares and the sliding production points to an absence of the traditional festival-eve restocking bump. The second successive shrinkage in infrastructure and construction goods – it shrank 6.4% – reflects the challenges besetting the two eponymous primary sectors. Here, the Centre's announcement of a funding initiative to help stalled housing projects ought to provide some fillip in the coming months. But a stretched fiscal situation is likely to keep government spending on other big-ticket infrastructure projects muted for the foreseeable future.

From an industry perspective, 17 of the 23 industry groups that comprise the manufacturing sector contracted. And leading the slump, predictably, was the motor vehicles industry, which posted a 25% contraction. If the wholesale data from the Society of Indian Automobile Manufacturers (SIAM) is any indicator of trends for this industry, there is certainly more pain ahead as overall shipments fell almost 13% from a year earlier in October. Demand for newly introduced utility vehicles was the saving grace, as it propelled a marginal uptick in passenger vehicle deliveries. SIAM's figures on commercial vehicles, which show a 23% year-on-year decline, particularly underscore the demand vacuum in the rural hinterland and the wariness on the part of fleet operators to invest in new haulage capacity. With manufacturing having a weight of almost 78% in the IIP, the latest report from IHS Markit gives little room for optimism. The survey-based Purchasing Managers' Index revealed continuing manufacturing sector weakness in October as weakening demand hurt new orders and business sentiment. In fact, business confidence had slipped last month to its lowest level in more than two-and-a-half years, according to the private economic research group. All signs now point to the central bank cutting interest rates again at its next meeting, in order to help spur a revival.

Narrowing options in Jammu and Kashmir

India needs to win the battle of minds within the country before trying to justify itself in the eyes of the world



M.K. NARAYANAN

It is a little over 100 days since Parliament, on August 5, approved the dilution of Article 370 of the Constitution, and decided to carve out of Jammu and Kashmir (J&K), the Union Territories of J&K and Ladakh. J&K, however, still remains an enigma for Delhi. The continuing clampdown in most parts of Kashmir, and the absence of any worthwhile interaction between Kashmir and the outside world has prevented any realistic assessment of the situation.

A metric of reality

Speculation is rife that the current ominous silence masks deep-seated anxieties as also anger at the turn of events that is reflected at times in sporadic instances of violence. This was amply evident during the brief visit of Members of the European Parliament (MEPs) to Srinagar last month when the city shut down and a couple of incidents also took place. It is possible for the authorities to claim that instances of violence are currently fewer than prior to August 5, but it is a moot point whether this is any index of the true situation that exists in Kashmir today.

Respective of claims and counterclaims, the reality is that India's proud heritage of being one of the leading democracies in the world has taken a beating. This is bound to continue as long as the clampdown in Kashmir, together with the continuing incarceration of Kashmiri leaders including the three former Chief Ministers viz., Farooq Abdullah, Mehbooba Mufti

and Omar Abdullah, continues. Hence, it may be time for Delhi to bite the bullet now rather than later and face the consequences of the step it has taken. Further procrastination would make it more difficult to pull back from an abyss of their own making, however laudable the objective might have seemed in the first instance.

Some highs, many lows

Notwithstanding a massive public relations exercise, it is obvious by now that the results have not been what the Prime Minister and the Indian government would have hoped for. There were, no doubt, some 'highs' such as voiding of direct criticism of India's action in Kashmir by a majority of democratic governments in the West, and by quite a few other allies, including some possessing doubtful human rights antecedents such as Saudi Arabia. There were equally many 'lows', with prominent leaders such as German Chancellor Angela Merkel expressing their concern that "the situation for the people in Kashmir is not good and not sustainable", and the UN Human Rights Commission affirming that it is "extremely concerned" that people in J&K continued to be "deprived of a wide range of human rights" and urging the Indian government to "unlock the situation and fully restore the rights that are currently being denied".

It is not, however, so much international opinion that should worry Delhi, even though for the first time after 1994, Kashmir has once again come on the global radar. Rather, it is India's record and image as a democracy that is currently on trial, as much within the country as in the court of world opinion.

