

## SC on Shaheen Bagh: Protests cannot block road, cause inconvenience

EXPRESS NEWS SERVICE  
NEW DELHI, FEBRUARY 10

HEARING PETITIONS against the anti-CAA protests at Shaheen Bagh, the Supreme Court said on Monday that protests must be held in "identified areas" and protesters cannot block public roads and cause inconvenience to others.

"You cannot block public roads. There cannot be indefinite period of protest in such an area. If you want to protest, it has to be in an area identified for protest," said a bench comprising Justices S K Kaul and K M Joseph. "You cannot create inconvenience for the people," it said.

"There's a law enacted, and challenge to it is pending in the Court. It's fine that some people may want to protest. The protests have gone on for many days... There must be an area where you can protest. It cannot be held wherever one wants. It has to be in identified area... Otherwise people will go and protest anywhere," said Justice Kaul, adding that protests cannot be held at the cost of the citizens' interests.

The court was hearing petitions filed by Advocate  
**CONTINUED ON PAGE 2**



Director Bong Joon-ho with the cast of *Parasite* at the 92nd Academy Awards in Hollywood. The film won four Oscars — Best Picture, Best Director, Best Original Screenplay and Best Foreign Film. Reuters

## Parasite is Best Picture: Subtitles finally speak truth to Hollywood

SHUBHRA GUPTA  
NEW DELHI, FEBRUARY 10

BY THE time you read this, Bong Joon-ho may be busy recovering from a hangover of a lifetime. "I am ready to drink tonight, until next morning," he said on stage, grinning delightedly, and the theatre full of delirious winners and putting-a-brave-face-on-it losers knew exactly how

he felt. On top of the world, because that's what winning the Oscar feels like, and Bong Joon-ho won not one, but four of those, creating history at the 92nd Oscars. The punters had put their money on *1917*, Sam Mendes's beautifully orchestrated World War I saga featuring two young soldiers and the futility of all conflict. Quentin Tarantino's nostalgic-laden ode to a Hollywood

that was, was thought to be a favourite with the Hollywood that is. But it was *Parasite* which swept the biggies which included the expected Best Foreign Film, Best Original Screenplay, Best Director, and, oh yeah, oh yeah, Best Picture. You could say Bong, 50, who graciously nodded to Scorsese and Tarantino, had earned his drink. The other wins are exhilarat-

ing enough. But the Best Picture award has never gone to a film which has, in Bong's words, one-inch subtitles running at the bottom of the screen. This recognition has multiple ramifications but the biggest of them all is that the Academy, whose voters are primarily middle-aged White Americans, has finally woken up to the fact that "foreign films" are also worthy of  
**CONTINUED ON PAGE 2**

## SABARIMALA REFERENCE TO BE HEARD DAILY

# Questions of law can be sent to larger bench: SC

Will take up seven issues, turns down objections that review scope narrow

ANANTHAKRISHNAN  
NEW DELHI, FEBRUARY 10

CLEARING THE way for hearing a reference in the Sabarimala case on the larger question of discrimination against women at different religious places, a nine-judge Constitution Bench of the Supreme Court Monday said "this Court can refer questions of law to a larger bench in a Review Petition".

It framed seven issues to be taken up by the court and fixed February 17 to start the hearing on day-to-day basis.

The Bench, comprising Chief Justice of India S A Bobde and Justices R Banumathi, Ashok Bhushan, L Nageswara Rao, M M Shantanagoudar, S A Nazeer, R Subhash Reddy, B R Gavai and Surya Kant, turned down objections raised by Senior Advocate

EXPLAINED  
**E** Possible impact on other pleas

THE 5-JUDGE bench sent the reference last year, saying petitions seeking entry of women to mosques, challenging female genital mutilation among Dawoodi Bohras and practices in the Parsi community were pending and could be impacted by questions raised in the Sabarimala matter.

Fali S Nariman and some others that the court could not make such a reference in a pending review petition as the scope of review was extremely narrow.  
**CONTINUED ON PAGE 2**

This may push the envelope on personal law reform, UCC

APURVA VISHWANATH  
NEW DELHI, FEBRUARY 10

THE SUPREME Court's decision to consider seven questions of law touching upon the fundamental right to freedom of religion is set to push the envelope on the idea of reforming personal laws.

"We have heard the parties at length. For reasons to follow, we hold that this Court can refer questions of law to a larger bench in a Review Petition," a nine-judge Constitution Bench said Monday. It did not indicate when a detailed order will be passed.

One of the seven questions of law framed by the court itself is  
**CONTINUED ON PAGE 2**

## PSA detentions in J&K: One HC judge quashes orders, another upholds

KAUNAIN SHERIFF  
NEW DELHI, FEBRUARY 10

LAST FRIDAY, a single-judge bench of the Jammu & Kashmir High Court, while rejecting the petition filed by J&K HC Bar Association president Mian Qayoom challenging his detention under the stringent Public Safety Act, observed that a court

THE EDITORIAL PAGE

THE PROBLEM WITH PSA  
BY RADHA KUMAR  
PAGE 12

is not a "proper forum to scrutinise the merits of administrative decision to detain a person" and

that such a detention is "not based on proof".

But two earlier judgments related to the PSA, passed by another single-judge bench of the same High Court, had quashed administrative orders, underlining that preventive detention "cannot be used as an instrument to keep a person in perpetual custody without trial".  
**CONTINUED ON PAGE 2**

## Sexual harassment at Gargi: FIR filed after protest by students

SUKRITA BARUAH  
NEW DELHI, FEBRUARY 10

HUNDREDS OF students of Delhi University's Gargi College came out in protest Monday to demand action against outsiders who forcibly entered their campus and allegedly groped students during a college festival last week.

Students of the all-women's college recalled a nightmarish afternoon as they spoke of dozens of men breaching security and sexually harassing them. The incident took place on February 6 — the third day of the college's annual festival, Reverie. On



Outside Gargi College in New Delhi on Monday. Praveen Khanna

Monday afternoon, an FIR was lodged by college authorities  
**CONTINUED ON PAGE 2**

MORE REPORTS  
PAGE 4

## BUSINESS AS USUAL



## FROM THE PICKET LINES

AN EXPRESS SERIES-PART II  
FEARS DON'T CROSS THE DIVIDE, IN POOR HINDUS A CONFIDENCE  
PAGE 7

## Media access to Central Hall of Parliament under scrutiny, review likely

PRADEEP KAUSHAL  
NEW DELHI, FEBRUARY 10

LOK SABHA Speaker Om Birla is likely to constitute a committee which will take a fresh look at the much-coveted Central Hall passes granted to media personnel, sources disclosed Monday.

Access to Central Hall, where members of both Houses of Parliament meet, is currently granted to only over 200 senior journalists who have fulfilled the criteria laid down by the Lok Sabha Secretariat — one has to have experience of at least 10 years of Parliament reporting on a permanent pass to qualify for

entry to the hallowed precincts where the Constitution was framed.

The Central Hall is also where the joint sitting of the two Houses takes place. On most days, journalists go there for informal interaction with members of the two Houses to get insight into issues.

On Monday, Birla is understood to have flagged a proposal for discontinuing media access to the Central Hall of Parliament at a meeting of the General Purposes Committee of Lok Sabha. The Speaker heads the GPC. "Charcha huyi hai (a discussion has been held)," sources  
**CONTINUED ON PAGE 2**

## 16 months & Rs 100-cr fees later, no sign of IL&FS resolution plan

SANDEEP SINGH & AASHISH ARYAN  
NEW DELHI, FEBRUARY 10

SIXTEEN MONTHS after the new board took charge of Infrastructure Leasing & Financial Services (IL&FS) Group and having spent nearly Rs 100 crore in fees, the new board under the chairmanship of Uday Kotak has not been able to get the resolution plan approved.

This has led to delay in the overall resolution of IL&FS debt. Since the new board took over in September 2018, IL&FS has only been able to complete the sale of its wind energy assets,

thereby leading to a debt resolution of Rs 4,300 crore out of the total debt outstanding of around Rs 94,000 crore.

Two board members and an official with an advisory firm told *The Indian Express* that since the resolution process is not moving forward there is a level of discontent creeping among those involved in the process.

"Already roughly Rs 100 crore has been paid in legal fee and payments to the resolution professional and enough time has been spent. However, things are not moving the way it was expected," said an IL&FS board member on condition of anonymity.  
**CONTINUED ON PAGE 2**

## How to bow, behave in Japan: Olympic team to get lessons from Delhi-born prof

PAGE 1 ANCHOR

MIHIR VASAVDA  
NEW DELHI, FEBRUARY 10

LISTEN, DON'T just speak. Don't mistake politeness for "openness". Learn how to bow, and remember when to bow. Avoid eating while using public transport. Get used to eating the *bento*, Japanese-style packed meal.

The Indian athletes' preparation for the Tokyo Olympics, to be held from July 24 to August 9, is likely to extend beyond the field of play. And these are some



Randeep Rakwal teaches at the University of Tsukuba

of the points they will have to bear in mind while competing at the Games.

The Sports Authority of India (SAI) and Indian Olympic Association (IOA) have invited

professors from a Japanese university to sensitise the athletes and their support staff to the country's culture.

"Indian athletes are used to travelling abroad, but they may not be used to visiting Japan, which is unique in many ways," said Randeep Rakwal, a professor at the University of Tsukuba, who will conduct the sessions with his colleagues. "So, it is important for them to understand the country's culture, especially for those who will be staying in a host town, like the archery team."

While the Games will begin on July 24, several Indian athletes are expected to reach Japan for

acclimatisation several weeks before that. The archers, for example, will make Kurobe — about 400 km from Tokyo — their home in the weeks leading to the Olympics. Weightlifters will train at the Nippon University in the Japanese capital while boxers are likely to set up a base camp in Hiroshima.

"We will educate them on how to behave with the general population, especially women, from the moment they step out of the airport. People here are very polite. That politeness should not be mistaken for openness. It is important to not take anything for granted," said Rakwal, a  
**CONTINUED ON PAGE 2**

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**NINE-YEAR-OLD SHILLONG GIRL DEVELOPS INDIA'S FIRST 'ANTI-BULLYING' APP**

Anguished and disheartened over bullying at school, a nine-year-old girl in Shillong has developed a mobile application through which students can report the incidents of harassment to school authorities and teachers

**VIDEO OF THE DAY**



**FLASH MOB FOR LIFE INSURANCE**

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**EXPRESS EXPLAINED**



**WHO WAS KOTA RANI?**

She was likened to Mehbooba Mufti in her PSA dossier

**EXPRESS AUDIO**

**Will the amendment to India's abortion law benefit women?**

NEW EPISODE EVERYDAY

Today we detail what conditions must be met for women in India to medically terminate pregnancy, what changes have been made to law and if women will benefit

**US nod to sale of air defence weapon system worth \$1.86 billion to India**

New Delhi: The US government has approved a proposed sale of Integrated Defence Weapon System to India worth an estimated \$1.867 billion. Defence Security Cooperation Agency of the US said in a statement on Monday that the State Department has made a determination approving a possible Foreign Military Sale to India of an Integrated Air Defense Weapon System and the Defense Security Cooperation Agency delivered the required certification notifying Congress of this possible sale on February 7, 2020.

This proposed sale, the statement said, "will support the foreign policy and national security of the United States by helping to strengthen the US-Indian strategic relationship and to improve the security of a major defensive partner, which continues to be an important force for political stability, peace, and economic progress in the Indo-Pacific and South Asia region". India intends to use these articles to modernise its forces and expand its air defence architecture to counter threats posed by air attack, it said. **ENS**

**Gujarat ATS arrests Memon aide wanted in 1993 blasts case**

Ahmedabad: The Gujarat ATS Monday arrested Munaf Halari, wanted for his alleged role in the 1993 Mumbai blasts and recent drug trafficking from Pakistan. ATS officials said Halari is a close aide of Tiger Memon, mastermind of Mumbai blasts, and played a key role in the blasts by procuring three scooters that were laden with explosives and parked at busy junctions. Police said Halari was hiding in Nairobi with a Pakistani passport and running a business of importing and exporting rice.

