

Year of reality check

From promoters losing their firms to consumers realising there are no free lunches, 2019 was a year of getting real



ACROSS THE BOARD
SHAILESH DOBHAL

There is still a fortnight to go before 2019 wraps up, but one can see some patterns emerging in the world of Indian business. There were

momentous events this year: From scams in financial firms, a former finance and home minister being incarcerated, big brand businesses folding up, promoters fighting one another for control to debt-ridden entrepreneurs losing their firms, and, in some unfortunate cases, even their life. Though it is not possible to club all under the same rubric, there are broadly three trends that define the goings on at India Inc this year.

No free lunches: Thanks to the Insolvency & Bankruptcy Code (IBC) and its stringent provisions, many a storied promoter lost control of their firms this year; from Reliance Communications’ Anil Ambani to Jet

Airways’ Naresh Goyal.

Outside IBC, luck caught up with promoters, such as Yes Bank’s Rana Kapoor, who lost control of their marquee creations. Subhash Chandra stepped down as chairman of Zee Entertainment even as the family fights to retain control of one of India’s leading entertainment firms. Even the fiscally stretched government finally put the struggling national carrier Air India on sell-or-liquidate course besides putting a host of other “family silvers” on the block — from refiner Bharat Petroleum Corporation Limited, the Shipping Corporation of India to the Container Corporation of India.

Why, even consumers gorg-

ing on data in the last three years thanks to Reliance Jio-led below-cost-tariff regime also finally realised that it was too good to be true with across-the-board 10-50 per cent tariff hikes.

Year of scams: Just when one thought it couldn’t get any worse in the financial sector after 2018’s IL&FS saga, not one but three big and serious scams blew right on our face. Overleveraging and alleged shenanigans by the promoters slowly unravelled the goings on at housing finance firm Dewan Housing Finance Corporation. Regulator-driven curbs on activities of Punjab & Maharashtra Cooperative Bank caused grief to hundreds of thousands of poor and middle-class depositors besides bringing the bank’s unholy alliance — with another

Industrialist Rahul Bajaj criticised the government for fomenting an environment of fear and got a quick retort

housing finance firm HDIL’s promoters who are behind the bars now — out in the open. And the year is wrapping up with brokerage Karyv in the middle of a storm for alleged violation of securities regulator norms on what constitutes client and proprietary assets, with over 250,000 retail investors and scores of banks caught in the middle.

Year of living dangerously: 2019 will be remembered when a top-notch entrepreneur, Café Coffee Day Enterprises’ V G Siddhartha, caved in to business pressure and unfortunately committed suicide. It brought to fore the loneliness and helplessness that people at the top of the business pyramid have to endure and manage, not always successfully. It was virtual turning of the tables, when former finance

and home minister P Chidambaram was arrested for alleged wrongdoings by the agencies he once used to command, the Central Bureau of Investigation and the Enforcement Directorate. Chidambaram was incarcerated for a full 106 days before the Supreme Court let him out on bail. Luck also caught up with former Ranbaxy and Fortis Hospitals’ promoters Malvinder and Shivinder Singh who were arrested for an alleged fraud, besides being hauled up by the Supreme Court for contempt in another case.

Industrialist Rahul Bajaj spoke about the atmosphere of fear in India Inc if they criticised government policies, and got a quick retort from the government and the ruling Bharatiya Janata Party to the effect that all was hunky-dory with the government’s handling of the country, economy and the Opposition and what Mr Bajaj was saying was all bunkum!

CHINESE WHISPERS

The search continues



A year after forming the government in Madhya Pradesh, the Congress is still struggling to find a candidate to head its state unit. Chief Minister Kamal Nath (*pictured*), who is also the state unit head, has said over and over again that he would like to give up the second post, but with many power centres in the Madhya Pradesh Congress, the party leadership decided to maintain the status quo. Now, as the government looks safe, the party has begun the search for a state head all over again. The front-runners for the post are Jyotiraditya Scindia, Ajay Singh (son of former chief minister Arjun Singh), Umang Singhar (the tribal face of the party), and Bala Bachchan (state home minister and a confidant of Nath).

Poor construction

Heads might roll in the Uttar Pradesh government after Prime Minister Narendra Modi tripped on the steps of Atal Ghat on the banks of the Ganga in Kanpur last week. The Centre had spent ₹10 crore on the construction of the ghat, but the December 14 incident brought to light the poor quality of construction of the local ghats under the flagship Namami Gange project. Even a cursory glimpse would show the stone-engraved steps are uneven. After the video that captured the unfortunate incident involving the PM was widely shared on social media platforms, it emerged that scores of people had also met with a similar fate. While the episode has left the authorities in Uttar Pradesh red-faced, an inquiry is underway to fix responsibility.

Fight within

The Bharatiya Mazdoor Sangh (BMS) will hold in New Delhi on Thursday a national convention of the employees of central public sector undertakings against the Centre’s policy on privatisation, disinvestment, strategic sales of PSUs, mergers in banking and insurance, and the corporatisation of railways and defence production units. The BMS has said it will demand that the government initiates wage negotiations, clears salaries and wages, revives and diversifies sick PSUs, and revises the pension for retired BSNL and MTNL employees. The BMS is part of the big tent of the Sangh, to which the Bharatiya Janata Party belongs.

Tamil Nadu's SEZ in comeback mode

Investments by two mobile component manufacturers in the SEZ that disintegrated after the freeze on Nokia plant have brought fresh hope to the state

T E NARASIMHAN

Five years ago, when the Nokia telecom SEZ at Sriperumbudur, almost 40 km west of Chennai, was forced to close due to the ₹21,000-crore tax dispute, the industrial ecosystem in Tamil Nadu sustained a huge blow. Nokia was the anchor investor for the state.

The facility, spread over in 210 acre, housed Nokia as the Original Equipment (OE) plant and its suppliers. It was a source of livelihood for nearly 15,000 people directly (many of them women) and an equal number indirectly. Nearly 15 million feature phones were produced here every month, making it one of the largest such facilities across the globe at the time.

With the tax dispute and the resulting freeze on the facility, this entire ecosystem collapsed and the state started losing many investment opportunities, especially to Uttar Pradesh’s Noida (both Motorola and Samsung shifted there) and to the privately held integrated business park SriCity in Andhra Pradesh, around 60 km from Chennai (where Taiwanese giant Foxconn relocated).

Now the state is seeing some light at the end of the tunnel. The SEZ park is about to restart production with two of Nokia’s largest component suppliers, who are now global electronics and component manufacturers, in the process of taking possession of parts of the facility.

Salcomp, a Finnish charger and

adapter maker, that was acquired by China-based Lingyi iTech, has acquired the one-million square foot Nokia mother plant along with another 3,00,000 square foot defunct factory of Lite-on Mobile, which once supplied front and back covers for Nokia’s features phones. The company also acquired a 1,60,000-square foot defunct facility of US-based Laird Technologies, which makes performance-critical wireless products.

With these acquisitions, Salcomp occupies nearly 55 per cent of the park to manufacture components for domestic and export markets. The company has decided to invest around ₹1,300 crore and plans to start production by March 2020.

Foxconn, which was operating when Nokia was running but closed when Nokia stopped production, resumed production early this year. It is now converting the same facility to a Domestic Tariff Area to cater to the domestic market and plans to invest over ₹2,500 crore to produce Apple’s premium phones, HMD (Nokia-branded phones), Xiaomi and other products.

China-based Luxshare, another Apple supplier, will be setting up a unit by acquiring Wintek’s facility in the campus (Wintek is a Taiwanese component supplier for the former Nokia factory). Another dilapidated factory owned by component supplier Jabil may be used as a warehouse or bought by another manufacturer.

BIG TICKET INVESTMENT COMMITMENTS IN MOBILE MANUFACTURING

Companies	Activity	Investment (₹crore)	Time period
Foxconn	Manufacturing of Display Fab	34,000	2018**
Samsung	Board processing, assembly & packaging	5,000	2018-2020
Lava	Board processing, assembly & packaging	2,615	2016-2022
Salcomp*	Assembly & packaging	1,300	2019-2022
Gionee, Xiamoi, Videocon, Jivi Moile	Product assembly & packaging	1,250	2016-2019
Comio Intex	Product assembly & packaging	1,150	2018-2019
IVoocomi	R&D	250	2018-2019

* Not part of KPMG and Frost & Sulvian ** not specified

Source: KPMG Research Frost & Sulvian

With all these companies expected to revive the factories, the park is expected to restart operations by March 2020, said government officials and industry sources, and could see the state regain its leading position. India currently has 268 mobile manufacturing units, but only three or four are in Tamil Nadu.

“The revival of the Nokia facility has a great symbolic value because this was an iconic manufacturing facility and its revival strengthens India’s case,” says ICEA President Pankaj Mohindroo.

The development comes at a time when companies are looking to derisk from their China focus owing to rising wages there and the trade war between China and the US. Helping the state is the Centre’s “Make in India” push, which has raised tariffs on mobile phones and components. Imported mobile phones now incur a customs duty of 20 per cent,

which makes it cost competitive to make phones in India for the burgeoning domestic market. According to an ASSOCHAM-PwC report, India has over 450 million smartphone users, a number that is expected to almost double to 859 million by 2022.

The next step would be making the facility an export hub. Foxconn is a case in point. Its return to Tamil Nadu will entail an investment of around Rs 2,500 crore. Foxconn currently ships parts from China, but hopes one day to manufacture displays and printed circuit boards locally. Counterpoint Research data shows that the company’s share in the contract manufacturing in India is around 63 per cent, followed by China’s HiPad (12 per cent) and US-based Flex (7 per cent).

Housing two companies, of the top three (Foxconn and Flex), in the state will certainly send a positive message

LETTERS

Casual approach



This refers to “Link your PAN with Aadhaar before Dec 31; it’s mandatory, says I-T dept” (December 16). Curiously enough, the Central Board of Direct Taxes (CBDT) thought it was wise to choose a Sunday to remind income tax payers that it was mandatory to link their PAN with Aadhaar by the end of this year for “building a better tomorrow and to reap seamless benefits of income tax services”. This begs the question why so many extensions were being given till date?

Last September, the Supreme Court had held the Centre’s flagship Aadhaar scheme as constitutionally valid while ordering that the biometric ID would remain mandatory for linking the same with the PAN under the extant provisions of Section 139 AA (2) of the Income Tax Act. Why is the government dealing with the move in such a casual manner if it really means business? But still, it won’t be a surprise if the CBDT comes out with yet another extension till, say, March 31, 2020, for obvious reasons.

S K Gupta New Delhi

Task cut out

After protests in border states such as Assam, Meghalaya, Nagaland and West Bengal over the passage of the Citizenship Amendment Bill (CAB), the issue has led to demonstrations by the students of Jamia Millia Islamia University in Delhi and by those studying in the Aligarh Muslim University in Uttar Pradesh.

ON THE JOB

NRC to exacerbate labour woes



MAHESH WYAS

Muslims are a significant part of India’s labour force. Of the 405 million people employed in India, an estimated 39 million are Muslims. Recent actions and announcements by India’s central government have led to a palpable unease in this small but significant part of Indian labour.

Separately, select industrialists have expressed fear of the consequences of criticising the government.

If capitalists and labour are both besieged by fear, revving up a slowing economy becomes much more than a cynical or a structural problem.

Fear among Muslims is not the only problem that labour faces because of the government’s recent actions. Assam, several north-eastern states and also Bengal are in turmoil because of the Citizenship Amendment Act. Campus protests have spread all over the country.

The process of creating a National Register of Citizens would be highly disruptive for labour markets in particular and for the economy as a whole. Would the perceived benefits arising from such an exercise be worth the cost that the economy may pay for its realisation?

A little more than a hundred million Muslims are in the working age bracket in India, that is, they are of 15 years of age or more. Of these, 42.3 million actually participate in the labour markets by either working or looking for work.

If approximately 10 per cent of the employed population has to worry, over a prolonged period, about proving its citi-

zenship, productivity in the economy as a whole is bound to take a hit. It may not be unrealistic to imagine that a significant portion of labour (not just Muslims) would have to crisscross the country to put together the documentation required to prove citizenship. The impact of this on productivity and growth is unlikely to be small.

The adverse impact on the overall welfare of Muslim households in particular and poorer households in general could be larger and far more difficult to measure. The reduction in the degrees of freedom and the fears of real and imagined miseries arising out of questions regarding citizenship of the extended family would be difficult to measure.

Muslim women participate less in the labour markets compared to women of other faiths. Of the 39 million working Muslims in India, 36.5 million are men and only 2.5 million are women. It may be safe to conjecture from these statistics that most Muslim households have just one working member, who is mostly a male. If such a member has to run from pillar to post to prepare documents to prove his and his family’s citizenship then it is likely that such a household would suffer significant financial losses besides significant mental stress.

The impact on poor households would be more devastating than in households that would have adequate savings to overcome the transaction costs of complying with the new laws.

Such disruptions could lead to job losses which in turn could force Muslims to seek employment only in sympathetic Muslim-owned enterprises. This could lead to a further ghettoisation of sorts of the Muslims where cosmopolitan societies and national integration is far more desirable. Such losses in freedoms are far more devastating than mere financial losses.

NRC may or may not be Orwellian but it does exacerbate India’s labour market problems. The labour participation rate can fall from its already low levels.

Assam is agitating over a different

problem arising out of the Citizenship Amendment Act. It worries that immigrants would crowd out the language and culture of Assam. At stake in Assam, in a purely economic sense, is an employed workforce of about 12 million. This includes all — the Axomiya-speaking Assamese who are trying to protect their identity, and the rest in Assam.

Such worries pervade most north-eastern states. Assam has agitated over this issue for decades. But other states are also hankering for jobs for the locals. Almost all state Assembly elections in recent years including that in Rajasthan, Madhya Pradesh, Telangana, Andhra Pradesh, Haryana and Maharashtra have seen political parties promising jobs for locals if voted to power. Some have even followed up on the promises.

These agitations and these sectarian politics are outcomes of an economy that is not growing adequately to provide good jobs to its citizens.

The solution is faster job-generating economic growth. It is not sectarian politics and it is not agitations against immigrants. When there are sufficient jobs even Indian states welcome migrants. Two rich states of India — Punjab and Kerala — import labour from within India in large numbers. They do not promise jobs for locals. And, they export their language, culture and cuisine successfully.

The Axomiya language and its associated rich culture and also Telugu or Marathi or Marwari are best protected by spreading these among more rather than restricting it to the locals. Making the learning of local language and appreciation/adoption of the local culture a necessary condition for letting in immigrants is better than keeping immigrants away.

India’s rich diversity in culture, language, cuisine and religion acquired and honed over centuries is best celebrated by spreading it, sharing it and appreciating it without having to prove that we belong to it.

The author is the MD & CEO of CMIE

Hundreds of students were involved in pitched battles with the police in these two places as the protest took a violent turn leading to vandalisation of public and private property. It is incomprehensible that the two major political parties -- the Bharatiya Janata Party and the Congress -- have resorted to a blame game instead of trying to quell the violence. With the nation on the edge, the law enforcers have their task cut out in reining in the protesters.

N J Ravi Chander Bengaluru

A misconception

This refers to the editorial “Fixing the GST” (December 9). In the last sentence, it has been said that now a revenue-neutral rate should be worked out. In the interest of clear thinking, I am clarifying that there is no such concept of revenue-neutral rate any more.

Revenue-neutral rate was a concept when the GST was first introduced. The idea then was to find rates of duty which would fetch same total duty as was being collected earlier. Now more than two years are over and the government is finding the collection falling short compared to the target of ₹1.18 trillion per month. The government is not able to pay the compensation to the states where the collection fell short by 14 per cent or more. Bridging the fiscal deficit is also in view. So, the rates have to be fixed as per the new requirement. It is a floating target. There is no question of revenue-neutral rate now. Each year it may be

changing till it settles down.

In all countries, the rates keep changing. Japan started with 5 per cent but now it is 10 per cent. Canada has revised the rate downwards from



7.5 per cent to 7 per cent. Germany changed rates several times. Higher requirement is the target now. There is no question of revenue-neutral rate any more. This concept is dead now, which means, no longer relevant.

The concept of revenue neutrality is different from revenue-neutral rate of duty. Revenue neutrality means that rate of duty should not be used to foster or deter industry. Industry should not have to take a decision to establish their plants only on the basis of rate of duty. This concept is supposed to be the ideal but is rarely followed.

Sukumar Mukhopadhyay via email

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Rebuilding New Delhi

The makeover of its central spaces must not be behind closed doors

Insufficient attention is being paid to the Union government's plans for a massive redevelopment of the central Delhi area that houses its offices as well as the historical precincts of the Central Secretariat and the Parliament House. Some overall outlines of what is planned are known, or at least have been suggested: For example, the socialist-era buildings along the Central Vista, on either side of Rajpath between India Gate and Vijay Chowk, are likely to be demolished or redeveloped. It is also possible that some of the imperial-era buildings, including perhaps the current Parliament and Central Secretariat, will be turned into museums and their function carried out in new structures. But, overall, the expectations from the redevelopment and even its scope are being kept unnecessarily vague and ambiguous. What is known is that the design must "represent the values and aspirations of a New India" and also be "rooted in the Indian culture and social milieu". These are, again, undefined and nebulous. The projected life of the buildings also seems selected at random — first 150, then 250 years.

In October, several firms submitted bids for the project, which is of unknown costs, though reported estimates vary from ₹12,000 crore to ₹25,000 crore. It was won by HCP Design, Planning and Management, an Ahmedabad-based firm associated with the landmark Sabarmati waterfront development, which was of then chief minister Narendra Modi's talking points. It is not known how this winning design was picked, what the criteria were, and so on. The design places a grand new residence for the prime minister between where the Central Secretariat currently stands and the Rashtrapati Bhavan — an unfortunate development, which further undermines the core constitutional notion that the prime minister is in the end merely the first among equals in the Cabinet. What is going to be done to the historical princely houses along the India Gate hexagon is also unclear, as the publicly available information about the HCP bid suggests that some of them will become "support offices" for the secretariat. The redevelopment is supposed to be completed by 2024 — coincidentally, close to the time the next general elections are scheduled.

This project deserves far more scrutiny than it has so far received. If intended to last centuries, it cannot be built in less than five years and designed in secret. Which architects, conservationists, and heritage experts decided on the winning bid? Why were consultations not open? Why was it not the subject of a national discussion in keeping with the momentous nature of the transformation planned for what is, after all, the Indian Republic's most sacred public space? Urban Development Minister Hardeep Singh Puri must increase transparency and consultation if he does not want his tenure's legacy to be a hastily rebuilt Central Vista that is unpopular for decades to come. Most importantly, other implications of this redevelopment must also be noted. For example, a new Parliament building is supposed to include space for a larger number of Lok Sabha members. Is it the case that the delimitation of constituencies, still a few years away, will see an expansion of Hindi heartland MPs, while other states that have controlled their population retain their current number of MPs? Questions would be asked whether it is part of the reason for maintaining such secrecy behind this change.

Price hike, at last

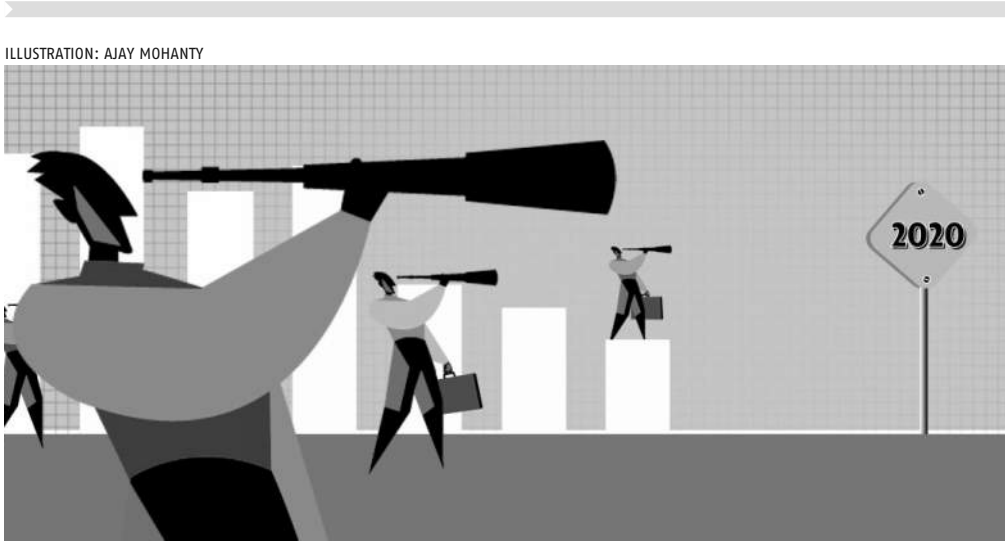
Govt should not control drug prices

Last week, the government used the Drug Price Control Order, 2013, to increase the price ceiling for 21 formulations or medicines by as much as 50 per cent to ensure their availability in the market. This is a welcome move because lower prices would have further limited the availability of these drugs, some of which include those used for malaria, leprosy and allergy. The decision by the regulatory authority — usually known to reduce prices of essential drugs — was prompted by repeated petitions by the pharmaceutical industry, which pointed out that the increasing cost of imports had made the production of some of these drugs unviable. Prices of bulk drugs and active pharmaceutical ingredients have, in fact, gone up by up to 88 per cent, and are largely imported.

But the bureaucratic process that led to the decision is disturbing. As reported by this newspaper, the National Pharmaceutical Pricing Authority (NPPA) was getting applications for price revision for about two years. The NPPA looked at some of the applications only in January. A committee was constituted in March to look into a set of formulations that could be considered for increasing prices. Subsequent meetings at various levels eventually led to the decision, which allowed a one-time increase in prices. There was a risk that the non-viability of prices would affect the availability of drugs and force the public to look for other expensive options.

This raises a basic question: Should the government control prices? The motivation for controlling drug prices is not very difficult to understand. Unlike some of the developed countries, where most of the population has insurance coverage or medical facilities are provided by the state, medical expenses in India are borne by citizens, largely through out-of-pocket expenses. Therefore, the state intervenes by keeping prices of some drugs in check to contain such spending. However, the unintended consequence is that it affects the supply of drugs and can potentially make citizens worse off. The risk of non-availability was an important reason for raising prices. Although all pharmaceutical companies may not stop producing drugs with price control, they may limit the supply. Further, the government usually dithers on price hike because of political considerations so that it is not accused of favouring private companies.

Thus, the government should stay away from dictating prices and allow the market to function. Competition in the marketplace will ensure that no company is able to make supernormal profits in basic and essential drugs. Since the state has limited capacity, it should focus on regulation, and ensure that the quality of drugs supplied in the market is not compromised at any point. For instance, the deputy drug controller at the Central Drugs Standard Control Organisation was arrested earlier this year by the Central Bureau of Investigation on corruption charges. This highlights the need to strengthen the system, which gives all companies a fair chance to compete. On the other hand, the government would do well to address the gaps in providing health care services, including at the primary level, which would reduce out-of-pocket expenses for the poor. Controlling drug prices is unlikely to solve India's health care problem.



Why 2020 is an important year

It will be the year to convince global investors about India's long-term bull case

As we come to the close of 2019, it is clear that the year has been a tough one for active fund managers in India. Market breadth has been narrow, and though the indices are showing gains of 5-7 per cent in dollar terms, many India-specific funds are actually down for the year. One allocator recently told me that she had never seen such a divergence in India funds performance before. Large and well-known funds are at both ends of the spectrum, some up double digits, while others down an equal amount.

As we move into 2020, many have started questioning the long-term bull case for India. India is at a gross domestic product (GDP)/capita where China was in 2003-04. Nobody expects India to deliver double-digit real GDP growth like China did, but is even 7 per cent realistic, given our administrative and judicial constraints?

Global investors will be assessing what is India's real trend growth rate. Is it only 5-6 per cent, as some now suggest, or can the country come back to the old growth metric of near 8 per cent? This makes a big difference to investors. If India can only grow at 5 per cent, why bother spending time on the country? At 5 per cent real GDP, we will be at 9 per cent nominal, and the bears can argue that will be the long-term growth rate in earnings as well. Why bother with a country delivering only 9-10 per cent earnings growth and trading at 18 times earnings? India only delivers a return on equity (RoE) of 10-11 per cent, so that is no solace either. Yes, there are some great companies, but most are already priced for

the greatness. By this narrative, India is just not set up for high and sustained growth. We lucked out in 2003-08. The global growth environment was benign and we had the tailwinds of prior reforms, but we will never come back to such high growth rates again. At 5 per cent GDP growth, one-third of India will take forever to start consuming. Incremental penetration rates across categories and products will fall drastically.

The metrics obviously look different with higher growth. You can build a case for nominal GDP near 13 per cent, and profit growth for a few years of more than 20 per cent (as profit share-to-GDP normalises). With profit surge, the ROE will also rise. For this earnings stream, investors are willing to pay up, for no other large market will deliver this in the coming five years. In a growth challenged world, high growth and rising ROE are very valuable. In this higher growth scenario, as the third of India starts consuming, sustainability and predictability of growth will also improve. Investors will pay a premium for less volatile and more predictable growth.

