

TELLING NUMBERS

Nearly 3 out of 5 babies and children in India are anaemic

AS MANY as 58.5% of children between the ages of 6 months and 59 months, and 53.1% of women between the ages of 15 and 49 years, are anaemic in the country, the government told Lok Sabha last week.

As per the details of anaemic women and children in urban and rural India given by the government, 29.8% of children in rural India suffer from moderate anaemia, and 40.3% of women in the villages are mildly anaemic. The data, based on the findings of the National Family Health Survey (NFHS) IV (2015-16), divide the incidence of anaemia into 'Mild', 'Moderate' and 'Severe' kinds for both rural and urban India.

Answering a question by Chandigarh BJP MP Kirron Kher, Minister for Health and Family Welfare Harsh Vardhan said that the union government had, in 2018, launched the "Anaemia Mukh Bharat (AMB) Strategy under POSHAN

Abhiyaan with the aim to reduce anaemia prevalence by three percentage points every year till 2022".

AMB, the Minister said, "is a 6x6x6 strategy that is targeting six age groups, with six interventions and six institutional mechanisms". The six age groups include pre-school children (6-59 months), children (5-9 years), adolescent girls (10-19 years), adolescent boys (10-19 years), women of reproductive age group (15-49), and pregnant women and lactating mothers.

Among the six interventions are prophylactic iron folic acid supplementation, periodic deworming, and addressing non-nutritional causes of anaemia in endemic pockets, with special focus on malaria, haemoglobinopathies and fluorosis, the Minister said. Institutional mechanisms include a National Anaemia Mukh Bharat Unit, and a National Centre of Excellence and Advanced Research on Anaemia Control.

PREVALENCE OF ANAEMIA AMONG CHILDREN (6-59 MONTHS)

	RURAL	URBAN	TOTAL
Mild (10.0-10.9 gm/dl)	28.2	26.8	27.8
Moderate (7.0-9.9 gm/dl)	29.8	27.5	29.2
Severe (<7.00 gm/dl)	1.5	1.6	1.6
Any (<11.00 gm/dl)	59.5	56.0	58.5

PREVALENCE OF ANAEMIA AMONG WOMEN (15-49 YEARS)

	RURAL	URBAN	TOTAL
Mild (10.0-11.9 gm/dl)	40.3	38.3	39.6
Moderate (7.0-9.9 gm/dl)	12.8	11.6	12.4
Severe (<7.00 gm/dl)	1.1	0.9	1.0
Any (<12.00 gm/dl)	54.2	50.8	53.1

Source: Lok Sabha Question; data from NFHS-IV (2015-16); figures in per cent

TIP FOR READING LIST

Two Housing Tales, Many Lessons

JOURNALIST AARON Glantz remodelled his home with \$8,000 that his wife and he received as part of the Obama administration's stimulus package, also giving people employment in the process. He has now written *Homewreckers*, a book about the aftermath of the 2008 financial crisis, which tells the story of, as the book's long, blunt subtitle says, "how a gang of Wall Street kingpins, hedge fund magnates, crooked banks, and vulture capitalists suckered millions out of their homes and demolished the American Dream". It is, according to the review of the book in *The New York Times*, the "bigger story about American housing that's tortuous, confounding and ultimately enraging".

The other book out recently, also on housing, though with a different focus and from a different era, is Keeanga-Yamahtta Taylor's *Race for Profit: How Banks and the Real Estate Industry Undermined Black Homeownership*.

Taylor covers the period in the late 1960s and early 1970s when, "federal government partnered with a real estate industry enthusiastic about exploiting a new market but refusing to bear most of the risk". Mismanagement, corruption, distorted incentives, and unenforced civil



rights regulations were seen in what Taylor calls a system of "predatory inclusion", which replaced the earlier system of racist exclusion. The government's market-based solutions in its low-income housing programmes in the 1970s impacted Black neighbourhoods, Black women on welfare, and emergent discourses on the urban "underclass", says Taylor.

Together, the two books present a picture of faulty government interventions in housing that, despite being focussed on the US, hold lessons for other parts of the world as well. As their joint review in *The NYT* says, they demonstrate together "what happens when private speculators get buoyed by government largess while non-tycoons are largely left to fend for themselves".

SIMPLY PUT QUESTION & ANSWER

Bullet train: where things stand

Maharashtra Chief Minister Uddhav Thackeray has announced a 'review' of the project. Where does land acquisition stand in Maharashtra and Gujarat? Why is it moving slowly in some areas?

AVISHEK G DASTIDAR
NEW DELHI, DECEMBER 2

MAHARASHTRA CHIEF Minister Uddhav Thackeray has announced a "review" of the bullet train project, sending out signals of uncertainty over the prestigious enterprise. "This government is of the common man... Yes, we will review the bullet train (project). Have I stayed the bullet train project like Aarey car shed? No, I haven't," Thackeray told reporters late on Sunday night.

Controversy is not new for India's bullet train. From its inception, the National High Speed Rail Corporation Limited (NHSRL), the body implementing the project, has been facing controversies over land acquisition in tribal-dominated areas, and cases filed by farmers in court. There is fundamental opposition to the idea of a Rs 1.1 lakh crore train corridor between Mumbai and Ahmedabad — even though the project is being funded by an 80% loan from Japan.

Even so, the project has made some headway. The initial plan was to complete the land acquisition process by December 2018; this strategy was, however, revised to link land acquisition to tender requirements. The implementing company now says it is on course to do a trial run between Surat and Bilimora in Gujarat in August 2022, and to open the full service to the public around December 2023. NHSRL officials say they are hopeful of getting most of the land required for the project by the time tenders are finalised in mid-2020.

How much land has been acquired?

The project needs land in Gujarat, Maharashtra, and a little in Dadra and Nagar Haveli. Of the total 1,380 hectares required, 705 hectares have already been acquired.

In Gujarat, out of the required 940 hectares, 617 hectares have been acquired; in Maharashtra, out of the total 431 hectares required, 81 hectares have been acquired. In Dadra and Nagar Haveli, of the total 8.7 hectares needed, 6.9 hectares have been acquired.

So why has land acquisition moved slowly in Maharashtra?

Mainly because of problems in Palghar district, where the project requires 286



Former CM Devendra Fadnavis hands over land documents to Railways Minister Piyush Goyal in Mumbai in February 2018. Prashant Nadkar

hectares. However, much of the past one year has been spent in holding parleys with the landowners, and many have agreed over the past few months.

With the offer of various schemes like providing health facilities for villagers, village development expenses, and other outreach programmes in addition to the compensation package, 31 out of the required 286 hectares in Palghar have been acquired.

Of the 73 villages in which the project needs land, joint measurement surveys have been done in 65. Joint measurement surveys are considered a major breakthrough, because they involve the landowner and the project engineers jointly measuring the land, physically on the ground. The company has appointed a manager just for issues related to Palghar.

In Gujarat, the process was smoother after the High Court dismissed 120 petitions by farmers by upholding the validity of the Land Acquisition Act as amended by the state government in 2016.