**Trust your judiciary to decide on CAA: ex-CJI Gogoi**

Ahmedabad: Former CJI Rajan Gogoi on Monday referred to the protests against the Citizenship Amendment Act (CAA) as a "parallel forum" and appealed to people to "trust the judiciary" to take a decision in the matter. "You may have a view about it, I may have a view about it, our views may not match. I have a right to express my view, you have a right to express your view, fine. But the resolution must be through constitutional means. The matter is pending before the Supreme Court... trust your judges, they'll decide according to the Constitution. Protests are being held, viewpoints are being expressed, enough. You can't have two parallel forums — the Supreme Court and somewhere else," said Justice (retired) Gogoi who was in Gandhinagar to deliver a lecture on "Rebuilding the judiciary: Nation building" at Gujarat National Law University.

**FROM PAGE ONE**

**Shaheen Bagh**

Amit Sahni and Delhi BJP leader Nand Kishore Garg on the traffic disruption due to the protests.

"There cannot be an indefinite protest in such an area... There must be an area where you can protest," said Justice Kaul.

As Advocate Mehmood Pracha, appearing for Bhim Army chief Chandrasekhar Azad, sought to intervene, Justice Joseph asked, "Can you block a public road?" "You can't do that even in a park," said Justice Kaul.

The bench, however, said it would like to hear the state before passing any order. Issuing notices to the Centre, Delhi government and Delhi Police, it posted the matter for further hearing on February 17.

Advocate Shashank Deo Sudhi, appearing for Garg, urged the court to pass an interim direction, saying people have been facing difficulties for several days now. The bench, however, declined the request. "If you have waited for over 50 days, you can wait for some more days," it said.

**Gargi college**

after pressure from students. DCP (South) Atul Kumar Thakur said, "We have received a complaint from college authorities and an FIR under sections of trespassing, assault of women, and outraging women's modesty has been registered at Hauz Khas police station."

The case is being investigated by Inspector Pratibha Sharma, posted with the Crimes Against Women Cell of the south district, under supervision of Additional DCP (South) Gitanjali Khandelwal. "We have recovered CCTV footage from the college, efforts are on to identify the accused," said a police officer.

Students skipped classes on Monday and gathered inside the campus, demanding accountability and action from college authorities, who, they alleged, have remained indifferent since the incident. On February 8, officiating principal Promila Kumar had told *The Indian Express* that they had not received any complaint. "The event was open for boys studying in other colleges of DU. We had police, commandos and bouncers on the campus, and staff were also on duty. There was an arena in the campus meant only for girls. If they were outside that, it was their personal choice," she had said.

On Monday, many of the protesting students demanded that Kumar should resign over her inability to handle the situation. On the first two days of the festival, entry into the campus was only allowed after verifying whether the person had a valid ID card of the college. On the day of the incident, each student was given a pass to allow entry to a guest — male or female — as singer Jubin Nautiyal was performing that evening. However, students alleged a complete breakdown of the security system. "Students were entering from the main gate, while pass-holders were supposed to be entering from the second gate. However, from around 3:30 pm, hundreds of men began rushing in through the gate every time it opened to let in a vehicle or people. There were people jumping in over the walls while security and police personnel watched. Entry was supposed to shut at 4:30 pm but these people continued to come in till 6 pm. Many of them were clearly much older — men in their 30s, many drunk, walking inside Gargi College, groping girls and saying lewd things to them. It was unthinkable," said a student.

"We had both police personnel and private security arrangements in place. We did everything we could to regulate entry but we were faced with a mob forcing their way in. We will set up a security protocol to ensure such incidents never take place again," said Kumar on Monday.

Meanwhile, Congress MP Gaurav Gogoi raised the issue in Lok Sabha during Question Hour. "Those who were involved in the incident were outsiders, not students. It was not a good incident. The college administration has been told to take action," said HRD Minister Ramesh Pokhriyal.

Delhi Chief Minister Arvind Kejriwal tweeted: "The misbehaviour with our daughters in Gargi College is saddening and disappointing. It cannot be tolerated. The guilty must get the severest punishment. And it should be ensured that students studying in our colleges are safe."

On Monday, Delhi Commission for Women chief Swati Malviyal visited the campus. The commission issued notices to both college authorities and police for inaction.

An internal fact-finding committee was also formed after a dialogue between students and college authorities.

**Questions of law can be sent to big bench: SC**

The Sabarimala reference to the nine-judge Bench followed the September 19, 2019 decision of a five-judge Bench, headed by then CJI Ranjan Gogoi, to keep review petitions, challenging its September 28, 2018 order that lifted age restrictions on the entry of women to the hill shrine in Kerala, pending till a larger bench took a call on certain questions arising from it.

The five-judge Bench pointed out that petitions seeking entry of women to mosques, challenging female genital mutilation among Dawoodi Bohras and practices in the Parsi community were

still pending and these could be impacted by questions raised in the Sabarimala matter. It said the larger bench will have to evolve a judicial policy to do "substantial and complete justice" in these matters.

The nine-judge Bench, which a week ago clarified it won't be deciding the review petition but only lay down the general law to be followed, will examine the "scope and ambit of right to freedom of religion under Article 25 of the Constitution" and the "interplay between the rights of persons under Article 25... and rights of religious denomination under Article 26".

It will also look into the question "whether the rights of a religious denomination under Article 26... are subject to other provisions of Part III of the Constitution... apart from public order, morality and health".

The Bench will also answer "what is the scope and extent of the word 'morality' under Articles 25 and 26... and whether it is meant to include Constitutional morality" and "what is the scope and extent of judicial review with regard to a religious practice as referred to in Article 25".

Besides, it will try to delineate the "meaning of expression 'Sections of Hindus' oc-

curring in Article 25 (2) (b) of the Constitution" and lay down "whether a person not belonging to a religious denomination or religious group can question a practice of that religious denomination or religious group by filing a PIL".

It allowed some intervention applications and asked the lawyers to furnish details on who they are representing so that the court can finalise the schedule of allotment of time.

It said Solicitor General Tushar Mehta, representing the Centre, would open the arguments on February 17 followed by Senior Advocate K Parasara.

**being "the best."**

And not just any old foreign films. Giving two big awards to Alfonso Cuarón's *Roma* (Best Foreign Film, Best Director, in 2019), from neighbouring Mexico, keeps it in the neighbourhood.

But Bong is South Korean, and for Americans, whose idea of Asia has till very recently been confined to China and Japan, S. Korea is still an alien, unknown land. Bong is, indubitably, Asian. And for an Asian to be welcomed into the all-white-club is major, especially an Asian whose best work is rooted firmly in his culture, where fam-

**Parasite is Best Picture**

ily, values, and connections are still prized possessions.

The two families in *Parasite*, one rich, the other poor, are poles apart in many respects. But the closeness between the members of those families is something that is common to all Asians, whether they wear Louis Vuitton suits or slum it out in basements.

These are qualities that have gone missing from the big-budget tentpoles, or the superhero sagas that Hollywood studios are spending all their time

and money on, the kind of films that Martin Scorsese has very recently controversially slammed as "not cinema."

It is also a win for the Oscars, which were slowly sliding into irrelevance. We know that the red carpet designer wear evening is Hollywood celebrating its own best and brightest. But we also know that if you do not go global, you are dead. Films that open up a universe you had no clue about may use a foreign language with a subtitle crawl, but they speak to us. Not every-

thing is lost in translation.

All other things being equal, *Parasite's* Oscar win should launch it into another level where the money it will earn may encourage foreign language filmmakers to look at not just their own countries but to use their personal stories to reach out to people around the world.

This could well be Asia's moment, and perhaps a leaning into filmmaking which is more about the human condition than toys that transform. Nothing wrong with that, of course, but the heart beats more for heart-beats.

We'll raise a toast to that.

**IL&FS**

An official with one of the advisory firms (appointed by IL&FS board in October 2018) said that the progress isn't encouraging. "Since the resolution framework is not ready and the meetings are not being productive any more, I don't think it makes much sense to attend these meetings," he said.

One source said that getting the resolution proposal approved is only the first step that will then be followed by bidding and handing over of the company to the successful applicant.

An IL&FS spokesperson declined to comment on questions asked over the slow progress of the resolution and on fee payment of almost Rs 100 crore.

Things came back to square one last Friday as creditors for Amber and Red category companies raised questions on the jurisdiction of the National Company Law Appellate Tribunal (NCLAT) and said that the appellate tribunal allowing category wise (Green, Amber & Red) resolution was "hampering their interests".

To simplify the resolution process of IL&FS and its 348 subsidiaries, the new board of the company had classified all the companies into three groups namely Green, Amber, and Red,

based on their capability to service debt obligations.

At the time of classification, companies which could service their debt obligations to both secured and unsecured creditors were placed in the Green category, while those which could service their debt only to the secured or senior secured creditors were placed in the Amber category. The group companies of IL&FS which were in no position to service their debt to either secured or unsecured creditors were placed in the Red category.

In a submission before NCLAT on February 21, 2019, the new IL&FS Board submitted the classification of 151 companies — 50 were Green, 13 Amber, 80 Red and eight were in different stages of resolution.

The remaining (almost 200 entities) were yet to be classified. As of May 2019, there were nearly 55 companies in the Green category with debt of close to Rs 12,000 crore. IL&FS officials had then hoped that these 55 companies would settle all their debts by July 2019. However, even these companies are yet to fulfil their debt obligations.

For companies in the Amber category, though the new board of IL&FS floated expressions of interest for open public sale, the bids received for most firms were "significantly lower than the average fair market value".

This prompted the new board to change tact and approve the implementation of an Infrastructure Investment Trust (InvIT).

In the Amber category, for companies like Moradabad Bareilly Expressway, Jharkhand Road Projects Implementation Company, Baleshwar Kharagpur Expressway, among others, the bids received were less than their fair market value.

For others such as West Gujarat Expressway, Easy Hyderabad Expressway, and Barwa Adda Expressway, no bids were received, according to the latest affidavit submitted by the new board. These companies have an external debt of Rs 7247 crore, and internal fund-based debt of Rs 4107 crore.

The debt resolution for most of these companies is stuck at some stage be it in talks with lenders or debt restructuring ap-

proval by the stakeholders.

For the nearly 83 Red companies, the new board has, in its latest affidavit, mentioned there were as many as 25 companies for which no resolution was possible in the near future.

These companies have a total external debt of Rs 49,110 crore, while the internal fund-based debt on them is close to Rs 7,833 crore.

For some other IL&FS companies, the resolution has not moved ahead so far as they themselves are holding companies for other group subsidiaries. The resolution for these companies, the new board had said, "can be attempted only after the resolution of underlying entities".

IL&FS and its subsidiaries had a total debt of close to Rs 94,000 crore when the NCLAT had in October 2018 imposed a moratorium on debt-repayments.

**PSA in J&K**

Incidentally, Justice Sanjeev Kumar, while scrutinising the detention orders which he subsequently quashed, said though preventive detention involves detaining a person without trial in order to prevent him from committing certain types of offences, such "detention cannot be made a substitute for the ordinary law and absolve the investigating authorities". This was in stark contrast to observations made by Justice Tashi Rabstan who last Friday said the executive has "necessary powers to order preventive detention" and the "subjective satisfaction of a detaining authority to detain a person or not, is not open to objective assessment by a court".

Justice Rabstan also made three other broad observations — that a High Court does not sit in appeal over the decision of the detaining authority and cannot substitute its own opinion over that of the detaining authority; that the courts do not even go into the question whether the facts mentioned in grounds of detention are correct or false; and that the High Court "cannot interfere on the ground that in view of the fact that times have changed, further detention would be unjustified".

But Justice Kumar, in orders passed on December 27 and December 31 last year, held a different view on two separate

habeas corpus petitions.

In the habeas corpus petition filed by the family of the detained Tariq Ahmed Parray, Justice Kumar, while quashing the detention order passed by the Baramulla District Magistrate, observed that "preventive detention cannot be resorted to when sufficient remedies are available under general laws of the land for any omission or commission under such laws, the SC observed".

Citing SC orders on the issue, Justice Kumar reiterated that preventive detention of a person "by a State after branding him a 'goonda' merely because the normal legal process is ineffective and time-consuming in 'curbing the evil he spreads', is illegal".

