

# Ready for suspended animation?

The emergency preservation and resuscitation procedure has already been used on at least one patient to give doctors more time



## QUANTUM LEAP

DEVANGSHU DATTA

Suspended animation is an old science fiction (SF) trope. The SF idea is, freeze a living body and temporarily stop all its functions. Keep it in a sterile environment, where it will not decay. Resuscitate later. In various SF scenarios, this (non-existent) technology is used to make long spaceflights, and to preserve somebody with an incurable disease until a cure is found.

In real life, medical researchers have started looking at a far more feasible scenario. A patient taken into an emergency room with near-fatal injuries could be put into suspended animation through an emergency preservation and resuscitation (EPR) procedure to give doctors more time.

The unusual effects of freezing have been known for centuries. At normal body temperature (37°C), cells die if the heart isn't pumping oxygen into the bloodstream. There is irreversible brain damage in about five minutes if there is no oxygen supply to the brain.

However, people who fall into icy water have been resuscitated up to 30 minutes after their heart stopped beating. This is because cell functions slow, and nearly stop at low temperatures, and the need for oxygen is drastically reduced.

Heart and brain surgery can involve using ice-packs to cool the body externally, while the blood is rerouted through an artificial circula-

tion system to cool it. This gives surgeons more time. But this is a slow process.

If the heart has stopped beating, there are just a few minutes to spare. Ditto for massive blood loss. EPR could come into play here. The inspiration for EPR goes back to studies during the Vietnam War. Military surgeons noted that one leading cause of death was blood loss in the first 5-20 minutes after an injury, even for soldiers who had wounds that could have been treated.

In the early 2000s, researchers at the University of Arizona started experimenting on pigs, replacing their blood with cold saline solutions after inflicting serious wounds. They discovered that the animals could be resuscitated up to three hours later, with no apparent ill-effects, after treatment.

Now, the School of Medicine at the University of Maryland (Baltimore) has received permission to use EPR techniques on emergency cases where

the victim has a very low chance of survival. According to reports, EPR has already been used on at least one patient.

EPR involves replacing all the blood in the body with ice-cold saline solutions. It takes about 15 minutes for the temperature to drop to 10°C. At this point there is no blood in the body, the patient is not breathing, and there is no brain activity.

This clinically dead patient is then disconnected from the machinery, and surgery or other emergency medical procedures can then be performed. After that, the saline is replaced with blood, which heats the body slowly. Researchers estimate that EPR could give doctors a window of about two hours for treatment, instead of mere minutes, in working with near-fatal injuries.

It isn't clear how long an EPR procedure can last without lasting damage. Nor are the parameters for "reboots" clear. During the "warmup" period, chemical reactions restart at the cellular level. This can cause damage — "reperfusion" injuries may be

caused when oxygen supply returns to cells. The reperfusion process is not fully understood, and there could eventually be drugs developed to minimise this damage and thus, allow for longer EPR times.

The EPR trials in Baltimore will initially involve 10 EPR subjects and 10 controls. All will be trauma victims brought into the Emergency Room of the University of Maryland Hospital with near-fatal injuries. This is legally awkward because the subjects and controls may be incapable of giving consent.

The US Food and Drug Administration has waived the consent requirements for this important experiment. The logic is, this procedure will only be performed on subjects with very serious injuries, where there is no alternative treatment, and the chances of survival are very low.

The EPR technique will be tested on 10 people, and the outcome compared with 10 controls. The technique will be refined, then tested on another 10, etc. The EPR trials will continue through 2020. This is a long way from the SF scenario, where people in suspended animation are taken on century-long spaceflights. But it could be a powerful new tool for emergency medicine.

## CHINESE WHISPERS

### Monkey menace



Several members of the Lok Sabha on Thursday spoke of a monkey menace, both in the Lutyens' zone, where they have their official bungalows, as well as at pilgrimage sites. During the Zero Hour, Mathura MP Hema Malini said her constituents, particularly in Vrindavan, faced this situation. She said sterilisation attempts had made monkeys "violent", and suggested that a monkey safari be set up there. Lok Janshakti Party MP Chirag Paswan said monkey terror in the Lutyens' zone was such that children could not play outdoors. "And all this is happening as we destroyed their homes (forests). Now they have entered our homes," he said. Trinamool Congress MP Sudip Bandyopadhyay recounted how during a visit to Haridwar, a monkey took away the glasses he was wearing, and returned them only after a shopkeeper offered packaged fruit juice to it.

### Pillar victims

People whose seats are behind supporting pillars in the Lok Sabha got an opportunity on Thursday to speak during the Question Hour and Zero Hour. Raj Bahadur Singh, a Bharatiya Janata Party (BJP) member from Sagar, Madhya Pradesh, said he was *khamba peedit* or "pillar victim" because one such structure blocked his view of the rest of the House, and, more importantly, the cameras that covered the proceedings. The BJP's B P Saroj, an MP from Uttar Pradesh, also spoke standing behind a pillar. Some MPs said the problem would be solved once the new Parliament building came up. During the last session, Minister of State for Parliamentary Affairs Arjun Ram Meghwal had softened the feelings of such members by telling them how those who sat behind pillars achieved great success, giving the examples of Parliamentary Affairs Minister Pralhad Joshi and Speaker Om Birla, both of whom sat behind a pillar.

### Naidu's tough stand

Vice-President M Venkaiah Naidu, who is also chairman of the Rajya Sabha, has taken a serious note of absenteeism on the part of MPs in the meetings of parliamentary standing committees and select committees. Naidu has asked for the attendance records of all Rajya Sabha MPs. He is set to write to House leaders of political parties to ensure better attendance in committee meetings. According to rules, MPs can be sacked from committee membership if they do not attend two meetings in succession, which could be invoked if absenteeism continues.

## LETTERS

### Need solutions

This refers to "The Job crisis worsens" (November 19) by ex-CEA Shankar Acharya. He explains in the subtitle that for the worsening job crisis, the main blame should not fall on the slowdown but on weak policies. He has quoted remarkable quantity of data to prove the extent of job loss. About weak policies, he has simply enumerated the poor state of public education, skilling system, labour laws, exchange rate, exports that are not labour intensive, import-competing domestic production, poor infrastructure, weak public sector banks etc. In effect, he has blamed everything. But what is wrong with everything, he has not discussed. Certainly import-competing domestic production is not bad. And labour-intensive products stand no chance in the highly competitive export market.

These serious issues just cannot be damned as arising out of poor policy without discussion. As a solution he has only said we have no alternative to "tackling policy and programme weaknesses" without saying how. Maybe there is no space in this article. In that case, he could have written one more article indicating what those policies should be. Otherwise his article is only a great collection of data of rising unemployment and nothing more. We are deprived of his wise advice emanating from his long experience at high policy pedestal.

**Sukumar Mukhopadhyay**  
via email

### Shankar Acharya responds:

I appreciate Mr Mukhopadhyay's wish for more detailed suggestions on how to deal with our mounting unemployment/underemployment challenge, which I have summarised in my recent article. As he graciously acknowledged, I have, in my opening paragraph, outlined some key areas in which our policies and programmes need to seriously improve. He also correctly surmises that "there is no space in this article" to give the desired detail and encourages me to write another one. I will consider his suggestion seriously. In the meantime, I would encourage him to peruse my extensive writings on all these areas over the past 20 years. I shall be happy to provide him with detailed reading suggestions.

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# Dealing with crop residue burning

Blaming farmers will not solve the problem. Stopping free power for irrigation and the transfer of the same subsidy to farmers in other forms alone will make a significant difference



RAMESH CHAND

Severe pollution in Delhi and other parts of north-west India during October and November has become a regular phenomenon for some years now. Though several factors contribute to this crisis, the burning of residues of paddy crop in the neighbouring states is held responsible for driving pollution to such dangerously high levels. In order to find a durable solution for this recurring problem it is important to look at the genesis of paddy stubble burning and explore options to turn farmers away from such unhealthy practices.

Traditionally, crop residue (stalks, straw and stubble) was used as fodder for livestock or as a fuel. A small amount was converted into compost. Over time, the supply of crop residue has far exceeded the demand mainly because of its substitution by other sources. Green fodder is replacing dry fodder and the use of crop residue as fuel is replaced by LPG and other sources with high calorific value and less smoke. Because of the fall in demand and the increase in supply, the market for the residue of most crops has collapsed. The residue of paddy in north-west India has an added problem. Dry straw of non-basmati paddy is poor quality fodder compared with wheat straw. Farmers are left with no choice but to either incorporate it in the soil or destroy it by burning. Consequently, crop residue burning has become widespread and practiced throughout the country. It is felt more seriously in Delhi and the surrounding areas where its concentration is very high and where air quality is already poor.

It is common to find farmers in Haryana and Punjab even burning the

residue of wheat in their fields, harvested with combine harvester in the months of April and May. However, the damage from the burning of wheat straw is not felt much because of its low incidence and because of the hot weather and windy conditions prevailing during that time that helps dissipates smoke quickly. But putting one acre of wheat straw on fire is no less damaging for the atmosphere than burning one acre of paddy. It is sad that the growing tendency towards crop residue burning has not been taken seriously. It is going to assume catastrophic proportions throughout the country in the coming years if effective measures are not taken soon.

Turn to paddy. Till a few years back most of the crop was harvested manually and a small area was harvested using combine harvester. In manual harvesting, the paddy plant is cut at 6-10 cm above the ground. This leaves a very small stubble after harvest, which is easily incorporated into the soil through ploughing by disc-plough or by using the rotavator. Paddy crop was then manually thrashed and straws were kept in one corner of the field where they decomposed over time and then got mixed up with the soil.

At present, due to a shortage of manual labour and for quick completion of harvest operations, about 94 per cent of the area in Punjab is harvested through combine harvester. This machine picks about 20 cm from the top of the plant consisting of the pinnacle and spikes and leaves the rest of the plant (straw and stubble) as it is. The straw left in the field comes in the way of field preparation for the next crop. Wheat is sown after a short span of four to six weeks after the harvest of paddy, but late sowing varieties can be sown till the fourth week of December but the yield is lower. This raises a serious problem — that of clearing the field of straw and stubble and preparing fine soil for the next crop within a tight schedule. Most farmers settle for the easy and almost zero-cost option — of putting the straw on fire to reduce it to ashes. This takes little time, involves no cost for the farmer but is environmentally hazardous.



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The problem is much more severe in Punjab where 75 per cent of the net sown area in kharif is under paddy and about 78 per cent of paddy biomass is disposed through burning. This amounts to burning about 20 million tonne of biomass which has high moisture and low combustibility.

Some farmers, who realise the harm to ecology and environment and to human health, go for incorporating crop residue into the soil. This requires chopping and shredding of the crop residue into small pieces and ploughing them back into the soil. This practice improves soil fertility, but as crop residue gets decomposed, it releases methane into the environment, though at a very slow rate. This method involves some cost as the farmer has to use some sort of a straw management system to plough small pieces of straw back into the soil. Machines like straw choppers, straw shredders, mulchers, new seeder and happy seeder are available, which help incorporate crop residue into the field. This process involves an investment — of about ₹3,000 per acre as machinery charges. A sizeable part of this cost is supposed to be included in the cost of cultivation of the next crop, as preparatory tillage, and thus factored into the MSP of the next crop.

The central government has given huge subsidies for machinery to be used for straw management and or the incorporation of straw back into the soil. However, its adoption has remained slow because of the cost involved, the restriction of subsidy to selected manufacturers, and the lazy option available for destroying the biomass through fire.

There is a pressing need to find a long-term solution to paddy straw burning in north west India as well as to address the potential problem of crop residue burning in other parts of the country. There are three options to check paddy straw burning and all three must be used. The best option seems to be the production of bio-CNG from crop residue. The process involves anaerobic digestion in completely sealed digesters where only biogas is taken away from crop biomass, involving almost zero emission. The rest of the biomass is turned into manure suitable for use in soils. Discussion with experts working in the field reveals that the use of rice straw for CNG is economical and financially viable. This process is also environment friendly as it does not result in the slow release of GHG from decomposition of biomass incorporated into soil using any of the straw management systems or with the happy seeder. Such

investments should be considered eligible for loans at concessional rates of interest as green projects.

The Ministry of Petroleum and Natural Gas and the government of Punjab had announced plans for setting up bio-CNG plants but they have not seen much progress except for the setting up of two plants — one coming up in Sangrur district of Punjab with German investment and another coming up in Karnal in Haryana. The centre and the states should facilitate setting up bio-CNG plants and provide quick credit at concessional rates to the parties interested in setting up the Bio CNG plants.

The second option is briquetting of loose biomass into compact, high density, easy to transport material that can be used for energy generation in place of coal in thermal plants or as a fuel in industry. Both the bio-CNG and briquetting options can work well in areas with intensive cultivation of paddy that generate large biomass from small, contiguous areas.

The third option is to decompose biomass in a short period and plough it back into the soil. Scientists in ICAR, Indian Agricultural Research Institute, New Delhi, have developed a microbial formulation (consortia of 4 fungi) which decomposes paddy biomass in 20-25 days. They are now working on standardising the technology for mass application in the fields. Hopefully, this technology will be ready for adoption in farms in a year or so.

These options can convert waste into wealth and can effectively check the serious problem of rampant burning of paddy biomass and the prospect of crop biomass burning spreading through the country.

During the last three decades our crop patterns have been seriously distorted through an output price policy and the input subsidies. Today we are producing 10 per cent more rice than there is demand. The reason is policy bias towards rice. This is destroying groundwater, damaging environment, and putting severe burden on fiscal resources. We must reform our policies to incentivise a shift away from paddy particularly in Punjab and Haryana. Stopping free power for irrigation and the transfer of the same subsidy to farmers in other forms alone will make a significant difference and dilute the concentration of paddy and the problems associated with it.

The author is member, NITI Aayog. Views are personal

## INSIGHT

# Making sense of energy data

Production cuts in the manufacturing sector is bound to reflect on energy consumption numbers



JYOTI MUKUL

After the country reached the milestone of providing power to all rural households, the legitimate expectation would have been an increase in power consumption and a demand surge by those who got limited power load through subsidised connections. But two figures released last week suggest that energy consumption in India is not rising, indicating slowdown has hit the core of economic activity in the country.

According to National Power Portal data for October 2019, power generation in the country in October fell to 98,886.73 giga watt per hour from

113,507.43 gwh in the same month last year. That translated into a 12.8 per cent fall while cumulatively for the seven months starting April 2019, power generation showed a 1.2 per cent increase.

Another set of data giving diesel demand figures shows that in October, diesel consumption was down 7 per cent. According to Petroleum Policy & Analysis Cell, 12 categories of petroleum products recorded consumption of 17.4 million tonne during the month which was down from last year's 17.6 million tonne.

Clearly, the demand for energy has slowed down as also power supply by state distribution companies despite their taking on 26.5 million additional customers through the rural household electrification programme or Saubhagaya. This can be explained through a simple data point given out by the government's Energy Statistics 2019 publication which says the industrial sector accounted for about 56 per cent of the total energy consumption in 2017-18. Though this figure came down by two percentage points from the previous year, it is expected that it

will come down further this year even though the share of households will increase. With such a big share of industrial consumption, it is unimaginable that overall energy consumption will go up since manufacturing in the country is on a downturn.

Union power minister RK Singh, however, has vociferously countered this theory by denying that power generation numbers reflect a slowdown in the economy. In a strongly-worded Twitter post on Wednesday, Singh said, "Statement that the lower demand in October was indicative of slowdown in the economy is nonsensical."

To support his argument he said with good rains, hydropower generation showed an unprecedented increase. The April-October 2019 period saw the highest growth in hydro-electricity generation in five years at 16 per cent, he said. Besides, power generation has shifted to renewable sources. "The lower PLF in thermal power plants is the result of our changing generation mix, consciously done to lower our carbon footprint." What Singh did not acknowledge was that the overall power generation in terms

of generated units is down which means that the fall in thermal power generation has not been entirely made up by the growth in renewable power (including hydropower) generation.

Besides, in September also, the total power generation fell by 3.7 per cent. Though analysts blamed lower coal output for this, renewable energy sources also saw a fall of 7.13 per cent, indicating an overall downturn in demand.

Singh also argued that the monsoon season continued till October leading to switching off of air-conditioning units in many institutions. It is worth noting that the mere use or non-use of air-conditioners does not alter energy consumption in a big way.

Another argument which is being put forth is that the dip in energy demand is due to improvement in efficiency. According to government data, the energy intensity at 2011-12 prices decreased from 0.274 mega Joules a rupee in 2011-12 to 0.233 mega Joules in 2017-18.

Energy intensity has decreased over the last decade. This decline is attributed to faster growth of GDP than

## The big push, finally

Strategic sale decision welcome; should have come earlier

The Cabinet Committee on Economic Affairs has finally set the ball rolling on strategic disinvestment. According to the plan, the government will sell its shares in Bharat Petroleum Corporation Ltd (BPCL), Shipping Corporation of India (SCI), Container Corporation of India (Concor), Tehri Hydro Development Corporation India Ltd (THDCIL), and North Eastern Electric Power Corporation Ltd (NEEPCO). While THDCIL and NEEPCO will be taken over by NTPC, the government will sell its stake in BPCL and SCI with transfer of control. In Concor, the government will not sell its entire stake but will transfer control to the strategic buyer. Besides, the government has also decided to reduce its shareholding below 51 per cent in select public sector undertakings. This will help increase the pool of assets for disinvestment. Although the transfer of stake in THDCIL and NEEPCO to NTPC is not exactly in line with the idea of disinvestment, because it will effectively remain in the government's control, on balance, Wednesday's decision to take the disinvestment process forward and give an impetus to strategic disinvestment is in the right direction.

However, it remains to be seen how quickly the government can sell its stake and transfer management control in these companies. In the case of BPCL, for instance, the company's stake in the Numaligarh Refinery will first be transferred to another public sector undertaking. The transfer of stake in the Numaligarh Refinery and due diligence by potential strategic buyers in BPCL and other firms will take time. In its bid to achieve the disinvestment target of ₹1.05 trillion in the current fiscal year, the government should not try to conclude the process in a hurry because it could affect valuations. Transfer of control should happen at a decent premium. At current market prices, the government stake in BPCL is valued at about ₹63,000 crore and the proceeds from Concor and SCI would be worth about ₹12,900 crore.

Since the government had set an ambitious target for mobilising funds through asset sale, it would have helped if the decision of strategic disinvestment had come earlier in the fiscal year. The process of disinvestment should be more systematic. A ready list of companies for disinvestment, both for strategic and minority sale, should be prepared well in advance. Apart from avoiding a last-minute rush to meet the Budget target, which can potentially affect valuations, it will give the market enough time to prepare and bid for assets put on the block. This will help fetch a better price.

The delayed decision on strategic disinvestment makes the government's task on cushioning the fiscal problems this year even more difficult. Tax revenues are expected to fall short of the target significantly, and in the absence of expenditure compression, the fiscal deficit is expected to overshoot. Therefore, irrespective of the outcome of the disinvestment process, the government will need to reassess its fiscal position more realistically. The economy will benefit if the proceeds of disinvestment are used for building new assets and not to fund recurring consumption expenditure.

## A test case

DHFL resolution will strain IBC, but is systemically vital

The Reserve Bank of India (RBI), which serves as the banking regulator, has superseded the board of the troubled non-banking financial company Dewan Housing Finance Corporation (DHFL) and appointed an ex-banker as the company's administrator. This is in order to prepare DHFL to enter the process under the Insolvency and Bankruptcy Code (IBC); the National Company Law Tribunal will have to appoint the administrator as the appropriate resolution professional for this case. DHFL will be an important test case, because it is the first such systemically important financial company to be entrusted to the insolvency and bankruptcy process under new rules, which have been recently drawn up for non-banking financial companies (NBFCs) that have an asset size of at least ₹500 crore. The precedents set in this case might have to be relatively widely applied to an NBFC sector that has shown many signs of stress over the past year, since the collapse of Infrastructure Leasing & Financial Services (IL&FS). DHFL, while less systemically intertwined than IL&FS, nevertheless has debts of around ₹90,000 crore on its books and an outsize impact on the vital housing and real estate sector. Almost ₹40,000 crore of that is owed to banks. Under 10 per cent is to public deposit holders.

Although DHFL has been troubled since June, there have been multiple delays in getting to this point. The first reason is that, as a financial institution, there is no separate law to deal with its unwinding. The rules under the existing IBC are one way of going about it, but their robustness will have to be examined. The second problem was, that, again as a financial company, it has multiple different creditors — not just banks, but mutual funds, bond holders, and retail fixed depositors — with varying interests involved, so creating an inter-creditor agreement was not straightforward. The question now will be whether the IBC process will manage to balance these priorities. The final problem was that there is also a fraud investigation underway. The progress of this investigation impacts how lenders wish to treat their loans to DHFL. An audit report had suggested fund diversion, perhaps into accounts linked to DHFL's promoters, and lenders naturally wanted to know first if that was recoverable. Finally, there have been various revival plans floated, most of which seemed unlikely to achieve a consensus or success.

The IBC will thus have to manage these multiple problems while keeping in mind the precedents that are being set, the systemic importance of the sector, and the possibility that many projects linked to DHFL might be viable on their own. What will be particularly important is to keep in mind the fact that the Supreme Court has recently underlined the necessity for the IBC to honour the variable importance of various creditors — secured get priority over unsecured. Thus, while the banking regulator might like to see deposit holders paid off, the fact is that the IBC process will have to prioritise the secured creditors. If the DHFL test case runs into problems, then the government will have to act swiftly and re-introduce a modified version of its Bill to deal with insolvent financial institutions, which it withdrew last year after public concern about deposit safety.

ILLUSTRATION: BINAY SINHA



## The problem with investment scores

The various reports on investment climate of states do not match the ground reality

Gauging India's investment climate through various rankings has become a common practice lately. While the World Bank's Ease of Doing Business (EoDB) shows a rise in India's rank from 77 to 63 in 2019, the World Economic Forum's Global Competitiveness Index (GCI) reported a fall in the country's position from 58 to 68 the same year. In keeping with global trends, various rankings of the states of India have been executed as well, like the Department for Promotion of Industry and Internal Trade's (DPIIT's) EoDB and the National Council of Applied Economic Research's (NCAER's) State Investment Potential Index (N-SIPI) which provide analogues of the World Bank's EoDB and GCI, respectively.

However, despite the confidence of investors and policymakers, there remains a concern regarding the relation of these rankings to ground reality.

The scores on the current indices are a combination of the Indian states' performance on a variety of indicators, such as access to infrastructure, political stability, factors of production, economic environment and business perceptions covered by N-

SIPI and regulatory measures, namely contract enforcement, single window clearance, etc. under DPIIT's EoDB. The relative weights of these pillars are assigned at the discretion of the researchers. Thus, given the present approach of evaluating the business climate of a state, the current indices are open to criticism on mainly three accounts.