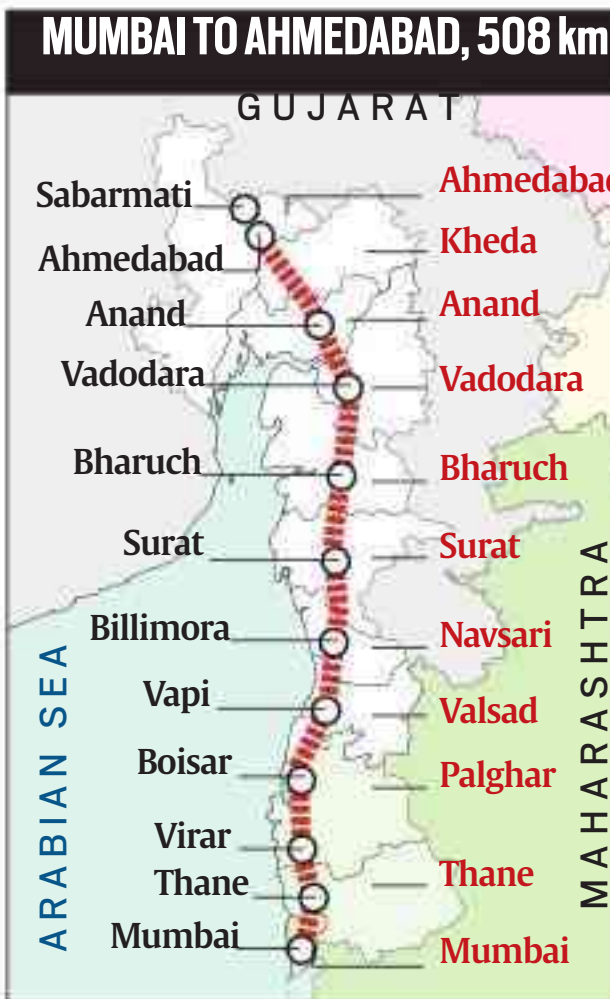
The land across the alignment is divided into 7,000 plots, in 195 villages in Gujarat and 104 villages in Maharashtra.

Can the new Maharashtra government scrap the project?

Maharashtra is not investing any money *per se* in the project. Its equity is through land. Both Gujarat and Maharashtra own 25% each in the project, while the remaining 50% is owned by the Government of India. The state government can change the rules for land acquisition, as that is within its purview. However, the contract with Japan that the Centre has entered into, cannot be impacted.

That said, a change in government may affect the priority that is accorded to the project in the state's scheme of things. When the BJP's Devendra Fadnavis was Chief Minister, the bullet train project was in the CM's "war room" — meaning it was directly monitored by the CMO. Officials said that this helped a lot in land acquisition efforts — anything to do with the bullet train got priority treatment at every level from the Secretariat in Mumbai to the administration in the district.

The Shiv Sena is politically strong in Palghar. The MP, Rajendra Gavit, is from the Shiv Sena. The party has in the past joined the chorus against the project in Palghar and nearby areas. Sena leaders have had altercations with



NHSRL officials working on the ground.

Can the project change the alignment to avoid problem areas?

While the government decides which places to link with a train corridor, the precise alignment is a technical reality that has been frozen after scientific surveys and measurements. It cannot be tampered with at will. The high-speed alignment, for instance, needs to be as free of curves as possible. Any speed upwards of 300 kph requires a straight alignment.

How can the acquisition process be expedited?

NHSRL has adopted the strategy of land acquisition by consent, and not by invoking the various laws that empower government agencies to acquire land for public purposes. The provisions of the central Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, would have allowed the linear project to acquire land even without the consent of certain parties, if needed, against the payment of compensation. But the company is not looking to invoke such provisions, officials said.

FACT CHECK, GROUND REALITY

When is the oath taken by a Minister (in)valid?

EXPRESS NEWS SERVICE
MUMBAI, DECEMBER 2

ON THE first day of the Assembly session in Maharashtra on November 30, former Chief Minister Devendra Fadnavis alleged that the oath-taking ceremony of the new government had violated the Constitution.

He was referring to the invocation — by Chief Minister Uddhav Thackeray and each Minister — at the start of the oath, before reading out the text, which he alleged had altered the oath itself.

Thackeray invoked Chhatrapati Shivaji and "my parents"; Eknath Shinde named Bal Thackeray, Ananda Dhige, a Thane Shiv Sena leader who died in 2000, Uddhav Thackeray, and Shivaji.

Subhash Desai invoked Bal Thackeray. Jayant Patil of the NCP invoked Shivaji and Sharad Pawar.

Chhagan Bhujbal began with Jai Shivratri, Jai Maharashtra, and invoked Mahatma Phule, Chhatrapati Shahu, Babasaheb Ambedkar, Bal Thackeray, and Sharad Pawar.

Balasaheb Thorat took Sonia Gandhi's name. Nitin Raut named Ambedkar, Sonia, Rahul Gandhi, and the Buddha.



At the swearing-in. Prashant Nadkar

In the Constitution

Article 164(3) says: "Before a Minister enters upon his office, the Governor shall administer to him the oaths of office and of secrecy according to the forms set out for the purpose in the Third Schedule." The Third Schedule requires the taker of the oath to either "swear in the name of God" or to "solemnly affirm" to "bear true faith and allegiance to the Constitution..."

According to constitutional experts and those familiar with procedures and rules of swearing-in ceremonies, Art 164 makes it clear that the text of the oath is sacrosanct, and the person taking the oath has to read it out exactly as it is, in the given format. If a

person wanders from the text, it is the responsibility of the person administering the oath — in this instance the Governor — to interrupt and ask the person being sworn in to read it out correctly.

Instances of deviation

The most famous case of a political leader changing the oath was in 1989, when Devi Lal inserted the words "Deputy Prime Minister" as he was being sworn in to Prime Minister V P Singh's cabinet, and was corrected by President R Venkataraman.

In 2012, Azam Khan of the Samajwadi Party had to retake his oath in Uttar Pradesh after he skipped the oath of office, and only took the oath of secrecy.

Fadnavis's objections

According to former Maharashtra Advocate General Shreehari Aney: "It is the content of the oath that is important. That should be as per the format laid down in the Constitution. Addition something before or after the oath is not unlawful as long as the substance of the oath is unaltered."

Aney, who was AG for some time when the Fadnavis government was in power, however, added that the "practice of invoking

gods, national leaders, reformers, while administering the oath of office can be termed as immature, as it detracts from the importance of the oath". But even so, Aney said, "it doesn't flout constitutional requirements."

Role of the Governor

The Governor's approval is key. According to experts, if the person administering the oath approves the oath, the matter is closed. Immediately on taking the oath, the person who has been sworn in, must sign a register. The register is attested by the Secretary to the Governor, which means it has been approved by the Governor. In Maharashtra, that approval was also formalised by a gazette notification on the appointment of the Chief Minister and six ministers, which was issued on November 30.