These observations had come in the backdrop of arguments made by Parray's family that the allegations made in the grounds of detention were vague, non-existent and that the government had not spelt out any compelling reasons to pass the detention order. A similar argument was put forward in Qayoom's case. But Justice Rabstan said that a High Court has "limited scope to scrutinising whether detention order has been passed on the material placed before it" and "it cannot go further and examine sufficiency of material".

"This court can only examine grounds disclosed by the government in order to see whether they are relevant to the object which the legislation has in view, that is, to prevent detenu from engaging in activities prejudicial to security of the State or maintenance of public order," Justice Rabstan said.

**Central Hall**

While legal experts have cautioned the court against using this doctrine arbitrarily since "Constitutional morality" is interpretative, the doctrine has been used by judges in many significant cases recently including the Sabarimala case, Navtej Singh Johar case where the SC decriminalised homosexuality, Joseph Shine case in which the SC decriminalised adultery to strike down laws. In the rulings on triple talaq, Section 377 and Sabarimala, the court had said that religious beliefs and practices must give way to Constitutional morality when such practices are at odds with liberty, dignity and equality of citizens.

The proposal to deny the media access to Central Hall did not go down well with some members of the Opposition and non-NDA parties. The issue, which was not on the agenda of the GPC, came up when the matter pertaining to re-constitution of the

Press Advisory Committee of Lok Sabha was taken up.

**Olympic team**

Delhi-born Japanese resident. Rakwal, along with the rest of the university team, will conduct two sessions — in New Delhi on February 27, and at the National Institute of Sport in Patiala two days later — which will cover various topics: from their conduct within and outside the Athletes' Village to the traditional way of greeting people, using chopsticks for meals and even laws on jaywalking. But the primary focus, said Rakwal, will be on *omotenashi*, the Japanese philosophy on hospitality. *Omotenashi*, said Rakwal, centres around the principle of politeness. "The tone of the voice is important; you don't speak loudly and when you are using public transport, you hardly hear the noise of people talking. Politeness is an art in Japan. It is about listening, and not speaking too much. So the athletes and staff should not be impolite. The politeness has to be reciprocated," said Rakwal, 51.

Barring one or two instances in the past, the Indian contingent has not had run-ins with local authorities at multi-discipline events. At the Olympics, the 100-odd athletes expected to qualify are likely to spend most of their time in a relatively sheltered environment inside the Village.

"Still, they will have to interact with locals, whether at the airport, while travelling within the city, or even at the stadiums, where the volunteers and dope-control officials could be Japanese," said a Sports Ministry official.

**Personal laws**

on "the scope and extent of the word 'morality' under Articles 25 and 26 of the Constitution of India and whether it is meant to include Constitutional morality?"

A ruling on Constitutional morality and the extent to which courts can review personal laws and religious rights furthers the legal discussion on the Uniform Civil Code. The BJP's call for "one nation, one law," or the Uniform Civil Code, rests on the reform of personal laws of all religions. Those who endorse the UCC idea have highlighted the discriminatory nature of personal laws, especially towards women.

In 2018, the Law Commission, headed by retired Supreme Court judge Justice B S Chauhan, had said in a white paper that UCC was "neither desirable nor possible". Instead, the Commission had recommended amending several personal laws in a "piece-meal fashion" to bring uniformity in personal laws. In 2016, the Law Ministry had asked the Commission to examine the feasibility of bringing in the UCC.

Constitutional morality refers to the "morality" or the values that is inbuilt in the Constitutional structure. Constitutional morality, as then Chief Justice of India Dipak Misra wrote in his opinion in the Section 377 verdict, goes beyond the literal text of the Constitution and is discerned by a closer reading of Constitutional values that every individual or law has to follow.

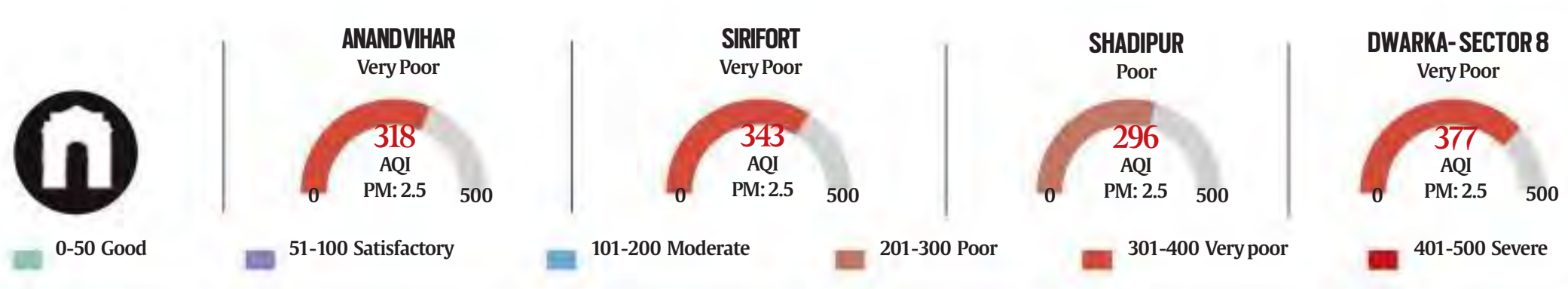
While legal experts have cautioned the court against using this doctrine arbitrarily since "Constitutional morality" is interpretative, the doctrine has been used by judges in many significant cases recently including the Sabarimala case, Navtej Singh Johar case where the SC decriminalised homosexuality, Joseph Shine case in which the SC decriminalised adultery to strike down laws. In the rulings on triple talaq, Section 377 and Sabarimala, the court had said that religious beliefs and practices must give way to Constitutional morality when such practices are at odds with liberty, dignity and equality of citizens.

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# 3 THE CITY



## AMID CORONAVIRUS SCARE

# Health dept tracks 2,885 people who travelled to China

**ASTHA SAXENA**  
NEW DELHI, FEBRUARY 10

AS MANY as 2,885 passengers who travelled to China between January 15 and February 8 are currently under observation, after they developed suspected symptoms of novel coronavirus (nCoV). Of these, 10 have been hospitalised and the rest have been advised to remain in isolation at home. As per data provided by the Immigration Department of Delhi government, 758 passengers are still untraceable.

"The data was provided by the Immigration Department; we bifurcated the numbers on the basis of 11 districts in Delhi. The highest number of passengers are from West Delhi, followed by South and North West Delhi. We conducted a door-to-door survey to identify and track these passengers," said Satyendra Singh, special secretary (health), Delhi government. The new strain of coronavirus

### TRACKING THE VIRUS

District	Passengers who went to China	Advised home isolation*	Passengers hospitalised
East	256	119	0
North East	45	38	0
Shahdara	114	108	0
West	1,318	848	1
South West	218	142	0
North	225	223	1
North West	369	310	6
South	563	481	1
South East	256	210	0
New Delhi	330	208	1
Central	241	188	0
<b>Total</b>	<b>3,955</b>	<b>2,875</b>	<b>10</b>

(\*758 were untraceable)

originated in Wuhan, China. Common signs of infection include respiratory symptoms, fever, cough, shortness of breath and breathing difficulties. In more severe cases, the infection can cause pneumonia, severe acute respiratory syndrome, kidney failure, and even death. As per the WHO, the standard

recommendations to prevent infection include regular washing of hands, covering the mouth and nose when coughing and sneezing, and avoiding close contact with anyone showing symptoms of respiratory illness such as coughing and sneezing.

In Delhi, a total of 26,257 passengers have been screened for the virus so far, with 4,045 people being screened at the Delhi Airport on Monday.

Data prepared by the health department states that 57 people are under observation till date, of which 38 went to Ram Manohar Lohia Hospital and 19 to Safdarjung Hospital. On Monday, three men were admitted to RML Hospital with suspected symptoms of the virus.

Among them, two are Chinese nationals — one came to India on January 1, and the other on January 29. A 34-year-old male, who had been staying in Beijing from November 2019 and returned to India on February 9, has also been hospitalised.

## Coronavirus ripple effect in capital's wholesale markets, businesses at halt

**SOMYA LAKHANI & ANANYA TIWARI**  
NEW DELHI, FEBRUARY 10



Traders at Sadar Bazar say the current situation could lead to a price hike. Armond Feffer

THE LAST time Prince Gulati (31), an East Delhi trader who imports toys from China's Shantou and Yiwu districts, spoke to his agent there, he was assured that "business will resume by March". Epicenter of the deadly coronavirus which has claimed over 900 lives so far, China is under a virtual lockdown. And tremors can be felt in Delhi's wholesale hub of Sadar Bazar as well as in offices of travel agents.

Gulati, who imports from China and sells the goods in Sadar Bazar, said, "Chinese markets were anyway shut because of the Lunar New Year and were expected to open early February. Despite assurances from agents in China that markets will open by March, I have my doubts. We are in a limbo and many importers are hoarding goods and hiking prices since they won't get material for sometime."

Sadar Bazar trader Latesh Nandwani, who has been stocking "100 per cent" products from China since 2011, said, "It is not easy

to manufacture such goods in India because setting up such units here is tedious. The current situation could lead to a price hike."

Dhivan Gupta, who imports cosmetics from China, said his agents in Yiwu and Guangdong have said that factories are shut: "I have been reassured that by February-end, markets will open, but there is no certainty. I do most of my business with China and have no back-up plan."

Meanwhile, travel agents said that bulk cancellations of air tickets to countries such as Malaysia

and Thailand have also happened over the last month. Gaurav Chawal of Swan Tours said, "Of course, 100% bookings of clients to China have been cancelled and airlines aren't even going there. Apart from this, travel across Asia is impacted, with foreign tourists shakily about visiting India too. Even our domestic bookings to Kerala have been cancelled as a few cases have been diagnosed there."

Another travel agent said that "travellers want to avoid even taking planes that cross China. There's a lot of fear about visit-

ing other countries, including Japan. There's a lot of misinformation too".

Over chats and phone calls, traders and travel agents said "horror stories" from ground zero have added to their apprehensions. Gulati said, "My agent told me that one person per family is allowed to step out once in three days to visit a departmental store. Outside these stores too, there are checks, and those who are sick are rushed to hospitals. I visit China five times a year but I am quite hesitant now."

## CBI arrests ex-Noida authority engineer

**EXPRESS NEWS SERVICE**  
NOIDA, FEBRUARY 10

EX-NOIDA Authority engineer Yadav Singh was arrested by the CBI in connection with a money laundering case. Singh was earlier arrested by the agency in 2016 and granted bail by the Supreme Court on the condition that he will not tamper with evidence.

An FIR was filed by the investigating agency in 2018 against Singh for allegedly awarding tenders worth Rs 116.39 crore to five private firms during his tenure as chief engineer. Apart from Singh, five other officials of various real estate companies were also named in the FIR and charged under IPC section 120B (criminal conspiracy) and relevant sections of the Prevention of Corruption Act, 1988.

"During enquiry, it was prima-facie found that five firms/companies of associates/friends of Yadav Singh and his family members were allegedly favoured unduly by Yadav Singh, the then CME Noida, in conspiracy with officers/officials of Noida Authority and private persons in getting several contracts in Noida in gross violation of tender norms and procedures," read the FIR filed by the CBI in January 2018.

As per officials, Singh was first probed by the agency in 2015. Two chargesheets were filed in 2016 and 2017, in which he was accused of amassing wealth 512.6% more than his known source of income. In July 2019, the ED attached Singh's properties worth Rs 89 lakh in connection with the case.

## Tribunal puts sales ban on beer manufacturer on hold

**REUTERS**  
NEW DELHI, FEBRUARY 10

A TRIBUNAL in the national capital has put on hold a sales ban imposed last year on Anheuser-Busch InBev, whose beers include Budweiser and Hoegaarden, an order seen by Reuters showed. This allows the world's largest brewer to resume sales of its beer products in the city for now.

Authorities in New Delhi had barred AB InBev in July from selling its beer products for three years over allegations related to the evasion of state taxes, which the company had denied. The ban was later reduced to 18 months. The company's appeal against the ban was rejected in December by a judge of the Delhi High Court, who directed AB InBev to approach the city tribunal for further relief.