Investors are still not sure whether this growth slowdown in India is cyclical or structural? Many will form a long-term view over the next 12 months. The slowdown has already surprised everyone in terms of its duration and ferocity. Depending on their conclusions on the slowdown and its cause, they will move their long-term allocations to the country.

In 2020, investors will also finally come to a view



AKASH PRAKASH

Green shoots in financial sector?

Rating agency Standard & Poor's has served India an ultimatum: Improve gross domestic product (GDP) growth or face a downgrade. Moody's has changed the outlook on the rating from 'stable' to 'negative'. S&P forecasts growth of 5.1 per cent in 2019-20. Moody's pegs growth at 4.9 per cent. Who would have thought even a couple of years ago that India's GDP growth would fall below 6 per cent?

The agencies can't be faulted for warning of a possible downgrade. The flow of news has been pretty grim. The Index of Industrial Production was down 3.8 per cent in October over last year. Consumer Price Index inflation rose to 5.5 per cent year-on-year in November. The fiscal deficit for FY 2019-20 is certain to end up higher than the target of 3.3 per cent of GDP. Distress in the financial sector continues. Credit offtake is down.

Where the agencies are wrong is in the rating they have given India even in good times. The Economic Survey of 2016-17 argued convincingly that India deserved better than the BBB rating that S&P gave it when the economy was doing a lot better.

A country's rating must relate primarily to its capacity and willingness to service debt. India has not defaulted on its debt obligations over the years. Its debt-to-GDP ratio of around 65 per cent may seem on the higher side. But it must be viewed in conjunction with its ratio of external debt to GDP and its growth rate. Do foreign lenders think there is a danger today of India not meeting its debt obligations because our growth rate has slipped? The suggestion seems laughable.

Well, the rating agencies are not going to go away and a downgrade is always a headache. So the challenge for India is to ensure a return to a higher growth rate. A fiscal stimulus (from the present level

of deficit) seems impossible. There is talk of rapid-fire strategic sale of public sector unit (PSU) assets to raise revenues. This is easier said than done. Strategic sales must go through a rigorous process of valuation and bidding — and they are not free from controversy even then. The sale of Air India, which failed in 2018, is still on with successive deadlines having been missed.

Monetary easing is off the table after the

December pause by the Monetary Policy Committee. This is not a big issue at the moment. Transmission of much of the 135 basis point cut that has happened thus far is more important. Stickiness in deposits is, of course, a factor hindering transmission. Other factors may be at work. Public sector banks may be reluctant to lend because many operate at close to the minimum capital requirement. Thirteen PSBs are going through the enormous task of merger. This may have slowed down credit decisions.

Thus, the two major macroeconomic tools for reviving the economy, fiscal and monetary stimulus, are blunted. The government is, therefore, right in focusing on addressing issues at the sectoral level. Relieving stress in the financial sector must be the priority. In banking, there have been two pieces of good news. One, the ArcelorMittal takeover of Essar Steel is going through and banks are due to receive ₹42,000 crore. Banks with exposure to Essar Steel can expect to write back the provisions they have made.

Two, banks have recovered ₹6,000 crore through the sale of Prayagraj Power Generation Company to an entity owned by the Tata Group, the ICICI Bank group and global investors. Creditors had to take a 52 per cent haircut for the deal to go through in a one-time settlement. It is striking that the deal is financed



FINGER ON THE PULSE

T T RAM MOHAN

Climate change: Cost and effect



BOOK REVIEW

LAVEESH BHANDARI

Spread over 25 chapters and 576 pages, including detailed references and a nicely done index, this is clearly a unique volume on India's flirtations with climate change and among the most important on environment policy in India.

For this reviewer climate change and global warming are evident realities that are quickly gathering momentum, and it is also apparent that India is not ready to address the issue either as an active participant in global fora or in domestic policy. Why that is the case, the scale of the problem, the institutional logjams,

the lack of ideas or resources, and the possibilities ahead, are all addressed in varying degrees of depth by the authors.

The authors' list reads like a Who's Who of those involved in this domain. They have either been in the thick of things as negotiators (Shyam Saran), as evangelists working with the government in international arena (Sunita Narain) as investors (Mukund Rajan) as labour union leaders (Ashim Roy), as advocates in the Supreme Court (Shibani Ghosh), sociologists, international consultants, and academics hailing from technology, science, economics, sociology. All told, there are 36 authors and co-authors each bringing a different perspective.

Why this volume works very well is not only the multi-disciplinary take on the issue of climate change, but also the focus on getting to the details.

Thankfully, the authors stay away from simply identifying the problem and go

further into identifying the solutions or at the very least the various strands that make up the problem. Mr Saran's essay, for instance, on the events that led to the

Copenhagen agreement reveals more about the inherent flaw of global negotiations and international agreements than most detailed analyses of such agreements.

Navroze Dubash's introductory chapter clinically describes the various issues, not taking either a pessimistic or an optimistic stand, but simply describing where the national debate stands, its strengths and its flaws.

But Mr Dubash's focus on institutions comes through strongly, and each essay

while outlining the issue it seeks to address looks at the underlying institutional issue as well. His co-authored essay with Ms Ghosh, for instance, focuses only on policy and institutions and gets into the details including a count of the number of senior- and middle-level officers and

consultants working on climate change (numbering barely 80-odd across nine central ministries). But that is not all — his larger message is fairly unambiguous as well, the following quote being from his introductory note. "As climate

actions are not always costly to development actions but sometimes complementary, a possible path forward exists for India to engage with both climate and development productively."

Of course, there is much in the

specific chapters that left me dissatisfied but that is not important; what is more important is that the authors do attempt to go into the details that are available but don't shy away from mentioning those where more is not known. Consider, for instance, the second essay penned by J Srinivasan describes the "Impact of Climate Change on India". The author painstakingly sifts through available literature and describes the received wisdom on air-quality, glaciers, sea-level, aggregate temperatures, rainfall and how they are changing. The sparseness of credible studies on regional impacts within India did, however, act as a dampener for this reviewer. As did a mere mention that particulate matter has a direct bearing on cloud cover, without going further into how north India's endemic winter haze might be affecting weather patterns.

This reviewer was surprised at the large number of essays oriented at international agreements (10 in all). While fewer review-type essays could have been better, the essays both individually and as a group reveal the

larger problem with which policymakers globally are perpetually grappling. As soon as humanity creates a common target (warming limited to 2-degree Celsius, for instance), every participant in the global arena will seek to achieve this by minimising their costs. While the ostensible group objective is the specific target, the effective objective of each individual country is minimising cost. As long as we attempt a common target each member of the community would only work on minimising costs rather than maximising effect, and the group objective can rather perversely never be met. The solution for the next global order (current one having failed) therefore is not having a common target at all, but rather rewards based on changes achieved.

To sum up, this is an important volume and needs to be read widely. Not only should it be a compulsory reading for all who work on the environment, but also students and laypersons who are interested in understanding the inner mechanics of India's environment challenge.

The writer is with Amansa Capital

The writer is a professor at IIM Ahmedabad



IT IS A CRIME

Woman & child development minister Smriti Irani

What he has done is condemnable, using issues of crime against women for politics. Women will give him a reply but I want to ask the men here - is every man in India a rapist, according to Rahul Gandhi

RationalExpectations

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UTI and the govt’s very limited writ

If even four PSU banks/FLs can’t be made to obey Sebi’s rules, what does it say for the government’s ability to get things done?

THESE ARE SEVERAL strands to US asset management firm T Rowe Price’s—T Rowe Price has \$1.12 trillion of assets under management—running dispute with the Indian government over control of UTI mutual fund, but two are especially relevant right now.

First, in the context of the government wanting to lower its stake in various PSUs to less than 51%, the UTI case makes it clear this doesn’t make an iota of a difference. Second, the fact that the market-regulator Sebi hasn’t been able to enforce its writ on four government-owned banks/financial institutions makes it clear that regulation doesn’t mean much when the government decides it doesn’t want to adhere to them. Neither is good news from the point of view of restoring investor confidence in the economy. There is, in addition, a recent CAG report that points to event the Union Cabinet having a limited writ when it comes to making the system perform—that includes the bureaucrats, the regulators, the courts etc—but this is something we will come to later.

Let’s first deal with why the government reducing its stake to below the controlling level of 51% is irrelevant. While this is being contemplated to reduce the government’s control over them which, in turn, will allow these PSUs to operate freely, the government has no direct stake in UTI, and yet it controls it absolutely! While T Rowe Price owns 26% of UTI, three banks—SBI, PNB and Bank of Baroda—and LIC own 18.25% each; this gives the government effective control even though UTI is not even a PSU. In 2011, barely a year after the government sold a stake in UTI to T Rowe Price to professionalise the mutual fund, the finance ministry was trying to foist its nominee—the brother of the advisor to the then finance minister (bit.ly/36t7cLO) who had no experience in the financial sector—as the head of UTI. It was T Rowe Price’s 26% shareholding—this is a critical level in Indian company law as it allows the stakeholder to block certain actions by the board—and a professional board of UTI’s trustee company that allowed this to be beaten off. The battle, though, took its toll as UTI remained headless for around two years as a result.

After the US-64 fiasco, when UTI was divided into ‘good UTI’ and ‘bad UTI’, the four PSUs were asked to buy a stake in the UTI mutual fund. Since Sebi rules don’t allow anyone who runs a mutual fund—a ‘sponsor’ in jargon—to run another mutual fund, and all four have their own funds, they were allowed a special exemption. Sebi, however, came out with guidelines on “avoiding conflict of interest between UTIMF and the sponsors”; so, for instance, sponsors were not allowed to “nominate any employee working with them on the Board of the AMC and the trustee company or any committee of the UTI Mutual Fund”.

It is this professionalising that the government used to convince T Rowe Price that UTI would be run as a board-managed firm; T Rowe Price’s 26% stake came from the four PSUs diluting their stakes accordingly. Despite the government’s assurances and Sebi’s guidelines, the four PSUs continued to try and interfere in UTI’s running; eventually, in March 2018, Sebi said the four PSUs would have to reduce their stakes in UTI to 10% within a year, in keeping with the rules for all other sponsors with more than one asset management company (AMC). The shadow boxing, however, continued and, at different points in time, both SBI and PNB attempted to wrest control of UTI leading to, in August last year, T Rowe Price filing a case in the Bombay High Court against the government; T Rowe Price asked it to prevent the four PSUs from scuttling UTI’s IPO.

The IPO was critical since it would allow the four PSUs to dilute their stake to the Sebi-mandated 10% at a market-determined price and, since T Rowe Price had also agreed to, under certain circumstances, cut its stake to below 26%, it would pave the way for a genuinely board-managed UTI where no single shareholder controlled the board; though the fact that the four PSUs acted as one—and took orders from the government—made it always likely the government would call the shots if T Rowe Price’s stake fell below 26%. Indeed, ahead of the IPO, the finance ministry tried to push for a small IPO—of, say, 5–10% of the equity, contributed equally by all five shareholders—ostensibly to test the waters. What this would do, however, was to reduce T Rowe Price’s stake to below 26% and, with the majority voting rights with PSUs, the government could then again try and foist its nominee as the UTI chief!

While a supposedly independent Sebi didn’t enforce its rules in March 2019, it has now extended this deadline to December 2020; whether more extensions will be given is unclear, but it shows how limited Sebi’s writ is when it comes to the government or PSUs. Given this, now that talks of an IPO have once again gathered steam, what is the guarantee that the four PSUs will not act in concert—at the behest of the government—even when their individual stakes are at 10% or below? With no permanent CEO since Leo Puri left last year in August, and the chances of a truly independent UTI still bleak, it is possible the IPO will get impacted. Till UTI is genuinely board-managed, it is unlikely T Rowe Price which has \$1.12 trillion in assets under management will ever raise money from its investors for UTI to manage; the big advantage of getting T Rowe Price as a sponsor, amazingly, has never been tapped due to the PSUs trying to muscle it out.

The CAG report on PSUs is even more worrying as it confirms the government is quite biased when it comes to following rules. The chapter on disinvestment notes that, for several years now, the government has been meeting its targets, but this has come with very poor retail participation and with little genuine strategic sales. In FY18, the CAG points out, the cabinet approved 24 PSUs for strategic sale; all were to be completed by June 2018, but only one could take place, and that too was one PSU (ONGC) buying another (HPCL), for ₹36,915 crore.

While Sebi had mandated, in 2015, that all listed firms must have a public float of 25%, by August 2017, PSUs were given an extra year for some reason—but 17 PSUs have still not complied. The finance ministry—not Sebi—has now extended this to August 2020. And, more than a decade ago, in October 2009, the cabinet said that all unlisted, but profitable PSUs would be listed; but only 59 of 90 PSUs that satisfy the criterion are listed. Apart from the fact that large amounts of public funds could get freed up via listing, this shows that even the cabinet’s writ is limited. To talk of sweeping economic reforms in such a situation seems a bit of a bad joke.

SoundDECISION

Delhi is looking to rigorously implement the Noise Pollution Rules 2000. States should take a cue from it

WHEN APPLE LAUNCHED a feature to track noise via its watch, not many had imagined that it would have an application in a developing country like India. India does have rules to track noise levels, but these are observed more in their flouting. Delhi, however, is looking to change that. According to a *Times of India* report, it has asked all DMs and police to ensure that Noise Pollution (Regulation and Control) Rules, 2000 are followed in spirit. After the NGT order in August this year, the government will be asking for installation of sound limiter devices at private functions. The device shall monitor the decibel level, and if the audio system exceeds a pre-set level of volume, for say, 10 seconds, it shall cut off the power supply. Religious processions or marriages won’t be able to blast their music in residential areas. The government will also enforce the ₹10,000 fine along with the seizure of loudspeaker, and ₹1 lakh for the use of DG set.

While the rules mandate a 55dBA limit for the day and 45dBA at night for residential areas, the problem is implementation. A sound limiter may be helpful, but the chances of people gaming the system are high. A helpline number and a website also exist to report such incidences, which indeed is a good start, but it all depends on enforcement. Given how increased incidence of hyperacusis, a hearing and neural disorder, is being linked to exposure to noise pollution, Delhi showing intent to implement the Rules is welcome, others should follow.

CAN ANYTHING REALLY be done about the economy? Practically speaking, if it were so easy for a government to turn around an economy, there would be prosperity all around. All kinds of suggestions have been put up by the wise counsels and every option explored. Yet, it does not look like there is an imminent solution. The fact that there is little official acceptance that the slowdown is deep and hard to reverse, is important because as long as we believe that things are only transient, the deterioration will be fast. Using the argument that we are the fastest-growing economy sounds good for the pulpit, but does not really provide solace. The problem is three years old, starting with demonetisation, and the policy of ignoring the consequences has led to the present state.

What can the government do? The government, to its credit, has done virtually everything that can be done to revive the economy short of announcing doubling of the fiscal deficit. The motherhood statement often made that more reforms are required is open-ended and not specific. The government has addressed issues pertaining to the auto and real estate sectors besides enabling flow of credit to the SMEs. Its expenditure on projects is on schedule. Policies relating to recapitalisation of banks, merger of PSBs, disinvestment, labour laws, addressing the NBFC crisis, etc, have all been put in place.

RBI has, on its part, taken decisive steps in lowering the interest rates and opened the door to a regime of lower interest rates. Yet, there has been limited progress made by banks as the credit-risk factor lingers, and they are reluctant to lend. They have been goaded to lend to SMEs which may not be wise because it can build an adverse portfolio of NPAs. While retail loans are the flavour, it should be realised that if the slowdown continues, there is a good chance of delinquencies increasing as all home loans are taken with the assumption that the salaries are paid on time, and the

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bonuses and variable pay come in. Any pause here can have serious consequences for the system.

The economy is in the classic state of liquidity trap which was highlighted by Keynes during the time of the Depression, when lowering of interest rates ceases to affect demand for funds. This has happened in Japan and the euro region too, where interest rates have lost their relevance. The rudimentary theory of demand, supply and prices does not work as the underlying assumption of *ceteris paribus* no longer holds in the present context. Credit risk perception is high and banks do not want to lend money to all and sundry given the NPA overhang.

With both fiscal and monetary policy at the end of the road, there is little that can be done in the short run. Increasing the spending of the government by say ₹2 lakh crore is an option which looks unlikely, as it sends wrong signals to the market. Therefore, the ball is back in the court of the private sector.

The private sector would rather not get into infrastructure given the challenges of finance. Usually, these projects would not have a good rating to be able to command funds from the debt market. Further, with several large companies waiting for the IBC to resolve the debt issue, possible investors may prefer to purchase them in the market rather than start afresh. Add to this the fact that consumption has slowed down and it means that there is surplus capacity in most industries which has made further investment non-viable right now.

Therefore, the path to recovery is going to be a slow one. Three ingredients are required which have to fall in place and will do so only over a period of time.

First, the financial sector has to get out of the labyrinth. It started with the AQR affecting the PSBs and later the private banks. Subsequently, the NBFC crisis has dealt a blow to infra finance, real estate and SMEs, thus choking the financial system. This piece has to be set right, and the news of possibly more hidden NPAs on bank’s books could prolong the recovery process. It has literally been a case of survival of the fittest in the financial world. This is within the control of the government, and RBI has to be expedited.

Second, the rural economy still holds the clue to the recovery process and in a way is a necessary condition, though not a sufficient one. It is critical as it is independent of what happens in the industrial world, and hence, the optimal output and price are the key determinants to demand recovery. Any disruption, as has been the case with the vegetables and pulses crops this year, would upset the appereat as there are inflationary implications that make monetary policy even more difficult to conduct. Clearly, everything is not within the control of any entity, and, here, the states hold the key. The focus has to be on making farming more attractive and should be run as commercial ventures rather than a sector to be sympathised with through loan waivers and cash transfers. Policy has to aim at increasing productivity of land and providing end-to-end solution till the marketing stage. State farming has

to be seriously considered.

Third, job creation is necessary to generate sustainable income that will generate demand. Employment unfortunately gets linked with growth and normally follows the latter and cannot be created unilaterally. Unless there are more households with spending capacity, consumption won’t increase. As corporates cannot employ persons and keep them on the bench (given that they have already lost pricing power in the last three years), the emphasis must be more on gig workers who are able to generate income by working on a contractual basis as consultants. In the medium term, the education system should bring in courses that suit the needs of the day—specific engineering requirements or handling of back-office jobs, so that the human race does not head towards the standard courses of medicine, engineering and management. Demand will grow for such skill-sets, and short-term courses of 3–6 months which address these requirements will be appropriate.

Evidently, there are no quick solutions here, and it can be said that most alternatives have already been explored by the government with limited success. Removing administrative bottlenecks is a must; and retaining processes merely because there are legacy issues in various government organisations has brought impediments for entrepreneurship. This environment of doing business at the micro-level has to improve, and the federal structure involving multiple clearances and permissions needs to be done away with (just like what the GST has done) to smoothen the process. Getting in marginal improvements to break the World Bank Doing Business Code does not work except for getting in newspaper headlines. There has to be a deeper commitment.

There evidently are no quick solutions here, and it can be said that most alternatives have already been explored by the government with limited success

Economic slowdown: Crisis or blip?

For India to tackle its economic slowdown, it needs to reverse its impulses for centralisation, needs to be more open, and must create a robust infrastructure for digital communications

NIRVIKAR SINGH

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THE YEAR 2019 has been a momentous one for India. On the political and societal front, one has seen a centralisation of political power, accompanied by measures to homogenise Indian society in ways that seem to be at odds with the country’s recent history and ideals. My view is that these efforts have also affected the economy, both by taking away attention from core economic issues but also by shrinking the set of perspectives on economic policy that are valued within the corridors of power.

The Indian economy has been in the grip of a worrying slowdown, one which policymakers have been slow to acknowledge and to come to grips with. One can argue that the problems are short term ones, the result of a conventional macroeconomic slowdown, global economic uncertainties, and perhaps some specific structural reforms which have been initially disruptive, but will soon bear fruit. In this perspective, the slowdown is a blip that will disappear.

But, there is an alternative view that has been recently expressed very forcefully by Ashoka Mody, now at Princeton University, who has written in the past on India’s demographic dividend, as well as its industrial dynamics. His latest analysis, in the form of an OpEd, has a title that makes his position clear: How India’s growth bubble fizzled out. Mody views the growth experience of India since the 1991 reforms as being driven by finance, real estate and construction, and argues that this is the bubble that has now popped. He emphasises the lack of investment in urban infrastructure and human capital, and the erosion of Indian manufacturing, and says that it will take a generation to catch up on those fronts, which are critical for sustained future growth. From this perspective, India is in a crisis.

There are strong elements of truth in

Mody’s analysis, but one should not underestimate the changes that were wrought in the last three decades, to the point where five percent growth is considered a barely acceptable floor, rather than an aspirational rate of growth. There have been improvements in tax policy, in infrastructure, in financial systems, and in attitudes, though all of these are now under stress. But, where Mody concludes that there are “no easy fixes”, I would argue that there is a way forward that can begin to turn around the economy relatively quickly.

First, the central government has to reverse its impulses for centralisation of everything. The terms of reference of the 15th Finance Commission seem to me to reflect those impulses, looking for ways to reverse the greater share of tax revenues, awarded to the states by the previous commission, along with somewhat greater flexibility. Instead, the Centre needs to allow the states more room and ability to spend money, perhaps with nudges towards priorities such as education and urban infrastructure. If the centre needs to discipline the states’ spending, it should invest in strengthening their fiscal management and accounting systems, all the way down to cities and towns, rather than trying to punish or reward them based on meeting fiscal deficit targets.

Second, the Centre needs to be more open. There are many dimensions of openness. The only one that seems to have received attention is measures to attract foreign investment, by liberalising restrictions. But, everything else the Centre has done has worked against openness. There has been hostility to trade measures that might support the integration of Indian manufacturing into regional production networks. The lack of progress on this front, precisely at a time when it was both needed and pos-

sible, has been shocking. Second, opening up higher education to domestic and foreign entrants would go a long way to addressing human capital gaps at the upper end of the educational spectrum. At a time when the global higher education sector is in turmoil, and flexibility is becoming the norm, Indian higher education policy has lagged badly. A vital component of policy in this case would be creating an institutional and social environment where faculty from other countries (including those of Indian origin) want to spend substantial periods of time in India. Instead, the government’s political and societal impulses have had the opposite impact. A third dimension of openness is being willing to gather inputs on economic policy from a wide range of people with appropriate expertise. Here, too, the current government appears to have regressed.

A third area where concerted government action can have rapid payoffs is in the creation of a robust infrastructure for digital communications. This implies tackling the continued deficiencies of the electric power sector—perhaps the one place where pressure on the states is needed for further reform. But, the approach to building and improving the communication networks has to change. Currently, there are two inefficient government-owned firms, and a dominant, almost predatory private sector behemoth. This is not a recipe for long-run growth. India is large enough to support more competition in telecoms, and there is enough potential for growth to make it attractive for new entrants, if the playing field is level. Public-private partnerships for investment in the needed infrastructure may work here. Policies will need to be carefully designed, but can yield benefits to industry, education, finance, and almost every part of the economy.

LETTERS TO THE EDITOR

On CAB’s impact

The passage of the Citizenship (Amendment) Bill (CAB), 2019, by Parliament marks a turning point in the country’s history. If a Partition was imposed on it in 1947, it has now done it on itself. The CAB is a law that technically and legally only purports to give citizenship to those who have come fleeing neighbouring countries, but whose effect, by its deliberate exclusion of some of these migrants on the basis of religion, is to reflect the same segregation on its citizens internally. Though no separate space and territory has been earmarked for Muslims, the Bill has sent out the message that they are lesser citizens, and the country is for Hindus only. The entire North-East, which will be directly and immediately affected by the Bill, has risen in protest against it, though the government tried to buy them off with some exceptions and concessions. It is for the entire country to resist the Bill, and to ensure that the secular core of the Constitution and the republic, founded on the equal protection and equality before the law of all within its territory, survives this assault on it. — Ansari Tarique, Bengaluru

Assam protests

Two people were killed and several injured in police firing as the situation in Assam, which witnessed violent protests against the Centre’s Citizenship (Amendment) Bill on Wednesday. It is an extremely terrible news for the common masses. All common people and major opposition parties are opposing the Bill as being unconstitutional in spirit, and violative of the Constitution. I think that the government is playing with constitutional values and morality. With the passage of the CAB, the BJP has exposed the full face of its majoritarian agenda. — T Anwar, Karnataka

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ILLUSTRATION: ROHNIT PHORE

● COMPUTER SECURITY

Spooky

Offering software for snooping to governments is a booming business. A flurry of lawsuits has drawn attention to a growing part of the cyber-security industry

ON OCTOBER 2, 2018 Jamal Khashoggi, a Saudi journalist and critic of the kingdom's government, visited its consulate in Istanbul in order to secure documents needed for his upcoming marriage. He did not come out alive. After initially denying responsibility, the Saudi government admitted that Khashoggi was killed in a "rogue operation".