"Ultimately it is the responsibility of the Chair, the functionary administering the oath, in this case the Governor [to correct]. Once Governor takes it as read, and the Secretary to the Governor has attested that the oath has been administered, and the gazette notification has come out, then it is no longer an issue, it cannot be legally challenged," Shumsher Sheriff, former Rajya Sabha Secretary General, said.

Why, if growth is to revive, credit flows to industry must pick up fast

SHOBHANA SUBRAMANIAN
NEW DELHI, DECEMBER 2

AT 6.1% year-on-year, the growth in India's nominal GDP in Q2FY20 is the lowest in more than 16 years. While the slowdown has no doubt been exaggerated by the extraordinarily low inflation, even in real terms, a 4.5% y-o-y growth in GDP is the lowest since Q4FY13.

What is worrying is that nominal GDP has grown by just 6.1% y-o-y in a quarter when nominal government spending jumped 18.9% y-o-y, the biggest increase in 30 quarters. With government spending likely to be constrained due to poor tax collections, other sections of the economy need to pull their weight if the nominal growth is to pick up meaningfully.

The government has cited weakening global growth as a reason for India's sharper-than-expected growth slump. But India is a relatively closed economy, and domestic fac-

tors have played a bigger role; the weak domestic demand has been cushioned somewhat by government spending and contracting imports.

Which is why, with a real GDP growth of 4.8% y-o-y in H1, it is hard to see the economy clocking in much more than 5% in FY20. And that is with a hugely helpful base, since GDP in H2FY19 grew at just 6.2% y-o-y.

The big worry now is the fisc.

Unless there is a big jump in nominal GDP growth in the second half — the budget has pencilled in a 12% growth in nominal GDP for FY20 while the number is more likely to be 8-8.5% — the fiscal deficit ratio will take a real knock. Thanks to the government using the wrong base numbers, the tax projections were quite unrealistic to begin with. Now, they look even worse.

At a time when the economy is slowing, it is only to be expected that tax collections too, will slow. And since the denominator — nominal GDP — will be lower, the deficit-to-GDP will go up even more.

The fiscal deficit for the April-October period — Rs 7.2 lakh crore — doesn't look too good at 102% of GDP. To be sure, much of the increase in the deficit is because the government has spent more — Rs 16.55 lakh crore versus Rs 14.55 lakh crore in the corresponding period of 2018-19.

At the same time, it is also true that the tax mop-up this year has been virtually flat at Rs 10.52 lakh crore versus Rs 10.39 lakh crore in the April-October 2018 period.

The government believes that the economy will revive in the second half, but so far, there is very little to suggest a meaningful pick-up.

Indeed, the output of the core sector contracted 5.8% y-o-y in October — slightly more than it did in September — suggesting the busy season hasn't got off to a great start. Demand for cars was subdued in the festival month, and has fallen in November. Sales of two-wheelers fell 14% y-o-y in October, and

haven't done very much better in November, suggesting poor rural demand. Also, sales of commercial vehicles were weak, crashing by 23% y-o-y.

Consumers are clearly not willing to spend, especially on big ticket items such as homes. The fact that there is no quick fix for the compression in credit growth will, in fact, prevent growth in Q3 and Q4 from picking up meaningfully.

One big reason why consumption demand has tapered off is rural stress — with prices of agri goods collapsing, farm incomes have been badly hurt. The agricultural GVA in the September quarter grew at just 2.1% y-o-y, the slowest in 14 quarters save one. Unless many more jobs are created, it is hard to see consumption getting a boost.

But it is even harder to visualise where the jobs are going to come from, since the manufacturing sector is in a slump — man-

ufacturing GVA contracted 1% in the September quarter. And the services sector is in big trouble since the financials of a couple of large telcom players are fragile following adverse regulation. These companies are laying off people in large numbers.

Also, gross fixed capital formation, an indicator of capex, barely grew in the September quarter — it rose 1% y-o-y, the slowest in 19 quarters. That suggests not too much fresh capacity is being added, which is not surprising, since there is a fair bit spare capacity to be utilised.

Also, since several business houses have bought stressed assets via the IBC route, using up some of their financial resources, it is unlikely they will undertake greenfield expansion. But the government needs to worry more about existing businesses.

The biggest challenge today is to unplug credit flows to industry — small and large. This looks virtually impossible because banks have turned risk averse and are staying cautious in what is an extremely tough

environment — 2019 has seen more than 3,300 companies being downgraded so far. Incremental lending between April and November 8 is up barely by 0.43%; in the fortnight to November 8, loan growth slumped to a two-year low of 7.9% y-o-y.

Banks can't be blamed for their approach because there are few businesses worth lending to. But companies too are not inclined to create fresh capacity. Meanwhile, lending by NBFCs has slowed sharply over the past year — 34% y-o-y in Q2FY20 — with several of them in financial trouble. Indeed, whether the Reserve Bank of India cuts repo rates or not is less important now because banks have become extremely cautious.

Also, with credit flows tight — despite a Rs 2 lakh crore surplus liquidity — more companies are likely to default on loan obligations, which, in turn, means rising loan losses. To be sure, there is no systemic risk, but there is the danger of many small and mid-sized businesses closing down, leading to more job losses.



The IndianEXPRESS

FOUNDED BY
RAMNATH GOENKA

BECAUSE THE TRUTH INVOLVES US ALL

Mr Bajaj speaks again

Government-business relations remain fraught.
But why PM Modi must pay heed



SANJAYA BARU

IF THE GENERAL GOES

After court intervention, Gen Bajwa's position as army chief is undermined. Battle lines in Pakistan are actually within army

TWELVE YEARS AFTER Pakistan's Supreme Court took on an army ruler for ousting its chief justice, the country's higher judiciary has taken on another army chief, this time questioning the three-year extension given to him by the civilian government of Imran Khan. The bench, headed by Chief Justice Asif Saeed Khosa, cut the extension granted to General Qamar Javed Bajwa, whose term expired on November 28, to a bare six months while ordering the government to bring in constitutional changes to lay down the tenure of the army chief and other terms and conditions of his appointment. In the process, the government, which had announced the extension back in August, was exposed for its ineptness and inability to get the paperwork right in a matter as important as this. Bajwa continues as COAS at the pleasure of the court. Is this a rare civilian moment in the affairs of military-dominated Pakistan? Not really. Although the court has thrust into the public domain the issue of extensions to the army chief, a matter that has haunted many previous governments and jeopardised their continuance, the reality is that Prime Minister Imran Khan, who cheerfully admits to being on the "same page" as the army, sees no risk from Bajwa, and in fact, wants him to continue.

In the last two decades, there have been two other instances of a Pakistan Army Chief on extended stay. General Pervez Musharraf granted himself an indefinite extension as COAS in 2001. Musharraf's 10-year stay at the top, and his successor, Ashfaq Parvez Kayani's, six years (including one extension) held up the careers of scores of officers in the Pakistan Army. In the present instance, it was a member of the public who went to court against the extension to Bajwa. The chief justice, then, took it on as a matter of national interest. At least 11 three-star generals would have retired by the time Bajwa's three-year extension ended. The promotions of many others would have been held up.