The tribunal issued a one-page order on February 4, saying the ban was being

"stayed" as it continues to hear the company's appeal.

AB InBev continues to argue against the ban, saying it must be quashed as the company was not given adequate notice beforehand, according to a source familiar with the matter. The next tribunal appeal hearing is on February 25, the order said.

An official from the Delhi government said it would continue to defend its ban order. New Delhi authorities had found that SABMiller, bought by AB InBev in 2016, used duplicate barcodes on beer bottles supplied to city retailers, allowing it to pay lower levies.

"We are encouraged by the stay that has been issued against the ban but it would be inappropriate for us to comment further on the ongoing appeal. We are committed to operating with integrity and ethics and remain excited about our business in India," said an AB InBev India spokesperson.

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**NOTICE OF RECORD DATE FOR INTERIM DIVIDEND**

Notice is hereby given that CONCOR's Board of Directors in its meeting held on 07th February, 2020 has fixed Record date as 20th February 2020 (Thursday) for the purpose of determining the entitlement of members to Interim Dividend @15% (Rs.0.75 per share on equity share of Rs.5/- each), declared by the Board in its aforesaid meeting for the financial year 2019-20. Further, Interim dividend will be paid:

(i) to those Members whose names will appear in the Register of Members of the Company, after giving effect to all valid Share Transfers in physical form lodged with the Company and its Registrar on or before 20th February 2020; or

(ii) in respect of Shares held in electronic form, to those "deemed members" whose names appear on the Statements of beneficial ownership furnished by National Securities Depository Limited (NSDL) and Central Depository Services (India) Limited (CDSL), at the end of business hours on 20th February 2020.

In order to avail the facility of payment of dividend through Electronic Clearing Service (ECS), members of the Company, holding their shares in Demat mode are requested to submit the duly filled in ECS mandate form to their Depository Participant and those holding physical shares to our Share Transfer Agents and Registrar: M/s Beetal Financial & Computer Services (P) Ltd., BEETAL HOUSE, 3rd Floor, 99, Madangir, Behind Local Shopping Centre, Near Dada Harsukhdas Mandir, New Delhi - 110062. ECS instructions once furnished by the member will supersede all his/her previous bank mandates/details. ECS mandate form is available on Company's website: [www.concorindia.com](http://www.concorindia.com).

For Container Corporation of India Ltd.  
sd/- (Harish Chandra)  
Place: New Delhi  
Date: 07.02.2020  
ED (Finance) & Company Secretary

**HAFFKINE BIO PHARMACEUTICAL CORPORATION LIMITED**  
(Procurement Cell)  
Tel. No. 022-24100478  
E-mail- [procurementcell@vaccinehaffkine.com](mailto:procurementcell@vaccinehaffkine.com)  
Acharya Donde Marg, Parel, Mumbai 400012 (INDIA)

**TENDER NOTICE**

Date: 06.02.2020.

MANAGING Director, (Procurement Cell), Haffkine Bio Pharmaceutical Corporation Ltd., Mumbai invites tenders in two envelope systems from eligible bidders for following items for various Health Institutions in Maharashtra.

Sr. No.	Tender No.	Name of Description	Pre Bid Meeting	Period of Sale and Preparation of bid & bid submission	Bid Opening
1	E-2313, E-2314	Purchase of Instrument & Equipment	17.02.2020 At 2.00 p. m.	From 10.02.2020 10.00 am To 02.03.2020 up to 1400 hrs.	04.03.2020 at 1405 hrs.
2	E-2329, E-2330, E-2385	Purchase of Instrument & Equipment	19.02.2020 At 2.00 p. m.	From 12.02.2020 10.00 am To 04.03.2020 up to 1400 hrs.	06.03.2020 at 1405 hrs.

For detailed information, the interested bidders may visit the website <https://mahatenders.gov.in>  
For e-tendering help/ information, please contact.  
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Email- [eproc.support@maharashtra.gov.in](mailto:eproc.support@maharashtra.gov.in)

Sd/-  
(Dr. R. M. Kumbhar)  
General Manager-1  
Haffkine Bio Pharmaceutical Corporation Ltd.,  
(Procurement Cell), Mumbai.

DGIPR 2019/2020/4916

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EXTRACT FROM THE UNAUDITED STANDALONE AND CONSOLIDATED FINANCIAL RESULTS FOR THE QUARTER AND NINE MONTHS ENDED 31<sup>ST</sup> DECEMBER 2019

(₹ in Crore Except EPS)

Sr. No.	Particulars	Standalone				Consolidated					
		Quarter Ended		Nine Months Ended		Quarter Ended		Nine Months Ended		Financial Year Ended	
		31.12.2019	31.12.2018	31.12.2019	31.12.2018	31.12.2019	31.12.2018	31.12.2019	31.12.2018		
		Unaudited	Unaudited	Unaudited	Unaudited	Unaudited	Unaudited	Unaudited	Unaudited	Audited	
1.	Total income from operations	17,768.82	19,788.98	54,121.34	56,362.89	75,126.76	17,898.16	20,229.38	54,629.62	57,155.79	76,234.17
2.	Net Profit / (Loss) for the period (before Tax, Exceptional and/or Extraordinary items)	1,871.63	2,507.47	5,387.66	7,344.89	9,411.15	2,816.31	2,669.87	6,830.24	7,604.37	9,831.19
3.	Net Profit / (Loss) for the period before tax (after Exceptional and/or Extraordinary items)	1,871.63	2,507.47	5,387.66	7,344.89	9,084.82	2,816.31	2,669.87	6,830.24	7,604.37	9,831.19
4.	Net Profit / (Loss) for the period after tax (after Exceptional and/or Extraordinary items)	1,250.65	1,681.23	3,602.43	4,903.44	6,025.67	2,029.51	1,797.04	4,700.76	5,029.04	6,552.77
5.	Total Comprehensive Income for the period [Comprising Profit / (Loss) for the period (after tax) and Other Comprehensive Income (after tax)]	1,032.10	1,606.86	2,444.98	4,788.19	5,855.42	1,650.51	1,743.60	3,521.87	4,986.92	6,430.11
6.	Paid up Equity Share Capital (Face value of ₹ 10 each)	4,510.14	2,255.07	4,510.14	2,255.07	2,255.07	4,510.14	2,255.07	4,510.14	2,255.07	2,255.07
7.	Reserves excluding Revaluation Reserves as per Balance Sheet	-	-	-	-	37,021.83	-	-	-	-	38,870.76
8.	Earnings per share (Face Value of ₹ 10 each)										
	a) Basic	2.77	3.73	7.99	10.87	13.36	4.49	3.98	10.41	11.14	14.51
	b) Diluted	2.77	3.73	7.99	10.87	13.36	4.49	3.98	10.41	11.14	14.51

Notes:-  
1. The above is an extract of the detailed format of financial results for the Quarter and Nine Months ended 31st December 2019 filed with the Stock Exchanges under Regulation 33 of SEBI (Listing and Other Disclosure Requirements) Regulations, 2015. The full format of the financial results are available on the Stock Exchanges website ([www.nseindia.com](http://www.nseindia.com), [www.bseindia.com](http://www.bseindia.com)) and Company's website ([www.gailonline.com](http://www.gailonline.com)).

2. The above results are in accordance with the Companies (Indian Accounting Standards) Rules, 2015, (Ind AS) prescribed under Section 133 of the Companies Act, 2013, read with the relevant rules issued thereunder and other accounting principles generally accepted in India.

3. Earnings per share has been restated for the quarter and nine months ended 31st December 2018 and the Financial year ended 31st March 2019 presented as per Ind AS 33 on account of Bonus Issue of Equity Shares on 12th July 2019 in the ratio of one equity share for every one share held.

4. Figures for the previous periods have been regrouped, wherever necessary, to conform to the current period's classification.

For GAIL (India) Limited  
Sd/-  
(A K Tiwari)  
Director (Finance)  
(DIN: 07654612)

Place: New Delhi  
Date: 10<sup>th</sup> February, 2020

Corporate Identification No.: L40200DL1984GOI018976

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## BRIEFLY

## HC notice to JNU on alternate exam mode

**New Delhi:** The Delhi High Court Monday sought to know JNU's position on separate petitions challenging its decision to hold exams through email and WhatsApp for the monsoon semester. Justice Rajiv Shukla issued notice to the JNU administration and asked them to respond before the next date of hearing, August 6.

## AIIMS gets 2 new facilities

**New Delhi:** Two new facilities — new emergency ward and the Central Trauma Research Facility — were inaugurated at the JPNATrauma Centre Monday by AIIMS Director Dr Randeep Guleria. According to officials, the new emergency ward is a mirror image of the existing facility, where "green" triaged trauma victims will be treated. "Yellow" and "red" area patients will be shifted to the original ED, said an official.

## IIIT-D signs MoU with education firm

**New Delhi:** Indraprastha Institute of Education Technology, Delhi (IIIT-D) Monday signed an MoU with education technology company Extramarks to "promote and encourage research in Artificial Intelligence".

## Cops rescue woman

**New Delhi:** The Delhi Police PCR team rescued a 27-year-old woman who fell unconscious on the road near Red Fort Sunday. Police said the woman had come with her sister but fell unconscious due to breathlessness. She was later admitted to Lok Nayak Hospital. **ENS**

## Couple held for 'killing B.Tech student over blackmail'

**EXPRESS NEWS SERVICE**  
NOIDA, FEBRUARY 10

A COUPLE was arrested by Gautam Buddha Nagar police Monday for allegedly murdering a 23-year-old B.Tech student in Jewar. The accused have been identified as Lakhpat and Suman. They told police that the victim, Vikas Sharma, was allegedly blackmailing Suman, so they decided to kill him. "Three days ago, Vikas's body was found outside his residence in Jewar's Mangrauli. The body was sent for a post-mortem. The report highlighted signs of strangulation and it was found that he was choked to death. During investigation, we zeroed in on the couple who admitted to killing him. The two have been sent to judicial custody," said Rajesh Kumar Singh, DCP, Greater Noida.

According to police, the victim's call detail records was accessed which showed he had multiple conversations with Suman. The couple and the victim lived in the same village. When Lakhpat was questioned, he told police that Vikas had been blackmailing Suman which forced them to plan his murder.

On Friday, police said the accused called Vikas to their residence and allegedly strangled him with a dupatta. They then dumped his body in a ditch outside his house and fled.

Vikas's family initially suspected he had been electrocuted due to absence of visible injuries. "Lakhpat was a relative and he tricked my brother into meeting them... We feel there is more to than what meets the eye. My brother was blackmailing...," alleged his brother, Vishnu.

Vikas was a fourth-year civil engineering student at GL Bajaj Institute of Technology and Management.



Anti-CAA protesters had a run-in with police near Holy Family Hospital, Monday. *Abhinav Saha*

## 29 VISIT HOSPITAL, SOME ALLEGE POLICE EXCESSES

## 9 detained after police stop Jamia protesters from Parliament march

**ARANYA SHANKAR**  
NEW DELHI, FEBRUARY 10

HUNDREDS OF anti-CAA protesters, including students of Jamia Millia Islamia, had a run-in with police near Holy Family Hospital Monday. Police used mild force to push back protesters, during which some students said they suffered injuries. Nine protesters were detained.

Twenty-nine protesters went to Al-Shifa Hospital, with hospital director Abdul Nazir saying many students had complained of kicks to the abdomen. "One girl complained of pain in her private parts; initial investigation revealed there are no external injuries. We have conducted an ul-

trasound to check if there are internal injuries. The report will come on Tuesday," he said.

A doctor added: "Four were admitted and the rest discharged. Three patients complained of breathlessness and have been admitted to the ICU."

Some students also went to the university's health centre. Those detained also alleged they were beaten up — Shaheen Abdulla, a Jamia student, said he was "kicked and punched on the face", while Abu Darda, another student, said he too was roughed up by police.

However, DCP (South East) R P Meena said, "There was no lathicharge. There were male and female personnel present at the site. There was a minor scuf-

fle near the barricades. Nine protesters were detained but later let off. Over 350 Delhi police personnel, including 12 SHO's and eight companies of paramilitary, were deployed at Jamia today."