Firstly, these indices are designed to act as an indicative tool only. To understand this concern better, let's consider the instance of an auto-manufacturing firm trying to establish a plant in a particular state that has risen in rank by two spots. What does such a jump in rank convey to the firm? It suggests that the firm's profitability is likely to be higher if it invests in that particular state. But, the index fails to address, what is equally or perhaps more important to know, by how much more the firms' return potential or profits would increase owing to the state's rise in rank. The quantum of improvement, and not merely the direction of improvement, plays a crucial role in the cost-benefit analyses of investors and policymakers alike.

Secondly, the practice of assigning arbitrary weightage to the different indicators makes it easier

for policymakers to game the system. For instance, the state may only reform those areas that are easy to tweak, rather than the ones that prove to be the biggest bottlenecks in changing the industrial setting of a country. Such practices are likely to dilute the value of these rankings to the auto-manufacturing firm or any other potential investor.

Lastly, the recommendations that stem from these rankings seem to be uniform across states. Owing to the vast diversity across the states of India, a one-size-fits-all measure is unsuitable to address the heterogeneity, which in turn leads to unequal growth. This point becomes even more relevant in a post-GST world, where location of industries cannot be driven by tax margins but by comparative advantage of states.

A way to overcome the aforementioned loopholes in the existing indices is to reduce the arbitrariness of factor selection and weights assigned to them. To be specific, the exercise of developing such indices should be more data-driven, where a firm's productivity in a given state should be correlated with various business environment factors of that state. This exercise will throw up the relative importance of each factor in stimulating a firm's productivity in the state. A firm's productivity — the part of the output after the costs of production have been accounted for — is the returns accrued by the entrepreneur/investor, making it a relevant measure of investment potential. Developing such an index would add three values to the existing measure. First, it would guide investors in their cost-benefit analyses of locating investments in sectors with higher return potential.

Secondly, the relative importance of the pillars, as suggested by the data on firm-productivity, would inform policy-makers to focus on the ones with the highest impact on productivity, thereby reducing the incentive for gaming the system. Finally, since such an exercise can be repeated in different industries across the states, a data-driven index can also shed light on a state's comparative advantages.

Overcoming information asymmetries for firms and investors is an essential requirement for improving the business operating environment for firms. Current metrics provide some indicators for policy-makers and investors, but sadly there are large gaps. This is where a data-driven index which also tells the amount of change, along with direction, could prove to be a far more useful indicator and a more accurate measure of a state's investment potential.

The writers are associate fellows at NCAER. The views are personal



SAMARTH GUPTA & MADHURA DASGUPTA

## Beware of the unfolding Washington drama

With the start of public hearings in the impeachment proceedings against President Donald Trump, this process has now entered a new phase fraught with political risks for both Democrats and Republicans in the US and which could have a significant impact on the outcome of the 2020 presidential election.

Let us make it clear that barring some new spectacular revelation about proofs of additional misconduct by Mr Trump, new skeletons coming out of the closet, there is quasi-zero chance that the process will end up with the president being removed from office. Of course, one can expect that the Democrats dominated House of Representatives will vote at the end of the public hearings for recommending the impeachment of Mr Trump, but then it will be for the Republicans dominated Senate to have the final say. And, as Mr Trump has subjugated the Republican Party to his will, there is no chance that the Upper House will garner the two-thirds majority of votes to oust the president.

Then where are the risks?

For the Democrats, the issue is that almost nothing that can be said or demonstrated about Mr Trump seems to be able to shake his core base of support — especially the viewers of Fox News and the white evangelical Christians. In fact, according to the latest survey the percentage of them who want Mr Trump to be their candidate in 2020 has even increased. Beyond this hard core of supporters, if the impeachment process fails to remove the president, then the risk is that many people beyond Washington might consider that this was much ado about nothing, to borrow the title of William Shakespeare comedy, and that the Democrats spent a lot of public money and wasted the time

of the Legislative branch in an exercise that might be perceived as futile. Add to that the perception spread by Fox News reporting that the whole impeachment process was the expression of the ongoing vendetta of all those who never accepted the victory of Mr Trump, one more expression of the sore loser attitude of the elites against the supposed popular will. This might not help enhance the chances of the candidate in next year's presidential election.

For the Republicans, the risk is that although their leader will have survived the public hearings, too much will have been exposed about the way Mr Trump has been using and abusing his Oval Office power for personal and partisan advantages that moderate Republican voters, and some percentage of the people who voted for him in 2016 will consider that enough is enough. For many people in the 2016 election it was a matter of "anybody but Hillary Clinton". In 2020, it might be for the same category of voters a matter of "anybody but Donald Trump". Although state elections are of a different nature and trigger different kind of choices for many voters than a presidential election, the back-to-back defeats of Republican candidates for governor in the states of Kentucky and Louisiana — despite Mr Trump's active support — cannot but make Republican leaders nervous about what could well be warning signs of a weakening of their base of support.

Beyond the political calculations, one even more important element as the impeachment drama unfolds is the reality it illustrates of a nation more polarised and divided than it has ever been since the war of secession. If one looks at the reporting of the hearings on Fox News and on CNN, one might wonder if these two media are witnessing — and reporting about — the same

event and the same testimonies. And it is not just a matter of two news organisations doing their work according to their own ideological or professional standards. It is a question of a national consensus now badly fraying at the seams, of confidence in national institutions and the political system at its lowest level.

This might not be so important if we were not talking here of what still remains the world's number one superpower. Given the erratic nature of Mr Trump, his total lack of any kind of strategic vision, there is no trying to predict what kind of move he might be tempted to take if the flow of embarrassing and humiliating revelations of his unbecoming behaviour continues, and if the voices of disgruntled moderate Republicans get louder. He is, for instance, more impatient — or even more desperate — than ever for a trade deal with China that would allow him to tell his core base of support that he is the only US president who has been able to "bend Beijing to his will" — although it is obvious that any such agreement will be a far cry from what his administration was hoping to achieve. And, as the Chinese leaders don't see any need to oblige him and play along his schedule, he is now threatening to impose new tariffs on Chinese imports. But this kind of approach is definitely not the most relevant one and is in fact counter-productive when dealing with a country fast on its way to becoming the world's number one economy.

The fact of the matter is that there are no "safe hands" around Mr Trump. So, there is no predicting what a man spending hours watching Fox news and tweeting his moods and frustrations out might be tempted to do as the humiliation of being subjected to an impeachment process goes on — whatever the way this process is described by him and his supporters, whether as a "witch hunt", as "coup" or a "deep state hoax". Beware of a besieged, unstable and volatile president.

The writer is president of Smadja & Smadja, a Strategic Advisory Firm; @ClaudeSmadja

## A flaneur in Old Delhi



BOOK REVIEW

UTTARAN DAS GUPTA

If you get off the Delhi Gate metro station on the Violet Line and walk down Dariyaganj towards Jama Masjid and Red Fort, it is unlikely that you will be able to spot the Sunheri Masjid or imagine a time when one could have caught a glimpse of the Yamuna from this busy, congested thoroughfare. At Chandni Chowk, you will encounter the chaotic beautification of the busy street and if you visit the Red Fort, many of the area will be

inaccessible as they are being refurbished. The chaos of this living, contemporary city conceals centuries of history, and few books trace it better than the one under review.

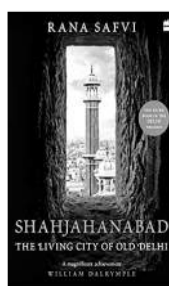
This book is the third in Ms Safvi's Delhi trilogy, following *Historical Trails in Mehrauli* and *The Forgotten Cities of Delhi*. She has also translated several books from Urdu, including Sir Sayyid Ahmad Khan's *Asar-ud-Sanadid*, which, Ms Safvi says in the Preface, was one of the sources for *Shahjahanabad*.

In the Preface, she writes: "Old Delhi... is a living city... [its residents] describe a Delhi that no longer exists... The narrow lanes of Shahjahanabad are not conducive for vehicular traffic... The *havelis* have been rented out and have become warehouses... I have tried to describe these changes."

She does a wonderful job of it.

Those who follow Ms Safvi on social media will also be aware that she has, like Sir Sayyid before her, visited each and every monument she describes in the book, documenting them through photographs. These have found a home in this book, illustrating her descriptions. These are also used very imaginatively. For instance, the ninth part of the book, "The Ridge", begins with a picture of a British ammunition store. (This is one of the rare pictures taken by Rameen Khan and not Ms Safvi.) Many of us might

have encountered such a structure while exploring the Ridge, without any clue of what it was. Even familiar structures, such as the Orpheus panel inside the Red Fort, designed by jeweller Austin de Bordeaux, takes on new significance in this book.



**SHAHJAHANABAD: The Living City of Old Delhi**  
Author: Rana Safvi  
Publisher: HarperCollins  
Price: ₹395  
Pages: 999

Khari Baoli. Some of the details Ms Safvi writes about would be familiar to those residents of the city who are curious about its history. Several

excellent books have been published in recent times on this, such as Swapna Liddle's *Chandni Chowk* (2017). There are other parts of the book, however, which are unique in their own way, and delightfully entertaining. For instance, one section is devoted entirely to the "kooche, katre aur mohalle", the lanes and bylanes of Old Delhi, often accessible only on foot.

For instance, Gali Batasha, describing which, Ms Safvi writes: "It is the place where pickle and raw jaggery are sold. Batashas and candy toys, etc. are made here, hence the name." Another is Katra Neel, or the blue lane. Ms Safvi writes there are two possible reasons for this — one because people of the Khatri community lived there, or because the area is named after Lord Shiva, also called Neelkanth. Describing her experience of wandering around this

year, Ms Safvi writes: "this place has many temples... I found the Ghanteswara Temple in a lane branching off from it, as well as Ladliji ka Mandir." She also found a Shiv temple in the area.

My favourite section of the book is the one reserved for the food of Shahjahanabad. When I adopted Delhi as my home six years back, one of the first things I explored was the ample options for food around Urdu Bazaar, tucking into kebabs from handcarts, *kulfi* from Kuremal, and the mysterious *daulat ka chaat*. Ms Safvi not only writes

about where you might find the food you desire, but also recipes for *mutton nahari* or *qaliamba*. Personally, I prefer the *nahari* at shops around the Nizamuddin dargah. But these are minor squabbles that Delhiwalas have among themselves.

# Opinion

FRIDAY, NOVEMBER 22, 2019

**SHOBHANA SUBRAMANIAN**

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## Half-measures will not fix the economy

The labour reforms are half-hearted, there is nothing on telecom & freeing PSUs needs more than cutting govt stake

**WHILE THE GOVERNMENT** seems eager to take measures to reboot the economy, the initiatives, in themselves, are not bold, game-changing, or even, as in the case of telecom, helpful. On the contrary, they seem half-hearted, as in the reworking of the Code on Industrial Relations Bill, 2019. Having talked of labour reforms for five years now, the government has done well to make it easier to allow industry to hire fixed-term employees, but little has been done to give industry a free hand to hire and fire easily.

At a time when no company is willing to add capacity, and if it is, it is more likely to use machines rather than labour, retrenchment rules should have been relaxed. Instead, the government has retained the threshold of 100 employees, above which companies will need to take prior approval from relevant authorities. While a provision for changing the 'number of employees' through a notification has been added, industry is unlikely to be convinced. For one, the government keeps tweaking rules, and this doesn't always help industry; how does industry know when the government will raise the threshold and to how much? If companies are to take on risks and invest large sums, they need to be reassured that the rules will be helpful, and will not change. In this instance, the government needed to have announced a higher threshold of at least 1,000. Also, rather than indicating it would support any flexibility in the labour laws offered by the state governments, it should have been more forthcoming, and amended the central law.

It is time the government stopped giving in to trade unions, and took a firm stance, whether on interest rates for small savings schemes, or the EPFO. Arun Jaitley's promise of allowing people to move from EPFO to NPS, and from ESI to insurance has still not been met after all these years. Even when it came to divesting a stake in Air India, the deal didn't take off because it was unwilling to retrench employees and allow AI to be merged with the acquiring airline. Unless it lets go—it wanted a 26% stake till the IPO—and gives the acquirer a free hand, a deal is unlikely. In this context, the complete privatisation of BPL, Concor, and SCI is a good idea.

More transactions where the government exits the business altogether or, even if it holds on to a small stake, relinquishes management control, are needed. Selling big chunks of equity in PSUs to take its stake below 51% will fetch the government cash, but unless PSU managements are freed—from the 3Cs and L-1-itis—this achieves little.

Given that abnormally high government levies crippled telecom even before Rjio came in with its ultra-low prices, and how the ₹1.3 lakh crore AGR burden would have been much smaller had the government scrapped licence fee/SUC in 2010—when it started auctioning spectrum at market prices—it needed to ease the pain for the two older telcos that are still surviving. All that it did, however, was to give a two-year moratorium on the deferred spectrum dues—₹11,476 crore for Airtel, and ₹23,920 crore for Vodafone Idea—when the two have to pay around ₹92,500 crore on account of the Supreme Court's AGR ruling.

Apart from the issue of whether the government should have stepped in to prevent Rjio's below-cost pricing, it needed to keep in mind that a Vodafone that is close to shutting down has, alone, invested close to \$30 billion. Vodafone Idea now has a debt of ₹120,000 crore, and doesn't have the money to pay the AGR dues; if it becomes insolvent, this will also put thousands of people out of work. More important, after this, few MNCs would be willing to commit capital in India.

In fact, the government could turn out to be the bigger loser if Vodafone Idea shuts down as the telco owes the state over ₹150,000 crore by way of AGR and deferred spectrum dues. Also, with several telcos shutting shop, one on the brink of shutting down, and another not doing as well as in the past, industry revenues and demand for spectrum could fall even more than they have over the past few years. Nick Read, the global CEO for Vodafone was not wrong when he told the UK's *Sunday Telegraph* that the government needed to get its "boots off the industry's neck", and allow it to compete. Read may have taken back his comments, but global corporations will not forget them in a hurry.

For a government that was voted to power on the promise that it would rejuvenate industry and revive investment, the NDA's is a sorry track record. Not only have investments altogether collapsed, there are few signs these will come back soon. Biased regulation, half-baked policies, and tax-terrorism cannot create confidence. Far from unleashing animal spirits, the government is killing them.

## At least consult on NRC

It is fraught with problems, so needs wider discussion

**IT IS NOT** clear how the Supreme Court will view another verification of citizens via the National Register of Citizens (NRC) in Assam since it has rejected the government's plea to review the last such exercise, but that is what home minister Amit Shah has said will happen; he told Parliament on Wednesday that an Assam NRC will happen along with a larger exercise for the entire country. But, regardless of what the SC says, the government needs to have a much wider consultation on what is proposed before it goes ahead. To begin with, it needs to have clarity on what it plans to do with those who are identified as non-citizens, or illegal immigrants. Around 19 lakh persons were said to be non-citizens when the NRC exercise took place in Assam, but a large number of them were Hindus, and not the Bangladeshi Muslims that most thought had infiltrated the state in very large numbers; that is why the BJP in Assam rejected the NRC exercise as incorrect. Are such people to be allowed to stay, but not to vote, or will they be deported to where they came from? And, what would happen if, say, Bangladesh refused to accept them; would they be held in prison-type camps? It is not just that the government needs to clearly spell out its plan for non-citizens, this cannot be a unilateral decision; other political parties, and the country's citizens need to be consulted on this separately.

There is also the fear that the move is predominantly aimed at removing Muslims since the Citizenship Amendment Bill promises to give citizenship to Hindu, Buddhist, Parsi, Sikh, and Christian refugees from neighbouring countries like Pakistan, Bangladesh, and Afghanistan. While the home minister on Wednesday assured Parliament that everyone would get a fair deal, irrespective of their religion, the fear of the NRC targeting Muslims has to be addressed, and resolved before the exercise is carried out; it cannot be left for later. Indeed, the NRC can quickly degenerate into a communal one, with non-BJP parties like Trinamool in West Bengal already opposing it. Interestingly, as *The Indian Express* pointed out, in a reply to a Lok Sabha question last year in December, Shah had said that there was no proposal to extend the NRC to states other than Assam.

And, how are the poor and unlettered, and migrants to go around proving their citizenship since, often enough, they don't have the documents required to prove citizenship such as birth certificates or bank/post-office accounts, and then records to prove their link with their parents/grandparents; the latter includes birth certificates, land documents, school-leaving certificates, ration cards etc. Since India has never had citizenship papers, millions will now have to go back to their villages to get these documents. It is possible that, despite all this, it may still be worth it—if, say, illegal immigrants who are not Hindu, Buddhist, Christian, Sikhs, or Parsi are responsible for terrorist activities; but, surely this needs debating? Apart from its usual problems, in recent years, India has been buffeted by the impact of demonetisation and, even though they were well-intentioned, GST, and RERA; why do we want to add the adverse impact of an all-India NRC to this?



**SOURD AMERICAN DREAM**

Union external affairs minister S Jaishankar

Issuing visas is the sovereign prerogative of other states. But at the same time, there are very important economic, business and social interests... tapping into the Indian talent pool is for our mutual benefit

## TACKLING SLOWDOWN

ADDITIONAL LIQUIDITY COULD BE PUMPED INTO THE RURAL ECONOMY THROUGH THE MGNREGA SCHEME. WAGES COULD BE RAISED IN LINE WITH RESPECTIVE STATE MINIMUM WAGES

# Ignite rural demand for quicker economic recovery

**HASTENING ECONOMIC RECOVERY** has now clearly taken centre stage, courtesy Union finance minister Nirmala Sitharaman. Since Independence Day 2019, the FM has periodically announced a slew of fiscal and financial measures aimed at revving up the economy. Most importantly, she has since willingly acknowledged the prevailing economic slowdown, and has explained, in various public settings, the purpose and scope of governmental interventions. Prior to this, authorities at the Centre, especially spokespersons of the ruling party and senior office holders of NITI Aayog, had gone overboard denying any economic deceleration, let alone discussing potential solutions and approaches to pull the economy out of the morass it has visibly slipped into.

While the relief measures are likely to have an impact in the long term, they seem unlikely to have any immediate effect. The tax related concessions, including lowering the corporate tax rates from 30% to 20%, and those for new companies from 25% to 15%, should result in greater investments, but only after they first cause greater economic activity. Increasing the depreciation rate from 15% to 30% for motor vehicles purchased during the current financial year is unlikely to lead to higher car sales until the primary causes of inventory build-up—rising vehicle prices and unavailability of auto-finance options—are first addressed. Similarly, an alternative investment fund for trouble real estate projects, or moves to partially cover lenders of funds to struggling NBFCs, are both well-meaning attempts, but would not quickly boost demand or grow consumption—two factors primarily responsible for prevailing conditions.

With capacity utilisation in most manufacturing firms hovering around 70%, and projected to continue to move downwards with IIP and core industries' persistent decline, investment in industrial activity, especially in electrical power, remains stalled. Only an appreciable and sustained pick-up in demand—one not merely due to higher



**AJAY DUA**

Former Union secretary  
Views are personal

festive season sales—will see manufacturers, infrastructure developers, and service providers undertake expansion or diversification. Hopefully, the government and RBI would also have, in parallel, addressed a few of the banking sector's NPA-related woes.

What is of utmost necessity is building up aggregate demand. With poor competitiveness and a slowing world economy, Indian goods and services are not expected to win new overseas customers. In a domestic-driven economy like ours, the answers have to be found within, and the process of amelioration must begin in our vast rural geography.

There has been a fall of 8.8% in per capita rural spend between 2011-12 and 2017-18 as per a leaked NSO Consumption Expenditure Survey. Similarly, an Azim Premji University paper shows agricultural jobs falling by 27 million, or 11.9%, in this period; and, rural youth seeking unskilled jobs in MGNREGA is increasing. In 2018-19, agriculture growth itself had declined to a measly 2%. This impacts the well-being of two-thirds of Indians, who live in rural areas. Declining sale of FMCGs, white goods, two wheelers, and tractors, clearly indicate lowering rural disposable incomes. Despite good rains this year, benefits to farmers would be marginal unless MSP for rabi crops is substantially raised.

Additional liquidity could be pumped into the rural economy through the tried and tested MGNREGA scheme, for which 8.5 crore job-seekers stand registered. Their wages could be raised in line with respective state minimum wages, and the restriction of giving work for 100 days annually temporarily raised to 200, with the limitation of one family member being employed also done away with. The allocated ₹60,000 crore is fast depleting, and with the re-orientation

proposed here, substantial additional funds and job-sites are required.

Other available platforms are the successful Gram Sadak Yojana (rural roads) and the Awas Yojana (rural housing). Like MGNREGA, these wages for work and asset-building schemes are not the typical Keynesian payments for digging holes and filling them up. While basic connectivity to nearby marketplaces may have been provided to several villages under PMGSY, only low hanging fruit has been plucked. Covering all 6.5 lakh villages, and making roads truly all-weather and wide enough to carry the load of tractors without pushing two-wheeler users off the roads remains. Scope for building more houses under PMAY is also considerable.

PM KISAN, too, is capable of greater usage, and can have quick impact on farmers, tenants, and landless labourers. Hitherto, only the first instalment of ₹2,000 has reached 8 crore beneficiaries. The remaining two instalments, totalling ₹4,000, could be released simultaneously during the current calendar year; next year, the total should be more substantive, perhaps doubled to ₹12,000.

The MSP mechanism also needs a relook. Rather than just basic staples, the poor today seek more proteins and vitamins viz. pulses, vegetables, milk, eggs, and fruits, and these need to be brought under MSP's purview. With greater assured irrigation facilities today, compared to 40 years ago when the scheme was introduced, farmers' cropping patterns have undergone changes; crops covered by the scheme need to be peri-

odically reviewed to reflect contemporary preferences and priorities. More importantly, the government need not physically buy the produce—only paying the price differential between the assured and open market prices should suffice. The experience of the Bhavantar scheme in Madhya Pradesh could be used to devise the new programme.

The expensive PDS, too, needs drastic modifications. Instead of giving subsidised foodgrains to all 23 crore ration-card holders through a network of 5.4 lakh fair price shops, only those at the bottom end of the poverty line need be made eligible, and they too should be given the option between subsidised food and cash transfers. While effecting such structural reforms will need extensive stakeholder consultations, an immediate way to put more disposable income in the hands of the poor would be to enhance the subsidy as a one-time measure. Given last year's procurement, FCI warehouses are carrying twice the quantum needed as buffer to stabilise open market prices.

The foregoing measures entail greater government expenditure, and there are apprehensions of the fiscal deficit exceeding the projected 3.3%. Recent inflows from RBI and the planned strategic sale of stakes in PSUs such as BPL and Concor, would only make up for the short-fall compared to the projected tax revenue. Some fiscal space could, however, come from the ~1.5% of GDP locked up as excess appropriation of the budget, and only the remaining would need deficit financing. Yet, this proposed additional spend outline here remains warranted as the aim is to hasten the process of economic recovery, which, in turn, would make tax revenue more buoyant.

The recent urgency shown by the government to introduce measures for economic recovery are undoubtedly a welcome sign—being decisive, and going deeper by targeting rural demand is now the need of the hour.