The dissent within the army over this is perhaps not unconnected to the growing unease among officers that the institution and its leadership are seen on "the same page" as an increasingly unpopular civilian government. The sentiment was most apparent during the recent "long march" by a veteran Pakistani politician from a right wing religious party, who questioned the government's silence on Kashmir and contrasted this with its enthusiasm over the Kartarpur corridor. After the court's intervention, Bajwa's position as COAS is much undermined. It is possible that the Parliament may not be able to agree on amendments to Article 243 of the Constitution that deals with the army chief's appointment, as demanded by the court. An extension for Bajwa beyond the court-granted six months seems iffy. The battle lines are actually within the army, and the civilian politicians will only choose their side. It is not difficult to see which side those in the Opposition will pick. The next question, then, is: If Bajwa goes, can Imran Khan be far behind?

TIME IS NOW

Success of CoP 25 hinges on how urgently countries resolve discord over climate finance, carbon markets

ON SUNDAY, A day before the UN's Framework Convention on Climate Change's (UNFCCC) 25th Conference of Parties got under way in Madrid, UN Secretary General Antonio Guterres, issued a stern warning. "The point of no return is no longer over the horizon. It is in sight and hurtling towards us," he said. Over the next two weeks, as delegates from almost 200 countries attempt to firm up the commitments made in Paris in 2015, establish new rules for emissions trading, and create systems to compensate countries already affected by global warming, they would do well to keep this warning in mind.

Signatories to the Paris Pact will have to update their commitments to the landmark treaty — Nationally Determined Contribution (NDC) — in 2020. Given that several studies have shown the inadequacy of these targets in combating the climate crisis, CoP 25 will be keenly watched for the signals given by countries in upscaling their NDCs. India and China have consistently resisted demands to enhance targets. The two countries have argued that their NDCs are way beyond their historical culpability for global warming and the developed countries, mainly responsible for the climate problem, should be doing more — especially when it comes to helping the poorer countries with funds and technology. In this context, a study by the US think-tank Climate Policy Initiative, which shows that global climate financing fell by about 11 per cent in 2018, compared to 2017, should be sobering to the delegates assembled at Madrid.

Carbon markets could be another thorny issue at CoP 25. The Paris Pact's predecessor, the Kyoto Protocol, allowed countries, or industries, to earn carbon credits for emission reductions they made in excess of what was required of them. These credits could be traded to the highest bidder, who could then show the emission reductions as their own. India, China and Brazil have accumulated huge amounts of carbon credits and want them to be incorporated in the Paris Pact's market-related clause — Article 6. But developed countries have been resisting such claims on the grounds that the Kyoto Protocol's weak verification procedures allowed dubious projects to obtain carbon credits. At the last CoP in Katowice, when the rulebook for the Paris Pact was drawn up, Article 6 was one of the unresolved issues. Resolution of the impasse will hold the key to the success of CoP 25.

THE RIGHT STUFF

Bottlenose dolphins have more in common with humans than we imagined. They even share our directional bias

DOLPHINS, PRESUMED TO be the most intelligent and empathetic creatures of the deep, have shared a deep bond with humans. There are innumerable heart-warming stories about dolphins helping to save doomed swimmers, heading off sharks, retrieving dropped tools for divers, and so on. But a paper on dolphin behaviour in the Royal Society's journal, *Open Science*, finds more common ground — like humans, dolphins are predominantly right-handed, and they are even more fundamentalist about their preference than humans. The authors observed that over 99 per cent of observations showed them favouring the right side.

Right-handedness appears to be intrinsic to cetaceans, which include whales and dolphins, the only creatures other than primates who are presumed to have some human-like qualities. This is bad news for the left-handed, who are oppressed quite enough already by the primacy of right-handedness among humans. The very words we speak are directionally weighed. Dexterity is from the Latin *dexter* (right), and sinister is Latin for "left". The modern meanings are derived via convoluted routes, including but not limited to myth and augury, but the association of the terms with cleverness and vileness are now permanently set. In politics, too, left and right originally signified your place in the pecking order. The world is deeply divided into nations which drive on the right and on the left, each side believing that the other is plain wrong. The list is endless.

The most egregiously handed word is hiding in plain sight. It's even in the headline above: "Right". A wily, duplicitous word signifying both a direction and rectitude, and thereby conflating the ideas. With that, the victory of the right in human affairs is complete. But fortunately, barring humans and cetaceans, the rest of nature is ambivalent about handedness. Mice and budgies just don't care, for instance. It's best that way.



SOLI J SORABJEE

ONE MAY CRITICISE our Supreme Court for some of its judgments, but no person can describe it as a passive judiciary. The recent judgments of the Court clearly portray it as an active, rather an overactive judiciary.

No one can claim unrestricted entry to any temple or religious institution or a public meeting. A person with proven criminal antecedents may be rightly denied entry. But, surely, it is irrational to deny entry to a certain class of citizens, for example, women, because of a natural physical phenomenon like menstruation. Menstruation is not a crime. This practice, prevalent at the Sabarimala temple in Kerala, ignited the jurisdiction of our Supreme Court which battled with this issue, and occasioned the dissenting judgment of Justice Indu Malhotra.

Lengthy and erudite arguments were advanced by parties who championed a woman's right of entry based on the guarantees of equality and prohibition of discrimination inter alia on the ground of sex. Parties supporting the no-entry practice relied on Article 25 which guarantees the right to practise and profess religion. They overlooked that this Article is "subject to other provisions of the Constitution". In other words, subject to Articles 14 and 15, which prohibit discrimination inter alia on grounds of gender.

Another argument was the right of the "Deity" Ayyappa, who is believed to be in dis-favour of the entry of women of certain ages in a temple and whose divine right, it is argued, should be respected.

Ordinarily, the Supreme Court judgment

A JUDICIOUS BALANCE

Supreme Court's recent judgments reaffirm its role as a vigilant monitor

The Rafale case is another instance worth noting. The Supreme Court dismissed the review petitions filed against its previous order, which found nothing wrong with the Rafale transaction. This has not excited the public. Instead, what has is the Supreme Court's dismissal of the contempt petition against Rahul Gandhi for his attributing his comment — 'chowkidar chor hai' — to the Court itself. Rahul Gandhi tendered an unconditional apology, which was accepted, but with a strong warning to him to be careful in the future. I think Rahul Gandhi was dealt with leniently. He is an influential political leader who should not make statements which are untrue and betray disrespect for the Court.

Another Supreme Court judgment which has hit the headlines is its decision to uphold the Karnataka Speaker's orders disqualifying 17 defectors. The Supreme Court, how-

power. They do no good to the reputation of a liberal democracy. It is good that Bajaj has spoken openly and it is equally good that Union Home Minister Amit Shah has publicly reassured him, stating emphatically that the government would "have to make the effort to improve the atmosphere".