The call for a march from Jamia to Parliament was given by the Jamia Coordination Committee, but scores of locals joined in. The last time Jamia students had called for a march to Parliament on January 30, a student, Shadab Farooq, was shot at by a juvenile.

Around 2 pm, the march reached Holy Family Hospital where heavy police barricades welcomed them. Repeated announcements were made by police telling protesters they did not have permission and should

retreat. Some protesters climbed on to police barricades, forcing Meena to climb up as well. Amid the scuffle, water packets — both open and unopened — were flung by protesters at police.

Around 3 pm, the Chief Proctor made an appeal to students to retreat: "You have registered your protest, now please move back. Don't get into a confrontation with the police."

Meena also took to the mic and told students: "Please go back. You don't have permission. Your protest has been registered. If there is a memorandum, please submit it to us. We will submit it to the government."

Agitated protesters refused to budge, following which the police used "mild force" to push

them back. Some protesters fainted due to exertion, while others alleged police brutality.

The scuffle intensified by 6 pm as students refused to budge and a group of protesters gheraoed Sukhdev Vihar police station.

Sukhdev Vihar Metro station was also closed off for sometime.

Additional PRO Anil Mittal said a case is being registered against the "violent crowd" under IPC sections 186, 353, 332 and sections related to damage of property. "Police... showed a lot of patience in handling aggressive Jamia students near Holy Family Hospital...," he added.

Later in the day, Jamia V-C Najma Akhtar and other officials visited the injured students at the hospital.

## Students tell Gargi College to increase security on campus

**SUKRITA BARUAH**  
NEW DELHI, FEBRUARY 10

STUDENTS OF Gargi College have demanded that authorities provide them with a minimum security plan for the future, following alleged sexual harassment of students by outsiders during their college fest on February 6.

On the third day of the annual festival at the all-women's college, hundreds of men allegedly broke into the campus and sexually harassed students. An FIR was lodged by college authorities on Monday — four days after the incident took place.

"No one made a PCR call on the day of the incident because the events were taking place in the presence of police themselves. They were right there. We are glad an FIR has now been lodged, but a complaint should have been filed by college authorities earlier," said students' union president Sundaram Thakur.

"The incident continued till late Thursday evening and the college had been shut after that, reopening only on Monday. On February 7, students started collecting social media testimonies. The day college reopened, all students gathered to share their testimonies, so we

could put together all that had unfolded that evening," said a third-year student.

According to a statement drafted by the general students' body, the students demanded during Monday's protest that the college inform them of the exact security arrangements that have been made.

Students pointed out this was not the first time that security measures were breached by outsiders.

"People had entered and troubled girls during the last fest, as well as during our Diwali fest. But our concerns don't seem to be taken seriously," said a second-year student.

A third-year student said though entry for the event was supposed to be restricted, "when I left the campus at 8.30 pm, the gate was completely open, so anyone could come in".

"Ironically, we wanted to hold a protest against the citizenship law in college a while back, but we were not given permission on the pretext that goons could enter the college," she said.

Rashi Mehra, an alumna of the college who joined Monday's protest, said: "There is so much policing, surveillance and restriction of women in these colleges, but it falls apart when it actually comes to their security."

**MAHENDER SINGH MANRAL**  
NEW DELHI, FEBRUARY 10

HOURS AFTER registering an FIR in connection with the molestation of students during a cultural festival at DU's Gargi College on February 6, Delhi Police have recovered footage from 32 CCTVs. Footage shows some men entering campus along with some girls after showing passes, while some others entered illegally in the presence of college staff but were not stopped.

Footage also shows that around 4.30 pm, some people climbed atop the caterer's car parked outside the main gate and jumped into the college. "Police have sought a response from the administration as to why their staff allowed men not carrying invitation cards or passes to enter the college," said an officer.

Sources told *The Indian Express* that during inquiry, police found that the college did not intimate them of singer Jubin Nautiyal's performance on campus nor did they request for security arrangements. "On scanning footage, it came to light that the administration deployed private security personnel during the event. Teaching and non-teaching staff were also at the gate," said police sources.

While CCTVs were installed at the gate and the entryway to the festival, police said they have



Students of DU's Gargi College protested against the incident, Monday.

not found footage to corroborate the allegations of students.

Police said after a huge crowd was spotted entering campus around 3.30 pm, the beat constable of the area informed SHO (Hauz Khas) Manish Joshi and asked him to deploy some staff.

"One company of paramilitary force along with women staff were sent. In total, 38 police personnel, including paramilitary force, were at the spot when the alleged incident took place on the third day of Reverie, the annual festival at the women's college," said a senior officer.

"Footage shows the gate was locked at 5.30 pm. Despite deployment of police personnel, no PCR call or complaint was made by any student," added the officer.

## LEADERS REACT

**CM Arvind Kejriwal:** The misbehaviour with our daughters in Gargi College is disappointing and sad. This cannot be tolerated. The culprits should be caught and punished; it should be ensured that children studying in colleges are safe

**Delhi BJP chief Manoj Tiwari:** "What happened at Gargi is highly condemnable... College administration should get CCTV footage and release the same to investigation agency and media on priority so that culprits can be booked."

## MAN KILLS CHILDREN, COMMITS SUICIDE

## Heard mother's screams, rushed upstairs to find kids dead: Neighbour

**JIGNASA SINHA**  
NEW DELHI, FEBRUARY 10

AT 6.30 PM Sunday, residents of North West Delhi's Shalimar Bagh watched in disbelief as Rupal Malani, a second-floor resident, screamed: "Madhur mere bachon ko maar ke bhaag gaya." While some neighbours dialled 100, others ran to her house where her kids, aged 6

and 14, lay dead.

Madhur Malani allegedly strangled his children around 5 pm Sunday while his wife was at a market. He then allegedly committed suicide by jumping in front of a Metro train at Haiderpur at 5.43 pm. The post-mortem of Malani and his children — Shreyansh (6) and Samiksha (14) — was conducted Monday.

Their neighbour Anshu Gangwar, who made the PCR

call, recalled the horror: "Their mother was standing in the balcony and shouting. I rushed upstairs and saw her crying. I saw the injuries on the necks of her children and called police."

Police joined the dots of the murder and suicide when Rupal told them that her husband was depressed and unemployed. "We had been informed about a suicide at Haiderpur Metro station two kilometres away from



the spot, and no suicide note was found at the station. The body was lying unidentified for over an hour. We sent a picture of the deceased to the woman, who identified him as her husband," said a police officer.

The children, police claimed, were strangled, and Samiksha

**Madhur Malani later jumped in front of a train**

## Had four-month-old child gone to Shaheen Bagh to protest, asks SC on infant's death

**ANANTHAKRISHNAN G**  
NEW DELHI, FEBRUARY 10

TAKING SUO motu cognizance of the death of a four-month-old infant, allegedly because of exposure to the cold at the Shaheen Bagh protest, the Supreme Court — responding to the counsel who contended that children too have a right to protest — asked if the infant had gone for the protest.

"A four-month-old child had gone there to protest? Did the four-month-old child go there to protest?" Chief Justice of India S A Bobde exclaimed as advocate Nandita Rao, appearing for rights activist John Dayal, said that the United Nations Charter on the Rights of the Child, which has been ratified by India, guarantees a child's right to protest.

The bench, also comprising Justice B R Gavi and Justice Surya Kant, cut short advocate Shahrukh Alam, who was representing some mothers from Shaheen Bagh and had sought to submit that their children were being called Pakistani and *gaddar* in school.

"Don't bring in issues. We will not hear... We don't want people to use this platform to further create a problem. Whether in school somebody called a child Pakistani is not the subject matter of this," remarked the CJ.

As the counsel kept up their objections, the CJ added: "We are not considering CAA, NRC or rude behaviour in school. We are not considering use of words like Pakistani... so don't make such submissions... We have the highest respect for motherhood. We have the highest respect for social peace. We want those children to be at peace..."

"We are not stifling any voice. We know what we are doing. This is a properly constituted proceeding, so don't make irrelevant arguments," the CJ added.

Solicitor General Tushar Mehta, appearing for the Centre, termed the death of the infant "really unfortunate".

Intervening, Rao cited the case of youth activist Greta Thunberg leading the fight against climate change, and said Prime Minister Narendra Modi



The child's mother, Nazia. *ANI*

had applauded her and exhorted children to take the lead on issues of global warming. The court, however, said this was not relevant to the proceedings.

Rao said the child had not died in Shaheen Bagh, but in the shanty behind Jamia where the family lived, and added that the condition of children living in poverty should be looked into. She said children are taken to fairs and *jagratas* too, where too they are susceptible to cold, and that no one can be blamed for this.

The bench said it will look into their prayer for impleadment.

The court also said it will look into the request of 12-year-old National Bravery Award winner Zen Gunratan Sadavarte, seeking permission to submit arguments in the matter.

Following the death of the infant, Sadavarte had written to the CJ's office, urging the court to intervene to protect the rights of children, saying that making them attend protest demonstrations "amounts to cruelty".

Sadavarte, recipient of the 2019 Indian Council for Child Welfare (ICCW) National Bravery Award, said in her letter that the infant's parents and organisers of protests at Shaheen Bagh had "failed" to protect the rights of the child, resulting in his death.

Subsequently, the SC registered suo motu proceedings under the title: 'In Re to stop involvement of children and infants in demonstrations and agitations in view of death of an infant on 30.01.2020 at Shaheen Bagh, New Delhi.'

The bench issued notices to the Centre and Delhi government on the issue.

## SIT may book Sharjeel for Jamia violence as well

**MAHENDER SINGH MANRAL**  
NEW DELHI, FEBRUARY 10

A SPECIAL investigation team of Delhi Police's Crime Branch is likely to book JNU PhD student Sharjeel Imam in connection with two cases of violence at Jamia on December 13 and 15 last year, it is learnt. The SIT, which could invoke charges of criminal conspiracy, is currently seeking legal opinion and discussing with seniors.

Imam (31) was earlier booked by the inter-state cell of the Crime Branch under IPC sections 124A (sedition), 153A (promoting enmity between different groups on grounds of religion, race, place of birth, etc) and 505 (statements conducing to public mischief) over a speech he delivered at AMU. Besides Delhi, police in Uttar Pradesh, Manipur, Assam and Arunachal Pradesh booked him for alleged sedition.

During investigation, the SIT claims to have found that Imam was a volunteer at the Shaheen Bagh protest until January 2.



Sharjeel Imam was arrested on January 28 from Bihar

They claim Imam managed to drum up support among students for the protest against CAA and NRC.

"Before that, he spoke in Jamia Nagar area on December 12 regarding his opposition to CAA and NRC, which was widely circulated on social media. Police found he called people and allegedly instigated them, following which violence took place on December 13 and 15 in Jamia Nagar and New Friends Colony area," a senior officer claimed.

The SIT alleges arson and violence in Delhi on December 15, 16 and 20 could be linked to Imam's speech in Jamia, it is learnt.

was also smothered with a pillow.

Malani was a trader, who lost his business and started a sandpaper factory, which didn't work out either. For the last six months, he had been unemployed. Police said he "often invested in startups but had been staying at home for six months. He borrowed money from his father and brother, who live in Model Town".

A day after the incident, residents were unable to answer an-

ious questions from their children. "We are shaken up and the younger children are obviously scared. It was brutal," said a neighbour. Another neighbour said the family moved to Shalimar Bagh three years ago, and that "Shreyansh was a chirpy one, who liked to play cricket and hide-and-seek", while "Samiksha was a smart and athletic child who used to go for tuition and wanted to ace her board exams".

# Showcase to 12 IIMC students for 'talk on affordable education'

EXPRESS NEWS SERVICE  
NEW DELHI, FEBRUARY 10

TWELVE STUDENTS of the Indian Institute of Mass Communication were issued a showcase notice Monday and placed under suspension for five days for continuing acts of alleged indiscipline. The students alleged the immediate reason was their organising a public talk on affordable education.

The 12 students have been actively involved in the anti-fee hike protest at IIMC.

Anima Ekka, Assistant Registrar (Administration), said in a notice: "From some time past, and more importantly on February 9, there have been concerted acts of indiscipline on the part of the students within the IIMC campus in spite of repeated counselling by the authorities in the administration as also faculty."