Two months later Omar Abdulaziz, another Saudi dissident, filed a lawsuit in Israel against NSO Group, an Israeli software company. Abdulaziz alleges that the NSO Group had licensed Pegasus, a piece of spyware that snoops on smartphones, to the Saudi government, which used it to spy on him—and, through him, Khashoggi. NSO Group denies that its software was used against Khashoggi. In October WhatsApp, an encrypted-messaging firm owned by Facebook, also sued the firm, saying its software had been used to hack roughly 1,400 of its users.

WhatsApp says it has urged America's Department of Justice to open an investigation. nso Group disputes WhatsApp's allegations "in the strongest possible terms". On November 26 a number of NSO Group's workers filed a lawsuit against Facebook, claiming that the social-media giant has unfairly blocked

their private accounts.

The flurry of lawsuits has drawn attention to a little-known corner of the cyber-security industry. Most cyber-security firms focus on defending clients from hackers and malware. But some, including NSO Group, as well as Gamma Group (an Anglo-German firm) and Hacking Team (an Italian one which in April merged with another company to create Memento Labs), sell software to help governments access online data on persons of interest. Business appears to be brisk.

The opaque nature of the market for "intrusion software" means the job of trying to compile figures falls mostly to academics and NGOs. NSO Group, which is unusually candid, says its revenue in 2018 was \$250 million. In February Novalpina Capital, a British private-equity firm, bought a majority stake in the firm. The valuation implied by the transaction reportedly placed the firm in the "unicorn" club of startups worth over \$1 billion. Most of NSO Group's competitors are much smaller, says John Scott-Railton, a researcher at the University of Toronto's Munk School of Government. Danna Ingleton of Amnesty International, a human-rights group, reckons that the market is worth at least several billion dollars.

The firms are understandably coy about revealing their clients' identities. But in 2015 a widely reported data breach appeared to reveal a list of Hacking Team's

clients. The list included a Saudi spy agency and the Sudanese government of Omar al-Bashir, as well as the FBI, Malaysia's Anti-Corruption Commission and the state government of Bayelsa, a province of Nigeria. Memento Labs did not respond to requests for comment.

The industry has been around for a while, but Scott-Railton says that documents leaked in 2013 by Edward Snowden, an American spy—which lifted the lid on America's electronic-surveillance capabilities—gave it a big boost. "Other states said 'how do we get hold of something like that?'" The leaks also pushed Western technology firms to encrypt more web traffic and instant messages, making existing forms of eavesdropping harder. Some private firms now offer governments that do not have the expertise to breach such defences themselves the tools to do so. Many are staffed by former Western spooks. According to a leaked personnel roster obtained by the *New York Times*, DarkMatter, based in the United Arab Emirates, has hired several people who used to work for the National Security Agency, America's main signals-intelligence organisation. DarkMatter did not reply to requests for comment.

Trench coats and grey hats

Most of the companies say they assist law enforcement in fighting terrorism, drug smuggling or other misdeeds. At a conference in November Shiri Dolev, nso Group's president, complained about the coverage of her firm. She argued that services such as WhatsApp are used by some "as a vehicle for terrorism and crime", and that software such as Pegasus is vital. The firm insists its products are "not a tool to be weaponised against human-rights activists or dissidents". In September it announced a new human-rights policy, based on un guidelines; it reckons it is the first firm in the industry to do so. Even before that, says a spokeswoman, the firm had turned down around \$100 million of business on ethical grounds in the past three years.

In theory the export of hacking software is controlled by the same laws that regulate the sale of weapons. In practice most observers think such restrictions have little bite. David Kaye, the un's special rapporteur on freedom of opinion and expression, has described the market for spyware as "out of control" and "unaccountable". State use of the industry's products to target political opponents, journalists and others seems common, says Ingleton.

Previous lawsuits have foundered, she adds, in part owing to their high-tech, international nature. Courts first need to be convinced that plaintiffs have suffered an injury, that the injury could be traced back to the defendant, and that the court can redress it. Even if this "standing" can be established, it is hard to procure evidence. "And even then it can be hard for some judges to understand what is being presented," she says. In a recent case in America "Mr Kidane", a pseudonymous American with links to Ethiopia, alleged that the Ethiopian government had been spying on him and his family using Fin-Spy, one of the Gamma Group's products. A judge threw out the case on the grounds that the alleged spying did not occur entirely within America's borders. The Gamma Group did not respond to requests for comment.

All the recent publicity has nonetheless increased pressure on the companies. In November Ron Wyden, an American senator, called for an investigation into whether NSO Group's products had been used against American citizens. Mr Kaye wants a moratorium on exports until stricter laws can be drawn up. And the WhatsApp lawsuits marks an escalation by the big technology companies, which want to safeguard their users' data.

A serious crackdown remains unlikely, thinks Edin Omanovic at Privacy International, another NGO, owing partly to the official background of many employees at such firms. "Enforcement has always been a problem within the arms industry," he says. Until that changes, purveyors of snooping software can expect to thrive.

THE ECONOMIST

● NEW EDUCATION POLICY

Towards Industry 4.0

ANINDYA MALLICK

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Views are personal



Institutions and faculty should have the autonomy to innovate

THE ADVENT OF the fourth industrial revolution places us in the midst of continuous disruption by digital technologies. This revolution is expected to transform economies, jobs, and the society itself through new technologies and processes. With education being the key component in shaping the future workforce, the academic system needs transformation.

The Indian education system will need to focus on creativity and lifelong learning, essential for a career with continuous disruptions. It is envisaged that 65% of children entering primary school today will ultimately end up working in completely new job types that don't yet exist. Accordingly, it is important to imbibe a culture of knowledge seeking and lifelong learning during the formative years.

The Draft National Education Policy (NEP) 2019 seems to have been primarily developed based on the above premise.

A key highlight of NEP 2019 in the area of school education is the proposed structuring of school education as Foundational (comprising 3 years of pre-school & grades 1-2); Preparatory (comprising grades 3-5); Middle (comprising grades 6-8) and High (comprising grades 9-12 in 2 phases of grades 9& 10 and 11&12). The structure takes cognisance of a child's developmental journey and ensure s critical characteristics like knowledge seeking, logical thinking, social skills like communication, teamwork, etc are imbibed. This also transitions away from the current culture of rote learning.

The proposed transformation will require changes in pedagogy; teachers will, thus, need capacity development. Teaching and learning approaches are expected to be more interactive through discovery, discussion and analysis-based learning.

Teachers will need to be provided career progression plans, greater autonomy & responsibility. NEP 2019 discusses the courses for teachers' training including shorter duration courses for skill & expertise upgradation.

The initiative to move the higher education system to large multidisciplinary universities, colleges, and higher education institution (HEI) cluster is a key highlight of the NEP 2019, with institutes proposed to be categorised as "research oriented" or "teaching oriented".

Institutions and faculty should have the autonomy to

innovate on matters of curriculum, pedagogy, and assessment—informed by a broad overall framework of higher educational qualifications that ensures consistency across institutions and equivalence across programmes, both in Open & Distance Learning (ODL) and the traditional 'in-class' learning.

NEP 2019 proposes multidisciplinary learning which entails integrating humanities and arts streams with STEM (Science, Technology, Engineering, Mathematics). Integration of multidisciplinary courses is expected to result in increased creativity and innovation, critical thinking and higher-order thinking capacities, problem-solving abilities, teamwork, communication skills, deeper learning and mastery of curricula across fields, and increases in social and moral awareness.

A motivated faculty having the required experience and expertise is the single most critical factor for providing an efficient and productive Higher Education ecosystem. NEP 2019 proposes measures to be adopted for improving faculty effectiveness and responsiveness through increased & diversified faculty, reduced student-teacher ratios, flexibility and autonomy in curriculum design and pedagogical approaches which are likely to also help keep the faculty motivated and invested.

The National Education Policy, 2019 aims to bring the higher education sector in India on par with the international standards and contemporary practices. It has clearly articulated the intentions in striving forward with a retrospective analysis of the traditions of India. The policy also endeavours inclusivity, and accessibility for all the socio-economic classes of the society with the agenda of 'Development for All' and creating the future workforce for India and the world.

AFTER THE NCP, the Congress party and the Shiv Sena announced their alliance, certain voters moved the Supreme Court to stop the 'unholy alliance' (as termed by them), since it defeats electoral mandates. In recent times, as mandates are getting more and more fractured, post-poll alliances have become inevitable in electoral politics. In the last assembly election in Maharashtra, the BJP formed a post-poll alliance with the Shiv Sena; in Jammu and Kashmir, the BJP allied with the PDP post-elections; and in Haryana, the BJP got Dushyant Chautala into its crew after the results. These have been instances where post-poll alliances have been entered into by parties who initially drew orders against each other. For a long time, it has been debated that the abject immorality of alliances between parties who fought elections against each other must be scrutinised and demotivated. Now the question before the Supreme Court is, whether these alliances are permissible under the constitutional scheme and are they not contrary to democratic ethos? While allowing coalition governments, did the framers of the Constitution anticipated and intended such coalitions?

It is pertinent to note that the Tenth Schedule was incorporated in our Consti-

A coalition of convenience

India must evolve a legal framework to curb unethical post-poll alliances

BHASKAR KUMAR

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tution to prevent unethical defections and horse-trading. Hence, it is need of the hour that the definition of a party under anti-defection and the Constitution must be construed in a broad manner, so that the objective of the Tenth Schedule gets accomplished. To make informed choices, voters should know who they are voting for, and in cases of post-poll alliances this very foundational aspect of democratic politics is compromised. In the *Kihoto Hollohan vs Zachillhu* case, the Supreme Court elaborated the objective behind anti-defection law. It observed that the law seeks to recognise the practical need to place the proprieties of polit-

ical and personal conduct (whose awkward erosion and grotesque manifestations have been the bane of the times) above certain theoretical assumptions, which, in reality, have fallen into a morass of personal and political degradation. The Supreme Court further held that the objective of the Tenth Schedule is to curb the evil of political defections motivated by the lure of office or other similar considerations that endanger the foundations of our democracy. The remedy proposed is to disqualify the Member of either House of Parliament or of the State Legislature, who is found to have defected, from continuing as a Member



NCP CHIEF SHARAD PAWAR, SHIV SENA CHIEF UDDHAV THACKERAY AND MAHARASHTRA CONGRESS PRESIDENT BALASAHEB THORAT

of the House. The Supreme Court emphasised that the provisions are salutary and are intended to strengthen the fabric of Indian parliamentary democracy by curbing unprincipled and unethical political defections.

A political party functions on the strength of shared beliefs. Any freedom of its members to vote as they please independently of the party's declared policies will not only embarrass its public image and popularity, but also undermine public confidence in it, which, in the ultimate analysis, is its source of sustenance — nay, indeed, its very survival. The cases of post-poll alliances have now become equally

unprincipled and unethical, since parties with diametrical ideologies and policy objectives come together, thus undermining public confidence.

To curb the menace, there is a need to expand the ambit of the Tenth Schedule by adding a provision that prevents post-poll alliances between parties who fiercely contested against each other in the first place. The Election Commission must be directed to broadly classify parties on the basis of their ideology, policy objectives, beliefs and ideals, so that their specific commitments are recognisable. Only selective post-poll alliances should be permitted, maybe where parties share a considerable extent

of beliefs, ideologies and policy objectives. Since pre-poll alliances represent themselves as a single unit with a shared agenda agreed upon by both parties, voters have the option to form informed choices. A common feature between a parliamentary democracy and a constitutional democracy is that both acknowledge that the government rests upon the consent of the governed, given by means of elections based on universal and equal suffrage.

To address this concern, parties must be mandatorily directed to announce certain fundamental ideals and values including the broad policy objective that would not be compromised even after elections. And if and only if two parties entering into a post-poll alliance satisfactorily show that their broad values and ideals are not mutually conflicting, should they be allowed to form an alliance. This will ensure that the voter's primacy in a parliamentary democracy remains intact. It must be understood that Indian parliamentary democracy is legislator — constituent-centric model, which means a subordination of the interest of parties over the relationship between a legislator and his constituents. Hence, when interpreting the Tenth Schedule in its entirety, the Court must resort to that interpretation which expands the scope of the schedule in favour of voters.



The IndianEXPRESS

FOUNDED BY

RAMNATH GOENKA

BECAUSE THE TRUTH INVOLVES US ALL

LISTEN TO THEM

This government has no language to talk to those who disagree, and more so, students. Calling them names corrodes democracy

THE IMAGES AND videos of the Delhi Police rampage on the Jamia Millia Islamia campus following students' protests against the new citizenship law in the national capital on Sunday underline an awful, dispiriting dissonance. The police force in Delhi, as in many other states in India, remains, for the most part, a heavy-footed anachronism in a democracy of the young, a brutalising left-over from a more repressive time. But the rankling gap between police and the people showcased on Sunday is about more than just lathi-happy policemen. The silence of the government in the aftermath of the outrage at Jamia — where the police barged into the campus without permission, forced its way into the canteen, mosque and library, dragged and beat up students, rounded up and detained them, using as pretext acts of arson and vandalism outside the university — is part of the problem. Now in its second term in power, the Narendra Modi government is yet to find the language to talk to those who protest and disagree. And this absence, this lack, becomes more glaring, more grave, when it is confronted with restive students.

It is not just that the government, otherwise in constant communication or propaganda overdrive, turns a hard and frigid face to them. It is also that instead of listening to them, it seeks to tar and taint, stick labels and attribute motives, invoke spectres. The distortion of words and meanings goes to the very top — or flows down from there. Listen to the Prime Minister, campaigning in Dumka, in poll-bound Jharkhand, on the day Delhi Police ran riot in Jamia. Those “spreading the fire (aag lagaane waale)” can be “identified by their clothes (kapdon se hi pata chal jaata hai)...”, the PM said. He also invoked Pakistan, likening the protests against the CAB to protests by “people of Pakistani-origin...” against the court decision on Ram-Janmabhoomi and Article 370. It was a bid to discredit the students' protest by painting their criticism of a citizenship law that discriminates against Muslims as anti-national and pro-Pakistan.

Such talk is in tune with the spirit of the law that this government has steamrolled through Parliament, a law that virtually closes India's doors to illegal immigrants who are Muslim because they are Muslim. And it is not the first time that PM Modi, a minister in his government, or a senior functionary of his party, has sought to portray dissent as anti-national. This isn't the first time dog-whistle politics has been deployed. And yet, each and every time it happens, it is cause for concern. Because it does not behove a government in a country of India's diversities and democratic standing to sound so insensitive, either to the apprehensions of its minority or to the voice of its young. On Monday, the Prime Minister said no “vested interest group” would be allowed to “divide us and create disturbance.” Hopefully, those words are meant to reassure all — irrespective of what they wear.

CoP THAT FLOPPED

Madrid meet's failure to address differences over carbon markets, funding, invites questions over UNFCCC efficacy

THE 25TH Conference of Parties (CoP) of the UN Framework Convention on Climate Change (UNFCCC) was scheduled as a 12-day summit. Delegates from the 200-odd nations, who had assembled at the Spanish capital of Madrid for the meet, ended up working two more days. But for all their efforts, the negotiators only managed to highlight the disconnect between global climate diplomacy and the imperative of bringing down GHG emissions. The longest meet in the UNFCCC's history concluded on Sunday with an “agreement” mired in generalities and which lacks a roadmap to meet the goals of the Paris Climate Pact. The main item on the meet's agenda — framing rules for setting up a new carbon market under the Paris Agreement — has been deferred to next year.

The Madrid talks were expected to nudge all countries to scale up their commitments under the Paris Pact — Nationally Determined Contributions or NDCs — in view of recent studies which show that the world is not doing enough to prevent the extreme impacts of climate change. The Small Island Nations have been pushing for strong directives to all countries to upscale their NDCs in light of the changed realities. At Madrid, they were supported by the EU countries. The developed countries, including the EU, were, however, non-committal when it came to honouring their previous pledges on funds and technology transfers to the developing countries. The talks hit a roadblock when India, China and Brazil argued that they would not support strong language on raising ambitions without a similar call for rich countries to honour their past commitments. CoP 25's final declaration does “invite new climate pledges that represent a progression beyond previous pledges and the highest possible ambition”. But it doesn't stipulate a schedule for updating NDCs. And, the demand of the developing countries for a two-year programme to assess the performance of developed countries — reflected in the draft Madrid agreement — does not find a place in CoP 25's final declaration.

The spirit of solidarity that tinged the Paris summit has been witnessed only sporadically after the landmark pact was inked. Individual NDCs have not added up to the pact's goal of keeping global temperatures below 2 degrees celsius above pre-industrial levels. Framing the treaty's rules has been a tortuous process that has re-animated past differences over funding and technology transfers. Meanwhile, protests in different parts of the world have called out environmental negotiators for their inertia. CoP 25 was an opportunity to answer the questions that have been raised over the UNFCCC's processes. Unfortunately, the two weeks of negotiations at Madrid have been an opportunity lost.

PLAYING POLITICS

Ozil is not the first or the last player to lob the ball while scoring a political point

ON FRIDAY, OZIL, the Arsenal footballer, instagrammed a message about Uighurs, a Muslim minority group in north-western China, as “warriors who resist persecution”. All hell broke loose in China where Ozil is fondly known as “272”, numbers which when pronounced sound like his name. The foreign ministry said he was “deceived by fake news”, and a broadcast of an Arsenal game was cancelled.

Born in Germany, Ozil is a practising Muslim of Turkish origin, the son of poor second-generation immigrants, and has faced criticism before from the far-right over his preference to recite prayers from the Quran instead of singing along to the national anthem before matches. In 2016, when he posted a picture from Mecca, a leader from an anti-immigrant party asked if he wanted to send a political message. In the 2018 football world cup, two Kosovo-Albanian footballers in the Switzerland team, Xherdan Shaqiri and Granit Xhaka, created a furore when they did an eagle salute after scoring goals, mimicking the black eagle on the Albanian flag.

Before Ozil, football's most famous politically conscious player was the Brazilian Socrates, who once said: “They don't want me to drink, smoke, or think? Well, I drink, smoke, and think.” Famous footballers, adored by the masses, he believed, have a social responsibility to “transform society”. All one needs, is “a social conscience, a political understanding, and a desire to fight” — to be an “MP without a seat”.



SANJIB BARUAH

THE *RAISON D'ÊTRE* for the Citizenship Amendment Act, 2019 is fundamentally ideological. Home Minister Amit Shah's claim in the Rajya Sabha that “crores of people” belonging to religious minorities are persecuted for their faith in neighbouring countries, does not exactly sound like a statement based on his supporting officials' analysis of information from some hitherto unknown database on religious persecution.

Bangladesh's foreign minister, AK Abdul Momen, has said the “allegations of minority repression in Bangladesh” are false. However, Momen's challenge to Shah that he visit Bangladesh for a few months to see for himself the amity between religious groups is naïve. Facts and figures that are figments of an inflamed ideological imagination cannot be refuted by empirical evidence.

The idea that even 70 years after the Partition, Hindus who find themselves on the “wrong” side of the border must be recognised as people crossing into India to join the nation to which they “naturally” belong, is a foundational tenet of Hindu nationalism. Dutch historian Willem van Schendel calls it the narrative of homecoming.

The idea of India as a *homeland* for Hindus can be traced back to some of the earliest ideological tracts that many in the current political establishment consider sacred. The RSS chief, Mohan Bhagwat, has often asserted that, “no Hindu can be a foreigner in India”. He has said this even in Assam, where both migration from eastern Bengal and opposition to it began well before the Partition — an important bit of regional history that does not interest many Indians.

This is not the first time that a major country has adopted an ideology-driven refugee policy. There are lessons to be drawn from the experience of countries that had adopted similar policies before. Ideologically-driven refugee policies seem especially prone to be plagued by the law of unintended consequences. Unfortunately, our country's current snap, uninformed, and policy-illiterate style of law-making does not allow for learning from the experience of others.

The pitfalls of such policies are well understood by those who study them. The best examples come from the US during the Cold War. For nearly three decades, the Cold War shaped the very definition of a refugee in US law. A refugee was defined as a person fleeing “from a communist-dominated country or area”.

The Cuban Revolution of 1959, when Fidel

Protesters' fears about new citizenship law are founded on history, accumulated experience

This is not the first time that a major country has adopted an ideology driven refugee policy. There are lessons to be drawn from the experience of countries that had adopted similar policies before. Ideologically driven refugee policies seem especially prone to be plagued by the law of unintended consequences. Unfortunately, our country's current style of snap, uninformed, and policy-illiterate style of law-making does not allow for learning from the experience of others.

Castro's guerrillas ousted the US-backed military dictatorship of Fulgencio Batista, prompted a large-scale emigration of Cubans to the US. Not unlike India's recent Citizenship Amendment Act, the Cuban Adjustment Act of 1966 was adopted to give permanent resident status to Cubans who had lived in the US for a year even if a person had entered the country illegally. Like India's Citizenship Amendment Act, it put Cubans on a fast track to citizenship.

During a time when there was little public support for immigration, anti-communism provided the ideological rationale for these policies. Cubans were supposedly voting with their feet. Their making an exit choice testified to the failures of communism and the moral superiority of capitalism and American democracy. US Ambassador Arthur Goldberg told the UN General Assembly that “many thousands of Cubans have seized every available means of transportation which will take them from Cuba to the United States, but no crowds are pounding on Cuba's gates and seeking admission”. Cold War ideologues expected Cuban exiles to become strategic assets for the US, that they would commit themselves to the task of overthrowing the Castro regime, and would one day return to Cuba.

Things didn't quite turn out that way. The Cuban population in the US multiplied nearly six-fold between 1960 and 1970 — from 79,000 in 1960 to 4,39,000 in 1970. It soon became clear that very few of them were refugees in the strict sense of the term; they were not escaping persecution, nor were they leaving Cuba because of “a well-founded fear of persecution”. Most Cubans who arrived in the US after the Cuban Adjustment Act were, according to Cuban-born anthropologist Virginia Dominguez, “consumer refugees”.

“Cooperating with the Enemy” was the title of an article on this subject by former Harvard University professor Jorge J Dominguez. Unlike the East German government that built the Berlin Wall to prevent emigration, Castro allowed people to leave the island from time to time. He even claimed that far from inflicting damage on his country, “the US had taken from this country many lumpen proletarians and many lazy people”. While that can be dismissed as political rhetoric, there is ample evidence to suggest that the Castro government used emigration as an escape valve — to export surplus labour as well as political opposition. Meanwhile, since

the Cuban Adjustment Act allowed Cuban immigrants to become permanent residents, which put them on a path to US citizenship, as time went on, Cuban exiles had little reason to remain activists seeking the overthrow of the Castro regime. Thus, the US policy toward Cuba, said Dominguez, was rarely made by the US alone. Castro in effect “forced the US government to surrender to Cuba some US sovereign prerogatives to set US immigration policies.”

What are the chances of the Citizenship Amendment Act fueling new waves of Hindu emigration from Bangladesh, as people in Assam and Northeast India now fear? Signaling plays an important role in encouraging or discouraging migration flows. The CAA will be a powerful signal to the remaining Hindu population of Bangladesh to choose the exit option.

Simply to assert that the resistance is misinformed because the law has the cut-off date of December 31, 2014 is a misunderstanding of the history of seven decades of post-Partition migratory flows. After all, with the CAA, Delhi has just got rid of the cut-off dates that were agreed upon in the Assam Accord.

A previous amendment to our citizenship laws was a response to the reality that when Bangladesh became independent in 1971, it refused to take responsibility for migrants who had moved to India during the Pakistan years. Bangladesh agreed to take responsibility only for those who entered India after March 25, 1971, when the Pakistani military crackdown of the liberation struggle in East Pakistan began. India was then faced with a accomplish. It had to accept those who entered India before 25, 1971.

Is this a case of a smaller neighbour forcing India to surrender some of its sovereign prerogatives to set immigration policies? That an important date in the annals of Pakistan has acquired such a crucial place in the law and practice of citizenship in India — most recently in the context of the National Register of Citizens — is quite telling.

The protesters are right to fear that by the time the cut-off date of December 31, 2014 becomes irrelevant — giving way to another provisional cut-off date — it will be too late for Assam. Past history and the accumulated wisdom of academic literature is on the side of the protesters.

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GURU PRAKASH

BRAMBEDKAR'S DEATH anniversary was observed on December 6. It is, therefore, an appropriate time for serious introspection. As the chief architect of the Constitution, Ambedkar ensured an equitable atmosphere in every sense, which was essential due to the years of institutional oppression faced by more than a quarter of the Indian population at the time of Independence. Some progress has definitely been made but there still remains a significant distance for us to cover as a society to create the kind of atmosphere that Ambedkar and his colleagues imagined.