It is not clear, though, how much of the fear of big business that Bajaj sought to convey is due to the chinks in their own armour and how much is due to unfair harassment. Indian business leadership has not covered itself with glory, still unable to run globally competitive businesses and continuing to seek a "level-playing field" seven decades after independence. The relationship between government and business, therefore, remains fraught. It is characterised by feudal supplication, on the one hand, and a willingness to cut corners and buy political cover, on the other. It has to be said in Modi's favour that he has been more forthright in weakening the foundations of crony capitalism than any previous government.

What ails this government is precisely what has ailed all governments — the arrogance of power. While such arrogance is often a mask for incompetence, business persons tolerate that arrogance in the hope of benefitting from the incompetence, and consequent arbitrariness. It is this incestuous nexus that Prime Minister Modi has tried to break, but in doing so he may have ignored the impact it would have on investor sentiment and business confidence. Clearly, it is time for some course correction.

The problem is not specific to the current ruling dispensation. It is inherent to the feudal nature of democratic governance in India. Today's humble in Opposition were yesterday's arrogant and arbitrary in power. Yesterday's beacons of hope have become today's cause for despair. That is true in state capitals too. Power tends to corrupt and absolute power corrupts absolutely. It is an old

adage, everyone quotes Lord Acton approvingly, yet few have mastered the art of wearing and bearing power lightly on one's shoulders.

Part of the problem in the government-business relationship is that both sides need each other and loath that fact. For Prime Minister Modi, the current conjecture, with a combination of an economic slowdown, political setbacks and foreign policy challenges, is a moment of reckoning. He has faced setbacks before, but the multiple challenges he faces today require a major reset in policy and politics. More of the same cannot and will not do. He may still have a significant chunk of the national vote with him, but there is growing restiveness in his traditional constituencies. Both his slogans of a "New India" and a "\$5-trillion economy" have lost their shine and sheen.

The Opposition still has nothing new to offer. Its best faces remain those of an ageing leadership — from Sonia Gandhi and Manmohan Singh to Sharad Pawar — and its best ideas are from manifestos of a bygone era. Provincial leaders offer no national alternative. Given this situation, Prime Minister Modi owes it to the nation to make something of the massive mandate he received. It may have been a mandate for a nationalist platform but nationalism means nothing without economic development.

The idea of a Rising India has been devalued and diminished by a faltering one. India is once again at a critical crossroads but runs the risk of yet again missing the bus. The focus of governance has to move away from divisive issues, including issues of identity and citizenship, to the here-and-now of investment promotion, employment generation and the building of a capable and competitive economy. Governance in public institutions, including in the fields of education, has to be prioritised for improvement. No one but the prime minister can and must provide the leadership needed to address these challenges anew.

The writer is a policy analyst and former media advisor to prime minister of India

should finally settle any controversial issue, but not in our country. This is evident from the heated debates on the issue on TV channels and in public meetings. Interestingly, many women support the no-entry rule, not on legal or constitutional grounds, but on the misconception that a menstruating woman is not "clean" and, therefore, allowing her to enter the temple would be a desecration of a holy place. To keep the pot boiling, the issue has been referred to a larger bench of seven judges. It is debatable whether the seven judge bench judgment will finally put a lid on the matter. The real remedy would be to cleanse the minds of the supporters of no-entry to women doctrine.

The Rafale case is another instance worth noting. The Supreme Court dismissed the review petitions filed against its previous order, which found nothing wrong with the Rafale transaction. This has not excited the public. What has is the Supreme Court's dismissal of the contempt petition against Rahul Gandhi for his attributing his comment — "chowkidar chor hai" — to the Court itself. Rahul Gandhi tendered an unconditional apology, which was accepted, but with a strong warning to him to be careful in the future. I think Rahul Gandhi was dealt with leniently. He is an influential political leader who should not make statements which are untrue and betray disrespect for the Court.

Another Supreme Court judgment which has hit the headlines is its decision to uphold the Karnataka Speaker's orders disqualifying 17 defectors. The Supreme Court, how-

ever, quashed the Speaker's order to the extent that it prevented the disqualified candidates to contest elections till 2023. The Court's exposition of the law relating to the inter-play between resignation and defection is welcome.

It ruled that the resignation does not take away the effect of a prior act that incurs disqualification. The Supreme Court made instructive observations about the role and function of the Speaker in dealing with cases of disqualification of a candidate on the grounds of defection. It ruled that Speakers are not given a free pass to sit on resignation letters indefinitely. Once it is demonstrated that a member is willing to resign out of his free will, the Speaker has no option but to accept the resignation. The Speaker is not empowered to consider the motives and circumstances whenever a resignation letter is submitted. The Supreme Court deplored that Speakers sometimes tend not to be neutral.

Hopefully, Speakers will pay serious heed to the Court's observations. When the anti-defection law was enacted in the Tenth Schedule of the Constitution, it was believed that the vice of defection would be effectively curtailed. Regrettably, subsequent developments have belied the hope. The remedy lies not so much in amending the law or introducing fresh legal provisions, but in arousing the conscience of every honest citizen to reject the defector at the poll booth.

The writer is a former attorney general of India



DECEMBER 3, 1979, FORTY YEARS AGO

POWER STRIKE OFF

UTTAR PRADESH POWER minister Rewati Raman Singh said that the agitating power engineers of the state electricity board had called off their strike. He said he had been informed of the decision by the Power Engineers Association president, Rejendra Prasad. The announcement came shortly after the association secretary, Shailendra Dubey, declared that the power engineers of Delhi, Rajasthan, Punjab, Haryana and Himachal Pradesh would go on "work-to-rule" in support of the agitating UP engineers.

NEW IRAN

IRANIANS STARTED VOTING to a non-secret

referendum to approve an Islamic constitution entrenching the religious leadership as the absolute rulers of the country. Approval by the simple "yes or no" vote would automatically confirm Ayatollah Ruhollah Khomeini as the uncrowned ruler of Iran for life with sweeping powers described as "dictatorial" by critics of the constitution. There was a brisk turnout of voters in Teheran's numerous polling stations, particularly to the poorer neighbourhoods of the capital, with men and women above 16 lining up separately to cast votes. "We've had more than 700 votes cast here already and only one was a no. And that was a mistake," an English-speaking official at the Teheran polling sta-

tion told the Associated Press.

ASSAM BANDH

THE STUDENTS OF Assam are on the war path and are determined to thwart elections in the state. The All Assam Students Union and the All Assam Gana Sangram Parishad have given a call for a 44-hour Assam bandh from 6 am on December 3 to 4 pm on December 4, to be followed by mass picketing from December 5 to 8 outside the state and central government offices. The main purpose of the agitation will be to thwart the move of candidates to filing their nomination papers. The essential services have been exempted from the purview of the bandh.