**With poor competitiveness and a slowing world economy, Indian goods and services are not expected to win new overseas customers**

## LETTERS TO THE EDITOR

### On ease of termination of contract

It is important to focus on the aspect of job-quality and workforce security to promote a culture of business continuity. Amid widening skill gap, higher sub-contracting, has affected the overall revenue growth in white collared sectors. At a time when digitisation and automation is the emerging norm, the economy counts on organic growth in IT sectors for viable employment prospects. Profitability and effective capacity utilisation appear to be a challenge.

Management of operating costs is needed, to boost margins and retain workforce on a long-term basis, that too when hiring and training expenses remain relatively high and demand for sophisticated services is fairly subdued. Regulators ought to ensure that corporates establish a robust business-strategy, implement lean-margin projects which require niche-skills and attract top-talent, adopt agile business-practices to remain cost-effective and generate greater value for stakeholders, instead of resorting to a hire-and-fire model. Despite a favourable export-situation and a potential to offer surplus on account of a lower interest rate, rising uncertainty due to lower utilisation of resources has impacted the overall quality. Firms ought to develop a greater risk appetite and world class infrastructure to remain competitive, as income is stagnating. Enterprises must focus on CRM, increase domestic employment prospects by promoting startups, and deliver defect-free and innovative solutions to preserve the existing client-base and improve head count and volume-based revenues in the business-ecosystem.

— Girish Lalwani, Delhi

● Write to us at feletters@expressindia.com

## A creditor-driven resolution

NCLT can no longer co-opt the role of the committee of creditors by mandating how proceeds should be distributed

**OITIHJYA SEN**

Research fellow, Vidhi Centre for Legal Policy

Views are personal

**ON NOVEMBER 15**, the Supreme Court (SC) paved the way for Arcelor-Mittal to take over Essar Steel India Limited (ESIL), by upholding the resolution plan originally approved by the committee of creditors (CoC) of ESIL. The National Company Law Appellate Tribunal (NCLAT) had earlier disregarded the scheme of distribution proposed under this resolution plan by ordering, instead, for a pro-rata distribution among creditors. By setting aside this order, the SC has put an end to a long-standing question regarding the extent to which courts can interfere with the decisions taken by the creditors of a corporate debtor.

To ensure a time-bound and efficient resolution of insolvency, the Insolvency and Bankruptcy Code (IBC) 2016, as originally enacted, had envisaged a limited role for the judiciary by giving financial creditors of a financially distressed firm the responsibility to decide whether to resolve its insolvency, and the manner of such resolution. To balance the interests of operational creditors, who are not included in the decision-making process, every resolution plan was required to ensure minimum protection for operational creditors (such that they at least get the amount that would be due to them if the firm went into liquidation).

Although generally the rates of recovery for operational creditors and financial creditors under a resolution plan have been at par, in certain cases, this safeguard was found to be inadequate as the liquidation value of the claims of operational creditors would be nil or insignificant, owing to their lower rank in the liquidation waterfall under IBC. Therefore, to bring parity between the rates of recovery of financial creditors and operational creditors, the NCLAT, in one case, ruled that similarly placed creditors should be treated sim-

ilarly under a resolution plan. Although not originally envisaged under the Code, this principle of 'fair and equitable' treatment was primarily intended to ensure that a resolution plan does not discriminate against operational creditors. However, being a principle based on equity, it was unclear what exactly constituted a fair and equitable treatment of creditors. Crucially, the NCLAT applied this principle in the resolution plan submitted by Arcelor-Mittal for taking over ESIL by modifying the distribution scheme of the plan in such a manner that the rate of recovery for every creditor (apart from certain small creditors) was the same.

Curiously, the IBC itself provides a higher priority to unsecured financial creditors than to unsecured operational creditors under the liquidation waterfall. By mandating that every creditor be provided an identical rate of recovery under the resolution plan, the NCLAT essentially disregarded the commercial realities underlying the different types of credit arrangements, which could seriously impact the cost and availability of credit in the economy.

Aggrieved by the order of the NCLAT, the CoC of ESIL moved the SC for reinstating the distribution scheme that was originally proposed under the resolution plan. In the meantime, the provisions of the Code were swiftly amended to put an end to the uncertainty regarding the treatment of operational creditors under a resolution plan by increasing the minimum protection accorded to operational creditors, and expressly providing that this higher threshold would be considered as fair and equitable treatment.

Last week, the SC set aside the order of the NCLAT, holding that it would be contrary to the objective of the IBC to mandate equal treatment of all classes of creditors under a resolution plan as it

would incentivise secured creditors to prefer liquidating the corporate debtor instead of resolving its insolvency. By upholding the improved protections provided to operational creditors under the recent amendments, the apex court finally laid down the precise scope of judicial review to be exercised by the adjudicating authority while approving a resolution plan. While emphasising "what to pay and how much to pay each class or sub-class of creditors" under a resolution plan is a purely commercial decision, to be taken solely by the CoC, it also laid down that the National Company Law Tribunal (NCLT) should ensure that the committee of creditors had considered the key features of the IBC while approving the resolution plan. Therefore, although the NCLT can no longer co-opt the role of the CoC by mandating how proceeds should be distributed under a plan, it has the necessary supervisory jurisdiction to ensure that the decisions of the CoC balance the interests of all stakeholders involved, and maximise the value of assets of the corporate debtor.

In practice, a resolution plan can now provide differential treatment to different classes of creditors so long as it is not contrary to the provisions and the objective of the IBC, and the plan distributes proceeds among operational creditors in accordance with the liquidation waterfall. This is indeed a welcome step as it increases the certainty of the insolvency resolution process under the IBC, and gives due primacy to the decision taken by the creditors of a corporate debtor. However, although the scope of judicial review is now sufficiently reduced, it remains to be seen to what extent the NCLT and NCLAT would exercise their "limited judicial review" while ascertaining whether the CoC had duly considered the key objectives of the IBC while choosing a resolution plan.

**INDIA IS WITNESSING** a massive cyberattack against civilians. The civilians whose lives have been attacked include prominent rights advocates, politicians and journalists. It is, in short, a cyberattack upon individuals who incarnate democracy and the rule of law. Three points are salient: we are given to believe that this cyberattack comes from our own executive government; the tools used are part of an international trade in cyber-weapons that governments including ours permit, encourage and fund; and, most importantly, under Indian law all of this is perfectly legal. As citizens, we are responsible for understanding and acting on these realities. If we fail to safeguard our future by legislating now, we will be responsible for losing our democracy.

Mobile phone operating software is far from satisfactorily secure. The hardware we carry around and are proud of is dangerously capable of being used to spy on us. It contains microphones, cameras and sensors more various and densely packed, gram for gram, than the most sophisticated spy satellites in orbit. So if our software is compromised, our smartphones turn into the most dangerous digital weapons possible. Now the same weapons that nations might use to spy on one another's military, diplomatic and political officials are turned against civil society, judicial and legal advocacy organisations. Their independent digital defence capabilities are effectively nil: they depend on what the phone manufacturers, platform companies and app programmers do. They buy and use the products, and if those products are defective their individual lives and those of their families are at risk. Because they are the working fabric of democracy and the rule of law, our free society can be decapitated by whoever controls the software.

That has happened in India right now because a private cyberarms manufacturer in Israel, called NSO, sells a weapon to governments that compromises smartphones. Taking advantage of a fault in the WhatsApp smartphone apps distributed by Facebook, NSO made it possible for buyers of its weapon

**We need to harden our societal defence against cyberattacks. We must legislate to regulate behaviour collection by telcos, platform companies**

to take over any phone completely—just by sending a single message or call to any chosen recipient, no matter what the recipient did with that message.

This is a fatal technical product defect that Facebook imposed on its users. In India, we have become overnight massively dependent on WhatsApp. That endangered society as a whole—not just all prominent individuals. It is right for Facebook to do both some explaining about precisely what went wrong and some significant apologising. But instead it has sued NSO, trying to shift all responsibility to the weapons manufacturer and away from itself. It will fix the problem that was exploited, and declare itself outraged and innocent. The law will not interfere with that charade of immunity.

This particular weapons manufacturer may shut down. But the international trade in cyberweapons will not be interrupted or inconvenienced. The people of the world want technology that increases their safety and protects their privacy. Governments want to have access to anyone's mind and behaviour in real time, and to use big data tools to scrutinise and predict any segment of society, large or small, they choose. Platform companies want to collect all the information about everybody, by offering them "free" basic ser-



ILLUSTRATION: ROHNIT PHORE

**MISHI CHOUDHARY & EBEN MOGLEN**

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## WhatsApp: What happened?

Mobile phone OS is far from secure. The hardware we carry around is dangerously capable of being used to spy on us. That has happened in India. A private cyberarms manufacturer in Israel, NSO, sells a weapon to governments that compromises smartphones. Taking advantage of a fault in the WhatsApp smartphone apps distributed by Facebook, NSO made it possible for buyers of its weapon to take over any phone

vices like email and social sharing in return for comprehensively collecting all their behaviours of their smartphones. They will use this behavioural data about everybody to make unimaginable amounts of money by selling advertising. Cyberweapons manufacturers can create software that will allow government to have what it

wants and keep people from even knowing that what they want has been destroyed. The platform companies just have to keep making money by collecting everything and not preventing governments from using cyberweapons to destroy freedom.

In self-defence, democracies have to use the rule of law to break up this system. But our law contains no protections

whatever against what is happening. The government is not legally prevented from using cyberweapons against civilians in this manner. The law governing surveillance as laid down in the Indian Telegraph Act, Information Technology Act, Rules framed under these Acts, Code of Criminal Procedure 1973 and service licences granted by the Department of Telecommunications to communications service providers—including but not limited to the Unified Access Service Licence, Internet Service Licence and Unified Licence all make it legally possible for the government to carry out surveillance.

There are no means of determining the extent and rigour with which these laws are observed in practice, since all of India's communications surveillance is conducted within an extremely closed environment with no transparency or independent oversight. The concerned enabling Acts and Rules always stipulate the observance of strict confidentiality in the surveillance process, thereby significantly limiting the amount of information on surveillance practices that is available to the general public. Government authorities routinely assure citizens that surveillance is conducted only in accordance with law, yet this claim is questionable. That is why it does not matter what political party is in power.

On the contrary, instead of using Rule of Law to prevent the use of such cyberweapons, government of India continues to pressure Facebook to undermine the strong end-to-end encryption in WhatsApp that interferes with their broader ambitions to listen to everything, everywhere, all the time. They still have to target individual smartphones to gain complete access to all the calls and messages. But if governments could attack all WhatsApp messages and all other communications simultaneously by breaking encryption, big data despotism could attack people's freedom wholesale. That way North Korean totalitarianism could be scaled up to work in China. Or India.

We are the democracy most vulnerable to this form of government war on freedom, and we are legally undefended. We need legislation immediately recognising the constitutional situation and providing for the defence of our freedom at each step in the cycle of cyberwarfare being waged against it.

The constitutional principle is that the government is responsible for protecting us against spying on the people, wholesale or retail, by outsiders, and must subject its own domestic digital surveillance to the Rule of Law. The first part means that we need laws against the cyberweapons trade and product liability law. Such laws should ensure that platform companies pay for their negligence in pursuing their own business when they allow cyberattacks on their customers because of design and construction defects in their products. The second part means that we need legislation requiring the government to justify its use of public money to purchase cyberweapons that will be used against citizens. Such legislations should subject all such uses to judicial oversight to verify the legitimate national security interests involved.

We also need to harden our societal defence against such attacks. We must legislate to regulate behaviour collection by the platform companies and telcos. We need laws protecting individuals against market practices that over-collect behaviour data and over-empower a few companies that concentrate such data on their platforms. This cannot be fixed by a simplified notice and consent or data protection; we need people protection laws.

Only such legal steps at all levels of the system that is failing us will ensure that the current controversy results in effective defence of freedom. No one should underestimate the seriousness of the threat to democracy or what is at stake.

### UNPAID DIVIDEND ACCOUNTS

## Return benefits for India Inc

**SUBRAMANIAM R IYER**

The author is a Delhi-based chartered accountant

Balances in unpaid dividend accounts may be treated as savings accounts

**T**HE ONLY REFERENCE to the term "dividend" in the Companies Act 2013 is perhaps in the Section 2(35), which states that the dividend includes any interim dividend. In general terms, the word "dividend" refers to the distribution of profits of a company to its shareholders.

A company usually distributes part of the profits, as deemed appropriate by the Board of Directors, to its shareholders. A distribution made in the course of the financial year is referred to as "interim dividend" while a dividend paid after closing of accounts of a financial year and approval by the shareholders is referred to as "final dividend".

Section 123 of this Act deals with the process of declaration of dividend, including transfer to a separate bank account of the amount of dividend payable. The company issues dividend warrants and posts the same to each shareholder who must deposit the instruments in their bank account to receive the payment. In the case of demat shares, the transfer of funds happens electronically to the designated accounts of the shareholders.

Section 124 of the Act deals with the unpaid dividend account. The law mandates that each company shall, within seven days of the date of expiry of a time period of 30 days from the date of declaration of the dividend, transfer unpaid dividend to a separate account. In addition, various other rules and procedures are defined.

Usually, companies open a separate bank account for each dividend payout into which the exact amount of dividend declared/payable is transferred. All these accounts with banks are current accounts (non-interest bearing).

Dividends remain unpaid for a variety of reasons, including death of original holder (it can take years for getting the shares transferred to the heirs as per the cumbersome processes followed even for the smallest holdings), change of address, incorrect bank details, etc, to name a few.

Banks do not permit companies to retain unpaid dividends in fixed deposits. The amount thus outstanding in the unpaid dividend accounts, which may aggregate into hundreds of crores in rupee terms, at the national level, are earning no interest for the companies that have declared and paid dividends. In fact, the funds belonging to the public are lying idle and are only benefiting bankers who enjoy a free float on these sums.

Dividends remain unpaid for a variety of reasons, including death of original holder, change of address, incorrect bank details, etc, to name a few.

As it is, a dividend has a history of receiving the proverbial "step-motherly treatment," and is now subject to tax three times. First it is taxed as profits in the hands of the company, second by the corporates having to pay a substantial percentage of the dividend payout as dividend distribution tax, and third in the hands of the shareholders in excess of the prescribed limits.

It is time that this process is revisited to examine how to generate income for the shareholders of companies from these non-interest-bearing amounts lying in current accounts. RBI, SEBI, MCA should be requested to jointly formulate a scheme that balances the need to give some returns to the corporates while maintaining the liquidity in the account to pay claims immediately.

A good policy on unpaid dividend account balances will definitely "pay dividends" to all the stakeholders, i.e. the companies, shareholders and bankers.

### REGIONAL CAFE: TAMIL NADU

**LOTTE CORPORATION**, South Korea's fifth-largest business group, decided to enter India sometime early last decade. The opportunity presented itself when it picked up Chennai-headquartered Murugappa Group's confectionery business, Parry's Confectionery Limited (PCL), in 2004. Lotte, which is a huge conglomerate, started as a confectionery company.

Milan Wahi, MD, Lotte India, says, "South Korean auto major Hyundai had already entered the Indian market, and had set up a manufacturing unit in Chennai. There was already a sizeable South Korean population in the city, and it made Lotte's choice of location easier."

However, Lotte did not enter the Indian market with a big bang. "We took a few years to understand the business," adds Wahi. Lotte did not enter the slow and steady path as the subsidiaries are only given seed money and are expected to stand on their own feet.

While it was studying the market, Lotte India decided to launch the Choco Pie in India, which turned out to be a good decision. Until 2014, the company was importing and selling the product. "There was a good response for the Choco Pie. It's a unique product, a snack consisting of two layers of biscuits with marshmallow filling covered by chocolate," says Wahi. Lotte decided to go in for manufacturing the Choco Pie locally.

The Choco Pie was adapted to Indian conditions; it's a vegetarian product. Out-

## How Lotte aims to expand in India

Sensing opportunities in the confectionery business, the South Korean major aims to double its presence in India

**SUSHILA RAVINDRANATH**

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side India, animal extracts are used. The chocolate quality was also modified to suit Indian weather. No preservatives are added. Lotte had a confectionery factory in Nellikuppam, Tamil Nadu, when it acquired PCL. A state-of-the-art new factory was built in 2009 to manufacture the Choco Pie and other products. "We had to raise resources ourselves," says Wahi.

The Choco Pie was originally positioned as a snack for the children. Mothers were targeted. It proved to be very popular and children loved it; soon, it became popular across age groups. In fact, a research

done in 2012 showed that, apart from children, young adults and old people liked it. "It wasn't too chocolaty, and we repositioned the product for the entire family. Our advertising says, take a pause to have Choco Pie," says Wahi.

By 2014, the factory was working to full capacity. Sales were booming in the North and the East. "We decided to open another factory in Rohtak, Haryana, which is one-and-a-half times larger than the Chennai factory. Recent research shows that we can target everybody for the Choco Pie. The rural market is good, too. The export mar-



ket is also growing. We export to the Middle East and South Asia."

Lotte India has a turnover of ₹300 crore. It is a profitable operation. "We have paid back 70% of the loans. We can think of expansion and aggressive marketing," says Wahi. The company has decided to re-launch the Coffy Bite, one of PCL's most successful brands launched 32 years ago. The Coffy Bite had lost out to Kopiko from Indonesia, in the many years of neglect.

Research showed that the Coffy Bite still remains iconic for the 40-plus age group. "Seeing the nostalgic pull the brand

enjoys, we have decided to re-launch the Coffy Bite nationwide in a refreshing manner in order to stay relevant and appeal to the current world," adds Wahi. Its Coffee vs Toffee advertising campaign was quite popular. "Tastes have changed. We are slightly modifying the product, making it softer. Packaging has undergone a change, too. But the campaign's focus will be the argument. The newly coined 'Coffier or Toffier' campaign will replace the old one. The Coffy Bite will be introduced in the South first, and we will see how it goes."

Wahi says that now Lotte India has five

brands (Choco Pie, Eclairs, Coffy Bite, Lacto King and Caramilk), and each one is powerful on its own. However, Lotte will have to work really hard to expand its presence. Confectionery market in the country is huge, amounting to ₹1,00,000 crore, including gums. The top-three players are Parle, ITC and Perfetti. They spend a lot on brand building, which Lotte had not been able to match till now.

There is also a lot of competition from the unorganised sector, which imports cheap machinery from China and rolls out toffees, sweets and sugar confectionery. "We have been hit by these local players as we can't offer 40-50% margins to the retailers. Lotte has been working on how to move the products to higher value."

In sugar confectionery, the margins are wafer thin. "We have created ₹5 packs, and we get 50% of our income from these. But we are fighting all kinds of other products in this price range, such as biscuits. The ₹5 pack is a ₹40,000 crore market in India. We have to figure out how to make products that sell at ₹5. We also have to be in states like Uttar Pradesh, Bihar and Chhattisgarh, where sweets sell at 50 paise. The price points keep changing," says Wahi.

Lotte has also been hit by the slowdown in the economy. Wahi admits that there are challenges ahead. The company is relying on its strong distribution set-up, with 5 lakh outlets. "Confectionery won't go away in the country. There are huge opportunities. We will double our presence in the next 4-5 years," says Wahi.



## The Indian EXPRESS

FOUNDED BY  
RAMNATH GOENKA

BECAUSE THE TRUTH INVOLVES US ALL

### No more NRC

Home Minister Shah's ambition of renewing it in Assam, extending it to country, is flawed and divisive

THE UPDATED NATIONAL Register of Citizens, a four-year-long exercise monitored by the Supreme Court, costing Rs 1,600 crore, appears to have been relegated for all practical purposes. Union Home Minister Amit Shah told Parliament on Wednesday that the exercise will be undertaken across the country soon, including — afresh — in Assam. The updated Assam NRC, published on August 31, left 19 lakh people stateless and exposed to the prospect of being lodged in detention camps after exhausting appeals against their exclusion from the Register. The exercise turned the Northeast restive. With reports suggesting that a large part of those excluded are Hindus, the BJP rejected the Register, even after the Supreme Court endorsed it. By all accounts, the NRC in Assam has been a failure: It did not satisfy any section of the society, reopened faultlines of religion, language and ethnicity, and left millions of people on the edge. It is appalling that the government now wants to impose this divisive and tortuous exercise on the rest of the country.

Shah has been infatuated with the idea of the NRC for some time; he has threatened a nation-wide NRC in his election campaigns. Clearly, the BJP top brass seems ignorant of the history of the NRC, which was proposed in 1951 in the specific context of Assam witnessing a major demographic upheaval in the wake of Partition. The 1985 Assam Accord, signed between the Rajiv Gandhi government and the major players of the Assam Movement, gave it a new life. The Supreme Court directed the state government in 2013 to execute it and began monitoring it from December 2015. The point is that the NRC was a demand made by the state's political leadership to address concerns specific to it. It was the product of a political imagination that privileged ethno-linguistic identity over more inclusive ideas of citizenship and rejected the notion that societies are shaped by the movement of people and capital. This resentful politics, centered on the fear of the Outsider, not surprisingly, resulted in violence and gave birth to an armed insurgency. The past few years have seen Assam emerge from this morass of violence and rebuild its economy. But the NRC, and its byproduct, the Citizenship Amendment Bill, have threatened a regression into a past that saw one section of society pitted against the other.

The NRC is a flawed idea and its limitations have been exposed in Assam. The exercise also bared the futility of pursuing a project of establishing identity through legacy in a country that has seen massive migrations, forced and voluntary. Shah and others must abandon their obsession, which, with its communal overtones, can only result in stoking new fears and anxieties.

### Push for the better

Disinvestment in five PSUs is welcome and overdue. With tax revenues under pressure, government needs to do more

ON WEDNESDAY, THE Cabinet Committee on Economic Affairs (CCEA) approved the strategic disinvestment of five public sector enterprises, namely, Bharat Petroleum Corporation Ltd (BPCL), Container Corporation of India Ltd, Shipping Corporation of India, Tehri Hydro Power Development Corporation (THDC) and the North Eastern Electric Power Corporation (NEEPCO). The proceeds from these stake sales will help the Centre move closer to achieving its disinvestment target of Rs 1.05 lakh crore for this year. So far this year, the government has been able to garner only Rs 17,364 crore or 16.5 per cent of its budgeted disinvestment target as per data from the Department of Investment and Public Asset Management. Coming at a time when the Centre is facing huge shortfalls in both direct and indirect tax revenues, and its gross tax revenues have grown by a mere 1.5 per cent in the first half (April to September) of the current financial year, the determined push to meet its disinvestment target is welcome.

Of the five companies, the stake sale in BPCL is likely to be the biggest draw. The sale will be of interest not only to domestic firms, but also to major international players as well. According to some estimates, the government could fetch around Rs 63,000 crore from its stake sale in the company, more than half of its total disinvestment target for the year. Add to that proceeds from the stake sale in the Container Corporation and the Shipping Corporation, and the Centre may well end up earning more than Rs 70,000 crore through these three firms alone. But, with only four months to go, it is not clear whether these stake sales can be wrapped up by the end of the financial year. It should also not be another case of public sector firms stepping in to buy these entities in order to bail out the government. As it is, the sale of THDCIL and NEEPCO, the other two entities, to NTPC, is essentially a transfer of assets between various arms of the public sector.