The debate on reservation is highly polarised and, usually, brings out the worst in us. Arguments made by all the sides are logical and extremely passionate. It can be challenging to evolve a middle path that includes opposing perspectives. On the one hand, there is a school of thought that derides reservation and advocates a merit-based order. On the other hand, there are ferocious supporters of reservation who consider any debate around reforms as blasphemous. Merit is contextual and means different things to different people. Caste creates networks and upper castes, through years of institutional linkages, have established an infrastructure that invariably

FITTING TRIBUTE TO AMBEDKAR

Reservation needs fresh approach to align with times, empower marginalised

helps in mentorship and handholding. This is missing for the Dalits. Even the exceptionally skilled and competent Dalits are first treated as Dalits, everything else becomes secondary.

A study by Sukhadeo Thorat and Paul Attewell in 2010 had reportedly observed that “for equally qualified SC and upper caste (about 4,800 each) applicants, SCs had 67 per cent less chance of receiving calls for an interview. What is more disturbing is that the high percentage of less qualified high castes (undergraduate) received calls compared with the more qualified SCs (post-graduates).”

However, this does not absolve the people on the other side of the spectrum who become absolutists when it comes to reservations. Political reservation was never intended to perpetuate the interests of a single family. The case of Lok Janshakti Party is peculiar. Ram Vilas Paswan, Pashupati Paras (brother), Chirag Paswan (son) and Prince Raj (nephew) are in Parliament from reserved constituencies. The community can see through this hypocrisy.

There are a lot of difficult questions that we need to confront as a community. Reforms to reservation have become the need of the hour. A section of SCs and STs have benefited,

and are constantly benefitting from reservation. It is time we transcend our selfish interests and advocate a rethinking of reservation that is more inclusive.

The contours of reforms in reservation must be developed through a consultative process involving real and potential stakeholders within the Dalit community. The idea of preferential treatment in sectors that are still underrepresented must be explored objectively. The civil society, industry, media, higher judiciary and the upper echelons of bureaucracy still lack social diversity and, therefore, the empathy required to address the concerns of the community. The Ministry of Human Resource Development, through a recent notification, has asked the IITs, IIMs and other premier institutions, to follow the reservation norms in faculty recruitment: People from marginalised communities did not have any leadership role in these institutions for so long.

We need fresh dialogue and thinking on reservation. Including the excluded will be the real tribute to not just Ambedkar, but the Constitution of India.

The writer is an assistant professor at Patna University



DECEMBER 17, 1979, FORTY YEARS AGO

INDO-BANGLA TALKS BORDER TALKS BETWEEN India and Bangladesh have failed. The Bangladesh delegation flew back to Dhaka this morning amid growing doubts over Bangladesh's intention to adhere to the 1974 land boundary agreement between the two countries. After the three-day talks the two delegations issued a brief joint statement in which both sides have agreed to exercise maximum restraint and avoid provocation to ensure the return of normalcy in the Muhuri Char area of the Belonia sector on the Tripura Bangladesh border. This merely means that the two sides will not resort to exchange of firings or invectives on the disputed 44-acre

stretch of land.

NEPAL ELECTIONS

KING BIRENDRA OF Nepal said “regardless of whichever side — partyless panchayat with reforms or a multiparty system — won as a result of people's verdict, in the coming referendum, from now onwards all elections to the different tiers of the proposed political system would be on the basis of adult franchise.” In a broadcast to the nation on the King Mahendra memorial and constitutional day, the king said that the prime minister of Nepal would be elected by a popularly elected panchayat or a national parliament. He also said the council of min-

isters would be responsible to the national level-panchayat.

IRAN CRISIS

IRANIAN FOREIGN MINISTER Sadegh Ghotbzadeh hailed the departure of the deposed Shah from the US as a “first step to victory”. He told reporters it was possible that some of the US hostages would be freed by Christmas and — despite angry declarations by students holding the US embassy — said the authorities were not currently debating setting a trial date for the hostages. Ghotbzadeh said: “I hope that things are now rolling in a positive way. We will try to do our best to defuse the crisis.”



Navigating the Indo-Pacific

India must negotiate growing Chinese presence in the region. Its relationship with Japan, the Quad, will also remain central to Act East policy



SUJAN R CHINOH

“INDO-PACIFIC” IS today a buzzword that has been interpreted differently by various countries in their outlook or vision documents. Back in 1971, when Sri Lanka proposed the notion of an Indian Ocean Zone of Peace (IO-ZOP), it was more about the presence of Western powers and establishment of foreign bases. Ironically, China then stood with countries like India in opposing bases in the Indian Ocean Region (IOR). Its position was that it did not have, nor did it seek bases anywhere. That is a far cry from its strategy now of actively for-aying into the Indian Ocean and seeking bases in Gwadar and Djibouti and special arrange-ments elsewhere. India’s position has also evolved. If India earlier opposed the presence of foreign powers in the Indian Ocean, it now carries out joint exercises with a number of them to promote interoperability. It welcomes the presence of the US, Japan and other partner countries in the Indian Ocean as a counter to the growing Chinese presence.

In the Pacific Ocean, the debate was never about the presence per se of great powers. There, the US military presence on land and sea was taken for granted after World War II. The French and British too, as in the Indian Ocean, continued to have their colonies. The debate was about nuclear tests in places such as Bikini Atoll, French Polynesia and Christmas Island.

As a legacy state of the Soviet Union, Russia has never ceased to be an Indo-Pacific power. It avenged the humiliating destruction of its navy in the 1904-05 Russo-Japanese war by driving Japan out of the northern Korean Peninsula and taking South Sakhalin and the Kuril Islands in 1945. It enjoyed a key base in Cam Ranh Bay during the Cold War. Today, it holds joint exercises with China in the South China Sea and a trilateral exercise with China and South Africa in the Indian Ocean.

The situation in the South China Sea is more complex. Various claimants are pitted against one another, with China’s irredentist nine-dash line engulfing the Exclusive Economic Zone of several others. China has yet to produce a clear line with exact co-ordinates on a large-scale map in support of its claims. Earlier, in 1974, China took the Paracel Islands from South Vietnam, with a US in re-treat turning a Nelson’s eye. Later, China took Scarborough in 2012 and used swarming tac-tics involving fishing boats at Thitu Island against the Philippines in 2019, the defence treaty between the US and the Philippines notwithstanding. In general terms, the scram-ble in the SCS is more about fishing rights, nat-ural resources and the domination of trade and energy sea lines of communication.

There are many contradictions in the con-text of the emerging construct of the Indo-Pacific. For example, the US, like India, Japan, Australia and many others, advocates freedom of navigation and over-flight, and respect for the rule of law and international norms. It ad-heres to many tenets of UNCLOS without hav-ing ratified the treaty. China’s adherence to UNCLOS is more honoured in breach than in observance.

Arguably, the US concept of “freedom of navigation” is hard on friend and foe alike. The US conducted freedom of navigation opera-tions (FONOPs) in 2017 against a large num-ber of countries, including friendly nations like India, Indonesia, Vietnam and the Philippines. Similarly, the US Asia Reassurance



C R Sasikumar

Initiative Act (ARIA) of 2018, which embraces the Indo-Pacific as against Asia Pacific, de-scribes China as a strategic and economic com-petitor. Yet, it also has an entire section that seeks to “promote US values in the Indo-Pacific region”. There is a reiteration of the US com-mitment to upholding rights and promoting democratic values. Not only is China cited in this context along with Myanmar, but an al-liance partner such as the Philippines is also in the cross-hairs.

On the other hand, China now justifies its increasing forays in the IOR, including with nuclear submarines, by claiming that it has “always” had a historical right to the Indian Ocean, citing the few voyages of Admiral Zheng He’s fleet more than five centuries ago. In fact, there was no Chinese presence in the intervening period because after the brief mar-itime interludes during the Ming dynasty, China was not a maritime power until recently.

The Belt and Road Initiative (BRI) is sup-posed to endure for half a century. Yet, the ab-sence of a key neighbouring country like India, for very valid reasons, eroded its credibility. Now, many others are questioning the BRI.

The world today is undergoing a funda-mental transformation. There are several facets to the emerging uncertainty. Traditional and non-traditional security threats have grown in magnitude. The spectre of terrorism, especially cross-border terrorism, continues to challenge peace and prosperity. Geopolitical considerations are increasingly driving trade and investment decisions; on the other hand, the geo-economic forces unleashed by China’s economic rise are redefining the geostrategic landscape of the Indo-Pacific.

There is no doubt that the US-China trade war has been disruptive. It has coincided with the waning of the global economy. No two rival powers are as interlinked by trade and in-vestment as China and the US. Never before have all other countries been as intertwined in a web of relations with both China and the US. This makes for difficult choices. Power, whether economic, political or military, is frac-tured. No single country can dominate on all issues. Trade and technology are fiercely con-tested. Nationalism and regionalism are on the rise. There is less multilateralism but greater multi-polarity. Hedging and multi-alignment are part of every country’s strategic toolkit. The old consensus is fraying and a balance is yet to emerge. This calls for readjustments.

The “Asian Century” appears inevitable, but the question remains if it will be unipolar, bipolar or multipolar? Will it be a century of peace and development, or will it involve long-drawn contestations?

Asia is witnessing the simultaneous rise of several powers. Global engines of economic growth have shifted to Asia, first to the Asia-Pacific, and now, more widely, to the Indo-

Asia is witnessing the simultaneous rise of several powers. Global engines of economic growth have shifted to Asia, first to the Asia-Pacific, and now, more widely, to the Indo-Pacific that includes South Asia. The continent, home to 60 per cent of the global population, has emerged as the new fulcrum for geo-economic and geostrategic realignment. One could argue that the natural evolution of trade, investment and energy flows favour the broader definition of the Indo-Pacific as against the narrower confines of Asia and the Asia-Pacific. The term Indo-Pacific is certainly more inclusive and better accommodates the growing aspirations of a wider constituency.

Pacific that includes South Asia. The continent, home to 60 per cent of the global population, has emerged as the new fulcrum for geo-economic and geostrategic realignment. One could argue that the natural evolution of trade, investment and energy flows favour the broader definition of the Indo-Pacific as against the narrower confines of Asia and the Asia-Pacific. The term Indo-Pacific is certainly more inclusive and better accommodates the growing aspirations of a wider constituency. However, the economic success in the Indo-Pacific region has not been matched by stable security architecture. The region has some of the highest military expenditures. Trade, ter-ritorial disputes and geo-strategic contesta-tions are rampant. This places limitations on the region’s ability to engage in a process of give and take as seen in the RCEP negotiations.

There are fundamental disruptions to the existing equilibrium in the three sub-segments of the Indo-Pacific. The emergence of the US as a major energy exporter to Asia has eroded the importance of the Gulf oil produc-ers in the Western Indian Ocean. In the South China Sea, the dependence of ASEAN on China for its prosperity and security assurances is growing. In the Pacific, there is a new con-estation, which pits US programmes such as the BUILD Act, ARIA and Asia EDGE against the in-ducements offered by China to small island nations. Japan and Australia have also joined hands with the US in the Blue Dot network to promote infrastructure and connectivity.

The Chinese harbour suspicions about both the Indo-Pacific and the Quad as US de-vices to contain its rise. It regards trilateral compacts involving US, Japan and India and US, Japan and Australia as adjuncts to strengthening the Quad. However, Chinese scholars and officials are beginning to resort to a wait-and-see approach, since ASEAN cen-trality is an opportunity to lean on them to shape favourable outcomes through the BRI project and the draft Code of Conduct.

India will have to manage its relations with China, no matter the challenges. Ties with Japan would remain a key component of India’s vision for a stable Indo-Pacific and a cornerstone of its Act East policy. The Special Strategic and Global Partnership between India and Japan will be further strengthened during Prime Minister Shinzo Abe’s visit. However, India at this juncture does not have to make a binary choice in the Indo-Pacific be-tween a development-centric agenda with ASEAN centrality and a security-centric out-look revolving around the Quad. Both are likely to remain parallel tracks with some overlap for the foreseeable future.

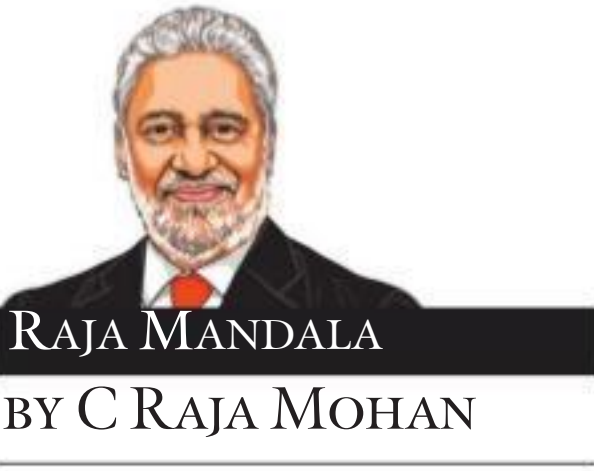
The writer was India’s ambassador to Japan and currently director general, IDSA, New Delhi. Views are personal

WHAT THE OTHERS SAY

“The Labour party’s traditional coalition of voters has collapsed. A comeback is only possible if it develops a new, more subtle politics of place” — THE GUARDIAN

Look beyond the diaspora

India must avoid making Pakistan a preoccupation in relationship with UK. It must take advantage of shift in Britain’s international orientation



RAJA MANDALA

BY C RAJA MOHAN

DELHI IS SURELY relieved that Jeremy Corbyn did not win the recent general elec-tions in the United Kingdom. The Labour Party’s hostility towards India on the ques-tion of Kashmir, and its political tilt towards Pakistan under Corbyn, galvanised a large section of the Indian diaspora to rally behind the Tories. While Delhi welcomes the return of Boris Johnson as Prime Minister of Britain, it knows that there is much distance to cover before problems with London on Kashmir and Pakistan are overcome.

At its annual conference in Brighton in September, the Labour Party had approved a resolution criticising India’s decision to change the constitutional position of Kashmir, expressing support for the Kashmiri “right to self-determination” and calling for “international intervention” and “mediation” between Delhi and Islamabad. South Block reacted sharply to the resolu-tion and the High Commission in London conveyed its dismay and disapproval to India’s friends in the Labour Party.

As Labour’s unhelpful tone carried over to the Party’s election manifesto that fol-lowed a few weeks later, Delhi knew that dealing with a Labour government, whose return to power seemed a serious possibil-ity then, would be a major headache. Meanwhile, nearly 130 Indian community organisations in Britain sent strong mes-sages of protests to the Labour Party, and as the elections approached, the diaspora seemed ready to shed its traditional prefer-ence for Labour.

Boris Johnson, who was locked in a do-or-die political battle, grabbed the opportu-nity to tap into the Indian diaspora’s resent-ment against Labour. He devoted some quality time for a temple-run during the campaign to reassure the Indian diaspora that the Conservative government will be mindful of its concerns.

Whether or not the Indian diaspora made a decisive difference to the overall electoral outcome in favour of Johnson, there is no doubt that Labour’s Kashmir policy helped unite the Indian community in Britain. At nearly 1.4 million, the Indian dia-spora in Britain is one of the largest and its contributions to civic life — economic, polit-ical and social — have steadily grown over the decades. But, it is only now that it is emerging as an assertive force.

While the Indian diaspora might have tasted the first political fruits of its assertion, and though Delhi is pleased at the outcome of the election, the problem of British in-volvement in Kashmir and other India-Pakistan issues is unlikely to disappear any time soon. Three problems stand out.

First, whether it wants or not, India is be-ing sucked into an unfortunate competition with Pakistan in diaspora mobilisation in the United Kingdom and beyond. This is not very different from the recent developments in the US, where Pakistan has stepped up the effort to direct its diaspora against India’s Kashmir policy. Pakistan may have every rea-

son to extend and deepen its sphere of con-testation with India into the domestic poli-tics of the Anglo-Saxon world, where the South Asian diaspora is in large numbers, and more broadly in the West. While Delhi needs to fend off Pakistan’s tactics, it should avoid the danger of turning this competition with Pakistan as the central preoccupation in deal-ing with the West and its domestic opinion.

Second, while the Indian diaspora out-numbers the Pakistani diaspora, Delhi may find it increasingly hard to cope with the larger alliances that are beginning to coa-lesce and question India’s current domestic policies. The new coalitions bind the Pakistani diaspora with the broader com-munities of Muslim organisations and hu-man rights groups. Delhi will also need to reassure a lot of friendly constituencies in the West that are concerned about the na-ture of recent developments in India.

Third, and more specifically, India has dealt with the British problem on the Kashmir question for decades now under different governments, both Labour and Conservative. It generally had bigger prob-lems with Labour governments. One might recall, in the first term of Prime Minister Tony Blair, Foreign Secretary Robin Cook’s inter-ventionist policy on Kashmir wrecked Queen Elizabeth’s visit to India in 1997 to celebrate the 50th anniversary of Independence. Conservative prime min-isters before Johnson, most notably David Cameron, sought to move Britain decisively away from Labour’s tilt towards Pakistan on Kashmir. But it has been a lot harder to change the attitudes of the British establish-ment or the “deep state”.

It is useful to remember that Delhi’s most recent political spat with London was under the Conservative government of Boris Johnson. It was over the British role in the United Nations Security Council discussions that followed Delhi’s decision to alter the constitutional status of Jammu and Kashmir in August. The scrap certainly ended in Delhi’s favour, but the structural problem certainly endures.

Delhi must surely pay attention to and manage the tactical shifts in the British es-tablishment’s attitude to Kashmir and other bilateral issues between Delhi and Islamabad. It must also recognise, however, that Britain, like so many other countries, has its own interests in Pakistan and faces pressures to respond to them.

In the end, mobilising the diaspora can only be a small part of India’s strategy in get-ting Britain to change its approach towards its issues with Pakistan. If India’s economy is nearly 10 times larger than that of Pakistan and there is a much larger swathe of shared interests between Delhi and London, then there surely are other ways of persuading the British establishment to rethink its stance on India.

To get there, Delhi must now focus on the new possibilities with Britain presented by Boris Johnson’s victory. For Delhi, this can’t be about a tactical play on Kashmir with Britain; nor should it be about Boris Johnson’s personal commitment to improv-ing relations with India. For India, the ques-tion is about taking full advantage of the his-toric shift in Britain’s international orientation — economic and political — that is about to unfold.

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



D RAJA

An attack on the Republic

Those who care for democracy, freedom, secularism and equality must resist CAA

AFTER A CHARGED debate, the Constituent Assembly settled for a “jus soli” approach to citizenship. The first Home Minister of India and a key contributor to the debates, Sardar Patel, while arguing for a broad based, non-discriminatory criterion for citizenship, said “There are two ideas about nationality in the modern world, one is broad-based national-ity and the other is narrow nationality. It is not right for us to take a narrow view.” Even after being witness to the horrors of Partition, the framers of our Constitution did not budge in favour of religion-based criteria. After the Constitution was enacted, Patel again ap-preciated the framers for adopting an “enlight-ened modern civilised” approach to citizen-ship while stating the ethnicity-based citizenship as outdated. Unfortunately, the duo from Gujarat who swear by Patel is de-stroying the vision of the Constitution.

The principle of equality before law, irre-spective of one’s religion, race, sexuality and gender, is a necessary precondition for the functioning of a just society. Making religion a criterion for offering citizenship and ex-cluding one religion from it is an insult to the legacy of this country’s freedom struggle, a fraud on our constitution and most impor-tantly, a nefarious attempt to institutionally

otherise Muslims and plunge them into pre-carity and fear. Many have opposed the Citizenship (Amendment) Act, 2019 (CAA) on the basis of this criterion. This Act, along with many other previous decisions of the central government, is part of a larger design of the RSS-BJP combine to make India a Hindu-Rashtra. It should be pointed out re-peatedly, that every freedom fighter, from Maulana Hasrat Muhani to Subhas Chandra Bose, from Bhagat Singh to Chandrashekar Azad, made sacrifices and devoted their lives for the cause of a secular democratic India, not for Hindu-Rashtra.

By discriminating between migrants on the basis on their religious affiliation, the CAA divorces India from its rich humanitarian tra-dition of giving shelter to whoever is perse-cuted. The choice of three countries — Afghanistan, Bangladesh and Pakistan -is ar-bitrary. If the central government is really con-cerned about persecuted minorities, then why not extend this gesture for the Tamils from Sri Lanka and Rohingya from Myanmar? Similarly, Hazaras in Afghanistan, and Ahmadiyyas, Shias and Balochs in Pakistan are being persecuted. Atheists are regularly targeted in many theocratic countries. The Act will only distort India’s humanitarian cre-

dentials. The CAA is drawing flack interna-tionally already, including from the UN.

Persecution due to following a certain sect is not the only reason of migration. A growing concern worldwide is about climate refugees. The greed of capitalism and the ten-dency to over-produce has depleted the nat-ural resources of many regions in the world, forcing people to migrate. Unlike the RSS-BJP combine, nature and poverty do not discrim-inate. The CAA is silent on this vital issue.

The CAA is in complete violation of Article 14, as our Constitution specifically prohibits any kind of discrimination on the basis of re-ligion. At the founding of the republic, the question of religious minorities was among the more sensitive ones. Many in the Constituent Assembly wanted to wait and see how Pakistan decides to treat its min-orities before making a decision on minorities in India. When this issue of relative rights to minorities came up, B R Ambedkar vehe-mently rejected it saying “I must deprecate any such idea. Rights of minorities should be absolute rights.” He added further “If we find that certain minorities in which we are in-terested and which are within the jurisdic-tion of another State have not got the same rights which we have given to minorities in

our territory, it would be open, for the State to take up the matter in a diplomatic man-ner... But no matter what others do, I think we ought to do what is right in our own judgement.”. This distinction between India and Pakistan has served India. But the CAA, coupled with the home minister’s claim that there will be a nationwide NRC, breaches this commitment to minorities irreparably.

The current government’s violent Brahmanical ideology is attacking the very foundation of our democracy. The economy is in the doldrums with mass unemployment and inflation making lives miserable for ordi-nary people. From Kashmir to Assam, reports of civil unrest and violence are common and the indifference of the government is on dis-play. It is high time that all sections of society who care for democracy, freedom, secularism and equality come together to resist this as-sault on the idea of a humane, pluralist and egalitarian India. We must oppose and rise against the CAA and NRC. As a country, we should not be left with the guilt the Germans had after they supported the execution of state-sponsored hate and Nuremberg Laws.

The writer is General Secretary, Communist Party of India

LETTERS TO THE EDITOR

DIVISIVE LAW

THIS REFERS TO the editorial, ‘At great cost’ (IE, December 16). The decisions on Article 370, NRC and now the Citizenship Amendment Bill go against the promise made by Prime Minister Narendra Modi in his Independence Address in 2014. The PM had talked of a 10-year moratorium on caste and communal issues so as to focus more on “vikas”. The CAB has pitted citizens against citizens. In the process, it has also tagged Pakistan, Bangladesh and Afghanistan as countries that are inher-ently inimical to non-Muslims. It is bound to have repercussions on inter-national relations.

L R Murmu, Delhi

REVAMP HEALTHCARE

THIS REFERS TO the editorial, ‘Band aid’ (IE, December 16). It is the responsibil-ity of the government to ensure that life saving drugs are accessible, affordable and available. Merely launching flag-ship programmes will not serve the purpose. The public healthcare system warrants revamping. R&D is seen as a white elephant and companies are cut-ting corners. Let these companies also invest in R&D. The booming start up sector needs to come forward.

Deepak Singhal, Chennai

LETTER OF THE WEEK AWARD

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

TOP DOWN NEEDED

THIS REFERS TO the article, ‘Realisation, not reform’ (IE, December 16). The writer has argued that changes should not be foisted on the Muslim commu-nity from above. However, that is ex-actly what the Supreme Court does in thw normal course. Had the Muslim community acted against the discrim-inatory triple talaq practice on its own, the SC wouldn’t have had to step in. If the change does not come from within, the law should take its course.

Chinmay Jain, Delhi



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If there are questions of current or contemporary relevance that you would like explained, please write to explained@indianexpress.com

TELLING NUMBERS

Recent incidence of breast and cervical cancer in India

THE ESTIMATED incidence of breast cancer in India rose 6% from 1.42 lakh in 2016 to 1.51 lakh in 2017, and another 6% to 1.6 lakh in 2018, the government informed Lok Sabha last week. Over the same three years, the estimated number of cases of cervical cancer increased from 99,000 to 1 lakh to 1.01 lakh, the government said, quoting data from the National Cancer Registry Program of the Indian Council of Medical Research (ICMR).