"In spite of repeated persuasion, the students did not mend their ways and continued to violate the code of conduct. Consequently, the IIMC administration is compelled to place the students under suspension forthwith for a period of five days, with immediate effect," she added.

Students have been asked to respond to the notice by 5 pm on

February 13 and respond "as to why further disciplinary action should not be taken against them for the acts of indiscipline on their part".

"While as a part of suspension, the students who have been occupying seats in the hostel should have been temporarily rusticated from the hostel, the same is not being resorted to for the time being on humanitarian ground," Ekka wrote.

A copy of the order was also issued to the students' parents.

On February 9, the students had organised a talk "In Honour of Education" to "express their dissent for the way the IIMC administration is using Institute's property". Among the discussions was "how the students of various PG Diploma courses are considered inferior to the students of Development Journalism and Indian Information Service (IIS) probationers".

Students alleged the "IIMC administration tried to mobilise students by spreading misinformation, and threatened to take disciplinary actions if students of IIMC expressed their dissent".

Director General K S Dhatwalia and Dean of Students' Welfare Anubhuti Yadav did not respond to calls and texts.

## VIGIL OUTSIDE STRONGROOMS CONTINUES

# Day before results, both AAP and BJP high on confidence



EXPRESS NEWS SERVICE  
NEW DELHI, FEBRUARY 10

LEADERS OF both AAP and BJP Monday remained upbeat about assembly polls results, as they made arrangements for volunteers to make sure strongrooms were protected through the day.

Exit polls have predicted that AAP is set to return to power in the national capital. While the party won 67 out of 70 seats in 2015, most pollsters have predicted they will bag over 50 seats this time.

AAP Rajya Sabha MP Sanjay Singh said their final tally will be more than 60 seats. "One exit poll has said we will get 68 seats. That is most accurate. We are sure we will come back to power with a very convincing majority," he said.

Despite all exit polls predicting their loss, Delhi BJP chief Manoj Tiwari said they will win



Heavy security at strongrooms, a day before Delhi election results, Monday. Praveen Khanna

at least 48 seats, and the huge turnout of voters after 3 pm must be taken into account. "Voting was slow in the morning, but we gave a call and people came out in large numbers to vote for the BJP. I have gone to several areas and seen the kind of support our party is getting."

He said AAP is blaming EVMs as they know they are losing and want something to blame for it. AAP's Singh, meanwhile, said they had not got any adverse re-

port from outside the strongrooms: "Everything is calm."

BJP leaders have maintained that they will perform better than the exit polls have predicted, with one leader putting up a constituency-wise analysis of each seat on Twitter.

Neelkant Bakshi, co-media in-charge in Delhi BJP, said the party will win 47 seats. He mentioned bad roads, dirty water and weak transport infrastructure as reasons for BJP's anticipated victory

in several seats. However, some leaders admitted in private that the party would not be able to perform as well as it hoped, as Congress had shown no resurgence. "We will comfortably retain our vote bank and might get more than 20 seats, but AAP looks better placed," said a senior leader.

Unlike in 2015, when the BJP had ordered several kilograms of sweets anticipating a win, no arrangements have been made this time.

# At 11 constituencies, a trend of picking winning side

SHIVNARAYAN RAJPUROHIT  
NEW DELHI, FEBRUARY 10

AMID EXIT polls and internal party estimates, at least 11 assembly constituencies in the capital could hold the key to who wins. Since 1993, when the first assembly polls were held, these 11 bellwether seats — New Delhi (Gole Market till 2003), Malviya Nagar, Madipur, Patparganj, Gandhi Nagar, Chandni Chowk, Timarpur, Model Town, Sadar Bazar, Patel Nagar and Karol Bagh — have invariably been choosing MLAs whose party

goes on to rule the state.

The AAP won all but one seat with a victory margin of more than 15,000 votes in 2015. The lowest victory margin was witnessed in Gandhi Nagar (7,482). The party bagged eight of the 11 seats with a margin of more than 20,000 votes — the highest (34,315) in Sadar Bazar.

All but one of the 11 runners-up were from BJP.

This time, the AAP has repeated its nominees on seven of the 11 seats, and dropped two. The other two MLAs have quit the party.

Chief Minister Arvind Kejriwal is looking to retain the

high-stakes New Delhi seat after being elected from the constituency in 2013 and 2015. In 2013, he defeated then Chief Minister Sheila Dikshit with a margin of 25,864 votes, and the gap widened to 31,583 votes in 2015 against BJP's Nupur Sharma. This time, BJP's Sunil Yadav and Congress's Romesh Sabharwal are up against him.

In Patparganj, AAP has once again fielded Deputy Chief Minister Manish Sisodia against BJP's Ravi Negi and Congress's Lakshman Rawat. In the previous election, Sisodia defeated BJP's Vinod Kumar Binny by 28,791 votes.

A cliffhanger may be on the cards in Chandni Chowk. Four-time MLA Parlat Singh Sawhney, who has switched from Congress, is the AAP candidate, while Alka Lamba will fight on a Congress ticket after leaving AAP. In the previous election, Lamba won the seat on an AAP ticket by 18,287 votes.

Gandhi Nagar is not dissimilar either. Senior Congress leader Arvinder Singh Lovely will take on Naveen Choudhary of AAP and BJP's Anil Kumar Bajpai. Bajpai was elected from the constituency on an AAP ticket in 2015, and switched to BJP just before the Lok Sabha polls.

Choudhary recently quit Congress to join AAP.

In Timarpur, the AAP dropped sitting MLA Pankaj Pushkar and fielded Lok Sabha candidate Dilip Pandey. Similarly, the party has denied a ticket to its Patel Nagar MLA Hazari Lal Chauhan and fielded Raaj Kumar Anand against Congress veteran Krishna Tirath and BJP's Pravesh Ratan.

On the other hand, the party has repeated Akhilesh Pati Tripathi against Congress's Akansha Ola and party rebel Kapil Mishra, who joined BJP from the Model Town assembly seat. In Madipur, the AAP has re-

peated Girish Soni, who will lock horns with BJP's Kailash Shankla and Jai Prakash Panwar of Congress. Soni trounced BJP's Raj Kumar by 29,387 votes in 2015.

The AAP has reposed its faith in Vishesh Ravi for the Karol Bagh seat. Last time, he won with a margin of 32,880 votes.

BJP's Jai Prakash eyes to wrest back the Sadar Bazar seat from AAP's incumbent MLA Som Dutt, who won by a margin of 34,315 votes in 2015.

AAP's Somnath Bharti is seeking a re-election from Malviya Nagar against BJP's Shailender Singh Monty. In 2015, Bharti's winning margin was 15,897 votes.

## OBITUARY

MAJ GEN TS VERMA, PVSM (RETD)  
(01 FEB 1929 TO 07 FEB 2020)

An outstanding soldier, a thorough Regimental officer, a courageous man full of compassion. His stellar contribution as Colonel of 3rd Gorkha Rifles will keep him ever alive in our hearts and mind.

FONDLY REMEMBERED BY ENTIRE 3RD GORKHA RIFLES FRATERNITY



**SIGNATURE GLOBAL**  
MAKING INDIA AFFORDABLE

Applications are invited from general public for booking of Residential Apartments in the Affordable Group Housing Project proposed to be developed as per terms and conditions of the policy prescribed by the Town & Country Planning Department, Government of Haryana vide notification no. PF-27/48921 dated 19.08.2013 & amendment thereof (details available at the Department website, i.e. tcepharyana.gov.in).

### PROJECT DETAILS

1. Coloniser/Developer	SignatureGlobal (India) Private Limited					
2. Project Approval	Licence No. 89 of 2019 dated 02.08.2019, Building Plan Approved on 22.11.2019 Memo No. ZP-1351/AD(RA)/2019/28677, Haryana RERA Registered No: 77 of 2019 dated 31.12.2019					
3. Location	Sector 89, Gurugram, Haryana					
4. Provisions Project Area	720 no. of apartments available out of total 720 number of units in the housing scheme spread over 5 acres. As per Policy, 5% of total apartments are available for management quota and 95% of total apartments are for public. Community Facilities: One Community Hall of 2000 sq.ft. and One Anganwadi-cum-creche of 2000 sq.ft.					
5. Apartment Details, Allotment Rates & Payment Terms						
Apartment details						
Category (Type)	No of Units	Carpet Area sqft(approx)	Balcony Area sqft(approx)	Allotment Rate of Apartment (all inclusive)*	With application Booking amount 5%	on allotment 20%
2BHK TYPE-01	172	581.396	83.873	23,67,520	1,18,376	4,73,504
2BHK TYPE-02	300	588.586	85.176	23,96,933	1,19,847	4,79,387
2BHK TYPE-03	172	598.220	86.801	24,36,281	1,21,814	4,87,256
2BHK TYPE-04	40	590.169	84.906	24,03,128	1,20,156	4,80,626
2BHK TYPE-05 (MQ)	2	588.263	89.653	23,97,880	1,19,894	4,79,576
2BHK + STORE (MQ)	34	645.345	123.560	26,31,379	1,31,569	5,26,276

(ii) Balance 75% of the amount in six equated 6 monthly instalment spanning over a period of three years. No interest shall fall due before the due date of payment. Any default in payment will bear penal interest as provided in Rule 15 of the Haryana Real Estate Regulatory Authority, Rules, 2017.

6. Parking	Two-wheeler parking with each apartment					
7. Broad Specifications of the Apartment	<ul style="list-style-type: none"> <li>Flooring: Rooms Vitrified Tiles, Kitchen Vitrified / Ceramic Tiles, Toilet Anti-Skid Ceramic Tiles, Balcony Anti-Skid / Matt Finish Ceramic Tiles.</li> <li>Windows: M.S. Sections as per IS Codes / Aluminium Powder Coated / UPVC</li> <li>Doors Frame: Red Merandi / Mild Steel / Aluminium Powder Coated / UPVC</li> <li>Wall Tile: Ceramic Tiles till 4 Feet / 7 feet high &amp; Oil Bound Distemper Above.</li> <li>Kitchen Counter Top Green Marble / Granite</li> <li>Wall: Oil Bond Distemper</li> <li>Sanitary fitting: ISI marked CP Fittings, W.C &amp; Washbasin</li> <li>Electric Fitting: ISI Marked. Structure: RCC Frames Structure designed for SEISMIC forces as per latest IS code and NBC Recommendations.</li> </ul>					
8. Applications Timelines	(i) Applications can be procured & submitted at: SignatureGlobal (India) Pvt. Ltd., Corp. Office - Ground Floor, Tower A, Signature Tower, South City -1, Gurugram, Haryana-122001, 0124-4908200 by paying an application form fee of Rs 1,000/- starting from date 11.01.2020. For more information, call 7053-121-121 (ii) Last Date of submission of Applications is 25.02.2020. The project had been opened for general public on 11.01.2020 & closing date for the submission of application form was 10.02.2020, Which is further extended up to 25.02.2020. (iii) The list of Distribution and Collection centers is available on www.signatureglobal.in (iv) Application Forms & Facility of applying Online is also available at www.signatureglobal.in.					

Eligibility: 1. The applicant should not be debarred from entering into legally binding contract under any prevailing law.  
2. Any person can apply, however, the PMAY beneficiaries, which include their spouse or dependent child, identified by the Urban Local Bodies Department, Haryana under "Pradhan Mantri Awas Yojna Housing for All" programme shall be granted preference in allotment. First priority shall be given to the identified beneficiaries of the said town followed by other PMAY beneficiaries of the State of Haryana. Thereafter, for the remaining flats, persons which include their spouse or dependent children who do not own any flat/plot in any HUDA developed colony/sector or any licensed colony in any of the Urban areas in Haryana, UT of Chandigarh and NCT Delhi shall be given next preference in allotment of flats.  
3. An applicant can make only one application. Any successful applicant under this policy shall not be eligible for allotment of any other flat under this policy in any other colony. In case, he/she is successful in more than one colony, he/she will have choice of retaining only one flat.  
Allotment Criteria: 1. The allotment of apartments shall be done through draw of lots in the presence of a committee consisting of Deputy Commissioner or his representative (at least of the cadre of Haryana Civil Services), Senior Town Planner (Circle office), DTP of the concerned district and the representative of coloniser concerned.  
2. After fixation of date for draw of lots, an advertisement shall be issued by the Developer informing the applicants about the details regarding date/time and venue of the draw of lots in the same newspapers in which the original advertisement was issued.  
3. For detailed criteria and time-frame to be adopted for scrutiny and allotment, the applicants may also refer to the details in the Affordable Group Housing Policy, 2013 vide no. PF-27/48921 dated 19.08.2013 & amendment thereof (available at the Department website, i.e. tcepharyana.gov.in).