The government would benefit from drawing up a more ambitious, better laid out, medium-term plan for disinvestment, rather than approaching it as merely an arrangement for plugging its revenue gaps. It should draw up a list of potential candidates and release an advance calendar, indicating the period of disinvestment. This would help draw in more buyers. Further, the proceeds from disinvestment should be used only for the creation of new assets, not to meet its revenue expenditure.

### CON AIR

When image matters more than substance, why blame a con man for wanting perks of a pilot without putting in the work?

RAJAN MAHBUBANI DECIDED to dress for the job he wanted. For over a year, the 48-year-old consultant from Kolkata passed through airport security, dressed in a pilot's uniform he had stitched in his hometown, and availed all the perks his sartorial deception offered: He was upgraded frequently to business/first class, "talked shop" with pilots to gain access to the cockpit and generally received preferential treatment. And, Mahubani told the police after he was finally caught and arrested, the uniform helped him impress women on Facebook, TikTok and in person. In addition to a pilot, Mahubani has also pretended to be an army colonel, uniform and all.

But, the justified criminal charge of cheating against him notwithstanding, let's be honest about what lies beneath the pilfering pilot's high-altitude con. The problem was best articulated by Renee Zellweger's character in *Jerry Maguire*: "First-class used to be a better meal, now it's a better life." Mahubani presented an image of himself that was aspirational, and falsified a biography. But at the root of his crime is the desire to be "special", a successful person in uniform, a VIP — not just another middle-aged face standing in queue at the boarding gate.

It is not yet known if Mahubani was inspired by Steven Spielberg's *Catch Me if You Can*. In the film, Leonardo DiCaprio's character impersonates a pilot, like Mahubani, to make money and travel the world. The character struck a sympathetic chord because most ordinary people wish to cheat the system, to be the ones others look up to and to sit in the better lounge at the airport. Mahubani didn't want to fly a plane or serve in the Indian armed forces, he just wanted the perks. In times such as these, he may have been the one who was caught, but he is not a lonely figure, he has company.



SATYANANDA MISHRA

Many orders passed by courts have directly or indirectly shrunk citizens' right to information

## Not so fast

ON NOVEMBER 13, a five-judge Constitution Bench of the Supreme Court passed its order in the Subhash Agarwal matter, bringing a closure to cases pending resolution for nearly 10 years. Has Subhash Agarwal got the information he had sought from the Supreme Court? Not yet. Will he get it soon? Not very likely, certainly not the entire information he wanted. The five-judge Supreme Court bench recently disposed of the civil appeals its own registry had filed before it. In the process, the bench, in a dissertation length order, has delved deep into the concepts of fiduciary relationship, public interest, privacy, confidentiality and independence of judiciary and, in conclusion, cast an onerous duty on its Central Public Information Officer to decide on disclosure of the information taking into account the observations of the court.

Everyone knows that a lot of information held by public authorities about the appointment, performance, conduct, complaints and inquiries against public servants, is personal in nature and the CPIO has to refer to the principles laid down in this order to decide if the information should be disclosed or not. In case the information relates to courts or judges, his problem is further compounded for he has also to consider the impact of disclosure on the independence of the judiciary. This calls for great judicial acumen, rarely to be expected from the level of officers who become CPIOs. Most CPIOs would choose to steer clear and refuse disclosure by invoking Section 8(1)(j) of the RTI Act and leave the information seekers to appeal against their orders. In fact, even before this order, information officers have been routinely denying such information on this precise ground.

For decades now, candidates seeking election to legislatures declare their personal details, including their criminal past, if any, through affidavits as per the ruling of the Supreme Court. This invasion into the privacy of candidates has been justified on the ground that voters have a right to know who they are electing since these people would make laws and some of them will hold executive offices. Similar information, however, cannot be sought or obtained about the members of the executive or judiciary under the RTI without first proving that such information would be in the larger public interest or has a relation

The relationship of the RTI with the judiciary has been fraught from the beginning. Since the RTI Act conferred powers on the chief justice of the Supreme Court of India and the chief justices of high courts of states for carrying out its provisions, all these courts framed their own rules. While the Supreme Court adopted the RTI-friendly rules of the central government for itself, several high courts framed extremely unfriendly rules, making it almost impossible to get any information. For example, the Allahabad High Court had wanted the citizen to deposit Rs 500 for each piece of information sought as against the Rs 10 fixed by the Supreme Court for seeking any number of them.

with public interest or activity, or would not impinge on the independence of the judges.

The RTI has entered the 15th year of its existence. It met its first major challenge when the central government refused to disclose the file noting. The CIC held that file noting was also information and must be disclosed and the government at the highest level relented. The second challenge came when Subhash Agarwal sought information from the Supreme Court regarding collegium proceedings, personal assets of judges and alleged executive pressure on a high court judge. This information was denied on the ground that it was held by the CJI who was not a public authority and hence outside the RTI. Agarwal approached the CIC which ruled in his favour. The Supreme Court Registry challenged the CIC's order in Delhi High Court which, too, ordered in Agarwal's favour. The registry appealed in the Supreme Court which after 10 long years has finally decided that the CJI is a public authority and comes under the RTI Act.

The third major challenge came when the CIC order bringing political parties under the RTI was summarily disobeyed and it could do nothing. I understand that some citizens had approached the Supreme Court but the court is yet to pass any order. The public authorities have progressively realised the helplessness of the information commissions in enforcing their own orders as the RTI Act has not conferred contempt powers on the commissions. They have also realised that one sure way of blocking the orders of the information commissions is to go to the high courts or the Supreme Court and get a stay; the natural delay in those courts would kill the information.

The relationship of the RTI with the judiciary has been fraught from the beginning. Since the RTI Act conferred powers on the chief justice of the Supreme Court of India and the chief justices of high courts of states for carrying out its provisions, all these courts framed their own rules. While the Supreme Court adopted the RTI-friendly rules of the central government for itself, several high courts framed extremely unfriendly rules, making it almost impossible to get any information. For example, the Allahabad High Court had wanted the citizen to deposit Rs 500 for each piece of information sought as

against the Rs 10 fixed by the Supreme Court for seeking any number of them. There were many restrictions, some which were not even contemplated in the RTI Act. Over the years, the courts have softened those rules but even now they continue to be restrictive, preventing easy disclosure of information.

The RTI Act makes the information commissions the final appellate authorities in their respective jurisdictions. But that does not stop public authorities, government entities, from going to the high courts and the Supreme Court in writs. Some orders passed by the central information commission did reach the Supreme Court eventually. In most such cases, the interpretation of the exemption provisions by the court reinforced not the right of the citizens to get information from the government but the resolve of the public authorities not to disclose uncomfortable information. In the Girish Deshpande case, the Supreme Court ruled that the relationship between the government and its employees was a personal one and hence no information about a government employee could be disclosed unless the information seeker could prove that it was in public interest. Under this interpretation of Section 8(1)(j) of the RTI Act, even information about disciplinary proceedings against a government employee, irrespective of how serious the allegations against him might be, could not be disclosed by the information officer without putting it to the public interest test. This order has become very popular among information officers and many RTI applications are being rejected by citing it.

For citizens seeking information, there are many such orders passed by the high courts and the Supreme Court which have directly or indirectly shrunk their right and strengthened the hands of the government. The present order is likely to be used by information officers to block disclosure of all such information of a personal nature. One wished that the court had spelt out more clearly those items of personal information, of the executive or the judiciary, which the CPIOs could disclose without adjudication of its benefits for the general public.

The writer is a former chief information commissioner



ALOK BANSAL

## BONDS BEYOND POLITICS

India-Sri Lanka ties are too strong to be unsettled by Gotabaya Rajapaksa's election

THE PRESIDENTIAL ELECTIONS in Sri Lanka have ushered in a new administration led by Gotabaya Rajapaksa. The election of a new president — a former lieutenant colonel and the younger brother of former Sri Lankan president Mahinda Rajapaksa — has created lots of ripples in the country's polity, and lead to some apprehensions in India. The Rajapaksa family is perceived as being close to China and, of late, has been seen as harbouring misgivings about India.

An analysis of the voting pattern shows that like the 2015 elections, Tamils and Muslims voted against Gotabaya. All electoral districts in the country's north and east as well as Nuwara Eliya in Central Province, where most of the plantation Tamils live, voted for Sajith Premadasa, Gotabaya's rival. In 2015, the educated Sinhala youth in Western Province, which includes Colombo and a large Catholic population, voted against an autocratic Mahinda. However, the bombings on Easter this year changed their voting behaviour — most of them voted for Gotabaya, who played a big role in defeating the Liberation Tigers of Tamil Eelam (LTTE).

The ethnic and religious minorities are alarmed by the return of the Rajapaksas at the helm of affairs. Gotabaya has aggravated their sense of insecurity by deciding to have his swearing in ceremony in Anuradhapura, the ancient capital of Sri Lanka, in front of a Buddhist stupa that was built by a Sinhalese

The Rajapaksas have had good relations with India and have visited the country many times, including for pilgrimage. Gotabaya also knows India's immense contribution to Sri Lanka during the civil war, and realises that neither China nor Pakistan can be a substitute for India. India is Sri Lanka's largest trading partner and also one of the largest investors in the country. The largest number of tourists visiting Sri Lanka are from India.

king after defeating a Tamil monarch. At the ceremony, Gotabaya ascribed his success to the blessings of Buddhist monks and said that the Sinhala majority vote was behind his victory. He did ask the Tamils and Muslims to join him in rebuilding Sri Lanka. But winning their hearts and minds will require much more. Devolution of powers to the provincial councils as promised in the 13th amendment has not yet taken place. India has lot of stake in racial harmony in Sri Lanka and has contributed immensely in the past — both in terms of resources and human lives — to ensure Sri Lanka's integrity and racial harmony.

However, the perception that Gotabaya will be against India because he was trained in Pakistan is deeply flawed. Beijing was quick to recognise Mahinda as PM when he was appointed to the post after a constitutional coup by President Maithripala Sirisena in October 2018, while India insisted that constitutional norms be followed in Sri Lanka. In the later years of Mahinda's presidency, China invested heavily in Sri Lanka, which included major projects like the opening of the Hambantota port and the expansion of the Colombo port. Many Chinese projects were cancelled or were under review under the last government; so, a perception has gained ground that the Rajapaksa family is pro-China. However, this view is wrong. As president, Mahinda had said that China is a good friend but India is a relative. In the South Asian context, friends may

come and go, but relatives are for keeps.

The Rajapaksas have had good relations with India and have visited the country many times, including for pilgrimage. Gotabaya also knows of India's immense contribution to Sri Lanka during the civil war, and realises that neither China nor Pakistan can be a substitute for India. India is Sri Lanka's largest trading partner and also one of the largest investors in the country. The largest number of tourists visiting Sri Lanka are from India. Sri Lankans, of all economic strata, across racial and religious divides, come to India for healthcare, education and pilgrimage. So, it is unlikely that any sensible leader would like to snap such relations.

During the last few years, various constitutional amendments have weakened the Sri Lankan president's powers considerably and it would be interesting to watch the relation between the president and the parliament, which cannot be dissolved before February 2020 — unless it votes itself to do so. Despite having a majority in parliament, Ranil Wickremesinghe has resigned as the prime minister and Gotabaya has appointed his brother as the PM. India will do well to wait and watch while diplomatically engaging with the new president.

The writer is director, India Foundation and adjunct professor at New Delhi Institute of Management. Views expressed are personal



## NOVEMBER 22, 1979, FORTY YEARS AGO

**KAABA UNDER SIEGE**  
SAUDI TROOPS WERE in a position to make an all-out assault against religious fanatics holding out in Mecca's Grand Mosque but held back for fear of harming hostages and damaging the sacred edifice, the interior ministry of the country said. The statement, attributed to the interior minister, Prince Naif, said that security forces were in complete control of the situation in the mosque. The ministry statement, broadcast by Riyadh Radio, made no mention of reports from Tunis quoting Saudi sources there as saying troops had assaulted the gunmen and recaptured most of Islam's holiest shrine.

**BAHUGUNA DEFECTS**  
AS EXPECTED, H N BAHUGUNA has joined Indira Gandhi whom he had described in a letter to Charan Singh as "the most discredited person in the country." Apparently, he had his compulsions. The day he left the Charan Singh Cabinet, he said he could not go back to Mrs Gandhi because "nothing has changed in that party and the same people who brought about the Emergency and indulged in excesses rule there". It is well-known that he tried all avenues to extricate himself from the situation he had created. He met Jagjivan Ram at his residence for nearly two hours on the night of 1d. He telephoned Chandra Shekhar a fortnight ago.

**IRAN HOSTAGE CRISIS**  
THE UNITED STATES reserved the right to use force if Iran tries the 49 Americans in the US embassy in Teheran for espionage as Ayatollah Khomeini has threatened to do. Soon after Khomeini's statement on television in Teheran that the Americans would be tried for espionage if Shah Pehalvi was not returned, the White House issued a statement saying that such a trial would be a flagrant violation of international law. The US, the statement added, was seeking a peaceful solution through the UN and other channels. This was far preferable to the "other remedies available", the statement added.

WHAT THE OTHERS SAY

"Western public opinion is telling a monstrous lie to the world against China. China is leading its people toward modernisation but is portrayed as a dark country frequently violating human rights." —GLOBAL TIMES, CHINA

# In our own words

Mother tongue is a tool of expression, the carrier of culture. It must be the medium of instruction, at least at the primary level, to preserve India's cultural diversity and heritage



M VENKAIAH NAIDU

WE ARE PROUD of the fact that India is a linguistic treasure-trove, a nation widely acknowledged for its extraordinary linguistic and cultural diversity. The plurality and co-existence of multiple languages add colour and vitality to our country and make it unique.

However, I am deeply disturbed that we are not doing enough to preserve our rich native languages. Governments need to be doubly careful while adopting policies regarding the medium of instruction, particularly at the primary and secondary school level. The mother tongue lays a strong foundation for the expression of creativity. Every effort must be made to nurture creativity at the formative stage.

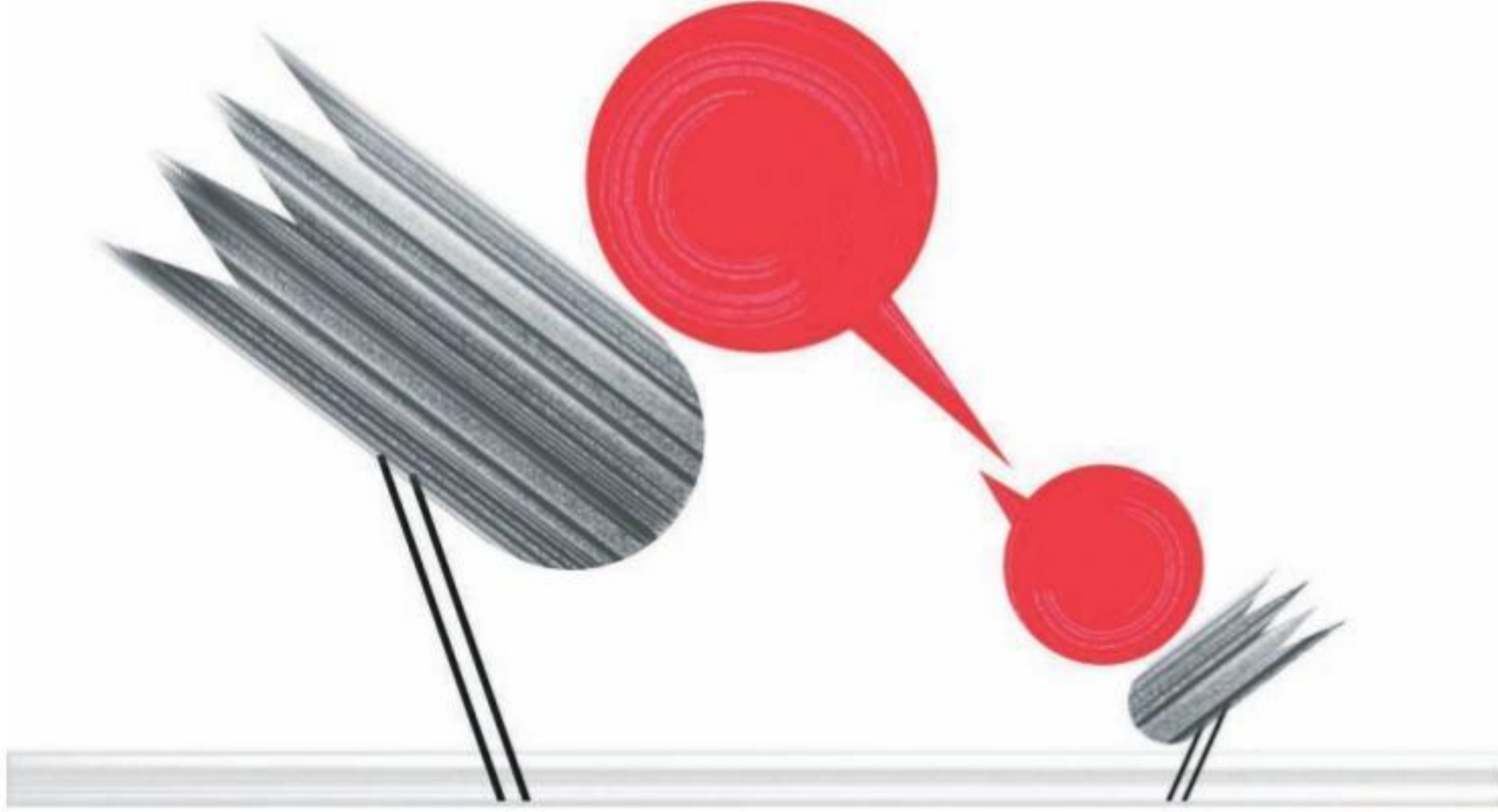
Language is a tool for intellectual and emotional expression. It is a vehicle of inter-generational transmission of culture, scientific knowledge and a worldview. It is the vital, unseen thread that links the past with the present. It evolves with human evolution and is nourished by constant use. In short, our languages permeate every facet of our day-to-day life and form the very basis of our civilisation. In fact, they are the lifeblood of our identity, both individual and collective. They play a significant role in creating and strengthening bonds among people. More than 19,500 languages and dialects are spoken in India as mother tongues, according to the Language Census. There are 121 languages which are spoken by 10,000 or more people in the country.

Languages are never static. They evolve and adapt to the socio-economic milieu. They grow, shrink, transform, merge and, sadly, die. The great Indian poet, Acharya Dandi, had said that if the light of language does not exist, we will be groping in a dark world. It is extremely disheartening that 196 languages in India are classified as endangered. We may have to ensure that this number doesn't increase. We have to protect and preserve our languages and the best and only way is to constantly use them.

I have always emphasised the importance of protecting and conserving our linguistic heritage. We cannot afford to lose the treasure we have inherited, the repository of our collective knowledge and wisdom which we have amassed over the course of the long journey of our vibrant civilisation. When a language declines, it takes with it an entire knowledge system and a unique perspective of viewing the universe. The traditional livelihood patterns disappear along with our special skills, arts, crafts, cuisine and trade.

Language preservation and development needs a multi-pronged approach. We must start by making the mother tongue the medium of instruction in our schools, and certainly at the primary level. A number of studies conducted all over the world by different expert groups have established that teaching the mother tongue at the initial stages of education gives an impetus to the growth of mind and thought and makes children more creative and logical.

Audrey Azoulay, director-general of UNESCO, in her message on the occasion of International Mother Language Day (February 21) 2019 said: "For UNESCO, every mother tongue deserves to be known, recognised and given greater prominence in all spheres of



CR Sasikumar

public life. This is not always the case. Mother tongues do not necessarily have national-language status, official-language status, or status as the language of instruction. The situation can lead to the devaluation of a mother tongue and to its ultimate disappearance in the long term." In my view, this is a timely, important reminder.

There is a misconception that only English education offers opportunities to grow in the modern world. It's not true. There are only a handful of English-speaking countries like Australia, Britain, Canada, the US etc. Countries like China, Germany, France, Japan, South Korea, etc did very well without English education. Knowing English is useful, like knowing other international languages. This can't be extended to make a case for supplanting the mother tongue with English, as some are advocating. It can be learnt easily at an appropriate stage, after a strong foundation is laid in the mother tongue.

We must take concrete steps to not only have the mother tongue as the medium of instruction at the primary level, but also take all steps to make it the language of administration, banking and judicial proceedings. For me, this is at the heart of an effective democracy. We have to remove the existing linguistic barriers to realise the goal of inclusive governance. Wherever there is a government-public interface, it should be in the language people understand.

I am not advocating that we should not teach our children multiple languages, which are required to widen the horizon of their understanding of both literature and science. In fact, this is essential for India to enrich its vast human resources and become a leader in the knowledge economy of today and as it evolves in the years to come.

In 1999, UNESCO adopted a resolution on multilingual education and suggested the use of at least three languages in education: The mother language(s), a regional or national language and an international language. What is important to note, however, is the crucial role of the mother language, which, as UNESCO notes, "is a source of knowledge and innovation" and that the "command of a mother tongue facilitates general learning and learning of other languages". It is heartening to note that the new draft National Education Policy puts forth a number of suggestions for supporting education in home languages and mother tongues, tribal as well as sign languages.

Incidentally, the United Nations has proclaimed 2019 as the International Year of

Indigenous Languages to preserve, revitalise and promote indigenous languages. We, in India, have a number of tribal languages, many of which are headed towards extinction.

I hope that more and more people will start using their native languages at home, in the community, in meetings and in administration. More people should write poetry, stories, novels and dramas in Indian languages. We must accord a sense of dignity and pride to those who speak, write and communicate in these languages. We must encourage Indian language publications, journals and children's books. Dialects and folk literature must be given adequate focus. Language should become a catalyst for inclusive development. Language promotion should be an integral part of good governance. Swami Vivekananda once said that language is the chief means and index of a nation's progress.

Our languages must serve as a means for the empowerment of the masses. In the Rajya Sabha, a provision has been made for its members to express themselves in any of the 22 scheduled languages. The Supreme Court has recently decided to make available its judgments in six Indian languages, to start with. This is a positive step in the direction of removing language barriers and ensuring equal access to justice.

The finance ministry has decided to conduct the examinations for employment in Regional Rural Banks in 13 regional languages, in addition to English and Hindi. The Railways and Postal departments started conducting their exams in the states' official languages. Many bold decisions must be made to protect and nurture our languages.

India has the largest youth population in the world, with 65 per cent of its population being below 35 years of age. We must incentivise this energetic generation to keep alive their mother tongues and dialects. We must teach our children to love languages and equip them to protect and nourish the beautiful legacy of languages that we have received from our ancestors. To not do this urgently and effectively will result in serious consequences for the preservation of our unique cultural identity. We cannot afford to regret this as yet another missed opportunity.

Let's nurture the mother tongue. Let creativity bloom in full flourish. The mother tongue is the soul of expression.

The writer is Vice President of India

# Ironies and barricades

Between students' protests in two universities, JNU and BHU, we see the brutal distance that separates us as a nation



SAIKAT MAJUMDAR

TWO NEWS ITEMS jostled against each other on the front page of Tuesday's (November 19) *Indian Express*.