MOST CASES OF BREAST CANCER			
State	2016	2017	2018
Uttar Pradesh	21,376	22,737	24,181
Maharashtra	14,726	15,522	16,358
West Bengal	10,902	11,550	12,234
Tamil Nadu	9,486	9,870	10,269
Madhya Pradesh	8,334	8,858	9,414
Karnataka	8,029	8,527	9,055
Gujarat	8,001	8,504	9,039
Rajasthan	7,536	7,996	8,483
Kerala	5,682	6,189	6,748
Andhra Pradesh	5,901	6,251	6,620
TOTAL	1,42,283	1,50,842	1,59,924

MOST CASES OF CERVICAL CANCER			
State	2016	2017	2018
Uttar Pradesh	17,156	17,420	17,687
Bihar	9,454	9,638	9,824
Maharashtra	8,741	8,811	8,882
West Bengal	7,450	7,509	7,568
Madhya Pradesh	6,222	6,322	6,423
Rajasthan	5,791	5,861	5,933
Tamil Nadu	5,452	5,443	5,432
Karnataka	5,020	5,074	5,130
Gujarat	4,810	4,868	4,928
Andhra Pradesh	4,124	4,149	4,173
TOTAL	99,099	1,00,306	1,01,536

Note: Figures are for the top 10 states in 2018 only, with corresponding figures for 2017 and 2016. However, totals of all three years are for all states and Union Territories. Projected cases were computed using projected incidence rates and the population (person-years). Source: Government response to Lok Sabha question on December 13, quoting data from the National Cancer Registry Program of ICMR.

TIP FOR READING LIST

THE SCHOLARLY CONFESSIONS OF A PROFESSIONAL GLUTTON

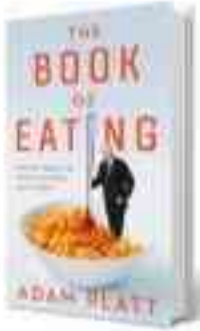
MANY PEOPLE envy food critics — they get to eat out all the time, while the rest of us have to be content with posting reviews on food ordering apps. Some of the more influential reviewers in the West try to be anonymous so as to give their readers an idea of what a restaurant is likely to really serve up to the ordinary punter.

But what is it like to be someone who eats — and writes about it — for a living? A part of the answer has now come from Adam Platt, food reviewer for the *New York* magazine since 2000, in his memoir published last month, *The Book of Eating: Adventures in Professional Gluttony*. It's a book that food lovers in general and food reviewers who aren't paid for their efforts would enjoy — Platt, as the review of the book in *The New York Times* says, "does not pretend... to be a super-foodie", and manages to serve good stories "because he doesn't

over-batter them".

Among the things that being a professional glutton does to Platt's body, as listed by *The NYT* are: "He gets gout. He gobbles 'horse-pill-sized tablets of antacid'. He begins to wear the kind of 'expandable webbed leather belt favoured by rotund country club golfers, which grew and shrank with the size of one's trousers'. He worries about hitting 300 pounds..."

Among the other occupational hazards that Platt recounts are eating the engorged sperm sac of the potentially poisonous fugu fish, which led to a tingling tongue and fears that he was dying. "He gets 'pork bloat'. At one meal someone accidentally spits a speck of gristle into his eye and his vision is blurred for weeks. He's often absent at night, and his wife works to maintain a semblance of regularity in their daughters' lives."



KARISHMA MEHROTRA

NEW DELHI, DECEMBER 16

ON MONDAY, the Software Freedom Law Center (SFLC), the global tracker for Internet shutdowns, was inundated with messages of shutdowns across the country — a frequently recurring phenomenon in India over the past several years.

The world's fastest growing Internet market is also the global leader by far in cutting off access to small and large sections of its population. It is now commonplace during moments of tension for law enforcement and government officials to cut off the Internet as both an early and a preventive response — as much to stymie communication between restive groups to prevent them organising, as to block the spread of rumours and fake news.

The Department of Telecommunications does not maintain data on shutdowns ordered by states — this has been the government's stock response to questions in Parliament on the number of Internet shutdowns. SFLC, which gets most of its data from national and regional newspapers, cautions that "our data is as reliable as the sources it comes from"; however these data are virtually the only ones available on Internet shutdowns, and are referred to widely.

The economic cost to shutdowns is immense: Over the past five years, some 16,000 hours of Internet shutdowns cost the economy a little over \$3 billion, according to estimates in a report by the Indian Council for Research on International Economic Relations (ICRIER).

SFLC also found frequent shutdowns in Pakistan, Bangladesh, Myanmar, Egypt, Congo, Syria, Sudan, Burundi, Iraq, and Venezuela.

Major events in 2019

CITIZENSHIP ACT: On Sunday, as protests against the Citizenship Amendment Act raged in West Bengal, Internet services were stopped in the state's North Dinajpur, Malda, Murshidabad, Howrah, North 24-Parganas and parts of South 24-Parganas dis-

tricts. In previous days, shutdowns had been enforced in several districts of Uttar Pradesh and in the Northeastern states.

While there were shutdowns in the Northeast at the beginning of the year as well (when the passage of the Citizenship Amendment Bill by the previous Lok Sabha triggered unrest), the first shutdown in the current phase was reported to the SLFC on December 10 — in Arunachal Pradesh and Tripura — the day after Lok Sabha passed the Bill.

In Assam, services were suspended on December 11, when Rajya Sabha too, cleared the Bill, and continued on December 12.

The same day, Meghalaya suspended services for 48 hours because, according to an official memo, "messaging systems like SMS and Whatsapp and social media platforms like Facebook, Twitter, and YouTube are likely to be used for the transmission of information through pictures, videos and text that have the potential to cause civil unrest and exacerbate the law and order situation".

On December 13, protests in Aligarh prompted a shutdown, and on Sunday in Meerut for "law and order maintenance". Access to the Internet was cut off in Saharanpur on both Sunday and Monday, officials said.

Ahead of a planned protest by students in Aligarh Muslim University on Sunday, the administration acted again to prevent the "spreading of rumours and misinformation using social media platforms... which can hinder peace and law and order".

AYODHYA VERDICT: The current sweeping shutdowns come after access to the Internet was cut off as a preventive measure in several states last month ahead of the Supreme Court's Ayodhya verdict, when there were apprehensions of tension and violence. Rajasthan and Uttar Pradesh saw the largest numbers of suspensions of Internet services.

JAMMU & KASHMIR: Monday marked the 134th day of the continuing shutdown in Jammu and Kashmir, which began on August 5, the day the erstwhile state was



stripped of its special status under Article 370 of the Constitution. This is the longest ever continuous Internet shutdown in the country. Jammu and Kashmir had earlier experienced a 133-day shutdown between July 8 and November 19, 2016; Darjeeling went 100 days without access to the Internet between June 8 and September 25, 2017.

States with most shutdowns

The most active 'shutdown states', by frequency of shutdowns, have been as follows:

JAMMU & KASHMIR: The erstwhile state has seen 180 Internet shutdowns since 2012, according to SFLC. The most commonly offered reasons for cutting access have been "encounter between security forces and militants", "massive search operations", "gun-fights", and "attack on CRPF men". A case to have the Internet restored in the region is currently ongoing in the Supreme Court.

The Internet was suspended around the death anniversary of the slain Hizbul Mujahideen commander Burhan Wani, and on Independence Day 2017, Republic Day 2016, and Eid 2015. The visit of Prime Minister

Narendra Modi in February also triggered a shutdown.

RAJASTHAN: The state has had 67 shutdowns since 2015, from hyper-local ones to those extending to districts or specific areas. Several have been "preventative measures after communal tensions broke out" or "to prevent the spread of rumours". On August 13, "mobile Internet services were snapped... in 10 police station areas in Jaipur... to prevent rumours as tense situation prevailed after a minor scuffle broke out between two communities".

Rajasthan has also seen shutdowns in order to prevent cheating in examinations — it happened for two days in most districts from July 14, 2018 during examinations to recruit constables; and in Bikaner, Sikar, and Karauli districts during the REET exam on February 11, 2018.

Some districts have enforced shutdowns

FACT CHECK, GROUND REALITY

Does the 'OK' now signify 'white power'?

an investigation to determine whether some young cadets and junior naval officers who were seen making the sign during a football match between the Army and Navy on Saturday were trying to convey a racist message.

The origin of the sign

A connection has long been made between the gesture and "OK", the Americanism for approval, agreement, or assent that went into currency in the 19th century. Some believe it started with a humorous piece that the journalist Charles Gordon Greene wrote in 1839 in *The Boston Morning Post*, a newspaper that he founded, using "OK" as an abbreviation for "Oll Korrekt" ('all correct', misspelled). People started to make the gesture, seen as vaguely resembling an 'O' and 'K'.

Connection to 'White power'

According to a report in *The New York Times*, it started in early 2017 when some users on the anonymous online message board 4chan began "Operation O-KKK" — to see if they could lead American liberals and the mainstream media to believe that the gesture was actually a secret symbol of White power.

"We must flood Twitter and other social media websites with spam, claiming that the OK hand signal is a symbol of white su-



A masked man makes a hand signal that signifies "white power" at a White supremacist rally in the US in July this year. Dave Sanders/The NYT

premacyp," one of the users posted, according to *The NYT* report. The prankster suggested that everyone should create fake social media accounts with "basic white girl names" to spread the notion wide.

Soon, however, the 4chan hoax ceased to be one: Neo-Nazis, Ku Klux Klansmen, and assorted White supremacists began to use the gesture in public to signal their presence and to spot potential sympathisers and re-

cruits. "For them, the letters formed by the hand were not O and K, but W and P, for 'White Power'," *The NYT* report said.

As the popularity of the gesture grew, it added on more symbols — the Southern Poverty Law Center, an American nonprofit legal advocacy that is focussed on civil rights and public interest litigation especially against White supremacist groups, has identified memes featuring the alt-right mascot Pepe the Frog (*in picture left*), among others.

Users of the gesture

Other than random White supremacists, American media reports have named several high-profile far right figures as having flashed the sign openly in public. These include Milo Yiannopolous, the British provocateur who was once an editor for Breitbart News, and Richard B Spencer, a promoter of the 2017 White Power rally in Charlottesville, Virginia.

In 2018, Roger Stone, a veteran lobbyist and friend of President Donald Trump's, was photographed showing the sign along with a gang of White supremacists. The Anti-Defamation League said the gesture had graduated to a "sincere expression of white supremacy" after the Christchurch mosques terrorist Brenton Tarrant was seen showing the sign at a court hearing in March this year.

Destruction of public property: what law says, what top court directed

APURVA VISHWANATH

NEW DELHI, DECEMBER 16

WHILE AGREEING to hear petitions on alleged police excesses on students in Jamia Millia Islamia and Aligarh Muslim University, a Supreme Court Bench headed by Chief Justice of India S A Bobde on Monday expressed displeasure over rioting and destruction of public property. The CJ said the protesters were free to take to the streets, but if they did, they would not be heard by the court.

Despite a law against the destruction of property, incidents of rioting, vandalism, and arson have been common during protests across the country.

What the law says

The Prevention of Damage to Public Property Act, 1984 punishes anyone "who commits mischief by doing any act in respect of any public property" with a jail term of up to five years and a fine or both. Provisions of this law can be coupled with those under the Indian Penal Code.

Public property under this Act includes "any building, installation or other property used in connection with the production, distribution or supply of water, light, power or energy; any oil installation; any sewage works; any mine or factory; any means of public transportation or of telecommunications, or any building, installation or other property used in connection therewith".

However, the Supreme Court has on several earlier occasions found the law inadequate, and has attempted to fill the gaps through guidelines.

In 2007, the court took *suo motu* cognizance of "various instances where there was large scale destruction of public and private properties in the name of agitations, bandhs, hartals and the like", and set up two Committees headed by former apex court judge Justice KT Thomas and senior advocate Fali Nariman to suggest changes to the law.

In 2009, in the case of *In Re: Destruction of Public & Private Properties v State of AP and Ors*, the Supreme Court issued guidelines based on the recommendations of the two expert Committees.



Vehicles were set on fire in Delhi on Sunday. Gajendra Yadav

What the SC said

The Thomas Committee recommended reversing the burden of proof against protesters. Accepting the suggestion, the court said that the prosecution should be required to prove that public property had been damaged in direct action called by an organisation, and that the accused also participated in such direct action.

"From that stage the burden can be shifted to the accused to prove his innocence," the court said. It added that the law must be amended to give the court the power to draw a presumption that the accused is guilty of destroying public property, and it would then be open to the accused to rebut such presumption.

Such a reversal of the burden of proof is

applicable in cases of sexual violence, among others. Generally, the law presumes that the accused is innocent until the prosecution proves its case.

The Nariman Committee's recommendations dealt with extracting damages for destruction. Accepting the recommendations, the court said the rioters would be made strictly liable for the damage, and compensation would be collected to "make good" the damage.

"Where persons, whether jointly or otherwise, are part of a protest which turns violent, results in damage to private or public property, the persons who have caused the damage, or were part of the protest or who have organized it will be deemed to be strictly liable for the damage so caused, which may be assessed by the ordinary courts or by any special procedure created to enforce the right," the court said.

Apart from holding rioters liable and imposing costs, the court also issued guidelines including directing High Courts to order *suo motu* action, and to set up a machinery to investigate the damage caused and award

compensation wherever mass destruction to property takes place due to protests.

Impact of guidelines

Like the law, the guidelines too, have had a limited impact. This is because the identification of protesters remains difficult, especially in cases where there is no leader who gave the call to protest.

Following the Patidar agitation in 2015, Hardik Patel was charged with sedition for inciting violence that led to loss of life and property; however, Patel's lawyers argued in Supreme Court that since there was no evidence that he had called for violence, he could not be held liable for loss of property.

In 2017, a petitioner who claimed he was forced to spend more than 12 hours on the road on account of an ongoing agitation, moved the Supreme Court seeking implementation of the 2009 guidelines. In its verdict in *Koshy Jacob vs Union Of India*, the court reiterated that the law needed to be updated — but it did not grant the petitioner any compensation since the organisers of the protest were not before the court.



बिज़नेस स्टैंडर्ड

वर्ष 12 अंक 258

नई दिल्ली का पुनर्निर्माण

केंद्र सरकार मध्य दिल्ली के व्यापक पुनर्निर्माण की जिस योजना पर काम कर रही हैं उस पर पर्याप्त ध्यान नहीं दिया जा रहा हैं। यह वह इलाका है जहां सरकार के कार्यालय और ऐतिहासिक महत्त्व वाला केंद्रीय सचिवालय तथा संसद भवन स्थित हैं। योजना की कुछ सरसरी जानकारी है: उदाहरण के लिए राजपथ पर इंडिया गेट और विजय चौक के दोनों ओर

स्थित समाजवादी दौर की इमारतों को तोड़ा जा सकता है या उनका पुनर्निर्माण किया जाएगा। यह भी संभव है कि मौजूदा संसद और केंद्रीय सचिवालय समेत अंग्रेजी युग की कुछ इमारतों को संग्रहालय बना दिया जाए और वहां होने वाले कामकाज नये भवनों में हों। परंतु कुल मिलाकर इस पुनर्निर्माण के दायरे और इससे जुड़ी बातों को अनावश्यक

रूप से अस्पष्ट रखा जा रहा है। एक बात जो पता है वह यह कि इसके डिजाइन में ‘नये भारत के मूल्यों और आकांक्षाओं का प्रतिनिधित्व’ होना चाहिए और इसमें ‘भारतीय संस्कृति और सामाजिक परिवेश’ समाहित होना चाहिए। ये बातें भी अस्पष्ट सी हैं। नई इमारतों की जीवनावधि भी पहले 150 और उसके बाद 250 वर्ष बताई गई।

अक्टूबर में कई फर्माों ने इस परियोजना के लिए निविदा प्रस्तुत की। इसकी लागत ज्ञात नहीं है लेकिन अनुमान है कि यह राशि 12,000 करोड़ रुपये से 25,000 करोड़ रुपये के बीच हो सकती है। यह बोली एचसीपी डिजाइन, प्लानिंग एंड मैनेजमेंट कंपनी को हासिल हुई। अहमदाबाद की यह कंपनी साबरमती रिवर फ्रंट के विकास कार्य से जुड़ी रही है। यह

वही परियोजना है जिसका जिक्र तत्कालीन मुख्यमंत्री रहे मौजूदा प्रधानमंत्री नरेंद्र मोदी अक्सर किया करते थे। यह भी ज्ञात नहीं है कि इसका चयन कैसे किया गया और इसके मानक क्या थे ? इस डिजाइन में मौजूदा केंद्रीय सचिवालय और राष्ट्रपति भवन के बीच प्रधानमंत्री के लिए एक विशाल नया आवास बनाना शामिल है। यह बहुत दुर्भाग्यपूर्ण है और उस संवैधानिक मान्यता के प्रतिकूल है जिसके तहत प्रधानमंत्री को कैबिनेट के समकक्षों में प्रथम माना जाता है। इंडिया गेट के षटकोणीय इलाके में स्थित ऐतिहासिक आवासों का क्या होगा यह अभी स्पष्ट नहीं है क्योंकि एचसीपी की बोली के बारे में सार्वजनिक रूप से उपलब्ध जानकारी बताती है कि इनमें से कुछ आवास सचिवालय के

सहायक कार्यालय बनेंगे। अनुमान है कि यह पुनर्निर्माण कार्य 2024 तक पूरा हो जाएगा। संयोग की बात है कि लगभग उसी समय देश में अगले आम चुनाव होंगे।

इस परियोजना पर कड़ी निगरानी रखने की आवश्यकता है। यदि इसे सदियों तक बरकरार रखने लायक बनाना है तो ऐसा नहीं हो सकता कि इसके डिजाइन को गोपनीय रखा जाए और पांच साल से कम वर्ष में इसका निर्माण कर लिया जाए। इस बोली के बारे में वास्तुविदों, संरक्षणवादियों और विरासत के विशेषज्ञों की क्या राय रही ? इन मशविरोों को सार्वजनिक क्यों नहीं किया गया ? भारतीय गणराज्य का सर्वाधिक पवित्र सार्वजनिक स्थल होने के बावजूद इसके बदलाव की योजना पर राष्ट्रीय बहस क्यों नहीं हुई ? शहरी विकास

मंत्री हरदोय पुरी यदि नहीं चाहते कि आने वाले दशकों में उनके कार्यकाल को हड़बड़ी में किए गए इस विकास कार्य के लिए जाना जाए तो उन्हें पारदर्शिता और मशविरा बढ़ाना चाहिए। सबसे आम बात, इस पुर्नर्निर्माण कार्य के अन्य प्रभावों पर गौर किया जाना चाहिए। उदाहरण के लिए माना जा रहा है कि नई संसद में ज्यादा लोक सभा सदस्यों की बैठक व्यवस्था होगी। क्या कुछ वर्ष बाद होने वाले परिसीमन के बाद हिंदी प्रदेशों के सांसदों की तादाद बढ़ सकती है जबकि आबादी पर नियंत्रण रखने वाले अन्य राज्यों में उतने ही सांसद रहेंगे ? यह सवाल पूछा जाना चाहिए कि क्या इस बदलाव को लेकर इतनी गोपनीयता बरते जाने की यह भी एक वजह है ?



अजय मोहंती

देश की अर्थव्यवस्था का पतन हो रहा है ?

क्या देश की अर्थव्यवस्था में तेजी से गिरावट आ रही है और क्या इसे उबारने के लिए हमें नये तौर तरीके अपनाने होंगे ? इन सवालों के जवाब दे रहे हैं अजित बालकृष्णन

कोई भी समाचार पत्र या वेबसाइट खोलकर देखिए, बुरी खबरों का सिलसिला शुरू हो जाएगा। ऐसा लगता है जैसे एक के बाद एक उद्योग धंधे धराशायी हो रहे हैं। यात्री कार निर्माता, दूरसंचार सेवा प्रदाता, विमानन कंपनियां, छोटे कारोबारों को कर्ज देने वाले बैंक, अचल संपत्ति कारोबारी, विनिर्माण कंपनियां, टेलीविजन प्रसारक और सूचना प्रौद्योगिकी क्षेत्र की बड़ी निर्यातक कंपनियां तक संकट का सामना कर रही हैं। खबरों की सुख्बियां देखें तो लगता है कि अर्थव्यवस्था के तमाम संकेतक नकारात्मक दिशा में बढ़ रहे हैं। फिर चाहे सकल घरेलू उत्पाद हो, रोजगार दर हो या डॉलर के मुकाबले रुपया हो।

लेखक और स्तंभकार अपने राजनीतिक झुकाव के आधार पर यह तय करते हैं कि इस गिरावट के लिए किसे उत्तरदायी ठहराना है: भ्रष्ट कारोबारियों को, मोदी सरकार बिना सोचे विचारे उठाए गए आधुनिकीकृत कदमों मसलन नोटबंदी, वस्तु एवं सेवा कर (जीएसटी) और इलेक्ट्रिक कार पर जोर देने को या हताश वित्त मंत्री द्वारा देश के कारोबारियों पर अकल्पनीय रूप से गलत कर लगाने को, दुनिया पर दबदबा कायम

करने की चीन की महत्वाकांक्षा को या डॉनल्ड ट्रंप और अमेरिका के नये संरक्षणवादी रुख को।

इस हताश करने वाले माहौल के लिए जो हल सुझाए जा रहे हैं वे इस प्रकार हैं: बैंक ब्याज दरों में कमी करना, मुद्रास्फीति में कमी लाना और घाटे में चल रहे सरकारी उपक्रमों को बेचना। ये सारे उपाय सन 1960 के दशक के लता मंगेशकर तथा मोहम्मद रफ़ी द्वारा गाये युगल गीत की याद दिलाते हैं।

यहां हमें रुककर इस बात पर विचार करना होगा कि क्या इन गिरावट वाले रझानों में कहीं कोई अंत:संबंध हैं।

क्या कार पार्किंग की जगह की कमी और शहरों में अत्यधिक भीड़भाड़ वाले मार्गों की वजह से बड़ी तादाद में लोगों ने कार खरीदना कम कर दिया है ? क्या इसकी वजह से कारों की बिक्री में कमी आ रही है और कार निर्माता तथा उनके कलपुर्जों का उत्पादन करने वाली कंपनियां उत्पादन कम कर रही हैं और लोगों को काम से हटा रही हैं ? क्या इसकी वजह से ही कार डीलरों, पेट्रोल पंप, मरम्मत करने वालों और कार के लिए ऋण देने वाली कंपनियों का कामकाज प्रभावित हो रहा है। क्या इन

तमाम वजहों से देश में ऋण का प्रमुख माध्यम मानी जाने वाली गैर बैंकिंग वित्तीय कंपनियों की हालत इतनी खस्ता है और पूरे देश में कारोबार लड़खड़ाया हुआ है ? यदि यह आंशिक रूप से भी सच है तो क्या हॉम नेटवर्क इकनॉमिक्स के उपकरणों का इस्तेमाल करके यह पता लगाने का प्रयास करना चाहिए कि समस्या की जड़ें दरअसल कहां निहित हैं ? या फिर क्या संभव है कि मांग और रोजगार की अगली तेजी सेवा क्षेत्र में आएगी ? क्या नई तकनीक चिकित्सकों, विधिक शुल्क, बीमा आदि की कीमतों में इतनी कमी लाएगी कि वह शायद मौजूदा मूल्य के 10वें हिस्से के बराबर हो जाए ? उदाहरण के लिए क्या किसी सामान्य चिकित्सक के पास आम चिकित्सा जांच 10 रुपये में कराई जा सकती है जिसके लिए आज 600 रुपये खर्च करने पड़ते हैं। और क्या किसी रिक्शा चालक के पूरे परिवार के लिए संपूर्ण चिकित्सा बीमा बिना किसी सरकारी सब्सिडी के 100 रुपये वार्षिक की दर पर हासिल किया जा सकता है।

तकनीक में यह क्षमता है कि वह इन सेवाओं की मांग में कई गुना इजाफा कर सके। जैसा कि जेम्स बेसेन ने जनवरी 2018

वक्त आ गया है कि वह नई औद्योगिक नीति तैयार करे जो पूरी तरह सरकारी या निजी के बजाय बीच का कोई समझदारी भरा रास्ता अपनाए। फ़्रेड ब्लॉक का 2008 का पर्चा स्विमिंग ऑगस्ट द कंरेंट: द राइज ऑफ द हिडेन डेवलपमेंट स्ट्रेट इन द यूनाइटेड स्टेट्स में इस बारे में बात करता है और कहता है कि हमें आर्थिक नीति के लिए ऐसा एजेंडा बनाना होगा जो बीच का समझदारी भरा रास्ता अपनाए। औद्योगिक नीति में बदलाव को इस आवश्यकता को अतीत के उन दिनों को वापस लाने की बात नहीं समझा जाना चाहिए जब अर्थव्यवस्था पर राज्य का दबदबा था। बल्कि कहने का अर्थ यह है कि तेज तकनीकी बदलाव एक हकीकत है और कारोबारी अर्थव्यवस्था में इस बदलाव को बढ़ावा देने में सरकार की अहम भूमिका होनी चाहिए। जैसा कि ब्लॉक कहते हैं इसके लिए ऐसी औद्योगिक नीति चाहिए जहां सरकारी अधिकारी तकनीकविदों से मशविरा करें और तकनीकी चुनौतियों का पता लगाएं। इसका निस्तारण पूरी तरह नए उद्योगों को सामने लाएगा।