India needs to win the battle of minds within the country before trying to justify itself in the eyes of the world. Unfortunately, this as-



AFP

pect is not being addressed adequately and suitably, and the government appears mired in confusion as to what should, or should not, be done to ensure greater verisimilitude for the steps that it has taken. Unfortunately, as in quite a few other instances as well, the government's efforts only seem to confound rather than provide suitable answers. How else can one possibly describe the undoubtedly stage-managed visit of 20-odd handpicked MEPs, purportedly sponsored by a Delhi-based think tank with suspected links to intelligence agencies, and with an unknown Brussels-based U.K. citizen of Indian descent fronting for the team (something that seems right out of a John le Carré novel).

Information flow and identity

Also mystifying to all those seeking plausible answers to the Kashmir imbroglio is why instead of indulging in such needless shenanigans of less than doubtful value, the government did not come out with a straightforward explanation of what it had sought and achieved by its actions. The deed, viz., dilution of Article 370 and reducing the status of J&K into two Union Territories is a 'fait accompli'. What the government should do is to put out for the information of the people of J&K and India, as also the world at large, what plans it has for this troubled region in the period ahead. Together with affirmations of adherence to demo-

Nehruvian consensus under siege

Jawaharlal Nehru's stature and moral authority, now under attack, were the guarantors for modern India's social contract



BHUPESH BAGHEL

The mention of Jawaharlal Nehru evokes strange reactions these days, but for Congressmen such as me it is a matter of faith and symbolic of all that we hold dear to our hearts. He was the closest we could imagine of reaching our leader Gandhiji and, therefore, was the manifestation of the unmanifested. As his heir Nehru taught us, the post-Independence generation, both the ideas and their praxis, of the values of the national movement. Summable as the constitutional values, we know of them as Nehruvian values, which he called Indian or Gandhian philosophy.

A frame under strain

We have grown up under a huge pantheon (both religious and historical) which has inculcated in us a tolerance and receptivity of/for a multitude of perspectives, and an anticipation of newer ones. Today as we live through an intolerant regime and discourse, I realise what its absence leads to. The frantic attempt to appropriate some and deride others from ours is resultant of their inner emptiness.

Today the values of our national movement, duly canonised as the Constitution, are being threatened not only by a spiteful government but also through a majoritarian discourse and its progeny; a mob

emboldened to declare itself the nation and law. Our institutions are under severe stress mainly because there is an apprehension that the Constitution may not be able to protect them from this onslaught. Yet we need to look back and see how in far more difficult times our leadership had held on to their values; yes, we miss them today.

Continuing the fight

I recall how Panditji and Sardar Patel missed Gandhiji in those difficult times. In a letter in 1950 to K.G. Mashruwala talking of the problems emanating from East Pakistan and West Bengal, Panditji says that "merely to preach goodwill irritates people when they are excited. Bapu might have done it, but we are too small for this kind of thing." But his faith in the people of this country and their values helped him tide over such tragedies. He proudly declared that the revered 'Bharat Mata' was none other than the teeming millions populating this land. It was the same belief that Gandhiji had in the poor and illiterate masses in this country, who held on to their civilisational values of truth, non-violence and tolerance. This is what led Gandhiji to pronounce him his inheritor, and at a session where he had passed a resolution questioning 'doctrinaire nonviolence'; Gandhiji declared, "When I am gone, he will do what I am doing now."

Yes, Gandhiji died fighting the communal mania and Panditji continued the fight constitutionally when on April 13, 1948, the Constituent Assembly adopted a reso-



THE HINDU PHOTO ARCHIVES

lution that "for the proper functioning of democracy, and the growth of national unity and solidarity... no communal organisation should be permitted to engage in any of the activities other than those essential for the bonafide religious, cultural, social and educational needs of the community."

Seen together with the conditions Sardar Patel had before lifting the ban on the Rashtriya Swayamsevak Sangh, we can say that he was just implementing the mandate of the Constituent Assembly and that what we are witnessing today is a betrayal of the Constitution. He had said in 1933 that the communalism of the majority resembles nationalism. But the test of its true nature is its relation to the national struggle, and also that laying stress on communal problems instead of national ones is obviously anti-national. These are the two litmus tests we need to always remember and they remove any iota of doubt about the nature of nationalism being put forth by the current regime.