One, the JNU protests: "A visually challenged student said he was trampled on, an ex-student received five stitches on his head, a teacher said he was kicked and hit with lathis despite identifying himself."

Two, at Banaras Hindu University, the protests over the appointment of Firoze Khan as an assistant professor of Sanskrit. "On Monday, a 'hawan kund' was set up and around 20 SVDV students were sitting on a dharna outside the Vice-Chancellor's residence protesting his appointment. The protests have been on since Khan's appointment, for the only reason that he's a Muslim."

At this moment, the two faces of student protest couldn't be farther apart from each other. No denying that they are vastly different in scale and intensity, to say nothing of the fact that any activity in JNU is always on-camera nationwide in a way no other university in the country is.

But the fact remains that in both instances students are protesting measures taken by the vice chancellor and the university administration. One against fee hikes that will drive students from weaker sections of society away from the university. The other against the appointment of a qualified Muslim academic to teach Sanskrit.

So much for a "singular" politics of student movements. For those whom student activism conjures up mist in the eyes, the image of Berkeley in the Sixties, Paris, 1968, or, for that matter, Calcutta in the 1970s, welcome to the brave new world, India, 2019. As I write, BHU student groups have come out in support of Firoze Khan's appointment, and #StandWithFiroze is trending on Twitter, but so is #SupportBHUStudents, which opposes this appointment.

Differences indicate a robust democracy. Are we to conclude, then, that in its staggering diversity, student politics in India is in rude good health?

Who knows? But diversity is one thing, and hostile polarisation another. The ironic juxtaposition of headline news from JNU and BHU reveals, more than anything else, the brutal distances that severe and separate us today as a nation. To say nothing of the ever-widening gulf between the nation and the university.



While teaching at Stanford, I once served on a Search Committee for a Confucius Chair in Classical Chinese Poetry. While the search was on, I heard a senior Chinese scholar, originally from the mainland, say that the Chinese government would like to see a white person in this position over someone

who is Chinese or even of Chinese origin. Struck by that claim, I had asked why.

"Because it looks good on China when white people do their culture," he had said. "It sends the message that we're so big that it's not only Chinese people who teach and research our culture. The whole world does it."

Especially white people. I still have childhood memories of an India where the Gorky Sadans and the American Centres fought a relentless culture war against each other. It was a bipolar world, and since war between nuclear-armed nations was a Beckettian Endgame, the whole vigour of the un-fought battle exploded in the field of culture (and outer space). It's a phenomenon widely and globally known, with funding from the CIA coming to prestigious periodicals of art, literature and culture, including the *Partisan Review*. And then the Berlin Wall fell in 1989 and everything changed.

It is a lesson at least as old as colonialism. If you want to rule, make sure your culture does too. Domination in the economic or military base would never last without domination in the cultural superstructure. Marx would know. Soft power following hard power. Shashi Tharoor knows it too.

A white American teaching Chinese in California. An Indian Muslim man teaching Sanskrit in Benaras. Perhaps the scenes don't get along with each other well.

Unlike gravity, power likes to climb up. It fulfills China's mission to see its culture spread to the world.

In the Western world, meanwhile, the hesitation comes entirely from the other direction.

There is reluctance on part of excellent and well-meaning white academics to enter into the domain of African American scholarship. What do you know about this people? What can you say? Can you write black as white, woman as man, queer as straight? Dominant fields, in the reverse, have willed to welcome minority exponents, while failing to flush out ancient prejudices. "You're black," they've said. "What can you say about Shakespeare? Shouldn't you rather talk about rap?"

In the end, progressive will has won. As Jonathan Gil Harris has shown us here in India, Shakespeare studies is a richer field for having Bollywood films in it. Firoze Khan's appointment to the Sanskrit Department at BHU can be a dream moment of Indian pluralism. For the language and culture of Sanskrit.

"All my life," he says, "I learnt Sanskrit and I was never made to realise I am a Muslim, but now when I'm trying to teach, suddenly it has become the only subject."

Be taught. But don't try to teach. Be indoctrinated. But to what doctrine will you take us if you dare to teach? Who dare trust you?

Ironically, it was also a dream opportunity for the nationalist champions of Sanskritised India. *Chinese ishtyle*.

Both opportunities are being cast away. Meanwhile, JNU burns.

Majumdar, professor of English & Creative Writing at Ashoka University, is the author, most recently, of *The Scent of God*

# When the ball turns pink

Day and night Tests could become a different game



SANDIP G

IF THE PINK ball to be used for the first time in a Test in India could think, it would have blushed at the attention it has been receiving over the last fortnight. Seldom has the colour of a cricket ball sparked so much curiosity. A bright pink balloon will wander over the Eden Gardens in Kolkata for the entire duration of the Test, the iconic Shahid Minar, will be lit up in pink, a ferry lit with blinking pink lights will ply from Howrah Bridge to Vidyasagar Setu in the evenings, the officials will wear pink blazers, and a bunch of art students have been painting pink-ball themed murals on the walls of the stadium.

Much of this garnishing appears soul-less — like the ornate setting in a Karan Johar movie than the minimalist backdrop of a Satyajit Ray classic. In some ways, this metaphor from cinema is apt for cricket. Arthouse movies, like Test cricket, have niche audiences, are commercially unviable and are supposedly dying. The more mainstream limited-over formats are raking in the audience, sponsors and money at a time when popularity and success is couched in an economic logic that reduces appreciation to numbers. Besides, there's also the morbid thought about Test cricket's impending death. The vacant seats that greet five-day

cricket outside the big-three countries — India, Australia and England — only aggravate the phobia. Test cricket, no doubt, is a hard-sell and needs innovation to survive.

In this context, day-night cricket, some feel, is the magic bullet that will drive hordes into the stadiums. Those who have to work for a living, and schoolchildren, will now be able to switch on their TV sets and see their national team live, outside weekends. They can wander into the stadium. Prime-time space on television is another incentive. It could blur class-borders of the cricket-watching public — as Test cricket has hitherto been content with an affluent middle-class audience largely made up of people who can take time off work or are retired. The pink-ball, thus, could paint a rosy picture, both literally and metaphorically. However, there is a chance that the game itself could be overwhelmed by another format — pink-ball cricket. By shifting the scheduled hours of play and the colour and texture of ball, it seems a new game has been discovered — a similar, yet dissimilar game.

Day-and-night cricket deserves to be encouraged. However, there is a chance that the game itself could be overwhelmed by another format — pink-ball cricket. By shifting the scheduled hours of play and the colour and texture of ball, it seems a new game has been discovered — a similar, yet dissimilar game.

For the change is more than cosmetic, it's like listening to acoustic and electric guitars — there is nothing subtle in the differences between red-ball Test cricket and pink-ball Test cricket. Everything from the pitch and pre-match talks to strategies and permutations could be starkly different. As the pink-ball tends to scuff up prematurely, the curator ought to leave more grass, which the seamers relish. Frequent change of balls and a thicker grass-covering would compromise reverse swing and, thus, leave one of India's strengths in the Subcontinent out of the equation. Limited exposure to sunshine means the pitch will not crack up as rapidly, as it does in the Subcontinent, neutralising another of India's strengths. Even in the Subcontinent, teams would be encouraged to pack themselves with seamers and wrist-spinners.

The thrills and challenges, too, would be different. For instance, rather than the first hour of a day in the conventional format, it would be the twilight hour the batsman would dread the most. Consequently, the quality of a player would be judged on how he negotiates that trickiest phase. It's during twilight that the pink ball begins showing its true nature when the unusual light effect of the floodlights and twilight begin to play

tricks with a batsman's vision. The match might not even last till the fifth day — half of the day-and-night Tests have ended in four or fewer days. This takes away the visceral joy of the ball detonating off cracks in the pitch or nimble-footed batsmen negating such tricks with dexterous hands and ice-cool temperament. The new format even requires adjusting the body-clock for both the players and the audience.

The discrepancies are so blatant that in due course, rather than popularising Test cricket, it could morph pink ball cricket into a different form of the game altogether. And cricket clearly doesn't have space for another format — it could clutter and trivialise the game, as what has happened to cue sports. Eventually, the novelty of the format could wear off, fatigue will set in and Test cricket will be riddled with the same old existential woes. For, many of the problems of the traditional format faces — both real and imagined — can't be changed by moving the hours or changing the colour of the ball.

Cricket needs its arthouse audience as much as it requires its mainstream formats. To blur the lines would be counterproductive.

sandip.gopal@expressindia.com

## LETTERS TO THE EDITOR

### TRUST DEFICIT

THIS REFERS TO the editorial, 'Bully on campus' (IE, November 21). There is no love lost between the BJP government and JNU. The former has always eyed JNU students with suspicion. While it's wrong on the part of the students to intensify their stir against the university administration since there has been a partial roll back of fee hike, the administration is also guilty of not taking any steps to defuse the situation. The vitiated atmosphere is affecting the university's prime function, academics.

Vijai Pant, Hempur

### JNU WRONGED

THIS REFERS TO the article, 'Why we must listen to JNU' (IE, November 21). What we are seeing today at JNU is the use of muscle power against a soft target — students. Many of JNU's alumni have contributed to society from various fields. Most of them are from humble backgrounds. So, there is good reason to treat JNU as a university with a difference.

RD Singh, Ambala

### TIME FOR HARMONY

THIS REFERS TO the article, 'Ball is in the majority's court' (IE, November 21). After having got the Ayodhya verdict in their favour, even though the court declaring Babri Mosque demolition as illegal, the least that Hindus can do is to

### LETTER OF THE WEEK AWARD

To encourage quality reader intervention, The Indian Express offers the Letter of the Week award. The letter adjudged the best for the week is published every Saturday. Letters may be e-mailed to [editpage@expressindia.com](mailto:editpage@expressindia.com) or sent to The Indian Express, B-1/B, Sector 10, Noida-UP 201301.

give up their demands on Mathura and Kashi mosques. And they should allow the construction of a masjid close to the Ram Janmabhoomi.

Anoop Kumar Srivastava, Delhi

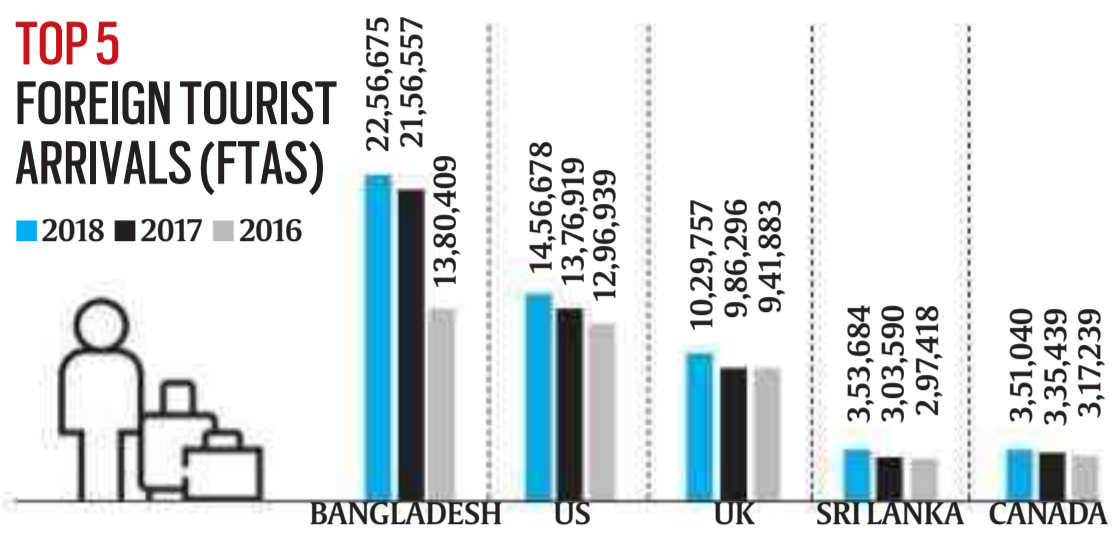
### LEADER OF FORCES

THIS REFERS TO the article, 'A cut above,' (IE, November 21). The proposed Chief of Defence Staff (CDS) must be placed above the three service chiefs. To have a CDS as a coequal to the service chiefs would mean the military decision-making process would end up becoming a tedious consensus-building exercise, where individual service biases might surface.

Sudip Kumar Dey, Kolkata

**TELLING NUMBERS**

**Countries that dominated tourist arrivals in India in last 3 years**



BANGLADESH, THE United States, and the United Kingdom were the top three countries from where foreign tourists arrived in India in 2018, statistics provided by the Ministry of Tourism to Parliament show. The Ministry's data also exhibit a consistent increase in overall foreign tourist arrivals as well as foreign exchange earnings over the years 2016, 2017, and 2018.

Among individual states, Tamil Nadu saw the most visits by foreign tourists in 2018 — over 60 lakh in that year. Maharashtra and Uttar Pradesh followed, with over 50 lakh and 37 lakh visits respectively.

In 2017, arrivals from Bangladesh increased significantly to 21,56,557 from 12,80,409 in the previous year. In 2018, the number further went up to 22,56,675. The trend from Pakistan showed a sharp contrast, with numbers falling from 1,04,720 in 2016 to 44,266 in 2017, and further dropping to 41,659 in 2018.

YSRCP MP Vanga Geetha Viswanath had asked for the information in an unstarred question in Lok Sabha on Monday.

**Overall Foreign Tourist Arrivals and Estimated Foreign Exchange Earnings through tourism**

Year	FTAs (Million)	FEE (US\$ billion)
2016	8.80	22.923
2017	10.04	27.310
2018	10.56	28.586

**HIGHEST FOREIGN TOURIST VISITS (FTVs) IN STATES IN 2018**

State	FTVs 2018 (R)
1 Tamil Nadu	60,74,345
2 Maharashtra*	50,78,514
3 Uttar Pradesh	37,80,752
4 Delhi*	27,40,502
5 Rajasthan	17,54,348

\*2017 figures repeated for 2018, R: Revised In chart for countrywise arrivals (top) 2018 figures are for top 5 countries; 2017, 2016 are corresponding figures for these countries

Source: Parliament Question

**TIP FOR READING LIST**

**HIDING IN PLAIN SIGHT, A BURMA STORY**

THANT MYINT-U has titled his new book *The Hidden History of Burma: Race, Capitalism, and the Crisis of Democracy in the 21st Century*, even though he gently suggests that the country's past wasn't so much obscured as it was hiding in plain sight. For decades, especially after a ruthless crackdown on pro-democracy protesters in 1988, Burma had drawn international ire for the brutal rule of its military junta. Against the depredations of the dictatorship stood the charismatic Aung San Suu Kyi: a tireless civilian advocate for democracy who spoke consistently of hope, enduring years of detention and house arrest with a serene smile.

Her public image weighed heavily in the international community's imagination, which was not very familiar with the longer history of Burma. That history proved to be stubborn and consequential — its effects only aggravated by how much its convolutions were simplified or ignored.

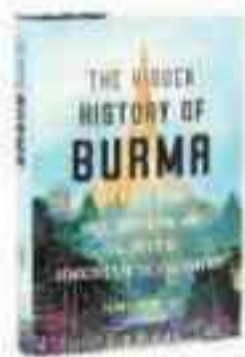
"In the early 2010s", Thant Myint-U

writes, "Burma was the toast of the world." The generals seemed to be ceding power; the country seemed to be ending its long isolation, tourism seemed to be on the rise; a number of rebel groups signed ceasefires, and in 2015 the National League for Democracy, led by Aung San Suu Kyi, won enough seats in the country's first free elections in a generation to form a government.

By 2018, that hopefulness had all but vanished. The year before, the Burmese military had unleashed a scorched-earth campaign against the Rohingya Muslim minority, with more than 700,000 refugees fleeing across the border to Bangladesh. As Burma's *de facto* leader, Aung San Suu Kyi flatly denied reports of army-perpetrated atrocities.

What Thant Myint-U argues is that the conditions for the current situation were already in place — it was less a case of a flipped switch than a lit fuse.

THE NEW YORK TIMES



**SIMPLY PUT QUESTION & ANSWER**

**Labour Code Bill decoded**

What are the changes in The Industrial Relations Code Bill, 2019, approved by the Union Cabinet this week? Why has industry welcomed it, and what are the issues that its critics have flagged?

AANCHAL MAGAZINE  
 NEW DELHI, NOVEMBER 21

THE UNION Cabinet on Wednesday approved The Industrial Relations Code Bill, 2019, which proposes to amalgamate The Trade Unions Act, 1926, The Industrial Employment (Standing Orders) Act, 1946, and The Industrial Disputes Act, 1947.

Last year, the government had floated a draft Note for the Cabinet along with The Labour Code on Industrial Relations Bill, for inter-ministerial consultations. This is the third Code in the government's proposed codification of central labour laws into four Codes.

Parliament has already approved The Code on Wages, 2019. The Occupational Safety, Health and Working Conditions Code was introduced in Lok Sabha in July, and is now with the Standing Committee on Labour, which has invited public comments on it. The draft of the Social Security Code has been circulated for public comments.

**Importance of the Bill**

Apart from offering some degree of flexibility on government permissions for retrenchment, the most important aspect of the Bill is that it presents the legal framework for ushering in the concept of 'fixed-term employment' through contract workers on a pan-India basis.

Currently, companies hire contract workers through contractors. With the introduction of fixed-term employment, they will be able to hire workers directly under a fixed-term contract, with the flexibility to tweak the length of the contract based on the seasonality of industry. These workers will be treated on a par with regular workers during the tenure of the contract.

The move to include it in a central law will help in wider reach, and states are expected to follow similar applicability. The government had tried a move last year to apply fixed-term employment across "central sphere establishments" (which are establish-



The Bill represents the legal framework for ushering in the concept of 'fixed-term employment' through contract workers on a pan-India basis. Express Archive

ments under the authority of the central government, Railways, mines, oilfields, major ports, or any other central public sector undertaking) in all sectors, but it failed to elicit the desired results as states did not notify similar provisions for it. The Bill now ensures a pan-India impact of this move.

**Changes in the Bill**

The threshold required for government permission for retrenchment has been kept unchanged at 100 employees, as against the proposal for 300 employees in an earlier draft of the Bill, which was opposed by trade unions.

Instead, the government has now provided flexibility for changing the threshold through notification. The rigidity of labour laws about laying off labour has often been cited by industry as the main reason limiting scalability and employment generation. At present, any company having 100 workers or more has to seek government approval for retrenchment.

The provision of fixed-term employment, which helps in the flow of social security benefits to all workers along with making it easier for companies to hire and fire, in The

Industrial Relations Code Bill.

Last year, the government had included the category of 'Fixed Term Employment Workman' for all sectors in the Industrial Employment (Standing Orders) Act, 1946. This was only applicable to 'central sphere' establishments, and the states did not follow suit. Finance Minister Nirmala Sitharaman said Wednesday that workers under a fixed-term contract would be taken up depending upon the seasonality of the industry, but would be treated on a par with regular workers.

**Opposition to the Bill**

While industry has welcomed the changes, others have said that the unclear provision regarding retrenchment would lead to uncertainty, and discretionary behaviour during implementation by the central or state government.

K R Shyam Sundar, labour economist and professor of Human Resources Management at XLRI, said this change tries to please both parties — the employers and the trade unions. "The moment you provide flexibility for the applicability, then it leaves the matter to

the discretion to the appropriate government (states or Centre). Then the clause can be misused. Any discretion in law leads to uncertainty, lack of clarity, discriminatory implementation, and provides scope for unnecessary usage. The government should be clear whether to increase the threshold or retain the threshold and face the consequences. This is a kind of appeasement to both sides, which will not actually provide relief to either of them," Prof Sundar said.

Also, fixed term employment needs to be introduced with adequate safeguards, otherwise it runs the risk of encouraging conversion of permanent employment into fixed-term employment, he said.

**Welcoming the Bill**

Industry has welcomed the Bill since it has met their demand of providing flexibility in retrenchment. MS Unnikrishnan, Chairman, CII National Committee on Industrial Relations, and MD & CEO, Thermax Ltd, said that for more employment in the organised sector, industry would demand flexibility.

"The original laws were made at a time when one would join and retire from the same company. Earlier, there were so many interpretations, and simplifying so many laws into four Codes is a good thing. There is no intention of industry to exploit labour, but one cannot run the company to create employment — it has to be commercially viable.

"Today we are competing with global players so there should be a level playing field. We want to protect employment as much as possible, when there is commercial viability. There is no unending amount of money available with anyone of us to continue to employ labour when business is not viable," Unnikrishnan said.

Fixed-term employment will help in keeping salaries and facilities to workers such as PF, gratuity, and medical benefits, the same as those for permanent labour, he said, adding that inclusion in the central law will help in applicability of fixed-term employment uniformly across the country.

**THIS WORD MEANS: QUID PRO QUO**

**The Latin phrase driving the Trump inquiry**

YASHEE  
 NEW DELHI, NOVEMBER 21

AS THE dramatic proceedings to impeach President Donald Trump unfold in the United States Congress, one expression that has been heard over and over again is "quid pro quo" — something that the President and his supporters have insisted cannot be established in his dealings with Ukraine's President Volodymyr Zelensky, thus absolving him of blame.

So what is *quid pro quo*, the Latin expression that describes the issue at the heart of the Trump impeachment inquiry?

**The Latin expression**

*Quid pro quo*, according to the Merriam-Webster dictionary, means "something given or received for something else".

In the 1500s in England, it was often used in the sense of apothecaries substituting one medicine for the other, by accident or design. It has also been part of trade lexicon as a term for the barter system.

*Quid pro quo*, like many Latin phrases, made its way into legal terminology, where it is now used to imply a mutually beneficial deal between two parties. In political contexts, like the one involving Trump currently,



In US Congress, transcript of the call between Trump and Zelensky. AP

it is often seen as an essential requirement to suggest or establish corruption, wrongdoing, or impropriety.

The expression is frequently used in India as well. Most recently, Rahul Gandhi, then the president of the Congress, repeatedly alleged ahead of the Lok Sabha elections that rules were bent to get the offset contract of the Rafale jet deal for Anil Ambani — the BJP's defence then was that the government had no say in the choice of offset partner, and no *quid pro quo* could thus be made out.

**Impeachment inquiry**

The impeachment inquiry against Donald Trump has been initiated on the al-

legation that he made a White House visit for President Zelensky, and/or nearly \$400 million in US military aid to the country, conditional upon Kyiv opening a corruption inquiry against former Vice President Joe Biden and his son Hunter, who at one time was on the board of directors of Burisma Holdings, a Ukrainian natural gas company.

Under the scanner specifically is a telephone conversation between Trump and Zelensky on July 25, during which Trump asked the then newly elected Ukrainian President "for a favour". The inquiry is focused on establishing the propriety or otherwise of Trump's request, and how the President stood to gain from it.

Biden is one of the likely Democratic candidates against Trump in the presidential elections of 2020. Trump is alleged to have tried to enlist a foreign country, Ukraine, on his side in a personal political battle with Biden in order to discredit him.