**SIGNATURE GLOBAL (INDIA) PRIVATE LIMITED** | CIN: U01000DL2000PTC104787  
Regd. Office: Unit No. 1304 At 13th Floor, Dr. Gopal Das Bhawan, 28 Barakhamba Road, New Delhi-110001  
Corp. Office: Ground Floor, Tower A, Signature Tower, South City -1, Gurugram, Haryana-122001 | www.signatureglobal.in

HOME LOAN PARTNER:

7053-121-121

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### PROJECT DETAILS

1. Coloniser/Developer	Signature Infrabuild Private Limited					
2. Project Approval	Licence No. 121 of 2019 dated 14.09.2019, Building Plan Approved on 26.12.2019 Memo No. ZP-1359/AD(RA)/2019/31954, Haryana RERA Registered No: 02 of 2020 dated 03.01.2020					
3. Location	Sector 89, Gurugram, Haryana					
4. Provisions Project Area	690 no. of apartments available out of total 690 number of units in the housing scheme spread over 4.73125 acres. As per Policy, 5% of total apartments are available for management quota and 95% of total apartments are for public. Community Facilities: One Community Hall of 2000 sq.ft. and One Anganwadi-cum-creche of 2000 sq.ft.					
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**SIGNATURE INFRABUILD PRIVATE LIMITED** | CIN: U01000DL2013PTC247676  
Regd. Office: Unit No. 1310 At 13th Floor, Dr. Gopal Das Bhawan, 28 Barakhamba Road, New Delhi-110001  
Corp. Office: Ground Floor, Tower A, Signature Tower, South City -1, Gurugram, Haryana-122001 | www.signatureglobal.in

HOME LOAN PARTNER:

7053-121-121

# 6 IN PARLIAMENT BUDGET SESSION

## THE BUDGET DEBATE

### 'Economy being attended to by incompetent doctors'

Chidambaram leads Oppn charge, says govt has no money but is living in denial

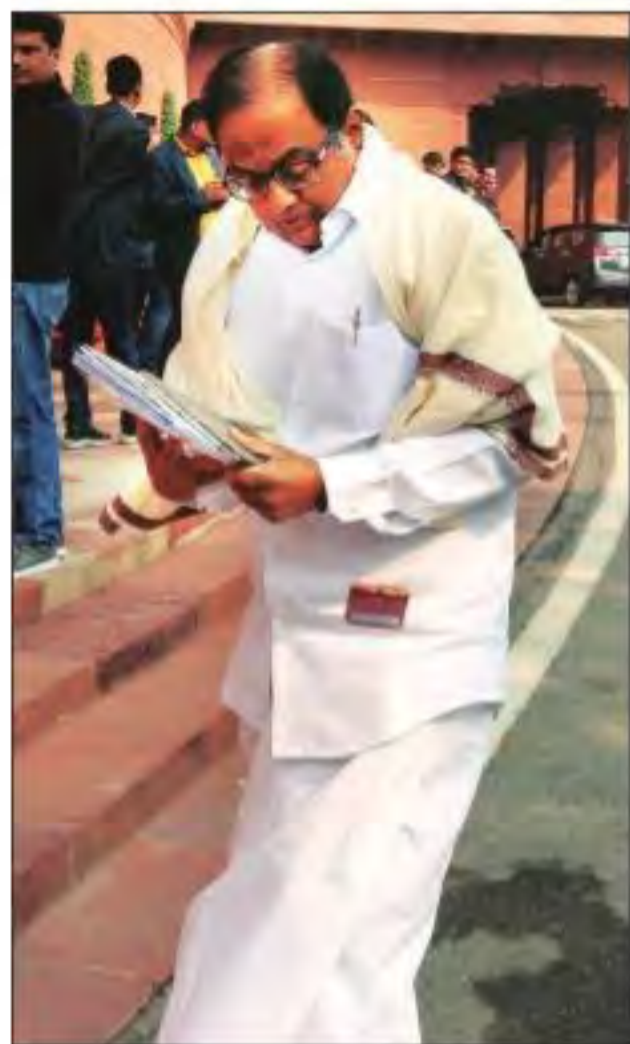
EXPRESS NEWS SERVICE  
NEW DELHI, FEBRUARY 10

CRITICISING THE government's handling of the economy, Congress leader and former Finance Minister P Chidambaram on Monday said the economy is "perilously close to collapse" and that it was being attended to by "incompetent doctors". Initiating the debate on the Budget in Rajya Sabha, Chidambaram said the government has "no money to spend" and alleged that it has "masked" the situation by numbers. He said the economy is now "demand-constrained" and "investment-starved", but the government prefers to "live in denial".

"The Chief Economic Advisor (CEA) of your government for four years says the economy is in an ICU. I disagree. I think the patient has to be wheeled into the ICU. Unfortunately, the patient is being kept out of the ICU and incompetent doctors are now looking at the patient... what is the purpose of standing around the patient and chanting *sabka saath, sabka vikas, sabka vishwas*? The patient is not going to revive... The patient will revive only if competent doctors attend to the patient and administer medicine," Chidambaram said.

Referring to former RBI governors Raghuram Rajan and Urjit Patel, former CEA Arvind Subramanian and former vice-chairman of Niti Aayog Arvind Panagariya, he said, "Every competent doctor that you identified and appointed has left the country."

Arguing that the "obvious solution" to jump-start the economy now is to revive aggregate demand and incentivise investment, he said there was nothing in the Budget in that direction. Instead of putting money in the hands of people, he said, the government put money in hands of 200 corporates by giving them a tax rate cut. Chidambaram said the investment sentiment remains damp despite



Senior Congress leader and former Finance Minister P Chidambaram in Parliament on Monday. Prem Nath Pandey

that because the government has criminalised most laws and has given extraordinary powers to the officers.

Pointing out that industry chamber CII has come up with a list of 37 laws which have to be decriminalised, he said, "Everything in this country is criminal. Now you talk about a charter of rights of taxpayers... we don't want a charter, just take away these extraordinary powers given to these guys... that is good enough... Today there is no money in the hands

of the people and there is no incentive for anyone to invest. On the contrary, there is fear and uncertainty pervading all over the country..."

Other leaders of the Opposition were equally scathing in their attacks on the government over economy, unemployment, reduced allocation for MGNREGA and the on the issue of the credibility of data.

TK Rangarajan of the CPM accused the government of "enhancing and boosting only the corporate sector" and said "all sections of the society will suffer, especially in rural areas from the low growth of investment in the past seventeen years". Demanding an unemployment allowance, he said data shows that unemployment is at a 45-year high, and yet the government does not speak about it and has "Ram Temple and Kashmir" on its agenda.

T K S Elangovan of the DMK said the "budget is prepared on false premises" as "all data are falsified". He said the "problem is that this government does not want to accept its failures" and added, "When you don't give proper data to the people, you hide it, you are not hiding it from the Opposition parties, you are hiding it from 130 crore people," he said.

Several leaders voiced concerns over the government's plan to disinvest LIC and BPCL. In Lok Sabha, NCP's Supriya Sule said the Budget speech was "long and tiresome" and exposed the failure "of this government when it comes to fiscal health".

She said that the government was talking about the bullet train but not a single acre of land has been acquired for it so far: "They are in fairy tale world... they live in make-believe world," Sule said.

Expressing apprehension over the Budget numbers, Preeti Kaur of the Congress said presumption of 10 per cent nominal GDP growth and 12 per cent rise in tax collection seem "optimist and unrealistic given the low economic growth and falling exports".

### 'Govt performing better on all parameters compared to UPA'

EXPRESS NEWS SERVICE  
NEW DELHI, FEBRUARY 10

UNDER ATTACK from the Opposition over its management of the economy, the ruling BJP on Monday said the Narendra Modi government is performing better on "all parameters" of the economy as compared to the previous UPA regime. The Indian economy, it said, is on course to become a \$5 trillion economy.

With several members yet to speak, after which Finance Minister Nirmala Sitharaman will give her reply on Tuesday, the BJP has issued a whip to all its members to ensure that they are present in the House on Tuesday.

Participating in the discussion on Budget in Rajya Sabha on Monday, BJP's Arun Singh said the Budget has something for every section of the society. There are many provisions to realise the "dream of New India" and several steps to achieve the goal of \$5 trillion economy, he said, arguing that it was a far-sighted budget.

Countering Congress leader P Chidambaram's criticism, Singh said the Budget fulfills expectations of the people. The Modi government, he said, is "better on all parameters" compared to the 10-year rule of the UPA headed by the Congress. Arguing that the UPA period witnessed runaway inflation, he said the UPA-II government even passed resolutions in both Houses that inflation would be controlled in 100 days, but failed.

The Modi government, on the other hand, has successfully controlled prices, he said. On the criticism that the Budget has nothing for farmers, Singh said a sum of Rs 2.83 lakh crore has been committed for the welfare of farmers. He also highlighted Budget proposals of dedicated trains and flights for transportation of agricultural products. The government, he said, is committed to double the income of farmers and has been substantially increasing MSP "as compared to Rs 50-100 hike given by the UPA government".



(Left) Finance Minister Nirmala Sitharaman in Rajya Sabha; BJP MPs Vinay Sahasrabudhe and Aparajita Sarangi, who defended the Budget

Vinay P Sahasrabudhe accused the Opposition of spreading "conspiracy of misinformation, mispropaganda" and "fear-mongering". Many a times, he said, "the Opposition parties get mesmerised by their own image, which is basically doing their politics of, as I said, fear-mongering on the one hand, populism on the other hand and vote-bank as well".

He said the government and the "political economy of the country have moved from "politics of entitlement" to "politics of empowerment". He said that in the last five years, the mantra was to "clean the ground" and now "we are constructing" on the ground.

Nareesh Gujral of BJP ally Shiromani Akali Dal said the rupee needs to find its own value. He said that the country needs an expert financial institution to take care of lending to infrastructure projects with high gestation periods. He applauded the Finance Minister for launching the logistics policy, which he said will make exports more competitive.

Saying that some PSUs "continue to lose money year after year and yet we do nothing in the name of socialism", Gujral said, "It is imperative that finally we cut the albatross around our neck." He said he was glad that the government has a roadmap for it, and hoped for a separate ministry for disinvestment.

In Lok Sabha, BJP MP from Bhubaneswar Aparajita Sarangi said there is a balance between intent and content, and vision and provision in the Budget. "We have moved from policy paralysis to policy action under the Narendra Modi government," she said.

The focus is on growth and the Budget will strengthen the foundation of Indian economy in the new decade, she said.

The Budget promotes six major sectors against the backdrop of current economic scenario, she said, adding that it will help facilitate investment, spur consumption while giving a push to infrastructure and filip to agriculture sector.

Observing that this is an age of technology, Sarangi said the Budget has recognised this and made several announcements in this regard. The technology will help ease living conditions of people, she added.

Rejecting the Opposition's claim of reduction in rural Budget, she said the government has always pitched in when there was a need in the past.

On spurring investment, Sarangi said the Budget announcement of abolishing Dividend Distribution Tax will free up about Rs 25,000 crore for the corporates.

Besides, National Infrastructure Pipeline will promote investment in the infrastructure building, she said.

## FROM THE GALLERY

### FROM THE CHAIR

#### RAJYA SABHA

"He is making the statement as the leader of the House"

HARIVANSH, Deputy Chairman, when Opposition MPs started objecting that Union minister Thaawarchand Gehlot's statement was not circulated.

#### LOK SABHA

"The Constitution is not in danger, but the way you are hurting the dignity of the House is wrong"

OM BIRLA, Speaker, to Opposition MPs seeking to speak on the Supreme Court order on reservation.