This came from a person deeply rooted and secure in the know-

ledge and practice of his culture and traditions. His writings, especially *The Discovery of India*, is a reflection of his efforts at forging a relation of both transcendence and immanence with his nation and culture. His conviction in the enlightened middle path of the Buddha was reflected in both Non-alignment and the Panchsheel, as well as his faith in a mixed economy. Not to forget were his reaffirmation of the Buddha's and Gandhiji's non-violence.

In his last will (June 1954), Nehru invokes the Ganga, calling her the 'river of India'. He further writes, "Smiling and dancing in the morning sunlight, and dark and gloomy and full of mystery as evening shadows fall; a narrow, slow and graceful stream in winter, and a vast roaring thing during monsoon, broad-bosomed almost as the sea, and with something of the sea's power to destroy, the Ganga has been to me a symbol and a memory of the past of India, running into the present, and flowing on to the great ocean of the future."

The power of science

The firmly secure culturalist was also a radical progressive and the greatest champion of science and scientific temper. Ever since setting up the National Planning Committee in 1938 along with Netaji Subhas Chandra Bose, he had developed a deep longing for science and its use to solve national problems. He started attending almost all the annual sessions of the Indian Science Congress. He believed that inculcating a scientific temper was the greatest chal-

lenge faced by man, individually and collectively. We still see Prime Ministers addressing the sessions of the Indian Science Congress, but talking of plastic surgery of lord Ganesha. Not surprisingly Nehru is still the most vilified leader in the country because his name is synonymous with what is called the 'Idea of India', for his stature and moral authority were the guarantors for modern India's social contract. It has since been rightly called the 'Nehruvian Consensus'. Till this legitimising presence of Nehru's legacy pervades, the reactionary and revisionist discourse can never gain any foothold in the country. Therefore, the worst of the propaganda machinery is deployed on a leader who has been dead for 55 years.

The internationalist 'Messenger of Peace', who was often the last hope of the world when all machinations had failed and peace looked fragile, was both a recognition of India as well as the heir of Gandhi. This was evident in U.S. President Dwight D. Eisenhower's letter to Panditji (April 30, 1958) telling him not to retire as the world needed him. He knew that great fame awaited him but was ready for its travails. In 1937, he reminded himself through his article "We want no Caesars". But how prophetic his words prove today when he said, "He might still use the language and slogans of democracy and socialism, but we all know how fascism has fattened on this language and then cast it away as useless lumber."

M.K. Narayanan is a former National Security Adviser and a former Governor of West Bengal

Bhupesh Baghel is the Chief Minister of Chhattisgarh

LETTERS TO THE EDITOR

Letters emailed to letters@thehindu.co.in must carry the full postal address and the full name or the name with initials.

Drama in Maharashtra

As far as new possibilities of government formation in Maharashtra are concerned, the Bharatiya Janata Party may be wary of a once bitten twice shy approach towards the Shiv Sena, whose greed has only turned the whole issue into an ugly political spectacle (Editorial, "Betrayal of the mandate", November 13). If at all fresh elections become inevitable, the BJP may go it alone instead. The 50:50 power-sharing formula, that was experimented with in Karnataka, with the JD(S) in the past and with the BSP earlier in U.P., has already proved to be a lesson for

the BJP. In the end, a fractured electoral verdict proves counterproductive for the electorate.

SIVAMANI VASUDEVAN, Chennai

■ Leaving aside the veracity of the Governor's action in recommending President's rule for Maharashtra, there is an imperative need to ensure credible governance in the State. Electoral mandates based on pre-poll alliances between political parties are to be respected. In this context, political parties are invariably required to be made accountable as far as their party manifestos are concerned. There should be an appropriate mechanism

through electoral reforms to ensure that political parties stick to pre-poll adjustments/alliances including their manifestos. Otherwise, it would amount to a colossal disregard of the people's mandate.

G. RAMASUBRAMANYAM, Vijayawada

■ Searching for morality in Indian politics is something akin to hunting for a lost needle in a haystack. Today the Sena and the BJP may trade barbs, but tomorrow what may be in the store none can predict. Political power is a very powerful magnet and an unpredictable vortex. It may cause even the noblest to slip

and err. The present group of political parties of Maharashtra is the classic example of this. None should be surprised if Sena and BJP come together in the interregnum and form a government.