**President's defence**

On Wednesday, after the US ambassador to the European Union Gordon Sondland testified, Trump posted on Twitter: "...Ambassador Sondland asks U.S. President (me): 'What do you want from Ukraine? I keep hearing all these different ideas & theories. What do you want? It was a very

abrupt conversation. He was not in a good mood. He (the President) just said, 'I WANT NOTHING! I WANT NOTHING! I WANT NO QUID PRO QUO! TELL PRESIDENT ZELENSKY TO DO THE RIGHT THING!' Later, Ambassador Sondland said that I told him, 'Good, go tell the truth!'..."

The President's camp has resolutely stuck to this one phrase in its defence, that there was no *quid pro quo* — and that he did not want anything in return for Ukraine "doing the right thing", i.e. order a corruption investigation. While taking the help of foreign powers in an election is illegal in the US, asking another country to launch a corruption probe is not wrong *per se* — unless it can be established that Trump stood to gain from it.

On Wednesday, the President spoke to reporters outside the White House holding handwritten notes in large block letters that read "I want no *quid pro quo*". According to Trump — whose version Sondland appeared to confirm — he had used the same words in a phone conversation he had with the ambassador on September 9. As evidence for the "no *quid pro quo*", the Trump camp has said that the US did release the military aid to Ukraine, although only on September 11, after the House of Representatives had already started taking interest in the President's July 25 phone conversation with Zelensky.

**Why the govt has stripped a Telangana MLA of his Indian citizenship**

DEEPTIMAN TIWARY & SREENIVAS JANYALA  
 NEW DELHI, HYDERABAD, NOVEMBER 21

THE MINISTRY of Home Affairs (MHA) on Wednesday cancelled the citizenship of TRS MLA from Vemulawada in north Telangana Chennamaneni Ramesh. A son of freedom fighter parents, Ramesh has been a citizen of Germany in the past, and had acquired Indian citizenship in 2009. Since then, he has been politically active and won all elections he has contested. He started his political career with the TDP in 2009, but moved to the TRS in 2010 at the height of Telangana agitation.

**Why Ministry acted**

Ramesh, who had been living in Germany since 1993, applied for Indian citizenship on March 31, 2008 and was granted the same on February 4, 2009. On June 15, 2009, Congress leader from Karimnagar Adi Srinivas filed a revision ap-

plication, raising objection to the grant of citizenship to Ramesh. Srinivas pointed out that Ramesh had retained his German citizenship, and had travelled to Germany in the year preceding the date of his application for Indian citizenship, which was in violation of The Citizenship Act, 1955.

Based on this, the MHA formed a committee, which investigated the matter for nine years before submitting its report in March 2017 that Ramesh had indeed, obtained citizenship fraudulently. The MHA cancelled Ramesh's citizenship in August that year.

Ramesh filed a review plea, which was rejected that December, following which the MLA went to the High Court. The court granted him relief in July 2019, and asked the Home Ministry to reconsider its decision.

In an order served to Ramesh on November 20, the MHA has said that in his application for citizenship filed on March 31, 2008, he did not disclose that he had not lived in India for 12 months before the date of the application, even though he had made multiple trips to Germany during this period. This, the MHA has said, was in violation of The Citizenship Act, 1955, and the

Rules under it.

The MHA has said that when a clarification was sought from Ramesh in November 2008 about his foreign visits, he had maintained that he had not made any visits abroad.

"Thus he obtained registration of citizenship under section 5(1)(f) by means of fraud, false representation and concealment of facts and his action attracts provisions of section 10(2) of the Act. This makes him liable to be deprived of his Indian citizenship," the MHA order said.

**Sections 5(1)(f) and 10(2)**

These sections deal with grant of citizenship and the authority of the government to cancel the same. According to Section 5(1)(f), "...the Central Government may, on an application made in this behalf, register as a citizen of India any person...if a person of full age and capacity who, or either of his parents, was earlier citizen of independent India, and has been residing in India for one year immediately before making an application for registration."

Section 10(2) says: "Subject to the provisions of this section, the Central

Government may, by order, deprive any such citizen of Indian citizenship, if it is satisfied that the registration or certificate of naturalisation was obtained by means of fraud, false representation or the concealment of any material fact."

The law, however, also provides for checks to ensure that citizenship is not cancelled arbitrarily. Section 10(3) of the Act says, "The Central Government shall not deprive a person of citizenship under this section unless it is satisfied that it is not conducive to the public good that person should continue to be a citizen of India."

**Ramesh's defence**

Ramesh has maintained innocence on the ground that at the time of application, the law did not specifically require him to "continuously" stay in India for 12 months prior to the date of application. He has also said that since he was a German citizen prior to getting Indian citizenship, he did not consider going to Germany a trip "abroad", and therefore maintained that he had not made any trips abroad.

He has also argued that Srinivas's revi-

sion petition was time barred — the law requires the objection to be raised within 30 days and, in case the government allows it beyond that period, it must be satisfied that the petitioner was prevented for making the application in time.

He said: "Dr Ramesh Chennamaneni is a sitting MLA and does not have any criminal background. Hence section 10(3) of the Act is not satisfied. ...He was elected 4 times by the people of his constituency, being satisfied by his performance and development activity being carried out by him. He has not involved in terrorism, espionage, serious organized crime, war crime or unacceptable behavior. On the contrary, he has been doing lot of public good."

**Ministry's response**

The Ministry has noted that even the High Court had agreed that Ramesh had withheld information about his travel to Germany and, if at all he felt it was not a foreign country for him, he should have mentioned it to the Ministry and let the authorities decide.

"As a public representative, greater responsibility is thrust on Dr Ramesh

Chennamaneni to be fair in making his submissions. His conduct shall stand as an example to the people whom he represents. ...It is a well-known canon of law that 'Caesar's wife should be above suspicion'."

According to the MHA, "The absence of criminal charge doesn't mean that person having inclination to misrepresent would be doing good. In fact, there is a very large area of activity open to public representatives, where such economy of truth can seriously endanger public good."

It has also said that it has taken the decision so as to not set a precedent.

**Ramesh's options**

Ramesh can go back to the High Court and challenge the decision. Thereafter, he can go to the Supreme Court. However, unless a stay order is granted on the MHA's decision, he is sure to lose his membership of the Telangana Assembly. In case he does not get relief from the court, he will have the option of going through the whole process again, following which it would be the government's discretion to grant him citizenship, if he satisfies all conditions.

## बिज़नेस स्टैंडर्ड

वर्ष 12 अंक 237

### जरूरी कदम

**आर्थिक** मामलों को कैबिनेट समिति ने नीतिगत विनिवेश के क्षेत्र में पहल कर दी है। विनिवेश की इस योजना के अनुसार सरकार भारत प्रेट्रेडियम कॉर्पोरेशन लिमिटेड (बीपीसीएल), शिपिंग कॉर्पोरेशन ऑफ इंडिया (एससीआई), कंटेनर कॉर्पोरेशन ऑफ इंडिया (कॉनकार), टिहरी हाइड्रो डेवलपमेंट कॉर्पोरेशन इंडिया लिमिटेड (टीएचडीसीआईएल) और नॉर्थ

ईस्टर्न इलेक्ट्रिक पावर कॉर्पोरेशन लिमिटेड (नीपको) में अपनी हिस्सेदारी बेचेगी। ध्यान देने वाली बात है कि टीएचडीसीआईएल और नीपको का अधिग्रहण एक अन्य सरकारी कंपनी एनटीपीसी करेगी जबकि बीपीसीएल और एससीआई में सरकार अपनी हिस्सेदारी की बिक्री करने के साथ-साथ इनका नियंत्रण भी हस्तांतरित कर देगी। जबकि कॉनकार में

सरकार पूरी हिस्सेदारी नहीं बेचेगी लेकिन यहां भी वह नीतिगत खरीदार को नियंत्रण हस्तांतरित कर देगी। इसके अलावा सरकार ने यह निर्णय भी लिया है कि वह चुनिंदा सरकारी कंपनियों में अपनी हिस्सेदारी 51 फीसदी से कम करेगी। इससे विनिवेश किए जाने लायक परिसंपत्तियों में इजाफा होगा। हालांकि टीएचडीसीआईएल और नीपको के शेयरों को एनटीपीसी को हस्तांतरित करना पूरी तरह विनिवेश के विचार के अनुरूप नहीं है क्योंकि इस स्थिति में कंपनियों का नियंत्रण सरकार के हाथ में ही रहेगा। बहरहाल, बुधवार को विनिवेश की प्रक्रिया को आगे ले जाने तथा नीतिगत निवेश को गति प्रदान करने का जो निर्णय लिया गया वह यकीनन सही दिशा में उठाया गया कदम है।

बहरहाल, अभी यह देखा जाना है कि सरकार इन कंपनियों की हिस्सेदारी बेचने और प्रबंधन नियंत्रण हस्तांतरित करने के काम में कुल कितना समय लेती है। उदाहरण के लिए बीपीसीएल की बात की जाए तो नुमालीगढ़ रिफाइनेरी में कंपनी के शेयर पहले एक अन्य सरकारी कंपनी को हस्तांतरित किए जाएंगे। नुमालीगढ़ रिफाइनेरी के शेयरों का हस्तांतरण तथा बीपीसीएल तथा अन्य कंपनियों के संभावित नीतिगत खरीदारों द्वारा की जाने वाली जांच परख में समय लगेगा। चालू वर्ष में 1.05 लाख करोड़ रुपये का विनिवेश लक्ष्य हासिल करने के लिए सरकार को जल्दबाजी में कदम नहीं उठाने चाहिए। ऐसा करने से मूल्यांकन प्रभावित हो सकता है। नियंत्रण का स्थानांतरण अच्छी दर पर होना चाहिए। मौजूदा बाजार

मूल्य पर देखें तो बीपीसीएल में सरकारी हिस्सेदारी का मूल्य करीब 63,000 करोड़ रुपये है और कॉनकार तथा एससीआई का मूल्यांकन करीब 12,900 करोड़ रुपये होगा। चूंकि सरकार ने परिसंपत्तियों की बिक्री के माध्यम से फंड जुटाने का महत्वाकांक्षी लक्ष्य तय किया है इसलिए यदि नीतिगत विनिवेश का निर्णय वित्त वर्ष के आरंभ में लिया गया होता तो बेहतर होता। इतना ही नहीं भविष्य में विनिवेश की प्रक्रिया अधिक व्यवस्थित होनी चाहिए। नीतिगत और अल्पांश विनिवेश के लिए कंपनियों की सूची पहले से तैयार रखी जानी चाहिए। अंतिम समय में बजट लक्ष्य पूरा करने की हड़बड़ी से बचा जाना चाहिए क्योंकि इससे मूल्यांकन पर बुरा असर पड़ सकता है। इससे बाजार को भी पूरा समय मिलेगा और

वह बोली की तैयारी कर सकेगा। इससे बेहतर मूल्य हासिल करने में मदद मिलेगी। नीतिगत विनिवेश को लेकर देर से किया गया निर्णय सरकार द्वारा इस वर्ष की वित्तीय समस्याओं को दबाने के काम को और मुश्किल करेगा। कर राजस्व के लक्ष्य से काफी कम रहने का अनुमान है। व्यय में कमी के अभाव में राजकोषीय घाटा लक्ष्य से पार जा सकता है। ऐसे में विनिवेश प्रक्रिया के नतीजे से परे सरकार को अपनी राजकोषीय स्थिति का अधिक बेहतर तरीके से आकलन करना होगा। यदि विनिवेश की प्रक्रिया का इस्तेमाल खपत व्यय की पूर्ति में करने के बजाय नई परिसंपत्तियों के निर्माण में किया जाए तो यह अर्थव्यवस्था के लिए कहीं अधिक लाभदायक साबित होगा।



अजय मोहंती

# गहराता जा रहा है रोजगार का संकट

देश में बढ़ती बेरोजगारी और रोजगार संबंधी असुरक्षा के लिए आर्थिक मंदी आंशिक तौर पर ही जवाबदेह है। इसके पीछे सबसे प्रमुख वजह हैं कमजोर नीतियां। विस्तार से जानकारी दे रहे हैं शंकर आचार्य

देश की आबादी में कामकाजी लोगों की भारी और बढ़ती हुई तादाद उसके लिए बहुत अहम संसाधन है। करीब एक अरब ऐसे लोगों की मदद से हम तेज और स्थायी आर्थिक विकास हासिल कर सकते हैं। 16 वर्ष पहले मैंने चेतावनी दी थी कि यदि सही नीतियां नहीं अपनाई गईं तो यह जनांकिय लाभ गंवा दिया जाएगा। तब से अब तक एक के बाद एक सरकारों ने गलत या कमजोर नीतियां और कार्यक्रम ही अपनाए हैं। इसमें कमजोर सार्वजनिक शिक्षा और कौशल व्यवस्था तथा अत्यंत जटिल एवं रोजगार विरोधी श्रम कानून शामिल हैं। व्यापार और विनिमय दर नीतियां ऐसी हैं जो निर्यात और आयात प्रतिस्पर्धा वाले घरेलू उत्पादन में श्रम को हतोत्साहित करती हैं। कमजोर बुनियादी ढांचा जो उत्पादकता और संचार को प्रभावित करता है, कमजोर सरकारी बैंक और टाले जा सकने लायक नीतिगत झटके मसलन नोटबंदी आदि भी इसमें शामिल हैं। जून 2019 में प्रकाशित पीरियॉडिक लेबर फोर्स सर्वे (पीएलएफएस) 2017-18 इसके बेहद निराश करने वाले परिणाम सामने रखता है। आंकड़े बताते हैं कि वर्ष 2004-05 से 2017-18 के बीच देश में रोजगार की स्थिति में जबरदस्त गिरावट आई। खासतौर

पर वर्ष 2011-12 के बाद लगभग तमाम संकेतकों पर गिरावट देखने को मिली। एक नजर डालें तो: ■ सन 2011-12 से अब तक बेरोजगारी दर लगभग तीन गुनी बढ़कर 6.1 फीसदी हो गई है। चूंकि गरीबों के लिए बेरोजगार रह पाना संभव नहीं इसलिए इस बेरोजगारी में बड़ा हिस्सा शिक्षित बेरोजगारों का है। ■ युवा (15 से 29 वर्ष) बेरोजगारी दर भी तीन गुना बढ़कर 2017-18 में 17.8 फीसदी हो गई। यह भी रोजगार में आ रही कमी को ही दर्शाता है। दिलचस्प बात यह है कि अनुमान के मुताबिक ही वर्ष 2017-18 में युवा बेरोजगारी की दर शिक्षा के स्तर के साथ तेजी से बढ़ी। अशिक्षितों में यह 7.1 फीसदी थी तो सेकंडरी स्कूल की शिक्षा वालों में 14.4 फीसदी तथा स्नातकों और परास्नातकों में 36 फीसदी। यह आंकड़ा गंभीर सामाजिक और आर्थिक निराशा का द्योतक है। ■ खुली बेरोजगारी से भी अधिक परेशान करने वाले रूझान श्रम शक्ति की भागीदारी दर (एलएफपीआर) में देखने को मिलते हैं। यह दर श्रम लायक उम्र के लोगों में उन लोगों का अनुपात दर्शाती है जो रोजगार

शुदा हैं या रोजगार चाहते हैं। एलएफपीआर में भारी गिरावट आई और यह 2004-05 के 64 फीसदी से घटकर 2017-18 में 50 फीसदी के नीचे आ गई। यानी देश की कामकाजी आबादी के आधे से कम के पास रोजगार है। ■ आश्चर्य नहीं कि देश का कुल रोजगार 2011-12 और 2017-18 के बीच कई लाख घटा। सन 1972-73 में राष्ट्रीय नमूना सर्वेक्षण द्वारा रोजगार की स्थिति की शर्तें तय करने के बाद पहली बार ऐसा हुआ। ■ कुल एलएफपीआर में गिरावट के एक बड़े हिस्से के लिए महिला एलएफपीआर में गिरावट उत्तरदायी है। यह 2004-05 के 43 फीसदी से घटकर 2017-18 में 23 फीसदी रह गई। सन 2018 में चीन में महिलाओं के लिए यह 61 फीसदी, इंडोनेशिया में 52 फीसदी और बांग्लादेश में 36 फीसदी था। महिला एलएफपीआर में इस गिरावट को शिक्षा में महिलाओं के बढ़ते नामांकन से जोड़कर भी नहीं देखा जा सकता है क्योंकि 20 से अधिक उम्र की महिलाओं के एलएफपीआर में 20 फीसदी से अधिक गिरावट देखी गई। ऐसे में महिलाओं के आर्थिक और सामाजिक सशक्तीकरण के लिए भविष्य दुखद है।

■ गत माह संतोष मेहरोत्रा और ययाति परीदा ने एक पर्चे में कहा कि देश के एलएफपीआर में भारी गिरावट के लिए प्रमुख वजह यह है कि लोग लगातार काम न मिलने के चलते निराश होकर भी इस बाजार से बाहर हो जाते हैं। 15 से 29 की उम्र के युवाओं पर ध्यान केंद्रित करते हुए वे कहते हैं कि इस श्रेणी में बेरोजगारों की तादाद सन 2004-05 के 7 करोड़ से बढ़कर 2017-18 में 10 करोड़ हो गई। रोजगार से विमुख श्रमशक्ति को ध्यान में रखें तो करीब 24 करोड़ की समायोजित श्रम शक्ति में से 12.5 करोड़ लोग बेरोजगार निकलेंगे। इस तरह देखें तो सन 2017-18 में समायोजित युवा बेरोजगारी का स्तर 52 फीसदी पहुंच जाएगा। ■ बीते समय के दौरान क्षेत्रवार रोजगार हिस्सेदारी का दायरा भी दिखाता है कि श्रम शक्ति कम उत्पादकता वाले कृषि क्षेत्र से अधिक उत्पादकता वाले औद्योगिक और आधुनिक सेवाओं का रुख कर रहा है। इसके बावजूद सन 2017-18 में देश के कुल रोजगार में कृषि की हिस्सेदारी 44 फीसदी है। यह तमाम अन्य जी-20 देशों से अधिक है। इससे भी बुरी बात यह कि निर्माण सहित उद्योग जगत की हिस्सेदारी 2011-12 और 2017-18 के बीच ठहर रही। सबसे निराश करने वाली बात यह कि विनिर्माण की हिस्सेदारी 2004-05 और 2017-18 के बीच 12 फीसदी पर स्थिर रही। ■ राष्ट्रीय रोजगार में स्वरोजगार और आंशिक श्रमिकों की हिस्सेदारी आज भी 80 फीसदी है। यह कई वजहों से चिंतित करने वाली बात है। इन श्रेणियों को अस्तर व्यापक कार्य साझेदारी व्यवस्था से परिभाषित किया जाता है और बेरोजगारी से जोड़ा जाता है। इनमें कम औसत आय होने का खतरा भी रहता है। कई दफा तो यह न्यूनतम राष्ट्रीय आय के औसत से भी कम रहता है। ■ सकारात्मक पहलू को देखें तो रोजगार में नियमित वेतन वाले कर्मचारियों की हिस्सेदारी 2004-05 के 14.4 फीसदी से बढ़कर 2017-18 में 22.8 फीसदी हो गई है। गैर कृषि क्षेत्र में बिना किसी लिखित अनुबंध के नियमित वेतन वाले कर्मियों की तादाद 2004-05 के 59 फीसदी से बढ़कर 2017-18 में 71 फीसदी हो गई है। संक्षेप में कहा जाए तो देश में रोजगार की स्थिति बीते 15 वर्ष में बेहद खराब हुई है। आज यानी सन 2019-20 के मध्य में हालात वाकई खराब है क्योंकि आर्थिक नमूना सर्वेक्षण द्वारा रोजगार की स्थिति की शर्तें तय करने के बाद पहली बार ऐसा हुआ। ■ कुल एलएफपीआर में गिरावट के एक बड़े हिस्से के लिए महिला एलएफपीआर में गिरावट उत्तरदायी है। यह 2004-05 के 43 फीसदी से घटकर 2017-18 में 23 फीसदी रह गई। सन 2018 में चीन में महिलाओं के लिए यह 61 फीसदी, इंडोनेशिया में 52 फीसदी और बांग्लादेश में 36 फीसदी था। महिला एलएफपीआर में इस गिरावट को शिक्षा में महिलाओं के बढ़ते नामांकन से जोड़कर भी नहीं देखा जा सकता है क्योंकि 20 से अधिक उम्र की महिलाओं के एलएफपीआर में 20 फीसदी से अधिक गिरावट देखी गई। ऐसे में महिलाओं के आर्थिक और सामाजिक सशक्तीकरण के लिए भविष्य दुखद है।

## समझ में अंतर से उत्पन्न होते न्यायिक दुरुपयोग के अवसर

सर्वोच्च न्यायालय के पांच न्यायाधीशों द्वारा हाल में दिए गए फैसलों के बाद देश के पंचाटों द्वारा आर्थिक मामलों में किए जाने वाले न्याय के परिदृश्य में बदलाव आ सकता है। या फिर शायद ऐसा तब तक नहीं हो जब तक कि भविष्य में कोई कानूनी वाद इस फैसले के एक और उल्लंघन के विरुद्ध प्रस्तुत न हो।



बाअदब

सोमेशचंद्र सुंदरेशन

उक्त पीठ वित्त अधिनियम 2017 के प्रावधानों की संवैधानिक वैधता पर विचार कर रहा था। इस अधिनियम ने विभिन्न विधानों के अधीन रोजगार में कृषि की हिस्सेदारी 44 फीसदी है। यह तमाम अन्य जी-20 देशों से अधिक है। इससे भी बुरी बात यह कि निर्माण सहित उद्योग जगत की हिस्सेदारी 2011-12 और 2017-18 के बीच ठहर रही। सबसे निराश करने वाली बात यह कि विनिर्माण की हिस्सेदारी 2004-05 और 2017-18 के बीच 12 फीसदी पर स्थिर रही। ■ राष्ट्रीय रोजगार में स्वरोजगार और आंशिक श्रमिकों की हिस्सेदारी आज भी 80 फीसदी है। यह कई वजहों से चिंतित करने वाली बात है। इन श्रेणियों को अस्तर व्यापक कार्य साझेदारी व्यवस्था से परिभाषित किया जाता है और बेरोजगारी से जोड़ा जाता है। इनमें कम औसत आय होने का खतरा भी रहता है। कई दफा तो यह न्यूनतम राष्ट्रीय आय के औसत से भी कम रहता है। ■ सकारात्मक पहलू को देखें तो रोजगार में नियमित वेतन वाले कर्मचारियों की हिस्सेदारी 2004-05 के 14.4 फीसदी से बढ़कर 2017-18 में 22.8 फीसदी हो गई है। गैर कृषि क्षेत्र में बिना किसी लिखित अनुबंध के नियमित वेतन वाले कर्मियों की तादाद 2004-05 के 59 फीसदी से बढ़कर 2017-18 में 71 फीसदी हो गई है। संक्षेप में कहा जाए तो देश में रोजगार की स्थिति बीते 15 वर्ष में बेहद खराब हुई है। आज यानी सन 2019-20 के मध्य में हालात वाकई खराब है क्योंकि आर्थिक नमूना सर्वेक्षण द्वारा रोजगार की स्थिति की शर्तें तय करने के बाद पहली बार ऐसा हुआ। ■ कुल एलएफपीआर में गिरावट के एक बड़े हिस्से के लिए महिला एलएफपीआर में गिरावट उत्तरदायी है। यह 2004-05 के 43 फीसदी से घटकर 2017-18 में 23 फीसदी रह गई। सन 2018 में चीन में महिलाओं के लिए यह 61 फीसदी, इंडोनेशिया में 52 फीसदी और बांग्लादेश में 36 फीसदी था। महिला एलएफपीआर में इस गिरावट को शिक्षा में महिलाओं के बढ़ते नामांकन से जोड़कर भी नहीं देखा जा सकता है क्योंकि 20 से अधिक उम्र की महिलाओं के एलएफपीआर में 20 फीसदी से अधिक गिरावट देखी गई। ऐसे में महिलाओं के आर्थिक और सामाजिक सशक्तीकरण के लिए भविष्य दुखद है।