All's not well with secularism

It is caught in a crisis not because it is irrelevant, but because it is subjected to rank overuse and invested with too many expectations



NEERA CHANDHOKE

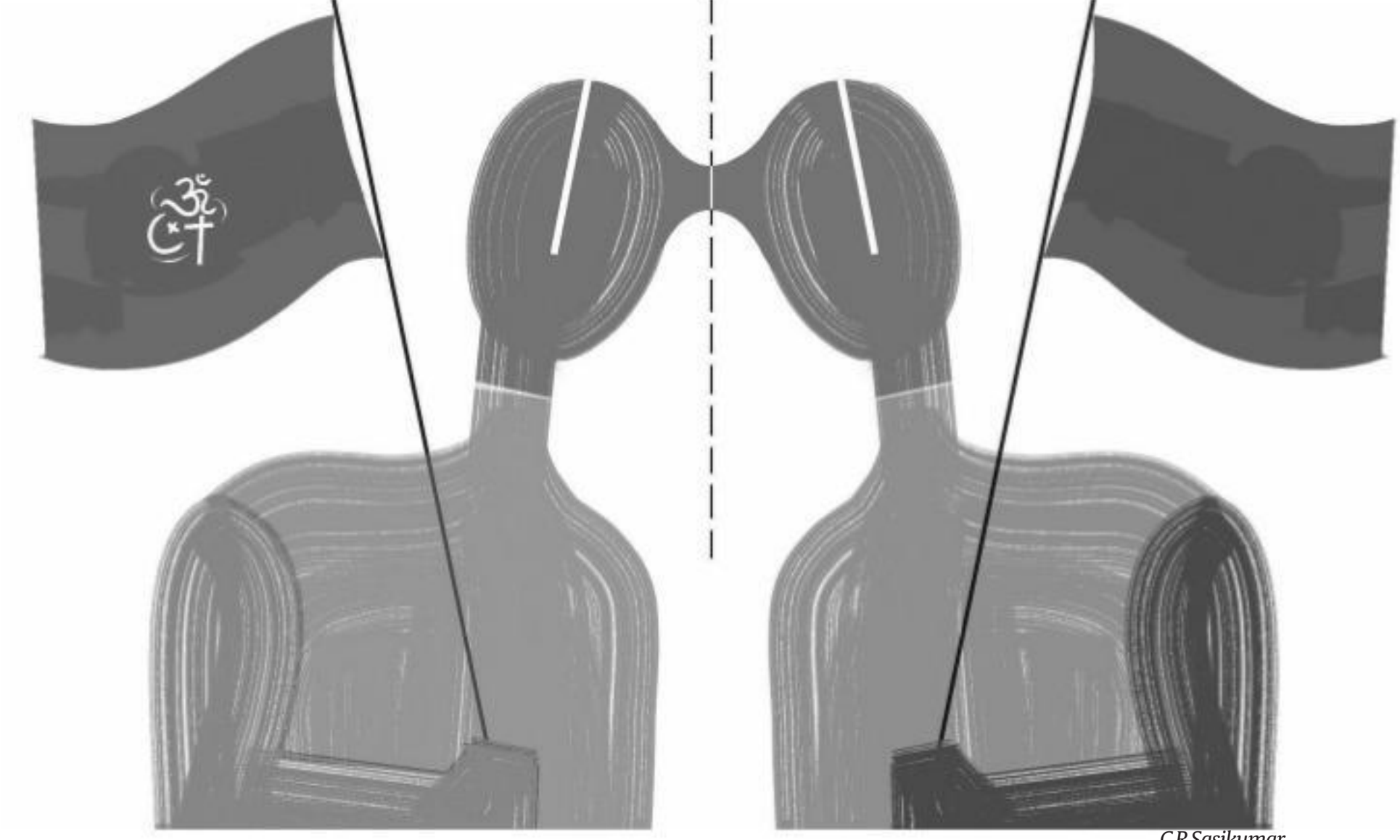
THIS IS, PERHAPS, not the best time to clarify and defend the principle of secularism in India. For the religious right, secularism has become a “bad” word, an object of mockery, disdain, and casual dismissal. There is still an urgent need to ponder, reflect and rethink. India’s recent history of discrimination against minorities demands this. Recollect that history is a hard taskmaster. No one can dodge the big questions that history crashes onto political platforms. History poses questions; it is the job of imaginative and visionary politics to find the right answers. Or, these questions will continue to haunt us.

The leaders of the freedom struggle were confronted by one such big question in the aftermath of the 1931 Kanpur riots, which left 400 dead. The Indian National Congress established an inquiry commission to investigate the problem. The committee reported that communal riots are an outcome of historical processes sparked off by colonial rule. Overturning the assumption that Hindu-Muslim enmity is endemic to India, the Congress held that India is home to both Hindus and Muslims. It is possible to end the conflict if minorities can be assured that their rights to religion and culture will be given full protection in an Independent India, the party held.

On March 31, 1931, while moving the resolution on fundamental rights in the open session of the Congress at Karachi, Gandhi spoke on the issue. “Though Islamic and Aryan cultures are not mutually exclusive,” he said, “we must recognise that Mussalms look upon Islamic culture as distinctive from Aryan. Let us therefore cultivate tolerance.. Religious neutrality is important and Swaraj will favour Hinduism no more than Islam, nor Islam more than Hinduism.. Let us from now on adopt the principle of state neutrality in our daily affairs”. This neutrality of the state we call secularism.

Secularism is not a standalone concept, it flows from Article 14 of the Constitution, which guarantees equality. No one shall be discriminated against on the basis of birth into a class, caste, gender, or religious community or for her sexual preferences. This was the intention of the founders of democracy in India, and this is what secularism should be understood as — as related to democracy.

The significance of secularism becomes clearer when we make three distinctions. The first distinction is between secularisation and secularism. Secularisation is a social process that involves the privatisation of religion, as in Europe after the Enlightenment. In India, processes of secularisation were stymied because religion, since the late 19th century, was latched to the nationalist project, and, from the 20th century, to competitive nation-state projects. Hinduism and Islam had been politicised and continue to be so. Two, religion as politics has nothing to do with religion as faith. Politics in search of power seeks only one thing — monopoly over resources. The third distinction dispels a confusion that has accompanied the debate on secularism in India. Secularism is not the binary opposite of communalism. The opposite of communalism is religious harmony. Secularism is the diametric opposite of



CR Sasikumar

theocracy or the merging of two awesome forms of power — the non-religious and the religious. Theocracy simply does not fit into modern democratic imaginations.

Secularism for long has ridden to prominence on the shoulders of secularisation. Now that secularisation has been shown to be one of the vanities of modernity, secularism needs a new home. What other home can it live in except democracy? Democracy and secularism are companion concepts, because of their shared commitments to basic values such as freedom, equality and justice. This does not imply that secularism can be collapsed into democracy. We need to distinguish between the two.