ब्याज दरों के साथ छेड़छाड़, मुद्रास्फीति को निशाना बनाने या सब्सिडी से कोई कोई सहायता नहीं मिलने वाली। संयुक्त राष्ट्र पर्यावरण कार्यक्रम की उत्सर्जन अंतराल रिपोर्ट 2019 में कहा गया है कि अगर सभी देश एनडीसी में दर्ज कदमों पर चलते हैं तो वर्ष 2100 तक वैश्विक तापमान में 3.2 डिग्री सेल्सियस की वृद्धि हो जाएगी। इतना ही नहीं, देश खासकर कार्बन बजट का बेजा इस्तेमाल कर चुके अमीर देश उतना भी नहीं कर रहे हैं जिनके लिए वे हामी भर चुके हैं। मसलन, जर्मनी स्थित संगठन

जलवायु परिवर्तन की दर दुरुस्त करने की पहल

जलवायु परिवर्तन पर चर्चा का एक और दौर मैड्रिड में संपन्न हुआ है। कॉन्फ्रेंस ऑफ पाटीज (सीओपी–25) कुछ मामलों में अलग है। इस बार लगभग आम–सहमति बनी है कि जलवायु परिवर्तन वास्तव में हो रहा है। अब हर कोई यह मानता है कि इस दिशा में काम करने का वक्त हो गया है। अब और हीलाहवाली नहीं चलेगी। तथ्य यह है कि मैड्रिड में कदमों को गलत ठहराने या नाममात्र एवं सस्ते कदम उठाने के तरीके तलाशने को लेकर नए खेल खेले गए। सीओपी–25 सम्मेलन में विश्वसनीय बाजार प्रणाली के विकास को लेकर काफी चर्चा हुई।देशों को कार्बन–तटस्थ या विशुद्ध रूप से शून्य–कार्बन वाला बनाने के लिए ऐसी बाजार प्रणालियां बेहद जरूरी हैं।

यह सब सुनने में काफी अच्छा और बड़ा लग रहा है। लेकिन कहते हैं न कि प्याले से मुंह तक पहुंचने में बहुत कुछ हो सकता है। जलवायु संबंधी वार्ताओं में मैंने यह पाया है कि अक्सर सराहनीय विचार पेचीदा बहसों तक ही सीमित होकर रह जाते हैं। असल में यह रोजमर्रा का काम है। इसका पता आपको तब चलता है जब गुबार थम चुका होता है। मसलन, वर्ष 2015 में पेरिस में संपन्न सीओपी–21 की घटनाओं को लीजिए। उस समय मनोदशा उत्साह से भरपूर थी क्योंकि एक नया समझौता हुआ और सभी देशों ने उत्सर्जन में कटौती संबंधी प्रतिबद्धता पर सहमति जताई थी। राष्ट्रीय स्तर पर निर्धारित अंशदान (एनडीसी) कहे जाने वाले इन लक्ष्यों के काफी चर्चा के बाद पहुंचा जा सका था। यह भी तय किया गया था कि एनडीसी का मकसद धरती का तापमान पूर्व–औद्योगिक काल से 1.5 डिग्री सेल्सियस वृद्धि के खतरनाक स्तर से नीचे ही रखना है। लेकिन अब पेरिस की ‘सफलाता’ के भेद खुल रहे हैं।

संयुक्त राष्ट्र पर्यावरण कार्यक्रम की उत्सर्जन अंतराल रिपोर्ट 2019 में कहा गया है कि अगर सभी देश एनडीसी में दर्ज कदमों पर चलते हैं तो वर्ष 2100 तक वैश्विक तापमान में 3.2 डिग्री सेल्सियस की वृद्धि हो जाएगी। इतना ही नहीं, देश खासकर कार्बन बजट का बेजा इस्तेमाल कर चुके अमीर देश उतना भी नहीं कर रहे हैं जिनके लिए वे हामी भर चुके हैं। मसलन, जर्मनी स्थित संगठन

यह भी एक तथ्य है कि अफ्रीका या एशिया के सुदूर गांवों में पेड़ लगाना यूरोप या जापान में पेड़ लगाने से कहीं अधिक सस्ता है। हमारी दुनिया में लोग भी उत्सर्जन कटौती के सस्ते विकल्प मौजूद हैं। लिहाजा बाजारों को इस तरह डिजाइन किया जा रहा है कि कार्बन धमक एवं क्रेडिट के लिए विकासशील देशों में निवेश किया जा सकता है। इन जलवायु परिदृश्यों में काम कर चुके हम जैसे अधिकतर लोगों के लिए ये शब्दावलियां जानी–पहचानी हैं।

वर्ष 1997 के क्योटो समझौते में क्लीन डेवलपमेंट मैकेनिज्म विकासशील देशों में तकनीकी संक्रमण के लिए भुगतान करने के ऐसे ही विचार से शुरू हुआ था लेकिन जल्द ही यह सस्ता एवं पेचीदा होते हुए भ्रष्ट विकास व्यवस्था में तब्दील होता चला गया। पेरिस समझौते के बाद इस बार सभी देशों को घरेलू स्तर पर उत्सर्जन कटौती करनी है। इसलिए अगर भारत अपना सस्ता उत्सर्जन कटौती विकल्प किसी अमीर देश को बेच देता है तो वह उस कटौती स्तर को कैसे हासिल कर पाएगा जिसकी जरूरत इस दुनिया को है ? याद रखें कि अमीर एवं गरीब दोनों के लिए ही यह एक बड़ा संकट है क्योंकि तापमान वृद्धि का असर सब पर एक जैसा होगा। सवाल है कि क्या किया जाना चाहिए ? शुद्ध–शून्य लक्ष्य तय करने में कोई बुराई नहीं है। लेकिन इसका उद्देश्य लोगों को घरेलू स्तर पर अधिक कदम उठाने के लिए प्रोत्साहित करना और फिर जो कुछ भी बचा हुआ है उसे वैश्विक लेनदेन प्रणालियों के जरिये खरीदने का होना चाहिए। लेकिन इसका मतलब कार्बन बिक्री पर एक आधार मूल्य तय करना है, इस दर से नीचे परियोजनाएं योग्य नहीं हो पाएंगी।

इसका यह मतलब होगा कि विकासशील देशों में केवल उन्हीं परियोजनाओं को फंड मिलेगा जो कायापलट करने वाली हैं। भारत जैसा देश अधिक स्वच्छ भविष्य की तरफ छलांग लगा सकता है। हम पहले प्रदूषण फैलाने और फिर उसकी साफ–सफाई से बच सकते हैं। हम इसी भविष्य की चाह रखते हैं। लेकिन ऐसा होने के लिए जलवायु समझौतों के शब्दों पर अमल करना होगा, केवल बात करने से काम नहीं चलेगा।

(लेखिका सेंटर फॉर साइंस एंड एनवायरनमेंट से संबद्ध हैं)

कानाफूसी

अल्पसंख्यकों की मदद

उत्तर प्रदेश में मुख्यमंत्री आदित्यनाथ की सरकार जम्मू कश्मीर तथा पूर्वोत्तर के उन छात्रों की सहायता के लिए कदम उठा रही है जो प्रदेश में पढ़ाई कर रहे हैं और जिन्हें अनुच्छेद 370 के कुछ प्रावधान हटाये जाने और नागरिकता अधिनियम पारित होने के बाद दिक्कतों का सामना करना पड़ रहा है। सितंबर 2019 में उन्होंने अपने आधिकारिक आवास पर जम्मू कश्मीर के करीब 80 छात्रों से मुलाकात की थी और मदद का आश्वासन दिया था। इस बैठक के बाद एक समिति का गठन किया गया था। अब राज्य के अल्पसंख्यक कल्याण विभाग ने राज्य भर से ऐसे छात्रों के नामांकन के आंकड़े जुटाने शुरू किए हैं ताकि उनकी मदद का खाका तैयार किया जा सके। सूत्रों के अनुसार इसमें वित्तीय मदद भी शामिल है।

अच्छा प्याज बनाम बुरा प्याज

तमिलनाडु के सहकारिता मंत्री सेल्लुर के राजू अक्सर अपने विचारों के लिए सोशल मीडिया पर ट्रोल के शिकार होते रहते हैं। मिसाल के तौर पर एक बार वह कह चुके हैं कि पानी को वाष्प बनने से रोकने के लिए जलाशयों को थर्मोकोल की शीट से ढक देना चाहिए। इन दिनों वह प्याज पर की गई टिप्पणियों के लिए फिर चर्चा में हैं। केंद्र सरकार ने प्याज की कमी से निपटने के लिए इजिप्ट से आयात करने का निर्णय लिया तो ऐसी खबरें आईं कि आयातित प्याज स्वाद में मीठा है और वह स्वास्थ्य के लिए भी नुकसानदेह है। राजू ने इन अफवाहों के खंडन के लिए संबाददाता सम्मेलन बुलाया। उन्होंने कहा कि आयातित प्याज में सल्फर की मात्रा अधिक है जो प्याज को तीखा बनाता है और हृदय के लिए भी बेहतर है। मुख्यमंत्री एडमण्डु पलनिस्वामी ने आयातित प्याज को काटा और लोगों के सामने चखने के बाद अधिकारियों से कहा कि वे इसे पत्रकारों को भी खिलाएं ताकि उन्हें सच्चाई पता लग सके। इसके बाद तो सोशल मीडिया पर मीम्स की बाढ़ ही आ गयी।



आपका पक्ष

नागरिकता संशोधन कानून का विरोध

देश के पूर्वोत्तर राज्य असम में नागरिकता संशोधन विधेयक का विरोध संसद से कानून बनने से पहले किया जाने लगा था। इस विधेयक के संसद से पारित होने तथा कानून बनने के बाद असम में विरोध प्रदर्शन हिंसात्मक हो गया। विरोध प्रदर्शन के दौरान सार्वजनिक संपत्तियों को जलाया गया। विरोध प्रदर्शन धीरे–धीरे अन्य राज्यों में फैलने लगा। नागरिकता संशोधन कानून में पाकिस्तान, बांग्लादेश और अफगानिस्तान से धार्मिक प्रताड़ना के शिकार हुए गैर मुस्लिम धर्म को भारत में नागरिकता देने का प्रावधान किया गया है। इस कानून का कथित बुद्धिजीवियों द्वारा विरोध करना समझ से परे है। ऐसा लगता है कि विपक्षी दल इस कानून का विरोध कर सरकार को घेरने की योजना बना रहे हैं। संसद में गृह मंत्री अमित शाह ने साफ तौर पर कहा कि भारत में रह रहे किसी भी धर्म के व्यक्ति को इस नए कानून से कोई नुकसान नहीं होने वाला



है। भारत में जो भी रह रहा है, चाहे वह किसी भी धर्म का हो, वह भारत का नागरिक है और आगे भी रहेगा। बहरहाल विरोध की आग दिल्ली में पहुंची और जामिया विश्वविद्यालय के छात्रों ने कई बसें जला दीं। विरोध प्रदर्शन में हिंसा का कोई स्थान नहीं होना चाहिए। विरोध की आड़ में हिंसा करने वाले अराजक तत्त्वों पर कड़ाई से

रविवार को प्रदर्शन के दौरान जामिया विश्वविद्यालय के पास डीटीसी बसों को जलाया गया

कार्रवाई करने की जरूरत है जिससे आम लोगों तथा सार्वजनिक संपत्ति को नुकसान होने से बचाया जा सके और शांति कायम की जा सके।

मोहित कुमार, नई दिल्ली

पाठक अपनी राय हमें इस पते पर भेज सकते हैं : संपादक, बिजनेस स्टैंडर्ड, 4, बहादुर शाह जफर मार्ग, नई दिल्ली - 110002. आप हमें ईमेल भी कर सकते हैं : lettershindl@bsmail.in पत्र/ईमेल में अपना डाक पता और टेलीफोन नंबर अवश्य लिखें।

राजेश कुमार चौहान, जालंधर



दैनिक जागरण

जीवन को सार्थक बनाना है तो पहले उसका उद्देश्य समझना होगा

खतरनाक राजनीति

यह अच्छा हुआ कि नागरिकता कानून को लेकर दिल्ली में बड़े पैमाने पर आगजनी और तोड़फोड़ करने वाले अराजक तत्वों के खिलाफ पुलिस की कार्रवाई के विरोध में सुप्रीम कोर्ट का दरवाजा खटखटाने वालों को खाली हाथ लौटना पड़ा। सुप्रीम कोर्ट ने हिंसा धमने पर ही मामले को सुनने की बात कह कर उन लोगों के मंसूखों पर पानी फेर दिया जिन्होंने पहले तो अराजक तत्वों को हिंसा के लिए उकसाया और फिर पुलिस की ज्यादाती का रोना रोया। वास्तव में यही काम कई विपक्षी दल भी कर रहे हैं। इसका सबसे बड़ा प्रमाण यह है कि वे पुलिस की कथित ज्यादाती का तो उल्लेख कर रहे हैं, लेकिन हिंसक तत्वों के खिलाफ एक शब्द भी कहने को तैयार नहीं। यह तब है जब अराजक तत्वों की हिंसा में करीब तीन दर्जन पुलिस कर्मी घायल हुए। प्रियंका गांधी का धरना हिंसक तत्वों की अराजकता से ध्यान बंटाने की कोशिश का ही हिस्सा अधिक जान पड़ता है। वैसे तो राजनीतिक दल पहले भी लोगों की भावनाओं से खेलकर अपना उल्लू सीधा करते रहे हैं, लेकिन नागरिकता कानून को लेकर उनकी ओर से जैसा दुष्प्रचार किया जा रहा है उसकी मिसाल मिलना मुश्किल है। सरकार की ओर से बार-बार यह स्पष्ट किया जा रहा है कि इस कानून का देश के नागरिकों से कोई लेना-देना नहीं, फिर भी कई राजनीतिक दल यही माहौल बनाने में लगे हुए हैं कि यह कानून भारतीय मुसलमानों के खिलाफ है। पश्चिम बंगाल में तो इस दुष्प्रचार के साथ-साथ हिंसक तत्वों को शह भी दी जा रही है। यह भारतीय राजनीति का खतरनाक रूप है।

क्या देश के विभिन्न मुस्लिम शिक्षा संस्थानों के छात्रों को बरगलाकर सड़क पर उतारने वाले यही नहीं साबित कर रहे कि उन्हें बांग्लादेश, पाकिस्तान और अफगानिस्तान के बहुसंख्यकों की चिंता खाए जा रही है? अगर भारत इन देशों के बहुसंख्यकों के बजाय वहाँ सत्ताएँ और अपमानित किए जा रहे अल्पसंख्यकों की परवाह कर रहा है तो इसे लेकर आसमान सिर पर उठाने का क्या मतलब? क्या भारत कोई धर्मशाला है कि जो चाहे यहाँ बस जाए? ध्यान रहे कुछ समय पहले म्यांमार के रोहिंग्याओं को भारत में बसने देने की जिद पकड़ी गई थी? नागरिकता कानून के विरोध में अराजकता फैलाने वाले संविधान की दुहाई तो देने में लगे हुए हैं, लेकिन इस कानून पर सुप्रीम कोर्ट के फैसले की प्रतीक्षा करने को तैयार नहीं। क्या संविधान और लोकतंत्र की दुहाई देने वाले ऐसा ही भीषण उत्पात मचाते हैं? इस उत्पात को लेकर केंद्र सरकार को केवल सारक ही नहीं खना होगा, बल्कि नागरिकता कानून के खिलाफ हो रहे दुष्प्रचार की काट भी करनी होगी और वह भी मुस्तैदी से।

कैग के सवाल

अगर खर्च कमाई से अधिक हो जाए तो साख पर सवाल उठना लाजिमी है। वही व्यक्ति या संस्थान कामयाब कहलाता है, जो खर्च को कमाई से अधिक न करे। यही बात सरकार जैसी संस्था पर भी लागू होती है। हिमाचल प्रदेश विधानसभा के शीतकालीन सत्र के अंतिम दिन पेश की गई नियंत्रक एवं महलेखा परीक्षक (कैग) की 2017-18 की रिपोर्ट में भी साफ कहा गया है कि प्रदेश में आय के मुकाबले खर्च अधिक हो रहा है। सदन पटल पर रखी रिपोर्ट में आर्थिक प्रबंधन की कई खामियों की ओर इंगित किया गया है। कैग ने खुलासा किया है कि प्रदेश में राजस्व प्राप्तियों के मुकाबले खर्च तीन फीसद अधिक किया जा रहा है। यह तक कि प्रदेश का राजस्व घाटा ही एक साल में 922 करोड़ रुपये बढ़ गया है। आय के मुकाबले व्यय अधिक होने की वजह से सरकार को आर्थिक मोर्चे पर दिक्कतों का सामना करना पड़ रहा है और कर्ज का सहारा लेना पड़ रहा है। कैग की मानें तो आने वाले दस साल में सरकार को साढ़े 21 हजार करोड़ के कर्ज एवं 9483 करोड़ रुपये के ब्याज का भुगतान करना है। इसके अलावा कई सरकारी विभागों के कार्यों पर असंतोष जताया गया है और उनकी कार्यप्रणाली पर सवाल खड़े किए गए हैं। लोक निर्माण विभाग एवं योजना विभाग सड़कों के लिए विधायकों को पूछना तक गंवारा नहीं समझते। मनमानी से सड़कों को नाबार्ड में डाला जाता है। आवकारी एवं कराधान विभाग भी ठेकेदारों पर मेहरबान रहा और उन पर कार्रवाई करने से बचा रहा। कई योजनाओं पर भी सरकार को कटघरे में खड़ा किया गया है। कैग ने रिपोर्ट के माध्यम से जो चेतावनी दी है, उस पर सरकार को गंभीर होकर कार्यप्रणाली में सुधार लाने होंगे। पूर्व की खामियों से सबक लेकर खामियों से पार पाने के उपाय करने होंगे। आय के संसाधनों को बढ़ाने के उपाय किया जाना भी जरूरी है। कर्ज लेकर थोड़े समय के लिए मुसीबत को टाला तो जा सकता है, लेकिन यह स्थाई समाधान नहीं है। इसके लिए जरूरत है कि उन क्षेत्रों की पड़ताल करी चाहिए, जिससे राजस्व का सुजन हो सकता है। सत्तापक्ष और विपक्ष को मिलकर समाधान की दिशा में कदम बढ़ाने होंगे। खर्च में कटौती के उपायों पर भी गंभीर होना होगा। आय के संसाधन बढ़ाें तो कर्ज से मुक्ति की तरफ कदम बढ़ेंगे और प्रदेश खुशहाल होगा।

कैग रिपोर्ट में जिन बिंदुओं को उठाया गया है, उन पर बात होनी चाहिए। उन खामियों को दूर करने के लिए कदम उठाए जाने की जरूरत है

आदिवासी समाज में विभाजन

चंदन कर्ण

झारखंड का आदिवासी समाज भीतर ही भीतर सुलग रहा है। यह सुलगान उस समाज के ही अंदर घर कर रहे उस विभाजन के कारण है, जो वहाँ के आदिवासियों को सरना और ईसाई धर्मसमूहों में बांटता है। कई लोगों का मानना है कि राज्य में विभिन्न ईसाई मिशनरी सेवा की आड़ में लंबे समय से राज्य के आदिवासियों के धर्मांतरण में लिप्त हैं, लेकिन अब यह मामला तूल पकड़ता जा रहा है। सरना आदिवासियों और उनके नेताओं की ओर से यह मांग उठने लगी है कि जो आदिवासी ईसाई बन गए हैं उन्हें अनुसूचित जनजाति के दायरे से बाहर किया जाए। इनका तर्क है कि कोई अल्पसंख्यक और अनुसूचित जनजाति का फायदा एक साथ नहीं ले सकता। धर्मांतरण विरोधी नेताओं के बीच यह धारणा है कि चर्च उनके खिलाफ साजिश रच रहा है और उनके धर्म और संस्कृति को नुकसान पहुंचा रहा है, ताकि उनकी मौलिकता और पहचान खत्म कर उन्हें ईसाई खेमे में लाया जा सके। इसमें कोई दो राय नहीं कि ईसाई धर्म से को अपनाने वाले आदिवासियों के जीवन में कई चीजें बदल जाती हैं। मसलन वे चर्च

झारखंड में यह मांग उठने लगी है कि जो आदिवासी ईसाई बन गए हैं उन्हें अनुसूचित जनजाति के दायरे से बाहर किया जाए

जाने लगते हैं और परंपरागत पूजा स्थलों जैसे मांडी थान एवं जाहेर थान से उनका नाता टूट जाता है। अपने सामाजिक संस्कारों और पर्व-त्योहारों से भी उनका दुराव होने लगता है। उन पर ऐसे आरोप भी हैं कि वे अपने सजातीय सरना परिवार को बेटीयों को स्वीकार नहीं करते अथवा इसके लिए उन पर ईसाई धर्म को स्वीकार करने की शर्त रख देते हैं। इन सब कारकों की वजह से सरना और ईसाई आदिवासियों के बीच दूरी बढ़ रही है।

हालांकि राज्य सरकार ने झारखंड धार्मिक स्वतंत्रता बिल, 2017 पास किया है, जो लोभ या लालच के आधार पर धर्मांतरण पर प्रतिबंध लगाता है। इस कार्य को दंडनीय अपराध बनाया गया है। कानून बनने से धर्मांतरण पूरी तरह से तो नहीं रुका है, लेकिन विभिन्न आदिवासी बहुत जिलों में धर्म परिवर्तन के लिए उपायुक्तों

के पास आने वाले आवेदन पत्रों की संख्या में उल्लेखनीय कमी दर्ज की गई है। उल्लेखनीय है कि झारखंड भी अन्य कई जनजातीय बहुल राज्यों की तरह संविधान की पांचवी अनुसूची से संरक्षित है, जहाँ राष्ट्रपति वहाँ के राज्यपाल की सलाह पर राज्य के लोगों की संख्या और संस्कृति के संरक्षण के लिए विशेष कानून बना सकते हैं। तो फिर क्यों नहीं इन जनजातीय समूहों की संख्या-संस्कृति की रक्षा के उद्देश्य से धर्मांतरण पर पूरी तरह से रोक लगा दिया जाए? हालांकि इस विचार के विरोधियों का तर्क यह है कि आदिवासी पहचान धर्म पर आधारित नहीं है। लोग आदिवासी जन्म से होते हैं और इनसे जनजातीय अधिकार कोई छीन नहीं सकता। बहरहाल चुनौती मौसम में इस मामले ने अब राजनीतिक रंग भी पकड़ लिया है, जहाँ भाजपा और सरना आदिवासियों के संगठन धर्मांतरण पर पूरी तरह से रोक के पक्ष में हैं, वहीं प्रदेश के ईसाई संगठन इस तरह के किसी भी संभावित कदम का विरोध कर रहे हैं। फिलहाल लोभ और लालच के द्वारा धर्मांतरण को अवैध बनाकर भाजपा ने पहली बाजी तो जीत ही ली है।

(लेखक स्वतंत्र टिप्पणीकार हैं)



शंकर शरण

जो अभी अफगानिस्तान, पाकिस्तान, बांग्लादेश के मुस्लिम 'उत्पीड़ितों' के लिए आहें भर रहे हैं-उन्होंने कभी भी कश्मीरी पंडितों के अपमान, विस्थापन पर एक शब्द नहीं कहा

दुनिया भारत को हिंदू देश जानती है। अनुच्छेद 370 हटाने को सामान्य बताते हुए सऊदी प्रिंस ने कहा था कि 'वह तो हिंदू देश है', लेकिन यही देश यानी भारत जब पड़ोस के उत्पीड़ित अल्पसंख्यकों को शरण दे रहा है तो आपत्ति हो रही है। आपत्ति करने वालों में अग्रणी हिंदू परिवारों में जन्मे नेता और बौद्धिक भी हैं। उन्हें बांग्लादेश और पाकिस्तान में प्रताड़ित हो रहे हिंदू धर्म-समाज के सिवा सबकी चिंता है। उन्हें हिंदू समाज के अतिरिक्त कहीं कोई अंधविश्वास, क्रूरता, गंदगी नहीं दिखती। यह विचित्र संवेदनहीनता है। विडंबना यह है कि यह संवेदनहीनता स्वतंत्र भारत में विकसित हुई। भारतीय अर्थव्यवस्था में धीमेपन को 'हिंदू रेट ऑफ ग्रोथ' कहकर कोसा गया, जबकि कारण नेहरूवादी कम्युनिस्ट नीतियां थीं। हालांकि गत सात सौ साल से भारत हिंदू शासकों द्वारा नहीं, सत्तर विदेशियों से शासित रहा, फिर भी सारी गड़बड़ी का कारण हिंदू समाज को बताया जाता है। वस्तुतः लंबी विदेशी दासता और विजातीय शिक्षा ने एक वर्ग को आत्महीन बना दिया है। वे हिंदुओं पर होने वाले अन्याय, भेदभाव से निर्विकार रहते हैं, जबकि बाकी देश-विदेश के किसी भी समूह के लिए भयपूर परेशान होते हैं। इसी का नया उदाहरण सामने है। सत्तर वर्षों से उपेक्षित, अनाथ हिंदुओं, बौद्धों और अन्य ऐसे ही अल्पसंख्यकों को नागरिकता मिलने के निर्णय से वे तनिक भी प्रसन्न नहीं हुए। वे मुस्लिम आत्रजनों के लिए