सोमेशचंद्र सुंदरेशन

चंद्रचूड़ ने ऐसे अधिकार हस्तांतरण की वैधता और धन विधेयक के इस्तेमाल दोनों पर असहमति जताई। यह निर्णय पढ़े जाने लायक है। इसके अलावा न्यायमूर्ति दीपक गुप्ता ने भी आंशिक रूप से असहमति जताते हुए कहा कि कार्यपालिका को अधिकारों का हस्तांतरण असंवैधानिक है। ऐसे में भविष्य में जब कोई पीठ किसी अन्य विधान पर ऐसी दृष्टि डालेगा तो ऐसे मसलों पर कानून की भावना पर विचार करने की बात सामने आएगी। विशुद्ध प्रभाव यह है कि कार्यपालिका द्वारा बनाए गए जो नियम अधिकार हस्तांतरण को मंजूरी दे रहे थे उन्हें सर्वसम्मत ढंग से खारिज कर दिया गया। सर्वोच्च न्यायालय द्वारा सन 1997 और 2010 में दिए गए फैसलों के प्रवर्तन का जो मामला 2019 में निपटा है उसे 2017 में पारित निर्णय के संदर्भ में देखें तो वह पहले के मामलों में दिए गए निर्देशों और उस वक्त स्थापित कानून का उल्लंघन करता है। चाहे कोई भी राजनीतिक दल सत्ता में हो, कार्यपालिका कानून पारित करा लेती है। वह भी ऐसे कानून जो सीधे-सीधे सर्वोच्च न्यायालय के पुराने दिशानिर्देशों और निर्णयों का उल्लंघन कर रहे हों। हालांकि ऐसे वैधानिक उपाय जो सर्वोच्च न्यायालय के निर्णय की अवज्ञा करते हैं, उनकी वापसी का तरीका तलाश लिया गया है। ऐसे निर्णय व्यवस्था को जवाबदेह नहीं बनाते। संवैधानिक मसलों पर सर्वोच्च न्यायालय के निर्णयों की अवहेलना और उल्लंघन के मामलों पर विचार करने के दौरान कार्यपालिका को इस बात के लिए प्रोत्साहित करता है कि वह बार-बार ऐसा उल्लंघन करे। अरुण शौरी की पुस्तक

‘अनीता गेट्स बेल’ इसी बारे में है। उपरोक्त तीनों निर्णयों को पढ़ा जाना चाहिए। देश की सबसे बड़ी अदालत द्वारा घोषित कानून के उल्लंघन की बात ठोस तरीके से साबित की गई है और ऐसे असंवैधानिक आचरण के बीच जवाबदेही पूरी तरह अनुपस्थित है। ज्यादा समय नहीं हुआ जब सर्वोच्च न्यायालय के दो न्यायाधीशों के पीठ ने सरकार पर लागत आरोपित करते हुए कहा था कि उसने एक ऐसे विवाद को बढ़ावा दिया जो उसके द्वारा बहुत पहले निपटारा जा चुका था। इस मामले में वरिष्ठ विधिक अधिकारियों को शामिल कर एक खत्म हो चुके मसले को अर्वाञ्छित तबज्जो दी गई थी। यह पता चला कि अतीत में भी बंद मसलों को दोबारा उभारने पर लागत वसूली गई है। राज्य के तीन स्तंभों की बात करें तो द्विपक्षीय मसलों से उलट संवैधानिक मसलों में संवैधानिक प्रतिरोध के मसले अदालतों के समक्ष अपील में जाते हैं। कार्यपालिका में मौजूद लोग इसे दीर्घकालिक अवसर की उपलब्धता के रूप में देखते हैं। ऐसी विसंगतिपूर्ण सोच ही गलत आचरण को बढ़ावा देती है। इस बार एक स्पष्ट बात उच्च न्यायापालिका पर दीर्घकालिक सकारात्मक प्रभाव की संभावना और तमक के गुणवत्ता तथा अनुभव की रही। सरकार से कहा गया कि वह पंचाट से सीधे सर्वोच्च न्यायालय में होने वाली अपीलों के मामले में स्थिति सुधारे और इन्हें पहले उच्च न्यायालय या खंड पीठ के पास भेजे। कहा गया है कि ऐसे कदम छह महीने के भीतर उठाए जाएं। वर्तमान में इसकी बहुत अधिक आवश्यकता है। अधिकांश आर्थिक विधानों को लेकर उच्च न्यायालयीय विवाद अक्सर उच्च न्यायालय के बजाय सीधे सर्वोच्च न्यायालय पहुंच जाते हैं। जब उच्च न्यायालय के न्यायाधीश सर्वोच्च न्यायालय जाते हैं और चूंकि उन्हें ऐसे मामलों का अनुभव नहीं होता (न तो अधिवक्ता के रूप में और न ही न्यायाधीश के रूप में) तो अनुभव की कमी के चलते न्यायिक निर्णय भी प्रभावित होते हैं। इस दिशा में ठोस उपाय किए जाने की आवश्यकता है।

## कानाफूसी

शर्मिंदगी का सबब

कांग्रेस महासचिव और उत्तर प्रदेश की पार्टी प्रभारी प्रियंका गांधी वाड़ा को पिछले दिनों सोशल मीडिया पर काफी आलोचना का सामना करना पड़ा। दरअसल हुआ यह कि प्रियंका ने अपने टिवटर हैंडल पर एक वीडियो साझा किया। उत्तर प्रदेश के उन्नाव जिले के इस वीडियो में पुलिस के बर्बर लाठी चार्ज के बाद एक किसान को अचेत अवस्था में दिखाया गया था। उस दौरान पुलिस ने ट्रांस गंगा सिटी परियोजना के लिए अधिग्रहीत जमीन का अपर्याप्त मुआवजा मिलने का विरोध कर रहे किसानों के खिलाफ यह कार्रवाई की थी। प्रियंका द्वारा टिवटर पर साझा किए गए वीडियो के वायरल होने पर राज्य सरकार ने जल्दी ही पूरा वीडियो जारी कर दिया जिसमें उक्त व्यक्ति बेहोश का नाटक करता और उसके बाद दौड़ता हुआ नजर आया। बाद में प्रियंका ने अपने टिवटर हैंडल से वीडियो हटा लिया।

स्थगित हुआ विरोध

कांग्रेस पार्टी ने आर्थिक मंदी को लेकर अपना प्रस्तावित विरोध प्रदर्शन टाल दिया है। यह प्रदर्शन पहले 30 नवंबर को दिल्ली के रामलीला मैदान पर आयोजित किया जाना था। अब यह प्रदर्शन 13 दिसंबर को समाप्त हो रहे संसद के शीतकालीन सत्र के बाद आयोजित किया जाएगा। प्रदर्शन की नई तारीख 14 दिसंबर रखी गई है। कांग्रेस सूत्रों का कहना है कि प्रदर्शन को टालने की असल वजह यह थी कि उस दिन रामलीला मैदान पहले से बुक था और वह भी एक कांग्रेस नेता द्वारा कराया गया था। पूर्व सांसद और दलित अधिकार कार्यकर्ता उदित राज तथा कुछ अन्य संगठनों ने 1 दिसंबर को सरकारी उपक्रमों के विनिवेश के खिलाफ विरोध प्रदर्शन का आयोजन किया है। उन्होंने मैदान को 30 नवंबर को भी बुक किया है। जब पार्टी ने उदित राज से पूछा कि क्या वह अपना कार्यक्रम टाल सकते हैं तो उन्होंने इनकार कर दिया जिसके बाद आर्थिक मंदी को लेकर विरोध प्रदर्शन को टालना पड़ा।



## आपका पक्ष

प्लास्टिक से निजात पाने की कोशिश

देश में 2 अक्टूबर से एक ही बार इस्तेमाल होने वाले प्लास्टिक पर प्रतिबंध लगाया गया है। कई जगह ऐसे प्लास्टिक को बंद भी किया जा चुका है। लेकिन सवाल यह है कि क्या बिना आम जनता के जुड़े इस पर पूरी तरह पाबंदी लगाई जा सकती है। रोजमर्रा के इस्तेमाल में आने वाला प्लास्टिक खतरनाक रसायन पॉलि विनायल क्लोराइड है। इस रसायन के रक्त में घुलने से अनेक बीमारियों की आशंका बढ़ जाती है और गर्भ में पल रहा बच्चा भी रोग की गिरफ्त में आ सकता है। हर साल जो झुगियां जलकर राख हो जाती हैं उसमें पीवीसी का बड़ा हाथ होता है। यह बेहद निचले दर्जे का प्लास्टिक होता है जो आग जल्दी पकड़ता है तथा बुझने में घंटों लग जाते हैं। शोधकर्ताओं ने एक अध्ययन में पाया कि तकरौबन नौ तरह के प्लास्टिक के कण खाने-पीने एवं अन्य तरीकों से मनुष्य के पेट में पहुंच रहे हैं और वे शरीर को



नुकसान पहुंचा रहे हैं। एक व्यक्ति एक हफ्ते में औसतन पांच ग्राम प्लास्टिक निगल रहा है। इसे एक बार इस्तेमाल करने के बाद आसानी से छुटकारा नहीं पाया जा सकता है। वैज्ञानिकों का मानना है कि प्लास्टिक कम से कम 500 वर्ष तक खत्म नहीं होता है। प्लास्टिक से धीरे-धीरे रिसने वाला रसायन शरीर में पाई जाने वाली रक्षक

प्लास्टिक को पूरी तरह प्रतिबंध करने के लिए जन भागीदारी की आवश्यकता है

कोशिकाओं को बहुत नुकसान पहुंचाता है। समुद्र में वर्ष 1950 से 2016 के बीच 66 वर्षों में जितना प्लास्टिक जमा हुआ है, उतना अगले केवल एक दशक में जमा

हो जाएगा। इससे महासागरों में प्लास्टिक कचरा 30 करोड़ टन तक पहुंच सकता है। हर साल उत्पादित होने वाले कुल प्लास्टिक में से महज 20 फीसदी ही रिसाइकल हो पाता है। 39 फीसदी प्लास्टिक कचरा जमीन के अंदर दबाकर नष्ट किया जाता है और 15 फीसदी जला दिया जाता है। वैसे भी हमने पर्यावरण को बरबाद करने वाले सभी तीर तरीकों को अपना लिया है। चाहे वह जंगल कटने का मामला हो या खाद्य पदार्थ में कीटनाशकों और उर्वरकों का घुलता जहर। प्लास्टिक ही हमारे जीवन के किसी भी हिस्से से अछूता नहीं है। हम कुदरत द्वारा दिए गए संसाधनों को दरकिनार कर प्लास्टिक या इसके जैसे अन्य उत्पादों को अपने जीवन का अंग बनाते रहे तो वह दिन दूर नहीं जब हम खुद को प्लास्टिक के कफन दफन कर लेंगे।

नृपेंद्र अभिषेक, नई दिल्ली

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

ग्राहकों को सहूलियत दें खुदरा विक्रेता

खुदरा व्यापारी संगठनों ने ई-कॉमर्स कंपनियों के खिलाफ देशभर के 700 से अधिक शहरों में विरोध प्रदर्शन किया। व्यापारियों का कहना है कि ऑनलाइन कंपनियां एफडीआई नियमों का उल्लंघन कर रही हैं। उन्होंने सरकार से ऑनलाइन कंपनियों पर प्रतिबंध लगाने की मांग की है। देश में ऑनलाइन कंपनियां काफी प्रचलित हो गई हैं। इसकी मुख्य वजह घर बैठे सामान की खरीदारी तथा बाजार मूल्य से उत्पाद का सस्ता मिलना है। किसी ऑनलाइन कंपनी में उत्पादक कंपनी से लेकर कोरियर कंपनी के कर्मियों का रोजगार जुड़ा होता है। ऐसे में खुदरा व्यापारियों की मांग अगर मान ली जाती है तो काफी लोगों का रोजगार छिन जाएगा। खुदरा व्यापारियों को अपने ग्राहकों को बनाए रखने पर जोर देना चाहिए जिसके लिए उन्हें ग्राहकों को सहूलियत देनी चाहिए।

मुकेश कुमार, गाजियाबाद





## मनमनानी के कारखाने

जब-जब दिल्ली की हवा और पानी में प्रदूषण का स्तर चिंताजनक स्तर पर पहुंचता है, पर्यावरण पर नजर रखने वाले महकमों की सक्रियता कुछ बढ़ जाती है। दिवाली के बाद दिल्ली की हवा में प्रदूषण का स्तर चिंताजनक स्तर पर पहुंच गया, तो राज्य सरकार ने चार पहिया वाहनों के लिए सम-विषम योजना लागू कर दी। इसी के मद्देनजर सर्वोच्च न्यायालय की निगरानी समिति के निर्देश पर आवासीय इलाकों में चल रहे करीब छह हजार ऐसे कारखानों को नोटिस पकड़ाया गया है, जिनसे प्रदूषण फैलता है। यह पहला मौका नहीं है, जब दिल्ली के आवासीय इलाकों में चल रहे कारखानों पर नकेल कसने की पहल हुई है। यमुना के पानी में सीमा से अधिक प्रदूषण बढ़ जाने पर भी इसी तरह कारखानों में तालाबंदी की पहल हुई थी, पर उसका कोई उल्लेखनीय नतीजा अभी तक सामने नहीं आया है। सवाल है कि आवासीय परिसरों में ऐसे कारखाने कैसे चलते रहते हैं, जो पर्यावरण प्रदूषण का बायस बनते हैं। करीब बीस साल पहले शहर के भीतर चल रहे कारखानों को दिल्ली से सटे राजस्थान, हरियाणा और उत्तर प्रदेश के औद्योगिक क्षेत्रों में बसाने का प्रयास किया गया था। दिल्ली से उजड़ कर उन क्षेत्रों में जाने वाले कारखानों को सस्ती दर पर जमीन उपलब्ध कराई गई थी, पर हकीकत यही है कि अब भी यहां बड़े पैमाने पर कारखाने चल रहे हैं।

दिल्ली के भीतर अनेक ऐसे क्षेत्र हैं, जहां अवैध रूप से कारखाने चलाए जा रहे हैं। कारखाना मालिक ऐसा इसलिए भी कर लेते हैं कि दिल्ली के भीतर बसे गांवों और लालडोरा क्षेत्रों को नगर निगम के कायदे-कानूनों से राहत दी गई है। वहां भवन निर्माण और कारोबार करने संबंधी छूटें हासिल हैं। इसके अलावा अनेक ऐसे आवासीय क्षेत्र हैं, जो पहले अनधिकृत कॉलोनियों के रूप में विसित हुए थे और फिर उन्हें नियमित कर दिया गया। उन इलाकों में जूते-चप्पल बनाने, स्टील के बरतन, लोहे के सामान बनाने, कपड़े की रंगाई, वस्त्र निर्माण, गाड़ियों की रंगाई-पुताई-धुलाई, कबाड़ तोड़ने-गलाने आदि से जुड़े कारखाने चलते हैं। इसके अलावा कई औद्योगिक क्षेत्रों में ऐसी इकाइयों को इस तर्क पर बने रहने दिया गया था कि उनसे पर्यावरण को कोई नुकसान नहीं पहुंचता। उनकी आड़ में दूसरे कारखाने भी खुलते गए। ऐसे कारखानों की पोल तब खुलती है, जब उनमें आग लगने या भवन गिरने आदि की वजह से कोई बड़ा हादसा हो जाता है। हैरानी की बात है कि ऐसे कारखानों के बदस्तूर चलते रहने पर सरकारी महकमों की नजर क्यों नहीं जाती।

सर्वोच्च न्यायालय की कड़ाई की वजह से प्रदूषण फैलाने वाले कारखाना मालिकों को नोटिस तो जारी कर दिया है, पर उस पर कितनी कड़ाई से अमल किया जाएगा, दावा नहीं किया जा सकता। छिपी बात नहीं है कि दिल्ली में अनधिकृत कॉलोनियों को नियमित करने की मांग उठा कर या कारखाना मालिकों के बचाव में उतर कर किस तरह राजनीतिक दल अपना जनाधार मजबूत करने का प्रयास करते हैं। यह भी समझना मुश्किल नहीं है कि आवासीय क्षेत्रों में इतने बड़े पैमाने पर चल रहे कारखानों पर पर्यावरण विभाग के कर्मियों की नजर क्यों नहीं जाती। जाहिर है, यह कारखाना मालिकों के रसूख और बड़े अधिकारियों तक पहुंच की वजह से होता है। जब तक राजनीतिक दल और अधिकारी अपने नहि्ति स्वार्थों से ऊपर उठ कर संजीदागी से दिल्ली के पर्यावरण की चिंता नहीं करेंगे, तब तक यहां प्रदूषण के स्तर में कमी के प्रयास विफल ही होंगे।

## दुखद वापसी

लगभग एक महीने में यह दूसरी बार है जब अमेरिका ने अपनी सीमा में वीजा नियमों का उल्लंघन करने या फिर अवैध रूप से प्रवेश करने वाले भारतीयों को वापस भेज दिया। बुधवार को जब दिल्ली में हवाई अड्डे पर डेढ़ सौ लोग उतरे तो उनके चेहरे पर उदासी छाई थी, शरीर पर मौजूद कपड़े भी सही-सलामत नहीं थे। खबरों के मुताबिक हैरानी की बात यह है कि इन लोगों को हवाई जहाज से बाहर निकलने के पहले तक हाथ-पांव बांध कर रखा गया था। संभव है, इसे किसी प्रक्रिया का हवाला मुश्किल सही ठहराया जाए, लेकिन इसके पीछे कोई वाजिब तर्क ढूंढना मुश्किल होगा कि जब इन सबको विमान में बिठा दिया गया था तब हाथ-पांव बांधने की जरूरत क्यों पड़ी थी! इसके बावजूद यह कहा जा सकता है कि चूंकि वापस भेजे गए लोगों ने अमेरिका में प्रवेश करने के वैध तरीके का उल्लंघन किया था, इसलिए जांच में पकड़े जाने के बावजूद उन्हें वहां बनाए रखना मुश्किल था। करीब एक महीने पहले इसी तरह तीन सौ ग्यारह भारतीयों को पकड़ कर वापस भेज दिया गया था, जो मैक्सिको से होते हुए अवैध तरीके से अमेरिका में दाखिल हुए थे या ऐसा करते हुए पकड़े गए थे।

बेहतर जिंदगी का सपना पाल कर भारत से अमेरिका का रुख करने वाले लोगों की इच्छा को गलत नहीं कहा जा सकता, लेकिन मुश्किल यह है कि निर्धारित प्रक्रिया के तहत वहां जाने के बजाय लोग कई बार कुछ ऐसे एजेंटों की बातों में आ जाते हैं, जो उन्हें आसानी से अमेरिका पहुंचाने और काम दिलाने के वादे करते हैं और इसके लिए उनसे मोटी रकम वसूल लेते हैं। अमेरिका से लौटे लोगों में से किसी ने एजेंट को पच्चीस लाख रुपए दिए थे, तो किसी ने लगभग पैंसठ लाख रुपए खर्च कर डाले। गौरतलब है कि अमेरिका में छह लाख से ज्यादा ऐसे लोग हैं, जिनका दस्तावेजों में कोई रेकॉर्ड नहीं है। अगर अमेरिका में अवैध रूप से रह रहे विदेशी नागरिकों को लेकर कोई व्यापक अभियान चला, तो नतीजों का अंदाजा लगाया जा सकता है। इसके अलावा, सन 2014 से लेकर अब तक अमेरिका में शरण के लिए करीब बाईस हजार भारतीयों ने आवेदन किया हुआ है। अगर कोई किसी तरह अमेरिका में दाखिल हो भी जाता है, तो वहां शरण लेने की प्रक्रिया काफी जोखिम भरी, जटिल और लंबी है। आम लोगों के लिहाज से देखें तो यह बेहद खर्चीली भी है।

सही है कि अमेरिका से वापस भेजे गए भारतीयों को जिस हालत में देखा गया, उससे यही लगता है कि उनके साथ संवेदनशील तरीके से पेश नहीं आया गया। हालांकि अमेरिका से यह उम्मीद की जा सकती है कि भारत के साथ उसके संबंधों के मद्देनजर वह पकड़े गए लोगों के साथ मानवीय व्यवहार करता। लेकिन सच यह है कि अमेरिकी हिरासत केंद्रों में भी लोगों के साथ बेहद सख्त बर्ताव किया जाता है। यों किसी भी मामले में पकड़े गए कैदी के साथ संवेदशील तरीके से पेश आना मानवीयता और मानवाधिकारों का तकाजा है। लेकिन यह भी सच है कि पिछले कुछ वर्षों में अमेरिका में विदेशी नागरिकों के जाकर बसने को लेकर जिस तरह नियम-कायदे सख्त हुए हैं, उसमें कानूनों को धता बता कर उसकी सीमा में दाखिल होने वालों के प्रति वहां का प्रशासन सख्त हुआ है। इसके बावजूद अगर वैध तरीकों से वहां जाने के बजाय कुछ लोग गलत रास्ते अख्तियार करते हैं, तो ऐसे में उनके सामने जटिलताएं खड़ी होना स्वाभाविक है।

## कल्पमेधा

जिस व्यक्ति पर धन का लालच छा गया, उसने अपनी जिंदगी के खलिहान को हवा में उड़ा दिया।
- शोख सादी

# जनसत्ता

# भुखमरी के शिकार आदिवासी

## अमरेंद्र किशोर

**केवल जन वितरण प्रणाली की दुकानों का होना या दोपहर के भोजन या उचित मूल्य की दुकानों की मौजूदगी किसी राज्य में भूख का समाधान नहीं है, बल्कि राज्य को यह देखना चाहिए कि किसान को प्रोत्साहन देकर ज्यादा से ज्यादा उत्पादन की संभावनाएं कैसे पैदा की जाएं। इसके बाद पैदावार और भंडारण की पर्याप्त और अत्याधुनिक व्यवस्था हो। आखिर में अनाज का समुचित वितरण या बिक्री हो।**