A. THIRUGUNANASAMBANTHAM, Coimbatore

Auditing cancer care Cancer treatment can result in a heavy hospital expenditure beginning from modern investigations to costly drugs. Even medical insurance does not cover fully this expenditure. One can only imagine the plight of poor patients, especially when the focus seems to be on survivors who are better

off. Medical insurance companies should come out with comprehensive policies that are within the reach of poor and middle class patients. More government cancer hospitals should be opened. There has to be a political will behind this (Page 1, "India's cancer care facilities 'highly inadequate'," November 13).

J.P. REDDY, Nalgonda, Telangana

Snail's pace

The piece, "The Role of the

CORRECTIONS & CLARIFICATIONS:

In "End of reform in sport: a 'no-change' ruling could salvage hope" ("Between Wickets" column, Nov.13, 2019), the name of BCCI secretary Jay Shah had been erroneously given as Jay Sharma.

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Indian Woman." (OpEd, "A Hundred Years Ago", November 13), observed optimistically that the day had surely dawned when Indian women were going to play a decisive role in the country of their birth. In hindsight, we find the transformation (women's empowerment) has been far from achieving a level to call it "bursting its fetter[s]".

AYYASERI RAVENDRANATH, Aranmula, Kerala

Far removed from reality

The rush to redesign the Central Vista proves how cut off the regime is from the needs of ordinary Indians



RUCHIR JOSHI

Recently a short video emerged on the Internet. Apparently a presentation for the redesign of New Delhi's Central Vista by the firm of Hafeez Contractor, the video begins with a clip of Prime Minister Narendra Modi's voice repeating the mantra: "*Ek naya Bharat banana hai* (We need to build a new Bharat)!" Then a lotus morphs into a star design with bits of radiating text: "The Largest Democracy", "Global Icon", "India Rising", "New India" and "Superpower". From this we move into a space-age type comic-book animation. A mammoth lotus-star structure looms over the India Gate, dwarfing the old arch by about four times. Blocks of cartoon troops march on Rajpath, and war planes streak over this gleaming star to the sound of A.R. Rahman's *Vande Mataram*. A row of buildings that look like shopping malls flank Rajpath. The viewpoint constantly yo-yo's – all missile-launchers and fighter planes. In the final shot, between the star behemoth and the half-pyramid shopping malls, India Gate and Rashtrapati Bhavan are turned into miniature structures, as if some alien race of aesthetics-*mukt* giants has come and occupied the capital.

Delhi over the years

The cringe-making sycophancy shown towards Mr. Modi and the ruling party, and the unbelievably crass pandering to schoolboy militarism, suggested to many people that the video was, in fact, a spoof with its tail on fire setting alight the fortress of this government's pompous self-regard. Within a few days the full horror sank in: not only was the video real, there were five others like it, and all six were actually presented by the firms shortlisted in the 'competition' to redesign the Central Vista. As with U.S. President Donald Trump, it's as though humour has been thrown out of its own building and the place occupied by black holes of power into which all possibilities of satire get sucked.

For the first quarter century of in-



"If ever there was a time for clear-eyed, unspectacular, practicable projects, it is now." An aerial view of the Central Vista in New Delhi. **■ V. SUDERSHAN**

dependence, New Delhi witnessed a major act of splicing and grafting: the institutions of a new country with severely limited means finding their moorings in the capital. From the early 70s onwards, the additions to institutional Delhi have had some beautiful buildings and many *kaam-chalau* (workable) structures in which the working day was such hell, the dark joke went, that the bureaucrats made sure to spread their misery down to the common man. Given that the last buildings to emerge from Edwin Lutyens' and Howard Baker's plans are now almost 90 years old, there are surely many imperatives to think of upgrading or replacing the buildings near Rajpath. The big question is how this is approached.