चिंतित हैं और इस पर संविधान की दुहाई दे रहे हैं। यह भूलकर कि संविधान देश के नागरिकों पर लागू होता है, विदेशी लोगों पर नहीं। अन्य देशों, लोगों, घटनाओं आदि पर नीति आवश्यकतानुसार बनती है। जैसे यह तर्क मूर्खतापूर्ण है कि किसी देश के साथ संधि की तो दूसरे के साथ क्यों नहीं की? वैसे ही कहा जा रहा है कि एक शरणार्थी को लिया तो दूसरे को क्यों नहीं लिया? जो लोग अभी अफगानिस्तान, पाकिस्तान, बांग्लादेश के मुस्लिम 'उत्पीड़ितों' के लिए आहें भर रहे हैं, उन्होंने कभी भी देश के अंदर ही चार लाख कश्मीरी पंडितों के अपमान, विस्थापन और सामूहिक संहर पर एक बयान तक नहीं दिया, जुलूस और विरोध तो दूर की बात है। इसी तरह शोर-शराबे के पीछे भारतीय हितों के विरोध की राजनीति है। यह अन्य धर्मों के दुखियारों की चिंता हरगिज नहीं है। यह हिंदू धर्म-समाज पर चोट करने, लज्जित, अपमानित करने का नया बहाना है। इन निंदकों ने कभी जेहादियों या धोखाधड़ी से धर्मांतरण कराने वाले मिशनरियों की भी आलोचना नहीं की। माओवादियों, उग्रवादियों की क्रूर हिंसा पर भी उन्हें कुछ



महसूस नहीं होता, किंतु कोई हिंदू संगठन अपने मंदिरों पर इस्लामी या सरकारी कब्जा हटाने की मांग करे तो इन्हें नागवार लगता है। वे अयातुल्ला खुमैनी और यासीर अराफात जैसे शासकों के लिए शोकमन होते हैं। यही भावना औपचारिक शिक्षा तक में घुसा दी गई है। पाठ्य पुस्तकों में महानतम हिंदू ज्ञान-ग्रंथों के प्रति भी तिरस्कार मिलता है, जबकि हिंसा और अंधविश्वास से भरी सामग्री के प्रति आदर भरे लंबे-लंबे अध्याय हैं।

रोज घटने वाले ऐसे विचित्र कारनामों की सूची अंतहीन है। उनमें केवल एक समान तत्व है। हर हिंदू पीड़ा और चाह की निंदा, खिल्ली उड़ाना तथा हर मुस्लिम, ईसाई गतिविधि को समर्थन या उनका बचाव, चाहे वह गैर-कानूनी, हिंसक और अमानवीय ही क्यों न हो। नियमित ऐसे समाचार आते रहते हैं, लेकिन नागरिकता का मुद्दा जनसांख्यिकी समस्या से भी जुड़ा है, इसलिए यह अधिक गंभीर है। आज यूरोप और अमेरिका में भी जनसांख्यिकी एक बड़ा मुद्दा है, क्योंकि यह जेहादी हथियार के रूप में भी

प्रयोग हो रहा है। ब्रिटेन में कंजरवेटिव पार्टी की हालिया जीत में यह एक प्रमुख कारणा है, जहां लोगों ने यूरोपीय संघ से अलग होने का निश्चय दोहराया। वे अरब से आने वाले शरणार्थियों को रोकना चाहते हैं, क्योंकि कई इस्लामी संगठनों की रणनीति मुस्लिम आबादी है। पाठ्य पुस्तकों में महानतम हिंदू ज्ञान-ग्रंथों के प्रति भी तिरस्कार मिलता है, जबकि हिंसा और अंधविश्वास से भरी सामग्री के प्रति आदर भरे लंबे-लंबे अध्याय हैं।

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सुधार मांगती आपराधिक न्याय प्रणाली

बीते दिनों हैदराबाद में एक महिला पशु चिकित्सक के साथ हुई दारिद्री से पूरा देश डबल पड़ा। इस मामले में आरोपितों के पुलिस एनकाउंटर में मारे जाने से एक अलग तरह की बहस भी खड़ी हो गई। इस मामले ने देश में आपराधिक न्याय प्रणाली यानी सीजेएस को लेकर नए सिर से कुछ सवाल खड़े किए हैं। उन पर विचार करना बेहद जरूरी है। इसमें सबसे पहला पहलू तो पुलिस द्वारा एफआइआर यानी प्राथमिकी दर्ज करने से जुड़ा है। इस पर राष्ट्रीय पुलिस आयोग, मलियमथ समिति, द्वितीय प्रशासनिक सुधार आयोग के अलावा टाटा इंस्टीट्यूट ऑफ सोशल साइंसेज के तमाम प्रतिवेदन बेहद महत्वपूर्ण हैं जिन्होंने अलग-अलग अनुसंधानों में हैं। सबसे पहले तो प्राथमिकताएं तय करनी होंगी। मसलन क्या हमें वही पुर्णनी परिपाटी काम खनी चाहिए कि कोई पुलिस स्टेशन दुष्कर्म और हत्या से लेकर डाटा चोरी जैसे पेचीदा साइबर मामलों और बैंक धोखाधड़ी एवं फर्जी पॉजी योजनाओं जैसे आर्थिक अपराध और तमाम आम घरेलू झगड़ों के मामले में भी वैसी ही कार्रवाई करे। इन सभी मामलों में पहले एफआइआर दर्ज कर फिर उनकी पड़ताल करनी होगी। या फिर तंत्र को इस तरह सुगठित करना होगा कि आम धोखाधड़ी के मामले और विभाग को सौंप जाएं। एफआइआर को लेकर हमें यह भी समझना होगा कि पुलिसधर्मियों से लेकर बुनियादी ढांचे के लिहाज से प्रत्येक पुलिस स्टेशन के पास बेहद सीमित संसाधन होते हैं। ऐसे में मामलों की गंभीरता को लेकर उनकी प्राथमिकता तय की जा सकती है। जैसे कई राज्यों ने साइबर अपराधों से निपटने के लिए अलग पुलिस स्टेशनों की व्यवस्था शुरू की है। कुछ ऐसे ही इंतजाम दूसरे आम अपराधों के लिए भी किए जा सकते हैं। आपराधिक प्रवृत्ति वाले कुछ दीवानी मामलों को पुलिस स्टेशन की देहरी तक पहुंचने से रोका जा सकता है। कम से कम उन शहरी पुलिस स्टेशनों तक तो इसे संभव किया जाए जो पहले से ही बहुत ज्यादा काम के बोझ तले दबे हैं। इसकी आवश्यकता नहीं कर सकते कि अपराधों से निपटने के लिए प्रतिभा, नए तौर-तरीकों, वित्तीय एवं मानव संसाधन की आवश्यकता होती है। इसमें आंतरिक संकटाव न हों, उसे टालने के लिए कानून में आवश्यक बदलाव करने होंगे।

भारत में एफआइआर का बहुत महत्व है। अगर किसी का नाम किसी कारण से एफआइआर में आ जाए तो वह व्यक्ति आपराधिक इतिहास के दायरे में आ जाता है। इस कारण भविष्य में पासपोर्ट बनाने, हथियार लाइसेंस लेने



वैभव कृष्ण



आपराधिक न्याय प्रणाली की किसी एक कड़ी को दुरुस्त करने से काम नहीं चलेगा। इसमें व्यापक सुधारों से ही बात बनेगी

या किसी अन्य मकसद के लिए जब भी उसके पुलिस रिकॉर्ड की जरूरत होगी तब-तब वह एफआइआर उसका पीछा करेगी। वर्ष 2007 में मेरी तैनाती बतौर पुलिस अधीक्षक बाराबंकी में थी। वहां मैंने सभी संज्ञेय अपराध दर्ज करने को प्रोत्साहन देने के लिए 'एफआइआर मेला' शुरू किया। इससे कुछ ही दिनों में सैकड़ों एफआइआर दर्ज हो गईं। एक एफआइआर में मध्य प्रदेश के एक वरिष्ठ आइएएस अधिकारी का नाम भी आया। असल में गांव में उनके भाई का एक पड़ोसी से विवाद था और जैसा कि अधिकांश भारतीय गांवों में परंपरा है कि किसी विवाद में संबंधित व्यक्ति के पूरे परिवार को घसीट लिया जाता है वही इस मामले भी हुआ जबकि वह आइएएस अधिकारी काफी अरसे से अपने गांव ही नहीं गए थे। मैंने किसी तरह उनका नाम एफआइआर से हटवाया। यही विवाद रूप से एफआइआर की व्यवस्था करनी है तो उससे पहले इन विसंगतियों को दूर करना होगा।

सीजेएस में सुधार की पहली कड़ी एफआइआर के मोर्चे पर न्यायिक हस्तक्षेप की दस्कर होगी ताकि पुलिस अपने लिए सही लक्ष्य तय कर सके। दूसरी कड़ी जांच की गुणवत्ता से जुड़ी है। सभी राज्यों में जांच मुख्य रूप से इकबालिया बयानों पर अधिक और साक्ष्यों पर कम आधारित होती है। आदर्श रूप में जांच साक्ष्यों पर आधारित

हो जिसके लिए आधुनिक फॉरेंसिक लैब जैसे बुनियादी ढांचे और पर्याप्त वित्तीय संसाधनों की दस्कर होगी। तीसरी कड़ी अभियोजन पक्ष को व्यापक रूप से सुधारने से जुड़ी है। निचली, सत्र अदालतों में अभियोजन अधिकारियों की गुणवत्ता गंभीर चिंता का विषय है। कुछ राज्यों में तो ये राजनीतिक नियुक्तियां बन गई हैं। उनके प्रदर्शन को आंकने की प्रणाली भी दोषपूर्ण है। सीजेएस में सुधार की चौथी कड़ी के तहत विभिन्न न्यायिक प्रक्रियाओं को कानून में जरूरी बदलावों के अनुसार शीघ्रता से निपटना होगा। किसी मामले में जांच पूरी होने और आरोपपत्र दाखिल होने के बाद भी संबंधित न्यायालय में सभी आरोपियों के खिलाफ आरोप तय करने में कई साल लग जाते हैं। आरोप तय करना ही मुकदमे का पहला पड़ाव होता है। इस तरह कुछ साल दोषसिद्धि पर चर्चा के बजाय आरोप तय करने में ही निकल जाते हैं। इसमें निचली अदालतें और अंशवेदनशील नजर आती हैं जो जांच अधिकारियों की अनदेखी कर महिलाओं से जुड़े अपराधों में बयान दर्ज कराने में ही कई दिन लगा देती हैं। उनमें भ्रष्टाचार भी गंभीर चिंता का विषय है। इस कड़ी में पांचवां पेच जमानत रद करने की पूरी प्रक्रिया को दुरुस्त करने से जुड़ा है। क्या इसे तय करने का अधिकार जिला पुलिस अधीक्षक को दिया जा सकता है और क्या जमानत रद करने के मामले में सरकारी वकील अदालतों में उसकी ओर से पैरवी कर सकते हैं? यह बहुत ही लिखापट्टी और लंबी र्खिंचने वाली प्रक्रिया है। इन दिनों अदालतों द्वारा अग्रिम जमानत या गिरफ्तारी पर रोक जैसा चलन भी बेहद आम है, लेकिन क्या इन मामलों में पुलिस समय से और प्रभावी अपील कर सकती है? वास्तव में आदतन अपराधियों से निपटने में अभियोजन के पास कोई रणनीति नहीं होती। वे बार-बार अपराध करते हैं, लेकिन उन्हें पूर्व में मिली जमानत खारिज नहीं होती। आपराधिक न्याय प्रणाली को सुधारने की छठी कड़ी का संबंध दीवानी न्याय प्रणाली से समंतर सुधारों से जुड़ा है। असल में अपराध रोकना दोनों का साझा दायित्व है।

किसी भी समाधान के लिए हमें सबसे पहले समस्या को समझना होगा। अपराध रोकने के लिए सीजेएस में आवश्यक सुधार करने होंगे। पुलिस इसका विकल्प नहीं है। सीजेएस की किसी एक कड़ी को दुरुस्त करने से काम नहीं चलेगा। इसमें व्यापक सुधारों से ही बात बनेगी।

(लेखक भारतीय पुलिस सेवा के अधिकारी हैं)

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असंभव के विरुद्ध

जिंदगी की जट्टोजहद पहले भी थी, आज भी है और आगे भी रहेगी। परिस्थितियां सदैव एक समान नहीं होतीं। कभी मनुष्य के समुच्चय तो कभी विरोधी होती हैं। संघर्ष ही जिंदगी है। अतः संघर्ष के लिए एक व्यक्ति को हर समय मानसिक रूप से तैयार रहना चाहिए। अस्तित्व एवं वर्चस्व की लड़ाई में निवेकवान व्यक्ति ही सफलता की मंजिल चूम पाते हैं, लेकिन अक्सर संघर्ष की स्थिति में व्यक्ति का साहस घटने लगता है। वह इतना भयभीत होने लगता है कि संघर्ष की चुनौती को स्वीकार करना ही छोड़ देता है। ऐसे लोगों के लिए भाग्य के दरवाजे भी सदैव बंद ही रहते हैं। जीवन में कुछ किए बिना ही जय जयकार घटने लगता है। व्यक्ति के कर्म ही उसे इस चराचर जगत में यश, कीर्ति और वैभव के अलंकारों से अलंकृत कर सकते हैं। संघर्ष से मुंह मोड़ने वालों से जिंदगी की तमाम खुशियां भी मुंह मोड़ लेती हैं। दुनिया में जितने भी धनपति हैं उन्होंने अपनी शुरुआत बहुत ही छोटे से पड़ाव से की और वे परिणाम की चिंता किए बगैर निरंतर भागीशाल रहे। भाौतिक परिस्थितियां मजबूत इच्छाशक्ति के आगे बौनी हैं। शरीर बीमारियों का घर है और मृत्यु की बीमारी हर व्यक्ति के लिए लाज्जदा है, लेकिन मन की शक्ति इन बीमारियों से लड़ने का अद्भुत सामर्थ्य रखती है।

इतिहास और वर्तमान ऐसे कई व्यक्तियों की दास्तानों से भरा पड़ता है जिन्होंने मृत्यु की भी अपनी अदम्य साहसशक्ति से विचलित करके उसे एक नए जीवन में रूपंतरित करने का करिमा किया। इसलिए जो व्यक्ति किसी कार्य को असंभव मानकर मेहनत और उसके लिए साहस जुटाने की कल्पना करना ही छोड़ देते हैं। उन्हें समझना होगा कि यदि किसी व्यक्ति ने उस असंभव कार्य को संभव कर दिया है तो आप क्यों नहीं कर सकते।

देवेंद्रराज सुथार

मेलबाक्स

पर ऐसी चोट एक राष्ट्रीय कहे जाने वाले दल को शोभा नहीं देती। कांग्रेस यह बात कब सीख सकेगी, यह देखना बाकी है।

अजय मित्तल, मेरठ

दोषियों को मिले सजा

सुप्रीम कोर्ट द्वारा निर्भया के एक दोषी की पुनर्विचार याचिका पर अभी सुनवाई की जाएगी। वर्ष 2012 में घटी यह दुखद घटना अभी तक लोगों के दिलों दिमाग में ताजा है, ऐसे में सात साल बाद भी दोषियों को सजा नहीं मिल पाना बेहद दुर्भाग्यपूर्ण है। असल में इस तरह के अपराध को अंजाम देने वाले दोषियों को जल्द से जल्द सजा देने का प्रावधान होना चाहिए।

वैशाली, पूर्वी दिल्ली

वढ़ती महंगाई

देश में महंगाई बहुत तेजी से बढ़ रही है। पेट्रोल, डीजल, प्याज, टमाटर अब दूध में भी 3 रुपये किलो तक बढ़ोतरी हुई है। देश की अर्थव्यवस्था को मजबूती, बेरोजगारी दूर करना, महंगाई पर नियंत्रण ऐसे विषयों पर सरकार को ठोस कदम उठाने की जरूरत है, ताकि आम जनता इस महंगाई के एवं गिरती हुई अर्थव्यवस्था के प्रकोप से बच सके।

विजय किशोर तिवारी, नई दिल्ली

देहज की बुराई

देश में देहज प्रथा बड़ी समस्या बना हुआ है। इससे जहां गरीब लोगों के सामने बेटीयों की शादी की समस्या खड़ी

होती है, वहीं भ्रष्टाचार को भी बढ़ावा मिलता है। बहुत लोग गलत तरीके से भी पैसा कमाकर शादियों में दिखावा करते हैं। अगर इस पर रोक लग जाए तो बेटीयों को लेकर गरीब की चिंता दूर होगी और भ्रष्टाचार भी कुछ सीमा तक कम हो सकता है।

मो. जमील, नई दिल्ली

चितनीय घटनाएं

कांग्रेस नेता राहुल गांधी के दुष्कर्म पर दिए बयान पर जो प्रतिक्रिया हो रही है वह जायज है, लेकिन विरोध करने वाले दलों एवं नेताओं को यह भी सोचना होगा कि वाकई में पिछले छह-सात सालों से जिस प्रकार से दुष्कर्म की घटनाएं हो रही हैं और फलस्वरूप हत्याएं की जा रही हैं, वह वाकई में बहुत ही चिंतनीय है। राहुल गांधी या अन्य इस मुद्दे पर बोलें या ना बोलें, लेकिन महिला अपराध के आंकड़े इस कड़वी सच्चाई को झुठला नहीं सकते। महिला सुरक्षा के हित में कानून व्यवस्था को कड़ा करना होगा। साथ ही विकृत मानसिकता के लोगों पर अंकुश लगाना होगा।

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इस स्तंभ में किसी भी विषय पर राय व्यक्त करने अथवा दैनिक जागरण के राष्ट्रीय संस्करण पर प्रतिक्रिया व्यक्त करने के लिए पाठकगण सदा आमंत्रित हैं। आप हमें पत्र भेजने के साथ ई-मेल भी कर सकते हैं।

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दमन और सवाल

नागरिकता संशोधन कानून और एनआरसी के खिलाफ प्रदर्शन कर रहे लोगों को काबू करने के नाम पर रविवार को दिल्ली पुलिस ने जामिया मिल्लिया इस्लामिया विश्वविद्यालय के छात्रों को जिस तरह से निशाना बनाया, वह बहुत ही शर्मनाक और निंदनीय घटना है। जैसी कि खबरें आई हैं, नागरिकता संशोधन कानून के विरोध में इस इलाके में स्थानीय लोग प्रदर्शन कर रहे थे, तभी भारी संख्या में पुलिस वहां पहुंची और विश्वविद्यालय के भीतर और बाहर छात्र-छात्राओं पर टूट पड़ी। जो मिला उसे धुना। यह भी नहीं देखा कि महिला है या पुरुष, छात्र है या प्रदर्शनकारी। इसी बीच बसों में तोड़फोड़, आगजनी और पथराव की घटनाएं भी हो गईं। इसके बाद तो पुलिस ने अपना जो बर्बर चेहरा दिखाया, वह रेंगटे खड़ा कर देने वाला था। पुलिस ने विश्वविद्यालय परिसर में घुस कर कोने-कोने से छात्र-छात्राओं को खदेड़ते हुए जमकर डंडे बरसाए। ऑडिटोरियम से लेकर लाइब्रेरी में पढ़ रहे छात्रों तक को बाहर निकाल लिया। दमन की पराकाष्ठा यह थी कि विश्वविद्यालय परिसर के भीतर शौचालयों तक में घुस कर छात्रों को धुना गया। छात्रों की पिटाई से लेकर बसों को आग लगाने के जो वीडियो सोशल मीडिया पर वायरल हुए, वे पुलिस और खुफिया तंत्र की नाकामी की पोल खोलने के लिए पर्याप्त हैं।

पुलिस का काम कानून-व्यवस्था बनाए रखना है, न कि इसकी आड़ में किसी को निशाना बनाना। लेकिन पुलिस ने जामिया विश्वविद्यालय में अपनी हद याद नहीं रखी। इससे पहला सवाल तो पुलिस की भूमिका पर ही खड़ा होता है। विश्वविद्यालय परिसर में पुलिस आखिर घुसी किसकी इजाजत से? चाहे कितना ही जरूरी हो, किसी को पकड़ना हो, हिरासत में लेना हो, परिसर में घुसने के लिए कुलपति और प्रॉक्टर की अनुमति लेनी जरूरी है। जामिया की कुलपति ने साफ कहा है कि पुलिस ने उनसे कोई अनुमति नहीं ली और सुरक्षा गार्डों तक को निशाना बनाते हुए परिसर में घुस गईं। पुलिस का यह आचरण सवाल खड़े करने वाला है। सारी कार्रवाई ऐसे की गई जैसे सारे अपराधी परिसर के भीतर ही भरे पड़े हैं और उन्हें किसी भी कीमत पर पकड़ना है। बड़ी संख्या में छात्रों को हाथ ऊपर करवा कर ऐसे बाहर निकाला गया जैसे वे युद्धबंदी या बड़े अपराधी हों। ऐसी स्थिति में भी छात्रों ने पुलिस पर न कोई जवाबी हमला किया, न उनके पास से कोई हथियार या संदिग्ध सामान मिला। इतना ही नहीं पुलिस ने रिपोर्टिंग करती एक महिला पत्रकार का फोन छीन लिया और हाथपाई की। प्रदर्शन करना तो लोकतांत्रिक और संवैधानिक अधिकार है। लेकिन प्रदर्शनों को पुलिस के जरिए इस तरह कुचलने का जो संदेश देने की कोशिश की जा रही है, वह किसी भी लोकतांत्रिक व्यवस्था और राष्ट्र के बेहद शर्म की बात है।

एनआरसी और संशोधित नागरिकता कानून के मुद्दे पर पूर्वोत्तर के राज्यों और पश्चिम बंगाल से निकली आग पूरे देश में फैल गई है। जामिया की इस घटना के विरोध में दिल्ली, तमिलनाडु, केरल से लेकर मुंबई तक में छात्र प्रदर्शन कर रहे हैं। उत्तर प्रदेश में अलीगढ़ मुसलिम विश्वविद्यालय के बाद लखनऊ में भी छात्र सड़कों पर आ गए हैं। जाहिर है, संशोधित नागरिकता कानून के मसले पर देश के बड़े हिस्से में भारी विरोध है। सरकार कह रही है कि इस बारे में लोग गलतफहमी के शिकार हैं, तो फिर क्यों नहीं सरकार हकीकत से लोगों को संतुष्ट कर पा रही? आखिर कुछ तो ऐसा है जिससे लोगों में संदेह और भय पैदा हुआ है। पुलिस के जरिए प्रदर्शनकारियों का दमन करने के बजाय लोगों के सामने सही स्थिति स्पष्ट करने की जरूरत है।

आखिर दोषी

लंबी जद्दोजहद और उतार-चढ़ाव के बाद आखिरकार सोमवार को लखनऊ में सीबीआइ की एक विशेष अदालत ने उन्नाव में एक युवती के अपहरण और उसके बलात्कार के आरोपी और भाजपा को पूर्व विधायक कुलदीप सिंह सेंगर को दोषी ठहरा दिया। शुरू से ही इस मामले में एक आशंका लगातार बनी हुई थी कि कहीं आरोपी अपने रसूख का इस्तेमाल मुकदमे की सुनवाई को प्रभावित करने में न करे। हालांकि मुकदमे पर असर डालने की कोशिशें जरूर की गईं। लेकिन अदालत ने सभी पहलुओं पर गौर करके अपना फैसला सुनाया। अब उन्नीस दिसंबर को सजा तय होगी। सुनवाई के दौरान अदालत ने इस मामले में आरोप-पत्र देरी से दाखिल करने पर सीबीआइ को कड़ी फटकार लगाई। इस घटना के इस अंजाम तक पहुंचने तक का ब्योरा यह बताने के लिए काफी है कि जनता के कल्याण की दुहाई देने वाला कोई नेता जब जमीनी स्तर पर किसी अपराध में शामिल होता है तो उसके खिलाफ कार्रवाई को लेकर पुलिस और सत्ता का रवैया किस तरह उदासीन होता है।