Indian society is fractured in many ways. Vertically, it is fractured along the axis of caste, class and gender. Horizontally, it is divided along the matrix of different belief systems. Different sorts of strategies are needed to deal with different kinds of inequalities and oppressions. The responsibility of reorganising unequal and unjust religious communities on the norms of freedom, equality, and rights falls on democracy. The principle of secularism is intended to ensure equality between these communities. It is not the job of secularism to reorder unequal gender or caste relations. That falls within the province of democracy. Secularism ensures that the state is not aligned to any one religion, that all religious communities are treated with equal care and consideration, that no community is granted special advantages because it is in a numerical majority. Similarly, it ensures that no religion is discriminated against just because its numbers are smaller than the majority community. Secularism extends the principle of equality — or even its weaker form, non-discrimination — specifically to the relationships between religious communities. If a government openly supports a majority religion and discriminates against minorities, justice kneels before political power.

This is not to say that all is well with the concept. Secularism is today caught in a crisis, not because it is irrelevant, but because it has been subjected to rank overuse and invested with far too many expectations, from solving the issue of national integration to gender justice. Notably, secularism is not a robust concept like democracy or justice; it is a “thin”

The coexistence between religious identity and democratic politics is not easy. There is, arguably, a fundamental discrepancy between religious and secular languages. Religion gives to believers ‘thick’ or comprehensive conceptions of the good that help them to make sense of the world, order their lives, and relate to others. The concept of secularism is, in comparison, ‘thin’ insofar as it establishes procedures that indicate what the place of religion in the public domain is, and what the relationship between different groups should be, and how justice and democracy can be secured.

and a limited procedural concept. The challenge to secularism has not come from personal faith or religion, but from religious groups that struggle for power. The challenge is also to democracy because denial of secularism catapults issues about the rights and privileges of citizenship, and throws into sharp relief the intersections between religion and the lack of voice, inadequate distribution of goods, and recognition of unique distinctiveness of groups.

Finally, the coexistence between religious identity and democratic politics is not easy. There is, arguably, a fundamental discrepancy between religious and secular languages. Religion gives to believers “thick” or comprehensive conceptions of the good that help them to make sense of the world, order their lives, and relate to others. The concept of secularism is, in comparison, “thin” insofar as it establishes procedures that indicate what the place of religion in the public domain is, and what the relationship between different groups should be, and how justice and democracy can be secured.

This is not to suggest that secularism is not a good; merely that secularism does not tell people how to lead their lives or what to strive for. The principle of secularism contributes to the construction of a constitutional framework where people can pursue their faith or any other substantive conception of the good, unburdened by discrimination, and where the state does not discriminate between different religious groups. Religion and secularism relate to different kinds of justice and are in many cases difficult to translate into each other.

But that is the nature of democratic political life. Irresolvable dilemmas that can only be negotiated through the deployment of imagination and creativity in thinking and practice. Let us remember and take heart from Jawaharlal Nehru's words in the *Discovery of India*. He quotes the chorus from the *Bacchae* of Euripides, translated by Gilbert Murray. “What else is wisdom? What of man's endeavour/ Or God's high grace, so lovely and so great?/ To stand from fear set free, to breathe and wait;/ To hold a hand uplifted over Hate;/ and shall not Loveliness be loved for ever?”

The writer is a former professor of political science, Delhi University

WHAT THE OTHERS SAY

“China needs to make efforts to dismantle the influence of the West’s China-related reports worldwide... Only by gradually achieving this task can China’s soft power make a necessary breakthrough.” — **GLOBAL TIMES, CHINA**

A new mould for Mauritius

From trade to geopolitical significance, it is time for India to look again at the island nation



RAJA MANDALA

BY C RAJA MOHAN

AS IT PREPARES to host the prime minister of Mauritius, Pravind Jugnauth, who returned to power in the recent general elections, Delhi needs to change the lens through which it sees the small island republic in the western Indian Ocean.

For far too long, Delhi has viewed Mauritius through the prism of diaspora. This was, perhaps, natural since communities of Indian origin constitute a significant majority in the island. But the time has come to reimagine Mauritius in much larger terms.

More recently, Delhi has certainly begun to see the strategic significance of Mauritius thanks to the renewed great power contestation in the Indian Ocean. Right at the very start of his first term in May 2014, Prime Minister Narendra Modi saw Mauritius as part of India's neighbourhood and invited its leadership to join his inauguration along with other South Asian leaders.

It was during his visit to Mauritius in 2015 that Modi unveiled an ambitious policy called the SAGAR (security and growth for all). It was India's first significant policy statement on the Indian Ocean in many decades. Delhi has some ways to go before it can translate the logic of SAGAR into effective outcomes on the ground.

But there is a bigger challenge for Delhi in dealing with Mauritius. It is the urgent need to discard the deep-rooted perception that Mauritius is simply an extension of India. It is not. Mauritius is a sovereign entity with a unique national culture and an international identity of its own. Its leaders are also conscious of the island's special place in the Indian Ocean as a thriving economic hub and an attractive strategic location. Although it is quite small with just 1.3 million people, Mauritius has been punching way above its weight.

Jugnauth's visit is a good moment for India to visibly demonstrate its respect for the sovereignty of Mauritius. Jugnauth, who took over from his father Anerood as the PM in January 2017, has now won power on his own steam. At 61, Pravind may not be too young, but he represents a new generation that is immensely proud of the republic's extraordinary evolution from a slave island to a prosperous economy.

An India that begins to see Mauritius on its own terms would want to go beyond sentimentalism and to explore the immense possibilities for elevating India's strategic partnership with an island that is looking beyond sugar plantations to financial services and technological innovation.

Mauritius is all about location and the genius of its people. As early European explorers sailed around the African continent and ventured eastwards to India, they began to call Mauritius, the “Star and Key of the Indian Ocean”. If the Portuguese and the Dutch were the first to gain a foothold in Mauritius, it was the French who gained ef-

fective control over the island in the early 18th century.

The French developed sugar plantations, introduced ship building and developed a naval base. The French certainly understood the strategic significance of Mauritius. A French soldier and colonial official, Félix Renouard de Sainte-Croix, described the island as “a central geographical point between every other place in the world”.

The British who gained control over Mauritius during the Napoleonic wars turned it into a garrison island that would help secure the sea lines of communication between Europe and India. The enduring value of its location is reflected in the fact that Diego Garcia, once part of Mauritius, today hosts one of America's largest foreign military bases in the world.

But in emphasising the value of military access to Mauritius, it is easy to miss its geo-economic significance. The French description of the island as a “central geographic point” holds equally true for commerce and connectivity in the Indian Ocean. As a member of the African Union, Indian Ocean Rim Association and the Indian Ocean Commission, Mauritius is a stepping stone to multiple geographies.

If Delhi appreciates the value of Mauritius as a regional hub, a number of possibilities present themselves. One, as new investments pour into Africa, Mauritius is where a lot of it gets serviced. Mauritius can be the fulcrum for India's own African economic outreach.

Two, until now India has tended to deal with the so-called Vanilla islands of the south western Indian Ocean — Comoros, Madagascar, Mauritius, Mayotte, Reunion and Seychelles — on a bilateral basis. If the Indian establishment thinks of them as a collective, it could make Mauritius the pivot of Delhi's island policy.

Three, the Mauritius pivot can facilitate a number of Indian commercial activities in the south western Indian ocean — as a banking gateway, the hub for flights to and from Indian cities and tourism.