No Prime Minister after Jawaharlal Nehru has given much thought towards integrating modern, innovative architecture with the mundane working needs of the Central government. There could be several reasons: dearth of money leading to a justification deficit, a lack of vision and imagination, other pressing priorities. Since the 1970s, with the recently destroyed Pragati Maidan buildings and a smattering of others as exceptions, official buildings in India have lacked verve and practicality. Most administrations have let their public works departments throw concrete and steel at construction needs, leading to a proliferation of ugly, uncomfortable blocks.

There is a golden opportunity for an enlightened Central government to take the lead in creating a new philosophy of architecture and area planning. The challenges are unique

to Delhi but lessons can be forged for other cities as well. The buildings of the Raj era have to be unambiguously protected as part of *our* heritage, built by our labourers and engineers; the best design instincts of the British architects have to be preserved and resuscitated; the aesthetics of those buildings have to be kept in mind without new designs becoming subservient. We must have the audacity to think afresh for our needs and not copy mindlessly what's been done in other countries. But first we have to ask, is it necessary at this moment to redesign the whole Rajpath area or can the needs be met with the replacing of a few of the buildings from the 70s and 80s, in addition to one or two new buildings? Care must be taken to protect the public gardens in the Central Vista, and also keep urgent ecological requirements at the heart of any new project.

Looking at the six video presentations – Ahmedabad-based HCP Design Planning has now been chosen as the architectural consultant – it is startling how similar they are in their glitzy grandiosity and almost complete insensitivity to what exists and what we might require. One could easily put all the plans into some kind of a random mixing programme and take the hodge-podge that emerges as the final masterplan.

Only one client

All the videos clearly address Mr. Modi as their only client. Where one video begins with a speech by Modi, another uses a photograph of Modi touching his head to the steps of the Lok Sabha. A very clear common

agenda is to bury the Lutyens/Baker buildings in a mass of gargantuan structures. There is a preference for military-type 'order', with uniform buildings marching along both sides of Rajpath. Two of the proposals have monolithic structures dwarfing India Gate; one puts the new Parliament smack in the middle of the Vista, obscuring North and South blocks; there is a huge privileging of vehicular traffic, an even more extreme blocking off of the pedestrian commons than what we've already seen, completely disregarding the fact that the area around Rajpath is one of the main open air spaces where even the poorest people can come for an outing.

A project such as this should have a considered, transparent, inclusive process, but as we know, Mr. Modi doesn't do considered or transparent, forget about inclusive. There should be diverse participation here, from urban planners and ecologists to those working on urban heritage. It should be taken into account that this will be the capital area for the foreseeable future no matter who is in power but, as we know, this regime can't imagine anyone but themselves in power. This government is only interested in using the 'completed' project as an electoral tool, wherefore the absurdly short timeline within which this massive misadventure of masonry is to be inflicted upon us. In a city already collapsing under the blows of environmental emergencies, this demonetisation of our commons will add further misery and distress.

Concretised megalomania

There should be no room in this day and age for concretised megalomania. In a nation where so many are homeless, there should no space for the Prime Minister and his close coterie to shower in these delusions of architectural glory. We are a country reeling from multiple-organ crises, economic, infrastructural, ecological, and moral. If ever there was a time for clear-eyed, unspectacular, practicable projects, it is now. This rush towards architectural self-aggrandisement yet again proves just how cut off this regime is from the needs of ordinary Indians.

Ruchir Joshi is a writer, filmmaker and columnist

A time for experimentation

Over-the-top platforms like Netflix and Amazon Prime have enabled small-budget cinema to enter a new age



M.K. RAGHAVENDRA

'Alternate cinema' in India, if the term is accepted as a description of films outside the mainstream, has had a fragile existence. Its earliest avatars include films like K.A. Abbas's *Dharti Ke Lal* (1946) and Satyajit Ray's *Pather Panchali* (1955). But only in the late '60s did art cinema begin as a movement with state intervention when films like Basu Chatterjee's *Sara Akash* and Mrinal Sen's *Bhuvan Shome* (both 1969) set a new trend. This cinema was meant to talk about the lives of ordinary people. Given this intent, other films financed by governmental agencies also emerged, the films of Hrishikesh Mukherjee, Shyam Benegal, Govind Nihalani and Basu Chatterjee. But this cinema lost ground eventually, as it was dependent on state patronage and screening on Doordarshan to recover even meagre costs. Since this cinema targeted the educated Indian, the characters portrayed were from novels rather than the epics and Puranas. Mainstream cinema used larger-than-life characters from the oral tradition while these films had characters with everyday emotions.