आदिवासी बहुल राज्य झारखंड में 1967 से अभी तक दस लाख से अधिक लोग भूख की भेंट चढ़ चुके हैं। राज्य में वच्चों की बिक्री, महिलाओं की तस्करी और बड़े पैमाने पर पलायन का क्रम रुकने का नाम नहीं ले रहा है। हालांकि, सरकार के मुलाजिम किसी भी सूरत में यह स्वीकार करने को राजी नहीं है कि भूख से मौत होती है।

सूखे-अकाल के हालात में नेवला, गिलहरी और वंदर मार कर खाने वाले आदिवासियों की इस जमीन पर पिछले चार सालों में बाईस मौतें सामने आ चुकी हैं, जो पूरे देश में भुखमरी से हुई कुल पचासी मौतों का एक चौथाई हैं। आज राशन और पानी के लिए तरसते झारखंड ने 1939 में अकालग्रस्त ओडिशा-बंगाल का पेट भरा था। इस इलाके को ‘जंगलतरी’ कहा जाता था, जो आज दाने-दाने को तरस रहा है। सवाल है कि क्या झारखंड के आदिवासियों की खेती इतनी पिछड़ गई है कि दो जून का अनाज नसीब होना भी मुश्किल है या आबादी का दबाव उन खेतों पर कहीं ज्यादा पड़ा है? इन दिनों झारखंड में विधानसभा चुनाव की गहमागहमी है, पर अफसोस की बात है कि राज्य की राजनीति आम

## मौनिका अग्रवाल

आमतौर पर हम सोचते हैं कि हमारे पास समय नहीं है या बहुत कम है, जबकि काम बहुत है और समय की कमी है। दरअसल, एक व्यस्त व्यक्ति ही बहुत सारे काम एक साथ कर सकता है। काम की अधिकता में ही किसी कार्य को समय पर और अच्छे से किया जा सकता है। समय को शब्दों में परिभाषित करना आसान नहीं है। कुछ शब्द बहुत ही मूल्यवान हैं। कई शब्दों की अहमियत इतनी ज्यादा है कि उनके जसर को देखते हुए ही शायद कहा गया होगा कि एक बार बोले जाने के बाद कोई ख़ास शब्द वापस नहीं आ सकता, जैसे बंदूक से चली गोली दोबारा वापस नहीं आ सकती। और इसी तरह यह हम सब जानते हैं कि एक पल जो गुजर जाता है, वह कभी वापस नहीं आता।

व्यक्ति अपने भाग्य का निर्माता है। अगर वह अपने समय का उचित उपयोग करता है तो निश्चय ही विकास के मार्ग पर अग्रसर होता है। समय को व्यर्थ बर्बाद करना एक तरह से आत्महत्या करने जैसा है, क्योंकि यह ऐसा योग है जो घंटों, मिनटों

## किसकी भाषा

‘मजहब नही सिखाता आपस मे बैर रखना’। उर्दू के महशूर शायर और कवि अल्लामा इकबाल की ये पक्तियां बहुत ही सुंदर और देश प्रेम की भावना को जागृत करती है। मगर देश मे कुछ ऐसी विचारधारा मानने वाले लोग हैं, जो नहीं चाहते की ये पक्तियां वास्तव में जमीन पर उतरें। जिस देश में भिन्न-भिन्न धर्म-संप्रदाय के लोग रहते हैं, वहां पर कुछ ऐसी बात हो जाए जो किसी भी सूरते-हाल में सही नहीं हो। हमारे संविधान में भी सभी को समानता का अधिकार और विभिन्न धर्म संप्रदाय के लोगों को अपने तरीके से अपने आराध्य को पूजने की बात कही गई है। साथ ही विभिन्न धार्मिक ग्रंथों में गुरु को सम्मान का दर्जा प्राप्त है, चाहे वह किसी भी धर्म या जाति का हो। गुरु का काम है अपने शिष्य को उच्च शिक्षा देना और उसका सही मार्गदर्शन करना, ताकि वह सद्मार्ग पर चल कर अपने लक्ष्य की प्राप्ति कर सके।

हिंदी सिनेमा जगत के जाने-माने नाम नवाजुद्दीन सिद्दिकी मुजफ्फरपुर जिले के बुढ़ाना कस्बे में पैदा हुए। लगभग तीन वर्ष पहले उन्हें महाभारत के एक नाटक में भाग लेने से यह कह कर रोक दिया गया कि आप मुसलमान हैं, लिहाजा ‘महाभारत’ में हिस्सा नहीं ले सकते। और अब बनारस हिंदू विश्वविद्यालय के संस्कृत विभाग में डॉक्टर फिरोज खान की नियुक्ति के विरोध का किर्रसा सामने आ गया है। उपकुलपति राकेश भटनागर और खुद संस्कृत विभाग के मुखिया उमाकांत चतुर्वेदी कह रहे हैं कि डॉक्टर फिरोज खान को संस्कृत में उनकी काबिलियत के आधार पर पढ़ाने के लिए चुना गया है।

मगर कुछ छात्र धरने पर बैठ गए कि हम किसी मुसलमान अध्यापक से संस्कृत नहीं पढ़ेंगे, क्योंकि बनारस हिंदू विश्वविद्यालय में एक पत्थर पर खुदा हुआ है कि वहां न मुसलमान पढ़ सकता है, न पढ़ा सकता है। जबकि विश्वविद्यालय प्रशासन को आज तक वह पत्थर

आदमी के रोग-शोक, भुखमरी, आदिवासियों और दलितों के शोषण, उनके अंधविश्वासों से थमती जिंदगी की गति और धर्म की आड़ में हो रहे संस्थागत व्यभिचार को दरकिनार कर रही है।

भोजन के अधिकार कानून के बावजूद भूख से मौतों की खबरें चिंता पैदा करती हैं। सवाल है कि समाज और राज्य की अवधारणा के बीच नागरिक समाज की पारंपरिक सामाजिक व्यवस्था के बदलने से चहां आए आमूल-चूल परिवर्तन का परिदृश्य क्या है। सरकार परिवर्तन के दावे करती, पोस्टरों और अखबारों में इशतहारों के जरिए अपनी उपलब्धियों का बखान करती है, लेकिन वह बुनियादी सवाल कभी उठने नहीं देती। हर थाली में अनाज पहुंचाने के लिए दो बातें बेहद जरूरी हैं- बेहतर राजनीतिक कार्यशीलता और व्यवस्था के विभिन्न गुणकों और साधनों का उचित उपयोग। क्या झारखंड में नागरिक सुविधाओं के लिए सरकारों ने इन बातों का ध्यान रखा है?

केवल जन वितरण प्रणाली की दुकानों का होना या दोपहर के भोजन या उचित मूल्य की दुकानों की मौजूदगी किसी राज्य में भूख का समाधान नहीं है, बल्कि राज्य को यह देखना चाहिए कि किसान को प्रोत्साहन देकर ज्यादा से ज्यादा उत्पादन की संभावनाएं कैसे पैदा की जाएं। इसके बाद पैदावार और भंडारण की पर्याप्त और अत्याधुनिक व्यवस्था हो। आखिर में अनाज का समुचित वितरण या बिक्री हो। मगर राज्यों और केंद्र के बीच तालमेल के बिना इन विभिन्न चरणों को पूरा किया जाना मुमकिन नहीं है। सबसे महत्त्वपूर्ण मुद्दा राज्य के कामकाज को लेकर है। इंडियन फेमिन कमीशन ने 1880 में सिफारिश की थी कि पांच सदस्यों के परिवार को साल भर के लिए एक टन अनाज चाहिए। ऐसे में राज्य का कर्तव्य है कि उक्त परिवार को इतनी मात्रा से कहीं ज्यादा अनाज पैदा करने के लिए प्रेरित करता। यानी खेती-किसानी से हर किसी का जुड़ा होना जरूरी था। गांवों को उत्पादन का केंद्र बनाना था, न कि खाद्य सुरक्षा के नाम पर उन्हे दान का कटोरा पकड़ा दिया जाए।

इस सोच को अपनाए बिना भूख और कुपोषण से जुड़ा अपना रिपोर्ट कार्ड नहीं सुधर सकता। देखें कि हम कहां खड़े हैं- 1961 में देश में प्रति व्यक्ति प्रति दिन 468.8 ग्राम अनाज की उपलब्धता थी, पर 2015 तक यह आंकड़ा 465.1 ग्राम पर पहुंच गया। यह किसी गंभीर स्थिति का संकेत तो नहीं है? सवाल है कि केंद्र सरकार ने इस सांख्यिकी में सुधार कर 2017

# वक्त की नजर

और दिनों के साथ से तैयार हुआ है। सच तो यह है कि हमारे जीवन में ‘रिहर्सल’ यानी आने वाले वक्त में जीने के पूर्वाभ्यास का कोई स्थान नहीं। लगभग सभी काम पहले ही घटनाक्रम में पूरे होने हैं। आमतौर पर हर समय हमारा भविष्य पूरे पर लगा होता है। जिंदा रहने के लिए जरूरी है कि सफलता हमारे जीवन में भी कहीं हो। लेकिन इसके लिए समय की उपयोगिता समय के प्रति सचेत रहना बेहद जरूरी है। इसलिए इसका महत्त्व समझना बेहद जरूरी हो

### दुनिया मेरे आगे

कम लोगों के भीतर यह स्वीकार करने का साहस होता है कि उनका काफी समय व्यर्थ की बातों में व्यतीत होता है और वे केवल कुछ ही समय का उपयोग वास्तव में कर पाते हैं। अगर अपने जीवन में कोई ख़ास जगह बनानी है, ऊंचाइयों का सफर करना है तो समय को पहचानना पहली शर्त होगी। समय के मामले में कोई भी अमीर-गरीब नहीं होता। कुदरत ने सबको एक दिन के बराबर चौबीस घंटे दिए हैं। यह हम मनुष्यों के हाथ में है कि हम इन चौबीस घंटों का दुरुपयोग करते हैं या सदुपयोग। वक्त पर नहीं काटी गई फसल नष्ट हो जाती है।

राष्ट्रपिता महात्मा गांधी, सुभाष चंद्र बोस, खान अब्दुल गफ्फार खान, तर सीवी रमन, गुरुदेव रबींद्रनाथ ठाकुर, मदन टेरेंसा, सर मोक्षगुंडम विश्वेश्वरय्या, डॉ जगदीश चंद्र बसु, मुंशी प्रेमचंद, गालिले आदि शिखियों पर चर्चा हुई हो, जिनकी शैरो-शायरी का इस्तेमाल हमारे नेता संसद में बहस के दौरान अक्सर किया करते हैं। ऐसे चैनल आजाद, विर्मिल, अशफाक उल्लाह खान और भगतसिंह जैसे शहीदों के विचारों को लेकर भी कभी कोई परिचर्चा आयोजित नहीं करते।

सवाल उठता है कि आखिर ये दिन भर करते क्या हैं! ये भारत के

किसी भी मुद्दे या लेख पर अपनी राय हमें भेजें। हमारा पता है : ए-8, सेक्टर-7, नोएडा 201301, जिला : गौतमबुढ़नगर, उत्तर प्रदेश

आप चाहें तो अपनी बात ईमेल के जरिए भी हम तक पहुंचा सकते हैं। आइडी है : chaupal.jansatta@expressindia.com

### सवालों पर परदा

देश में टीवी के खबरिया चैनलों का विस्तार हुआ तो यह उम्मीद बंधी थी कि ऐसे चैनल इस माध्यम का उपयोग समाज को जागरूक करने और उसे एक विज्ञानसम्मत दृष्टिकोण देने के लिए करेंगे। इतना ही नहीं, वे भारतीय समाज में जाति और धर्म की आड़ में फैलाए जा रहे विद्वेष को जड़ से नस्तनाबूद करने के लिए भी इस सशक्त माध्यम का इस्तेमाल करेंगे। वे नागरिकों और विशेषकर युवाओं को एक प्रगतिशील दृष्टिकोण और परिष्कृत रुचि से लबालब कर भारत को सच्चे अर्थों में दुनिया का सिरमौर बनाने का मार्ग प्रशस्त करेंगे।

मगर इस बात पर खेद और क्षोभ होता है वर्षों से हमारे अधिकतर खबरिया चैनल इसका उलट कर रहे हैं। अपवादों को छोड़ दें तो वर्षों से किसी भी खबरिया चैनल ने कोई ऐसा कार्यक्रम नहीं किया, जिसमें दिन भर

में प्रतिदिन प्रति व्यक्ति 518 ग्राम अनाज की उपलब्धता का दावा किया, पर इसी दावे के बीच लोग भुखमरी के शिकार होते और व्यवस्था को बेस्वाद करते रहे।

नेशनल न्यूट्रिशनल मॉनिटरिंग ब्यूरो के सर्वे में भी इस बात की चर्चा है, ‘जो देश के आदिवासी इलाकों के लिए समीचीन है कि अनाज की उपलब्धता और उनकी खपत को कायम रखे बिना भुखमरी को रोका जाना संभव नहीं है।’ पिछले दिनों प्रकाशित विव खाद्य कार्यक्रम के ‘फूड एंड न्यूट्रिशनल सिक्मोरिटी पनालिसीस/ 2019’ के मुताबिक प्रति व्यक्ति प्रति दिन प्रोटीन के प्रमुख स्रोत दाल की मात्रा पैंतीस ग्राम तय है, लेकिन औसतन चौबीस ग्राम प्रतिदिन प्रति व्यक्ति इसकी खपत देश में होती है। उसी तरह साग की खपत प्रति व्यक्ति प्रति दिन तिरालीस ग्राम तय है, पर औसतन इसकी खपत चौदह ग्राम होती है। रिपोर्ट के अनुसार हिमाचल प्रदेश, उत्तराखंड, पंजाब,



त्रिपुरा, हरियाणा और आंध्रप्रदेश में रेकमेंडेड डाइटरी अलाउंस (आरडीए) संतोषप्रद है, मगर बिहार, झारखंड, ओडिशा, मध्यप्रदेश और छत्तीसगढ़ के हालात नाजुक हैं। इन राज्यों में देश की आदिवासी आबादी का एक बड़ा हिस्सा रहता है, जहां खाद्य सुरक्षा को र्सबिडी के अनाज की उपलब्धता तक सीमित रखा गया है। जबकि उर्माद की गई थी कि खाद्य सुरक्षा के लिए बना भोजन का अधिकार कानून के तहत जमीनी स्तर पर लोगों को पौष्टिक भोजन की आदत डालने को लेकर एक माहौल बनाया जाएगा, साथ में भारतीय खाद्य निगम का गोदाम खोल कर अन्नदाता का पेट भरने की खतरनाक प्रवृत्ति पर अंकुश लगेगा।

दुख की बात है कि तेंदुलकर समिति से लेकर रंगराजन समिति तक अनाज के वितरण के मानक तय

किए, पर क्या किसी ने इस बात पर ध्यान दिया कि इस भोजन के अधिकार के जुनून में हमने खेत की ओर ध्यान देना छोड़ दिया है। सरकार इस बात को सार्वजनिक क्यों नहीं करती कि भोजन के अधिकार को मजबूती से लागू करने में हमने खेती-किसानी को चौपट कर दिया है। खुद को किसान कल्याण का हितैषी होने के नाम पर सरकार किसानों को मुफ्त पानी-बिजली और सब्सिडी के खाद और बीज का तोहफा देती है, पर नतीजा क्या निकलता है? आज अपने देश में एक टन गेहूं पैदा करने के लागत तकरीबन पच्चीस हजार रुपए आती है, जबकि अंतरराष्ट्रीय मंडी से अमेरिकी गेहूं खरीदने की थालत तकरीबन साढ़े सत्रह हजार रुपए आंकी गई थी। यानी अपने देश की खेती उर्धक्षित होने और आयातित अनाजों पर निर्भरता ने गांवों को अनाज विहीन बना दिया है। खबर यह भी है कि धान के कटोरा

छत्तीसगढ़ में प्रति हेक्टेयर उपज प्रति वर्ष कमतर होती जा रही है। जह गांव अन्न विहीन होंगे तो तय है कि खाद्य सुरक्षा कानून दरकिनार किया जाएगा।

इंडियन कौंसिल ऑफ मेडिकल रिसर्च (आईसीएमआर) की रिपोर्ट में बताया गया है कि 543 ग्राम अनाज प्रति व्यक्ति प्रति दिन की जरूरत है, पर हम 490 ग्राम से आगे नहीं बढ़ पा रहे हैं। लेकिन आईसीएमआर की खत रिपोर्ट आदिवासी अंचलों के उपनयन की आदतों को शामिल नहीं करती, जहां भोजन के लिए आदिवासियों की पूरी निर्भरता जंगलों पर थी। जंगलों से जब आदिवासियों को अलग किया गया, तो विकास के नेहरूवादी मॉडल में प्रखंड विकास की अवधारणा थी और उसी

अवधारणा में ग्रेन गोला का प्रावधान था। मगर आजादी के बाद लंबे समय तक मौजूद देश के हर गांव से ग्रेन गोला को समाप्त किया जाना कोई अक्लमंदी का काम नहीं था। इन ग्रेन गोला में आदिवासियों के अनाज का भंडारण किया जाता था और सूखे की स्थिति में उनका अनाज वापस किया जाता था। फिर जन-वितरण प्रणाली (पीडीएस) को संपूर्ण देश में लागू न किया जाना भी समझदारी नहीं है। जैसे छत्तीसगढ़ और हिमाचल प्रदेश में सहकारिता समिति और ओडिशा में ग्राम पंचायतों के जिम्मे जन-वितरण प्रणाली की दुकानें संचालित होती हैं। इस कारण गरीबों और जरूरतमंदों तक अनाज की आपूर्ति सफलतापूर्वक की जाती है। पर बिहार, झारखंड, राजस्थान में निजी बिक्रेता पीडीएस की दुकानें चलाते हैं, जहां उनकी मनमानी है और इस वजह से भूख से उपजी मौत जारी है।

## यह अटल सत्य है कि प्रकृति और समय कभी किसी के साथ भेदभाव नहीं करते। हवा, पानी, मौसम, दिन-रात- यह सब हम सबके लिए हमेशा एक जैसे रहते हैं। भेदभाव और फर्क या खाई तो हम मनुष्यों ने तय कर दिया है। जो समय है, वह आगे लिए सब रख लेता है और कमजोर लोगों को वंचित कर दिया जाता है। इसके बावजूद अमीर व्यक्ति के लिए सूरज पूरब की जगह पश्चिम से नहीं उगता या बरसात किसी की उम्र या हैसियत देख कर उस पर कम या ज्यादा नहीं बरसती। अमीर, गरीब, बच्चे, बूढ़े सभी के लिए समय एक जैसा रहता है। लेकिन हम प्रकृति से भी कहां कुछ सीखते हैं! समय का सही उपयोग नहीं करके या समय को व्यर्थ गांवा कर हम अपना भविष्य जरूर खराब कर देते हैं। अगर हम आज समय की कद्र करेंगे, तभी समय कल हमारी कद्र करेगा। हमारी आज की मेहनत हमारा भविष्य तय करती है। समय की कीमत समझ कर उसका सही उपयोग करना बहुत जरूरी है। समय का सही इस्तेमाल करके देखिए, यह आपको हमेशा स्वस्थ और समृद्ध बनाए रखेगा।

## धीरे-धीरे सभी के लिए समय तय करते जाते हैं। इस तरह काम करने से चुनौतीपूर्ण काम भी पूरे हो जाते हैं। फिर भले उन्हें करने की इच्छा कम ही हो। यह अटल सत्य है कि प्रकृति और समय कभी किसी के साथ भेदभाव नहीं करते। हवा, पानी, मौसम, दिन-रात- यह सब हम सबके लिए हमेशा एक जैसे रहते हैं। भेदभाव और फर्क या खाई तो हम मनुष्यों ने तय कर दिया है। जो समय है, वह आगे लिए सब रख लेता है और कमजोर लोगों को वंचित कर दिया जाता है। इसके बावजूद अमीर व्यक्ति के लिए सूरज पूरब की जगह पश्चिम से नहीं उगता या बरसात किसी की उम्र या हैसियत देख कर उस पर कम या ज्यादा नहीं बरसती। अमीर, गरीब, बच्चे, बूढ़े सभी के लिए समय एक जैसा रहता है। लेकिन हम प्रकृति से भी कहां कुछ सीखते हैं! समय का सही उपयोग नहीं करके या समय को व्यर्थ गांवा कर हम अपना भविष्य जरूर खराब कर देते हैं। अगर हम आज समय की कद्र करेंगे, तभी समय कल हमारी कद्र करेगा। हमारी आज की मेहनत हमारा भविष्य तय करती है। समय की कीमत समझ कर उसका सही उपयोग करना बहुत जरूरी है। समय का सही इस्तेमाल करके देखिए, यह आपको हमेशा स्वस्थ और समृद्ध बनाए रखेगा।

## समृद्ध संस्कृति

बनारस हिंदू विश्वविद्यालय के संस्कृत विभाग में डॉक्टर फिरोज खान की नियुक्ति पर हमें गर्व क्यों न हो? मूर्ति को गुरु मान कर शिक्षा प्राप्त करने की परंपरा सनातनी विरासत का हिस्सा है, जहां गुरु की पहचान उसकी जाति, धर्म और वेशभूषा नहीं, बल्कि उसकी योग्यता है। देवतुल्य गुरु के धार्मिक आचरण पर सदेह करने से पहले अपना आचरण परखना जरूरी है। संवैधानिक प्रक्रिया के तहत डॉक्टर फिरोज खान का चुनाव हमारी समृद्ध संस्कृति का परिचय देता है।

बात-बात पर किसी मुसलिम देश चले जाने की सलाह देने वालों को इस बात से राहत मिलनी चाहिए कि हमारी भाषा को हमसे बेहतर जानने वाला एक मुसलिम धर्मावलंबी है। फिरोज खान का मूल्यांकन उनकी पारिवारिक पृष्ठभूमि के बजाय भाषा के प्रति व्यक्तिगत समर्पण और सामर्थ्य से होना उचित होगा। संस्कृत शिक्षक की नियुक्ति का विरोध न केवल असंवैधानिक है, बल्कि महामना द्वारा स्थापित मूल्यां की हत्या है। देवतुल्य गुरु के धार्मिक आचरण पर सदेह करने का हक कतई नहीं है।

- एमके मिश्रा, मां आनंदमयीनगर, राठू**

### देशभक्ति का दायरा

आजकल देशभक्त शब्द का चलन काफी देश जा रहा है। यह अच्छी बात है। लेकिन आखिर देशभक्ति है क्या? क्या यह सिर्फ क्रिकेट या फिर देशभक्ति का शोर मचाने वालों के लिए है? असली देशभक्त वे हैं, जो ईमानदार हैं। जो कभी भी ऊंच-नीच का भेद नहीं करते। अपने देश में हो रही बुराइयों के खिलाफ आवाज उठाते हैं। कभी अपने दिल पर हाथ रख कर पूछिए कि क्या मैं असल मायनों में देशभक्त हूं, या फिर असल में राजनीतिक प्यादा हूं!

- अंकुर केआर, चंडीगढ़**