गौतलब है कि 2017 में कुलदीप सेंगर पर पीड़िता ने अपहरण और बलात्कार का आरोप लगाया था। उसके मुताबिक जब वह विधायक के घर पर नौकरी के लिए बात करने गई थी, तब उसका बलात्कार किया गया था। घटना के वक्त पीड़िता नाबालिग थी और तमाम कोशिशों के बावजूद उसकी शिकायत पर गौर नहीं किया जा रहा था। इस मामले में पुलिस की उदासीनता का आत्मय यह था कि विधायक पर एकआड़आर दर्ज कराने को लेकर पीड़िता ने मुख्यमंत्री के आवास के सामने आत्मदाह की कोशिश की। सवाल है कि जिस दौर में महिलाओं के खिलाफ अपराधों के मामले में चारों तरफ अपराधियों पर सख्त कार्रवाई की मांग उठ रही है, उसमें उन्नाव की पीड़िता के सामने ऐसी नौबत क्यों आई? आखिर किन वजहों से पुलिस उदासीन रही? अगर ऐसे आरोप सामने आए कि चौंक आरोपी अपने इलाके में काफी रसूख वाला है और सत्ता तंत्र में काफी दखल रखता है, इसलिए उसके खिलाफ कार्रवाई में पुलिस ने ढिलाई बरती, तो क्या यह निराधार है? अंदाजा इससे लगाया जा सकता है कि पीड़िता और उसके परिवार को डराने-धमकाने और परेशान करके मामला वापस लेने के लिए अधिकतम कोशिशें की गईं। स्थानीय पुलिस ने लड़की के पिता को गैर-कानूनी रूप से हथियार रखने के आरोप में गिरफ्तार कर लिया, जिनकी हिरासत में मौत हो गई। बाद में पोस्टमार्टम रिपोर्ट में उन्हें बुरी तरह पीटे जाने और चौदह जगह चोट होने की बात सामने आई।

दरअसल, यह समूचा मामला इस बात का उदाहरण है कि जनता के समर्थन से नेता बने कुछ दबंगों का चरित्र कितना आपराधिक हो सकता है और अपने रसूख की वजह से उसे पुलिस और प्रशासन की ओर से भी किस तरह की छूट मिलती रहती है। हालत यह है कि सारे आरोप स्पष्ट होने और उसमें सलिप्तता के सबूत होने के बावजूद भाजपा ने उसे पार्टी से बाहर करने में काफी वक्त लगाया था। सेंगर की गिरफ्तारी भी तब हुई थी, जब इलाहाबाद हाइकोर्ट ने मामले में स्वतः संज्ञान लिया और राज्य सरकार से जवाब-तलब किया। इसके बाद भी पीड़िता की चुनौती कम नहीं हुई और रायबरेली जाते हुए उसकी कार में एक टुक से इतने भयानक तरीके से टक्कर मारी गई कि उसकी चाची और मौसी की मौत हो गई। बुरी तरह घायल पीड़िता की जान किसी तरह बच सकी। बहरहाल, अब अगर अदालत ने कुलदीप सिंह सेंगर को दोषी ठहराया है, तो उम्मीद की जानी चाहिए कि उसे सख्त सजा भी सुनाई जाएगी, ताकि यह वैसे लोगों के लिए सबक साबित हो, जो अपने रसूख का इस्तेमाल करके अपनी अपराधिक गतिविधियों की निबांझ चलाते रहते हैं।

कल्यमेधा

अगर सम्मान के साथ शांति नहीं रह सकती, तो वह शांति नहीं कहला सकती।

– लार्ड रसेल

जनसत्ता

संजीव पांडेय

बोरिस जॉनसन और कंजरवेटिव पार्टी की जीत की व्याख्या भारत में अलग तरीके से की जा रही है। भारत में एक तबका यहां तक कह रहा है कि जॉनसन की जीत भारतीय मूल के मतदाताओं के कारण हुई, क्योंकि बोरिस जॉनसन के खिलाफ मोर्चा खोले बैठी लेबर पार्टी का रुख कश्मीर को लेकर भारत विरोधी था। इसलिए भारतीय मूल के लोगों ने लेबर पार्टी को मजा चखा दिया।

ब्रिटेन के आम चुनाव में सत्ताधारी कंजरवेटिव पार्टी को जोरदार बहुमत मिला है और तीन सौ चैंसट सीटें जीत कर बोरिस जॉनसन ने स्पष्ट बहुमत हासिल कर लिया है। कश्मीर को लेकर भारत को परेशान करने वाली लेबर पार्टी को इस बार संसदीय चुनाव में भारी झटका लगा है और उसे पिछले चुनाव से उनसट सीटें कम मिलीं। ब्रेजिट को लेकर बोरिस जॉनसन के स्पष्ट रवये ने उन्हें अच्छी जीत दिलाई, जबकि लेबर पार्टी का नजरिया इस मुद्दे पर दुलमुल शुरू से ही दुलमुल रहा है। यही कारण रहा कि लेबर पार्टी अपनी कई पारंपरिक सीटें भी गवां बैठी। हालांकि शिक्षा, स्वास्थ्य को लेकर उनकी नीति स्पष्ट थी। चुनाव प्रचार के दौरान उन्हें इस कारण कुछ बढ़त मिलती दिखी, लेकिन ब्रिटेन में सक्रिय मजबूत दक्षिणपंथी लॉबी उनकी सफलता में बाधा बन गई। लेबर पार्टी के नेता जेरेमी कॉर्बिन पर आरोप लगे कि वे यहूदी विरोधी हैं, उनकी पार्टी में यहूदियों के

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पिछले चार-पांच महीनों के दौरान कुछ सरकारी स्कूलों में समय बिताने का मौका मिला। यहां की दिनचर्या, विद्यार्थियों और शिक्षकों की अंतःक्रियाओं, शिक्षकों के पारस्परिक संबंध को पास से देखा। शुरुआती अवलोकन में ये स्कूल अपनी पारंपरिक छवि से अलग दिखे। इन स्कूलों में अच्छी शिक्षा के लिए स्कूल का भवन, कक्षाएं, खेल का मैदान, उद्यान सब व्यवस्थित थे। शिक्षकों की स्थायी नियुक्ति थी। उनके सारे कार्य पूरे थे, कक्षा में विद्यार्थियों की संख्या भी अधिक नहीं थी। बुनियादी सुविधाओं से लेकर सभी औपचारिक गतिविधियां तक– सब चाक-चाबंद। इस स्थिति से बच्चे, शिक्षक, कर्मचारी, अभिभावक संतुष्ट भी थे। विद्यार्थियों को पढ़ाई का कोई तनाव नहीं था, शिक्षक संतुष्ट थे कि ‘सब कुछ ठीक चल रहा है’। इन स्कूलों में पढ़ने वाले बच्चों के ज्यादातर अभिभावक किसान, मजदूर, सफाईकर्मी, छोटे व्यापारी थे। वे इस बात से संतुष्ट थे कि उनके बच्चे रोज स्कूल जा रहे हैं और कुछ न कुछ सीख रहे हैं। लेकिन इन सब ‘संतुष्टियों ने स्कूल को जड़ बना दिया है। इस व्यवस्था में जो जहां है, वह वहां गति में तो है, लेकिन परस्पर असंबद्धता के कारण उनकी गति

चुनाव के बाद

हाल ही में संपन्न हुए ब्रिटेन के बहुप्रतीक्षित और ऐतिहासिक आम चुनावों के परिणामों ने एक बार फिर तमाम राजनीतिक पर्यवेक्षकों के बीच एक नई राजनीतिक बहस को जन्म दिया। आमतौर पर किसी क्षेत्र के चुनाव स्थानीय और मूलभूत समस्याओं से ही संबंध रखते हैं और अगर इस दायरे को बढ़ा कर किसी व्यापक और विविध भौगोलिकता वाले राष्ट्र के संदर्भ में देखा जाए तो कुछ हद तक राष्ट्रीय हित चुनाव को प्रभावित करते हैं। मतदाताओं को अपनी और आकर्षित करने की इस भागमभाग में राजनीतिक दलों की नीतियां और विचारधाराएं थोड़ी दूर खड़ी नजर आती हैं।

ब्रिटेन में ये चुनाव इसके यूरोपियन संघ से अलग होने और उसके दूरगामी प्रभावों के परिणामों और संभावनाओं पर लड़े गए थे। चुनावों के परिणामों में निर्वर्तमान प्रधानमंत्री बोरिस जॉनसन की अगुवाई वाली कंजरवेटिव पार्टी ने 650 निर्वाचन क्षेत्रों वाले ‘हाउस ऑफ कॉमन्स’ (ब्रिटिश संसद) में आवश्यक बहुमत से अधिक 365 सीटों पर विजय प्राप्त की, जबकि मुख्य विपक्षी दल लेबर पार्टी को महज 203 सीटों से संतोष करना पड़ा। हालांकि चुनाव-पूर्व प्रचार में कॉर्बिन और लेबर पार्टी को अपेक्षा से चक मिले समर्थन ने इन चुनावों को काफी रोचक बनाया था और तरह-तरह की संभावनाओं को भी जन्म दिया था।

इन चुनावों में इंग्लैंड में निवास कर रहे आप्रवासी ‘भारतीयों’ ने भी अहम भूमिका निभाई। जे कॉर्बिन ने कश्मीर मुद्दे पर कश्मीर में एक ‘अंतरराष्ट्रीय पर्यवेक्षक’ की नियुक्ति की मांग की थी जो बात शायद वहां रह रहे ‘भारतीयों’ को रास नहीं आई। इसके चलते उन्होंने बड़ी तादाद में कंजरवेटिव पार्टी को खुला समर्थन दिया और कुछ हद तक इन मतों ने भी हार-जीत का फासला बढ़ाया। खैर, ये चुनाव विश्व पटल पर आम जनमानस के

खिलाफ ब्यानबाजी होती रही और उन्होंने चुप्पी साध ली। लेबर पार्टी की कश्मीर नीति को लेकर भारतीय मूल के मतदाताओं में भी कुछ नाराजगी थी।

कंजरवेटिव पार्टी की भारी जीत का बड़ा कारण ब्रेजिट मुद्दे पर पार्टी का स्पष्ट दृष्टिकोण रहा है। इसलिए अब उम्मीद की जा रही है कि इस जोरदार जीत के बाद ब्रिटेन अब आराम से यूरोपीय संघ से बाहर हो जाएगा। दरअसल, ब्रिटेन यूरोपीय संघ छोड़ेगा तो उसकी अर्थव्यवस्था तो प्रभावित होगी ही, यूरोपीय संघ की अर्थव्यवस्था भी सिकुड़ेगी। इस समय वैश्विक अर्थव्यवस्था में यूरोपीय संघ की भागीदारी बाईस फीसद है। इससे अगर ब्रिटेन इससे बाहर हो गया तो विश्व अर्थव्यवस्था में यूरोपीए संघ की भागीदारी घट कर अठारह प्रतिशत रह जाएगी। यही नहीं, यूरोपीय संघ की अर्थव्यवस्था में जनसंख्या के लिहाज से भी गिरावट आएगी। यूरोपीय संघ की कुल जनसंख्या में से ब्रिटेन की आबादी बाहर हो जाने से यूरोपीय संघ की कुल आबादी में तेरह प्रतिशत की गिरावट आएगी। इस समय यूरोपीय संघ की जनसंख्या पचास करोड़ है, जिसमें ब्रिटेन की जनसंख्या की भागीदारी साढ़े छह करोड़ है। दरअसल, ब्रिटेन के यूरोपीय संघ से अलग होने के बाद सबसे ज्यादा लाभ जर्मनी और फ्रांस को होगा। यूरोपीय संघ की जीडीपी में जर्मनी की भागीदारी बीस से बढ़ कर पच्चीस प्रतिशत हो जाएगी, जबकि फ्रांस की यूरोपीय संघ की जीडीपी में भागीदारी पंद्रह से बढ़ कर अठारह प्रतिशत हो जाएगी। इस समय ब्रिटेन यूरोपीय संघ की अर्थव्यवस्था में लगभग उन्नीस अरब यूरो का योगदान करता है। यूरोपीय संघ के निकलने के बाद ब्रिटेन के सामने बड़ी चुनौतियां होंगी। नए व्यापारिक सहयोगी तलाशने होंगे। हालांकि अमेरिका ने ब्रिटेन से मजबूत व्यापारिक रिश्ते कायम करने का वादा किया है। ब्रिटेन में बसे भारतीय मूल के लोगों को उम्मीद है कि भारत और ब्रिटेन के बीच भी द्विपक्षीय व्यापारिक संबंध ब्रेजिट के बाद मजबूत होंगे।

हालांकि बोरिस जॉनसन और उनकी कंजरवेटिव पार्टी की जीत से ब्रिटेन में मौजूद अल्पसंख्यक मुसलमानों में भय है। बोरिस अपने मुसलिम विरोध के लिए माने जाते हैं। उनकी जीत पर ब्रिटेन में मौजूद मुसलिम संगठनों ने ख़ासी निराशा जताई है। कुछ मुसलिम बुद्धिजीवियों ने जॉनसन की जीत को ब्रिटेन के अल्पसंख्यकों के लिए काला दिन बताया। जॉनसन की जीत से मुसलमान इस कदर निराश है कि खुद कंजरवेटिव पार्टी से जुड़ी पाकिस्तानी मूल की पूर्व ब्रिटिश मंत्री सईदा वारसी ने कहा कि उनकी पार्टी को ब्रिटिश

सुजन-स्वर नहीं पैदा कर रही है। वह शोर पैदा कर रही है। इन स्कूलों को जीवंत बनाने वाला रोमांच या उत्साह नदारद था। यहां अनुबंधन और समझौते का ऐसा वातावरण फैला था, जहां बच्चे स्कूल जा रहे हैं, शिक्षक पढ़ा रहे हैं, लेकिन इस बात पर कोई ध्यान नहीं है कि उनके बीच आपसी रिश्ता क्या है, वे क्या सीख रहे हैं, क्यों सीख रहे हैं, कैसे किसी एक का निर्णय दूसरे को प्रभावित कर रहा है। ऐसे हालात में स्कूलों में बच्चों का होना घड़ी की सूइयों को देख कर समय बिताना बन जाता है।

इसी अर्थ में ‘सरकारी स्कूल’ मुहावरे को असफलता का पर्याय बना दिया गया है। जबकि सच्चाई है कि इन स्कूलों में वे बच्चे और उनके परिवार असफल घोषित किए जा रहे हैं जो सरकारी स्कूलों में जाते हैं। अगर सरकारी स्कूलों के अध्यापकों का मूल्यांकन व्यक्तिगत योग्यताओं, जैसे– आकांक्षिक योग्यता, संर्रेषण कुशलता, सूचना प्रौद्योगिकी का ज्ञान, समस्यायुक्त घटनाओं की जानकारी आदि के आधार पर हो तो वे उत्कृष्ट होंगे। जैसे ही आप उनसे सवाल पुछेंगे कि ऐसे प्रतिभाशाली और योग्य अध्यापकों के समूह ने विद्यालय के लिए क्या किया, तो सब अपने-अपने कॅरियर और व्यक्तिगत महत्वाकांक्षाओं के आधार पर अपनी सफलताएं गिना देंगे। लेकिन उनकी सफलताएं क्या बच्चों की जिंदगी में कोई बदलाव ला रही है, उन्हें

बोरोस जॉनसन और कंजरवेटिव पार्टी की जीत की व्याख्या भारत में अलग तरीके से की जा रही है। भारत में एक तबका यहां तक कह रहा है कि जॉनसन की जीत भारतीय मूल के मतदाताओं के कारण हुई, क्योंकि बोरिस जॉनसन के खिलाफ मोर्चा खोले बैठी लेबर पार्टी का रुख कश्मीर को लेकर भारत विरोधी था। इसलिए भारतीय मूल के लोगों ने लेबर पार्टी को मजा चखा दिया।

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मुसलमानों के जख्मों को भरने की शुरुआत तुरंत करनी चाहिए। दरअसल, पिछले कुछ सालों में ब्रिटेन में हुए आतंकी हमलों ने वहां के सामाजिक तानेबाने को भारी नुकसान पहुंचाया है। ब्रिटेन में बड़ी संख्या में भारतीय और पाकिस्तान मूल के मुसलमान हैं। ये दशकों पहले ब्रिटेन पहुंचे थे। आज ब्रिटेन की राजनीति से लेकर अर्थव्यवस्था तक में इनका योगदान है। लेकिन पिछले कुछ सालों में ब्रिटेन में घटी घटनाओं ने ब्रिटिश मुसलमानों को परेशान किया है। पिछले तीन-चार साल में इस्लामिक स्टेट (आइएस) जैसे आतंकी संगठनों के हुए हमलों के कारण ब्रिटेन में सामाजिक दुराव बढ़ा है। इन हमलों के कारण ब्रिटेन में नस्ली और धार्मिक भेदभाव बढ़ा है। पिछले कुछ सालों में ब्रिटेन और फ्रांस से सीरिया में इस्लामिक स्टेट के पक्ष में जेहाद करने पहुंचे युवाओं के कारण भी मुसलमानों की छवि को भारी नुकसान पहुंचा है। दिलचस्प बात यह थी कि इन युवाओं

का जन्म से लेकर भरण-पोषण ब्रिटेन और फ्रांस में हुआ था। ब्रिटेन में सबसे ज्यादा तनाव 2013 में तब पैदा हुआ था जब पाकिस्तानी मूल की ब्रिटिश लड़की अक्सा महमूद सीरिया में इस्लामिक स्टेट की ट्रिवटर फेंस बन गई थी। वह ब्रिटेन से भाग कर इस्लामिक स्टेट के जेहाद में भाग लेने के लिए सीरिया पहुंच गई थी। अक्सा महमूद ब्रिटेन की पहली महिला थी, जो जेहाद में शामिल होने के लिए सीरिया पहुंची थी। अक्सा महमूद ने सीरिया में इस्लामिक स्टेट के कब्जे वाले इलाके से ब्रिटेन के खिलाफ ऑनलाइन जेहाद छेड़ा था। उसने दावा किया था कि उसने कई यूरोपीय युवाओं को जेहाद में शामिल होने के लिए प्रेरित किया है।

बोरिस जॉनसन और कंजरवेटिव पार्टी की जीत की व्याख्या भारत में अलग तरीके से की जा रही है। भारत में एक तबका यहां तक कह रहा है कि जॉनसन की जीत भारतीय मूल के मतदाताओं के कारण हुई, क्योंकि बोरिस जॉनसन के खिलाफ मोर्चा खोले बैठी लेबर पार्टी का रुख कश्मीर को लेकर भारत विरोधी था। इसलिए भारतीय मूल के लोगों ने लेबर पार्टी को मजा चखा दिया।

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आगे बढ़ने के लिए अभिप्रेरित कर रही हैं? नहीं। ऐसे विद्यालयों के अधिकतर शिक्षक केवल ‘नौकरी’ कर रहे हैं, जीवंत बच्चों से अंतःक्रिया नहीं। एक विद्यालय के स्टॉफ रूम में शिक्षक आपस में कोई बातचीत नहीं कर रहे थे। ज्यादातर शिक्षक अपने-अपने फोन में व्यस्त थे। हालांकि बीच-बीच में व्यक्तिगत हंसी-मजाक आदि हो रहा था। जबकि इस समय में वे केवल आपसी बातचीत से कुछ नया करने की योजना बना सकते हैं। बच्चों, विषय और साथी की समस्या का निराकरण कर सकते हैं। लेकिन यह उनकी

प्राथमिकता सूची में नहीं है। वहां वे अध्यापक थे, जो अपनी नौकरी के उत्तरार्ध में थे। वे अधिक उदासीन थे, क्योंकि उन्हें ‘आगे’ की राह नहीं दिखाई पड़ रही है। दूसरे, जो अभी सेवा के शुरुआती वर्षों में हैं, उनके ‘आगे’ की राह में वर्तमान कक्षा, विद्यार्थी और स्कूल की भूमिका नहीं है। ये दोनों ही मॉडल स्कूल के साथ उदासीन और तटस्थ रिश्ता निभा रहे थे। इन मॉडलों के बीच विद्यार्थियों का ‘वर्तमान’ बन रहा था।

इस स्कूल के मुख्य भवन के पीछे उग आई जंगली झाड़ियां और पीले फूल की लताएं बच्चों को स्कूल की तुलना में अधिक आकर्षित करती हैं। कई बार लगता है कि बच्चे भी उन्हीं जंगली झाड़ियों और लताओं की तरह अपने जीवन में बढ़ रहे हैं। वे मुख्यधारा की चमक

नागरिक खुद और अपने छोटे-छोटे बच्चों को भी सदी, खासी और जुकाम जैसी छोटी-छोटी बीमारियों से निजात पाने के लिए एंटीबायोटिक दवाओं पर निर्भर कर दिया है। सरकार को इसे गंभीरता से लेते हुए छोटी-छोटी बीमारियों के इलाज से छुटकारा पाने के लिए एंटीबायोटिक का प्रयोग न करने और अपना डॉक्टर खुद न बनने के लिए देश को जागरूक करने के लिए विशेष अभियान चलाने चाहिए। अक्सर यह भी देखा जाता है कि कुछ लोग अपना डॉक्टर खुद ही बन कर ही दवाइयों का सेवन करने लग जाते हैं, जबकि ऐसा करना खुद के लिए हानिकारक भी सिद्ध हो सकता है।

छोटी-छोटी बीमारी या दर्द के लिए घरेलू आयुर्वेदिक नुस्खे अपनाए जा सकते हैं, क्योंकि इनसे शरीर पर कोई साइड इफेक्ट होने का खतरा बहुत कम होता है। हमारे देश की आबादी का बहुत बड़ा भाग अशिक्षत है या फिर दवाइयों की असली-नकली पहचान करने में असमर्थ है। इसलिए घटिया दवाओं पर नकेल कसने के लिए सरकार और प्रशासन को कारगर कदम प्राथमिक तौर पर उठाने चाहिए।

- राजेश कुमार चौहान, जालंधर**

धुएं में सेहत

चिकित्सा विशेषज्ञों द्वारा धूम्रपान से दिमागी दौरै, मस्तिष्क आघात के रोग पनपने की बात समझाइस तौर पर और वैधानिक चेतावनी के रूप में बताई जाती है,

जीत भारतीय मूल के मतदाताओं के कारण हुई, क्योंकि बोरिस जॉनसन के खिलाफ मोर्चा खोले बैठी लेबर पार्टी का रुख कश्मीर को लेकर भारत विरोधी था। इसलिए भारतीय मूल के लोगों ने लेबर पार्टी को मजा चखा दिया। हालांकि जमीनी सच्चाई यह है कि भारतीयों का एक तबका जरूर कंजरवेटिव पार्टी की तरफ गया। ब्रिटेन में लगभग पंद्रह लाख लोग भारतीय मूल से जुड़े हैं। निश्चित तौर पर इनका योगदान वहां के व्यापार और समाज में है। इस कारण ब्रिटिश राजनीतिक दल भारतीय मूल के लोगों का प्रतिनिधित्व भी बढ़ा है। इस बार कंजरवेटिव पार्टी के जीतकर आए भारतीय मूल के सांसदों की संख्या पांच से बढ़ कर सात हो गई है। सीरिया से भी भारतीय मूल के सात लोग जाँते हैं। निश्चित तौर पर ब्रिटेन में भारतीय मूल के लोगों की वहां की राजनीति में अहमियत बढ़ी है। लेकिन यह

कहना गलत होगा कि भारतीय मूल के लोगों ने कंजरवेटिव पार्टी और बोरिस जॉनसन को एकतरफा समर्थन दिया। दरअसल जिन इलाकों में भारतीय लोगों का जमावड़ा था, वहां पर लेबर पार्टी को खास नुकसान नहीं हुआ। ज्यादातर भारतीय मूल के लोग ब्रेडफोर्ड, लिस्टर, लंदन, बर्मिंघम जैसे शहरों में रहते हैं। इन सभी जगहों पर लेबर पार्टी को ज्यादा नुकसान नहीं हुआ है। हां, यह सच्चाई है कि लेबर पार्टी ने कश्मीर को लेकर एक अलग रुख अख्तियार कर रखा था, इससे भारतीय मूल के लोगों में नाराजगी थी। कई चुनावी क्षेत्रों में भारत और पाकिस्तानी मूल के मतदाता कश्मीर को लेकर स्पष्ट रूप से विभाजित थे। पाकिस्तानी मूल के मतदाताओं की राय थी कि कश्मीर में

भारत ने अनुच्छेद 370 के विशेष प्रावधानों को हटा कर गलत किया था, जबकि भारतीय मूल के मतदाताओं ने इसे सही कदम करार दिया। ब्रिटेन में मौजूद गुजराती समाज लेबर पार्टी से नाराज था। उन्होंने जरूर अपना समर्थन लेबर पार्टी के बजाय कंजरवेटिव पार्टी को दिया।

कंजरवेटिव पार्टी की जीत के बाद भारत और ब्रिटेन के द्विपक्षीय संबंध पहले की तरह ही रहने की संभावना है। लेबर पार्टी की हार से भारत को कुछ राहत इसलिए मिली है, क्योंकि ब्रिटेन में लेबर पार्टी की जीत होती तो कश्मीर को लेकर भारत और ब्रिटेन के रिश्तों में कुछ परेशानी सामने आती। हालांकि लेबर पार्टी के भीतर भारतीय मूल के नेताओं ने जेरेमी कॉर्बिन के स्टैंड को नकार दिया था। इसमें भारतीय मूल के सांसद वीरेंद्र शर्मा भी शामिल हैं।

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- अभिषेक पाल, प्रयागराज**