More audacious

This brief history is significant today as over-the-top (OTT) portals (Amazon Prime and Netflix, for instance) are assisting in the dissemination of films made with low budgets that cannot hope to get public exhibition in cinema halls. In the new millennium the multiplex revolution made it possible for films to target educated people exclusively, and films like Ritesh Batra's *The Lunchbox* (2013) emerged. Where art cinema has gradually begun to address human rights issues, caste atrocities, displacement of the marginalised, religious tolerance, and so on, new entertainment cinema tells human interest stories for educated people. The popularity of actors like Nawazuddin Siddiqi, Irrfan Khan and Adil Hussain testifies to its success. But where multiplexes have helped small-budget entertainment films – and without them one might not have heard of films like *Masaan* or *Titli* (2015) or seen their actors again in cinema – OTT portals are even more audacious in what they choose to show.

The arrival of OTT platforms in India has introduced audiences to a class of visual entertainment not seen before. Shows like *Breaking Bad* and *Chernobyl* are different

from the best of television earlier (*The Sopranos*, for example). They are hyper-realistic and give a credible sense of the physical milieu in which the action might have actually taken place, once considered impossible on TV. *The Sopranos*, for instance, hardly had the kind of artistic depth found in *The Godfather*. But *Delhi Crime* is aesthetically superior to even a hyper-realistic film like *Gangs of Wasseyapur*. Independent films on OTT may not always be great but they provide variety and intensity that might not have been risked by producers earlier, when ready formulae were encouraged.

A unique grammar

A fundamental fact about Indian films that is not acknowledged is that they do not quite fit into the world cinema paradigm. Indian cinema has a strange grammar that is perhaps not even recognised as it should be. Indian cinema's invincibility on its own turf – when better established cinemas have succumbed to Hollywood – as well as Indian art cinema's inability to make a mark internationally in relation to newcomers like Turkey, Iran and South Korea – testifies to this.

How is Indian cinema different? Authorial subjectivity/expression and character subjectivity (an event not as it is but as perceived by a character) do not feature as components. The camera eye is omniscient and what is called point of view is virtually absent. Instead of the story delivered to the audience to be interpreted, it uses the story to relay a pre-existing message to audiences – the sanctity of parental dictate (in *Hum Aapke Hain Koun..!*) or Marxist messages in the films of Mrinal Sen about the solidarity of the working class. Ambiguity and complexity are virtues in art-house cinema but one does not often find them in Indian films.

In Indian cinema the tastes of the audience were always an imponderable, but now that does not seem to matter as much. Films on Netflix and Amazon Prime get reviewed in the media and opportunities are opening up. Directors working on low budgets can experiment, although experimentation still implies being able to hold the attention of an audience; it does not mean 'avant-garde'. With a new kind of cinema, new kinds of actors and technicians are emerging. This means that small budget cinema has entered a new age; a novelty like *Super Deluxe* (2019) might not have been anticipated a few years ago. Mainstream cinema will, of course, continue to hold its own but one's choices in entertainment will certainly expand, as will the artistic freedom available to young filmmakers.

M.K. Raghavendra is a film scholar and author

A balancing act

Information flow can be facilitated without compromising privacy rights or national security

ANIL K. ANTONY

The Supreme Court has decided to transfer to itself from several High Courts all the cases concerning the decryption of WhatsApp messages and the tracing of their original senders, along with the cases demanding the linkage of Aadhaar and social media profiles. The court acted on the plea of Facebook, the parent company of WhatsApp, that different High Courts could have contrarian views and therefore the Supreme Court should hear the cases. Facebook also argued that only the apex court could exercise jurisdiction with credibility on issues that may have a global impact.

Regulating intermediaries

Meanwhile, the government has notified the Supreme Court that it plans to finalise by January 2020 laws regulating social media. These laws are expected to include provisions that would require intermediaries, i.e., the entities that store or transmit data on behalf of other persons, to deploy automated tools and make their platforms subject to observation of various probe agencies to ensure that any unlawful content can be identified and removed, and the original source of such content duly recognised.