Four, India could also contribute to the evolution of Mauritius as a regional centre for technological innovation. India has not really responded so far to the demands from Mauritius for higher education facilities from India like the IIT.

Five, climate change, sustainable development and the blue economy are existential challenges for Mauritius and the neighbouring island states. Mauritius will be the right partner in promoting Indian initiatives in these areas. It could also become a valuable place for regional and international maritime scientific research.

Finally, if Delhi takes an integrated view of its security cooperation in the south western Indian Ocean, Mauritius is the natural node for it. The office of a defence adviser in Mauritius, for example, can service the demands of all the island nations as well as the East African states.

All this and more is possible if Delhi takes a fresh and more strategic look at Mauritius. One way of getting there is to have an early Indian summit with the leaders of the Vanilla islands.

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

Goals within reach

Six months of Modi 2.0 show it is on track to achieving its development targets



GAJENDRA SINGH SHEKHAWAT

DEVELOPMENT ECONOMICS, A subject for which Abhijit Banerjee and Esther Duflo won the 2019 Nobel Prize and classical economists like Robert Lucas, also a Nobel laureate, have had a long-standing debate on what rids nations of poverty. Classical economists argue that any nation which has seen rapid growth and development has seen rapid decline in their poverty levels, while development economists say that tinkering and experimenting in sample spaces will help us find out the economic intentions of people and thus help the government in making better economic choices.

The current Union government, after a successful re-election under the leadership of Prime Minister Narendra Modi, has done both: It committed itself to the vision of a \$5-trillion economy by 2024-25 much to the pleasure of classical economists and decided to shape the economic intentions of people through its various social schemes and programmes, making the development economists happy. Riding on the rainbow of trust due to the stellar work done during its first term, the NDA government is not shying away from taking major economic decisions.

The achievements of the government are numerous. I should begin with the biggest achievement of any government since Independence — the removal of special provisions under Article 370 and Article 35A. No issue in this country has been more sentimental than Kashmir's special provisions.

Generations of Indians shall be grateful to the government.

Understanding that a major re-calibration of various aspects of the economy was needed, the government began by forming an inter-ministerial taskforce to finalise infrastructure projects worth over Rs 100 lakh crore. The first major sector that was tackled was real estate. Against a demand for 1.12 crore houses, 93 lakh houses have been sanctioned, 28 lakh houses have been handed over and 56 lakh are under construction.

In the health sector, under Ayushman Bharat scheme, 64,26,238 beneficiaries have been admitted across 20,757 empanelled hospitals. Along with health, women's empowerment is a priority for this government. To protect vulnerable married Muslim women, the regressive practice of triple talaq was abolished and made punishable with three years imprisonment. Wage inequality has also been dealt with through the Code on Wages, 2019. We understand that the future lies in the proactive adoption of energy-efficient and non-polluting practices. India's total installed renewable energy capacity crossed the milestone of 80,000 MW on June 30. The fact that India has become the most secure habitat for the tiger is a testimony to this government's efforts and foresightedness.

MSMEs and startups are the vehicles for future economic growth. Startups with over Rs 25 crore as turnover shall get the promised

tax holiday for three years. The withdrawal of the Angel Tax will also give a major investment boost to startups. The government has also launched the Van Dhan Yojana, which shall link 1.92 lakh tribal entrepreneurs to the national market. In the meantime, 28,211 micro enterprises have been set up, giving employment to 2,25,288 people. The government has also mandated that 25 per cent of the sourcing in CPSUs come from MSEs — goods and services worth Rs 16,746 crore have already been procured from 61,641 MSEs.

Farmers are at the centre of this government's agenda. Nearly Rs 34,873 crore has been transferred to about 7.33 crore farmers under the PM-KISAN yojana till date. A minimum assured pension of Rs 3,000 per month is being provided to both farmers and traders upon reaching the age of 60. Welfare measures and assured MSP for rabi and kharif at 1.5 times the cost of production has improved the lives of our farmers and strengthened the rural economy. Development with empowerment has been the mantra of this government from its first day in office. By the 75th year of Independence, not a single rural family will be bereft of electricity or cooking gas. In a commendable achievement, the Ujjwala Yojana achieved its target of eight crore LPG connections seven months before the target date.

In order to achieve water security, drinking water shall be provided to all households by 2024 through the integrated management of

water supply, conservation and grey water reuse through the Jal Jeevan mission. The Jal Shakti Abhiyan, under which 3.56 lakh water conservation projects, 1.23 lakh watershed development projects and 1.5 lakh acres of rainwater harvesting measures are being undertaken, has sounded the government's intentions. After the grand success of the Swachh Bharat Abhiyan, the Jal-Jeevan Mission shall be the next major achievement.

The prime minister in the past six months has led by example: His video of plogging on the beach in Mamallapuram made every Indian more conscious of his/her surroundings and the Global Goal Keeper Award received by him reaffirmed India's commitment to the SDGs. The “Howdy Modi” event brought leaders of the two biggest democracies together in a rare spectacle of friendship and brotherhood. The second informal India-China meet at Mamallapuram ushered a new dawn of cooperation between the two countries.

The past six months has seen India taking big strides. With renewed vigour and focus, the government is marching towards the \$5-trillion economy mark. If this pace continues for the next four-and-a-half years, there is no doubt that India shall achieve this milestone before the target date.

The writer is Union minister, Ministry of Jal Shakti

LETTERS TO THE EDITOR

FAILING A MINORITY

THIS REFERS TO the editorial, ‘The fight for dignity’ (IE, December 2). The Transgender Persons Bill is supposed to be a progressive legislation, which discards societal prejudice. But it fails to provide dignified existence to transgenders as their fundamental right to sexual identity is dependent on a piece of paper issued by a magistrate. Besides, it inclines towards entitlement rather than the empowerment approach.

Divya Singla, Patiala

LIVING IN DENIAL

THIS REFERS TO the editorial, ‘A new low’ (IE, November 30). What is more scary than the economic slowdown is the government's refusal to check populism and wasteful expenditure. One-time investments in non-bankable and economically disastrous infrastructure projects or increasing tax rates through GST may earn revenues in a particular FY, but is unlikely to ease the recession.

Varin Dhir, Ahmedabad

LIGHTER BAGS

THIS REFERS TO the article, ‘In Rajasthan, integrated books make school bags lighter, student happier’ (IE, December 2). It is heartwarming to see this small but creative initiative turning out to be a game changer in the realm of education at the grass roots, where it is needed the most. One hopes that the

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.

move doesn't get mired in cheap political stunts and is replicated throughout the country.

Rahul Gaur, Gurugram

FOR HER SAKE

THIS REFERS TO the editorial, ‘Her freedoms’ (IE November 30). It is a matter of great regret that despite a raft of laws there is no let up in cases of violence against women. It seems that the problem cannot be tackled through laws alone, and requires societal changes. There is also a need for judicial reforms. Trials are slow and the judicial process does is unfair to the survivor.

Ravi Mathur, Ghaziabad