Privacy advocates believe that these steps would be the harbinger of a surveillance state. Nonetheless, the encryption features and the right to privacy are not intended to be shields for unlawful agents ranging from terrorists and drug peddlers to the propagators of fake news, slander and child pornography to enable them to act with impunity in the digital space.

It is worth remembering that more than half of India's electorate received some variant of misinformation via social media outlets in the month leading to the 2019 general election. There have been incidents of mob violence resulting from the spread on WhatsApp of digital disinformation on issues such as cattle smuggling and child abduction.

Facebook still opposes the government's demands with the view that the compliance requires it to make significant and expensive alteration

of its product from a technology standpoint. It also fears that the decryption of WhatsApp's secure messaging service would make it a less trusted source of communication and argues that the steps compromise on the safety and privacy of users. This could dent its bottom line, Facebook argues.

The linkage of Aadhaar to social media profiles is expected to be challenged, especially because the current Aadhaar Act only allows unique personal identification for schemes and subsidies funded out of the Consolidated Fund of India. Along with this, the Supreme Court in 2018 had allowed the mandatory usage of Aadhaar only for verifying PAN numbers and Income Tax returns. The government can overcome these legal hiccups with minor amendments. Nevertheless, it should not be overlooked that all the popular social media platforms including Facebook, WhatsApp, Instagram, Twitter, and Tik Tok are foreign-owned. These technology giants with an international market spread cannot be expected to prioritise India's security or privacy concerns.

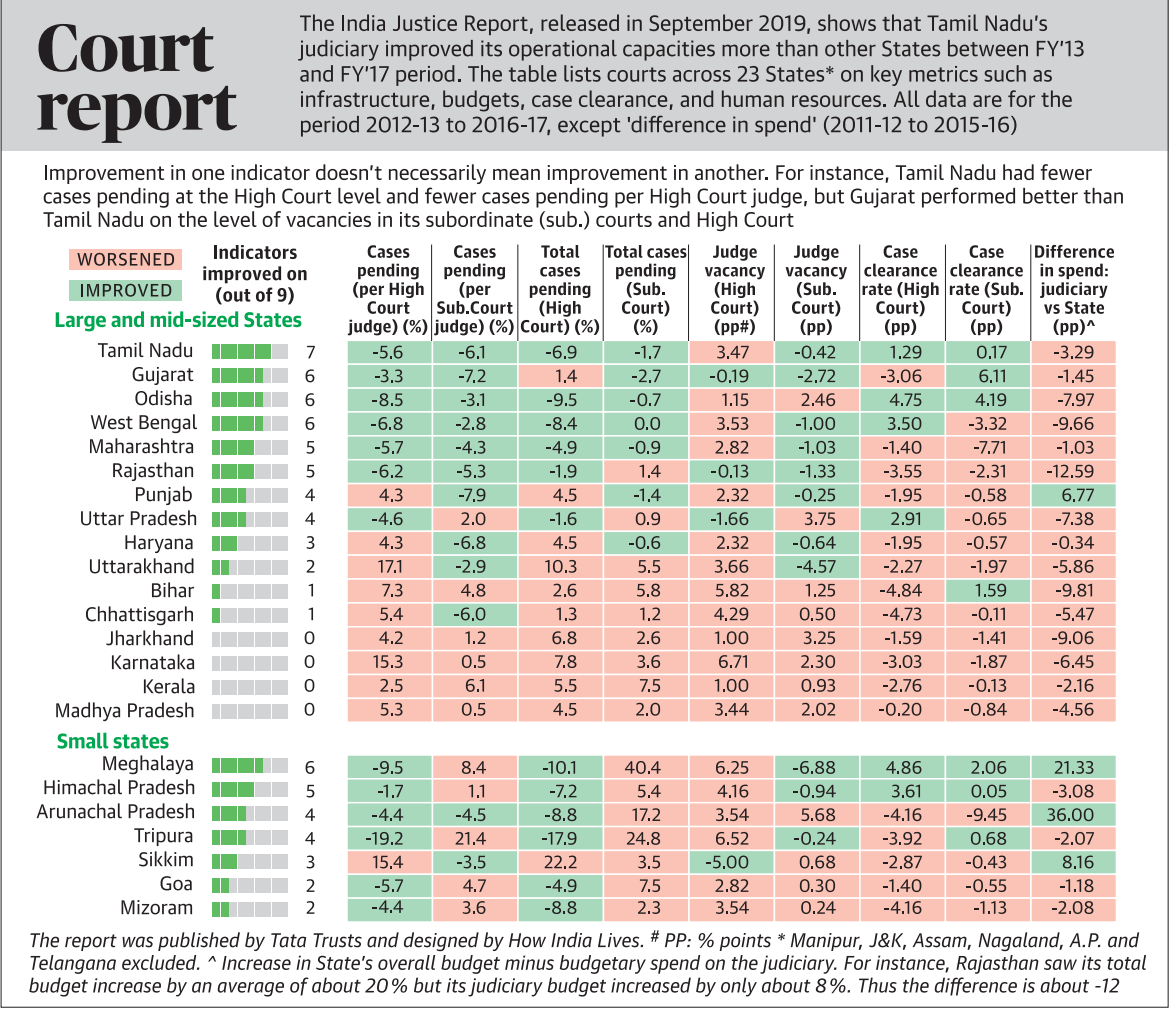
No purpose

The government has aggressively tried to make Aadhaar mandatory wherever it is possible. But the linkage of hundreds of millions of the unique 12-digit numbers to social media accounts serves no useful purpose. Attempting to do that in the absence of operational data protection and localisation laws would be counterproductive, and will only create newer avenues for data security breaches. The government should not shy away from its responsibilities and should bring in the proposed intermediary guidelines. Meanwhile, any thoughts on linking these intermediary accounts to Aadhaar or any other government ID should be discarded. This is to ensure that the mass communication and social media apps operating within India facilitate information flow, without compromising civil and privacy rights or national security.

Anil K. Antony is a technology and social entrepreneur and the Convener of INC-Kerala Digital Media



DATA POINT



The Hindu.

FROM THE ARCHIVES

FIFTY YEARS AGO NOVEMBER 14, 1969

Cong. Parliamentary Party splits

The Congress Parliamentary Party to-day [November 13, New Delhi] broke up into two rival groups which held separate meetings – one to reaffirm its continued faith and confidence in Mrs. Indira Gandhi's leadership and the other to chalk out its action programme for repudiating her and electing a new leader. The first group, consisting of an overwhelming majority of Congress M.Ps., met this morning in the high-domed Central Hall of Parliament – as the official Congress Parliamentary Party with Mrs. Gandhi in the chair – to contemptuously reject the Working Committee's directive and proclaim themselves as the real Congress which was truly representative of the people. The other group – a relatively feeble gathering of not more than 60 or 70 M.Ps. – met at Mr. Morarji Desai's residence later in the evening to settle the mechanics for the election of a new leader in pursuance of the Working Committee's directive and also for staking its claim to be the authentic Congress Party in Parliament.

A HUNDRED YEARS AGO NOV. 14, 1919.

Wellington Cinema.

The performance of the third Fantastics at the Wellington theatre last night was unique for Madras. Never was a Madras audience treated to such a combined display of music, dancing and costume.

Miss Dorie Napier North at the Piano, Miss Josie Westaway, the Melody Trio and Miss Gladys Baker gave the audience delightful songs which were greatly appreciated. Dorothy Nall in her portrayal of the characters of a London crowd was simply marvellous and we should like to see her again in the performance to-night. Miss Dorothy Nall also in her illustrations of the vagaries of human nature was most amusing and realistic.

Now turning to the dancing portion of the performance, to Indians well acquainted with the nautch and the wild dances of hill tribes, the dancing of these fantastics was a revelation. Miss Valerie Scott in a toe-dance and Miss Laurka in the cobra dance, using her arms to represent snakes, were fascinating and kept the house spell bound in their admiration for their poses, grace and art. Miss Valerie Scott in her national dance to the accompaniment of an Indian tune was capital. Kuryolo and Mile Laurka in the appropriate costumes, i.e., of the Poles during the period of 1830-1860 was most charming.