### QUOTE OF THE DAY

"Criticise the Budget and the Finance Minister as much as you like. But we will not accept you saying distorted things about the Sanskrit language"

ANURAG THAKUR, Minister of State (Finance), to Opposition MPs during the Budget debate



## SEEKING ASSURANCE

External Affairs Minister S Jaishankar with the family members of a student of chemical engineering in Parliament on Monday. The student is stranded in Wuhan region of China, the epicentre of the novel coronavirus outbreak. Prem Nath Pandey

■ Speaking in Parliament Monday on steps being taken to deal with the novel coronavirus outbreak, Health Minister Harsh Vardhan said doctors have been sent to all airports for effective screening.

■ Isolation beds have been made available in tertiary facilities across the country to manage any possible outbreak, he said. So far, 369 symptomatic travellers have been referred to isolation facilities, he added.

■ The government is tracking 9,452 people and surveillance officers and rapid response teams, under leadership of state Health Secretaries, are monitoring these people daily, the minister said.

## 5 QUESTIONS

LJP LEADER CHIRAG PASWAN SPEAKS TO LIZ MATHEW ON THE SUPREME COURT'S ORDER ON RESERVATION AND HIS ARGUMENTS AGAINST IT

## 'Reservation should be put under Ninth Schedule'

You spoke in the House about the Supreme Court's order on reservation. What was your demand?

We have strong objections to what the court said on reservation. See, reservation is not a mercy or a favour, it is a right. Such observations will hurt the sentiments of the people belonging to SCs/STs and OBCs. But my faith lies in the government and Prime Minister Narendra Modi... When there was an attempt to dilute SC/ST (Prevention of Atrocities) Act, the government acted proactively.

What did you demand?

I demanded that the government take necessary action... There has to be a review petition. Also, all laws related to SC/STs should be put in Ninth Schedule. Also, we should have an Indian judicial service in place because such things happen because there is no representation of SC/STs in the higher judiciary.



LJP leader and MP Chirag Paswan in Parliament on Monday. Anil Sharma

But the Opposition said the Uttarakhand government contented that reservation in promotion is not a fundamental right? The government is clarifying. I believe the Prime Minister will see to it that it is restored to the way it was.

The RSS chief was quoted as saying that the policy needs to be reviewed and this government was accused of delaying the review petition when SC/ST (Prevention of Atrocities) Act was amended

... This government is committed to ensure that reservation stands and we as an ally also stand for reservation. Till the time we are part of this government, nothing can happen to reservation.

What are the steps you suggested to avoid such issues on reservation policy?

For ending such controversies, reservation should be put under Ninth Schedule of the Constitution. We have seen someone or the other approaching the court against reservation. From Mandal Commission days till this day. There have been review petitions, constitutional amendments... it has been going on for long. So we want all issues related to reservation for SCs and STs to be put under the Ninth Schedule.

## Under fire from Oppn, Centre says it had nothing to do with SC quota ruling

LIZ MATHEW & KRISHN KAUSHIK  
NEW DELHI, FEBRUARY 10

UNDER ATTACK from the Opposition over the Supreme Court ruling that there is no fundamental right to reservation in promotions, the central government on Monday said it had nothing to do with the verdict and reiterated that it is committed to the welfare of Scheduled Castes (SC) and Scheduled Tribes (ST).

Union Minister for Social Welfare Thaawarchand Gehlot said in a statement in both Houses of Parliament that the government is committed to the welfare of SCs and STs. The issue triggered an uproar in Lok Sabha and the Rajya Sabha witnessed a walkout by the Opposition after Gehlot's statement.

"The Centre was never made a party to the case, nor were we asked to present any declaration. The matter arose due to a decision taken by the Uttarakhand government in 2012. There was a Congress government in the state at that time," Gehlot said in Lok Sabha. "We will hold a high-level discussion and decide on the future course of action," he added.

Gehlot's statement came after an uproar in Lok Sabha, with MPs of the Congress and other Opposition parties alleging that the ruling BJP was trying to take away reservation. "In the name of *rashtrवाद*, this government is into *Manuvaad*," said Congress leader in Lok Sabha, Adhir Ranjan Chowdhury. "There have been many incidents of atrocities and injustice towards Scheduled Castes and Scheduled Tribes in the country. Why is the government is trying to take away their rights?," he asked.

Parliamentary Affairs Minister Pralhad Joshi intervened and said the government had nothing to do with the court ruling. Chowdhury said the BJP government in Uttarakhand had contended in court that reservation is not a fundamental right. As Opposition MPs entered the Well and started raising slogans, Defence Minister Rajnath Singh said the minister concerned would make a statement. He slammed the Congress for "politicising" the subject and said the Opposition party was in power in Uttarakhand in 2012 when the state government decided to fill government posts without providing reservation.

Alleging that there has been an onslaught on reservation since this government came to power, DMK's A Raja said the Centre should file a review petition or bring the matter under Ninth Schedule of Constitution, which is beyond the purview of judicial scrutiny.

Chirag Paswan, leader of BJP ally LJP, pointed out that the Poona Pact between B R Ambedkar and Mahatma Gandhi led to the idea of reservation. "It is not a favour, but a constitutional right," he said.

TMC's Kalyan Banerjee said Article 16 (4)



Union Minister for Social Welfare Thaawarchand Gehlot

of the Constitution is clear about the quota for SCs and STs and it is a part of fundamental rights. Apna Dal MP Anupriya Patel said such orders hurting the weaker sections of society "frequently" come from judiciary because backward communities are not represented properly in judicial appointments.

IUML MP ET Muhammad Basheer said any move to do away with reservation could "jeopardise social justice." Both IUML and CPM said the government should file a review petition.

Chowdhury and fellow party MPs Manickam Tagore, Manish Tewari and Gaurav Gogoi have given a notice for adjournment motion stating that "SCs and STs reservation in government services should not be diluted as it will be disastrous blow to the backward community of our country".

Deciding a group of appeals pertaining to reservations to SCs and STs in promotions in the posts of Assistant Engineer (Civil) in PWD, Uttarakhand, the apex court last week said states are not bound to provide reservation in appointments and promotions and that there is no fundamental right to reservation in promotions.

In Rajya Sabha, Gehlot reiterated that the Centre was neither a party in the case nor was any affidavit sought from it and again mentioned that the Congress was in power in Uttarakhand when the state government decided not to provide reservation in promotions.

Leader of Opposition in the House Ghulam Nabi Azad called reservations for SCs and STs "the biggest gift given by the Constituent Assembly for the upliftment of one-fourth of the country's population". He said the government cannot wash it hands off by saying it will take a view at the highest level. The Opposition sought a clarification on whether the government will file a review petition or bring a Bill to nullify the court order.

Cabinet Minister Ram Vilas Paswan assured, "No government can end reservations and whatever needs to be done to continue the reservations, the government will do it."

However, unconvinced by the response, most Opposition MPs walked out.

# 7 GOVT & POLITICS



DELHI CONFIDENTIAL



## STRANGE COMPLIMENT

BJP MP and former Union minister Rajiv Pratap Rudy is one of the most regular members and puts questions on almost every important issues in Lok Sabha. On Monday, Rudy was liberal in making comments on the ministers. When he was called to ask a supplementary question on functioning of the All India Council for Technical Education (AICTE), he started by saying: "The minister gives wonderful answers. He has not only posted the reply of the main question on the portal, but also given replies prepared by his ministry to supplementary questions also. This makes all of us more knowledgeable about the subject and makes us ask tougher questions." While HRD minister Ramesh Pokhriyal was struggling to realise whether it was a compliment or criticism, Speaker Om Birla told Rudy, "Then you ask your question also on portal."

## OFF TO LECTURE

MORE THAN two years after then Congress president Rahul Gandhi's lectures to students in University of California, Berkeley, generated controversy, Chhattisgarh Chief Minister Bhupesh Baghel is headed to the US for a lecture in another top university. Baghel, one of the Congress leaders who has publicly called for Rahul to be reinstated as Congress chief, will attend the India Conference at Harvard University on February 15. He will speak on "Caste and Politics in Democratic India". The Chhattisgarh government is widely publicising his visit, which will also see Baghel meet investors and visit the United Nations. The speech, meanwhile, will be closely watched by both his supporters and critics, the latter hoping for another controversy.

## BACKING REVAMP

A TOP government functionary recently said that he was initially not very convinced about the plan to redevelop the Central Vista in Delhi. As someone living in the Lutyens' Bungalow Zone area for decades, he was quite in love with the buildings. According to him, he started feeling that they need to be rebuilt only when Central Public Works Department personnel started complaining repeatedly about issues with the building. He was fully convinced when a foreigner, who visited him recently, asked him not to sleep inside the house, because an earthquake can completely destroy the building he lives in now: "He asked me to sleep under the canopy in the garden." Now he also believes that the Central Vista has to be redeveloped.

# NRC fears don't cross the divide: among poor Hindus, a confidence, assured sense of place

From Dalit basti in Gaya to village near Dhanbad, refrain: *humein kaun hatayega* (who will turn us out?)

VANDITA MISHRA  
KOLKATA, GAYA, LUCKNOW,  
FEBRUARY 10

IN THE Scheduled Caste basti in Gewalbigha, Gaya, about 2 km from the day-and-night dharna against the CAA-NRC-NPR in Shantibagh, a group of men, all safai karamcharis with the Nagar Nigam, cheeks smeared with the bright pink abeer (coloured powder) of Saraswati puja, talk of the citizenship issue without evident apprehension or anxiety.

"Jo bahar se aaya hai, those who have come from outside, Pakistan se, Bangladesh se, they are scared. Hindus need not fear", says Raju Ram. "Hamaare baap-dada yahan ke hain (our forefathers belonged here)", says Ajay Ram. "We, Dalits, don't own any land" says Raju Ram, "but generations have lived here. Bahut sa kaagaz patra nahin hai, toh bhi. (We have very few papers, but even so)."



Police lodged a fresh FIR against 23 protesters, including women, and hundreds of unidentified others for allegedly violating CrPC Section 144, blocking traffic and manhandling police personnel at the sit-in at Ghanta Ghar in Lucknow on Monday. Vishal Srivastava

## Govt will find a way

In this basti where many homes have a TV but none has a toilet, and water comes only up to the row of taps that residents say they installed with their own money by the main road outside, Raju Ram counts out what he sees as the government's achievements: "Removal of Article 370 in Kashmir, Ram Mandir, Pakistan mein ghus ke maara (hitting Pakistan inside its territory in Balakot), Abhinandan ko chuda liya (India's fighter pilot was released from Pakistan's custody)".

The worry and insecurity writ large in the Muslim mohalla in town and village on the citizenship issue is not visible in the SC mohalla even in neighbouring Rohtas district.

In Sasaram, the Lok Sabha constituency India's first Dalit deputy prime minister Jagjivan Ram represented and never lost an electoral battle from, ever since the first election was held in 1952, not far from the stately red sandstone mausoleum of Afghan king Sher Shah Suri, is the Dom mohalla of Bharatganj.

Here, Gangaram, a sweeper, says a line must be drawn, a reg-

ister of citizens is necessary. "How else will we know who belongs to the country and who doesn't?" Rohit, a student, says: "Only the *behroopye* (imposters) need to be fearful."

No one has a "colony (home)" or land of their own here, but, says Gangaram, "hamein kaun hatayega (who will turn us out?)"

Underlying the rhetorical challenge is a kind of confidence, a sense of place in the neighbourhood, even at the bottom-most rungs of the socio-economic ladder: If we don't have the requisite papers and documents, our neighbours will speak for us, we will go to the mukhiya, pradhan, BDO or the government will amend its rules, find a way.

In the mohalla of (backward caste) Koeris nearby, on the subject of the CAA-NRC, that confidence quickly shades into something resembling majority entitlement and ownership, an aggressive majoritarianism.

"Why should anyone have a problem if Hindus from other countries are given citizenship in India? We've seen the attack on the gurdwara in Nankana Sahib in Pakistan", says Abhishek Kumar, a student. "We are de-

## FROM THE PICKET LINES

AN EXPRESS SERIES-PART II

scendants of Chandragupta Maurya. We will not let *ghus-paithiya* (infiltrators) remain in our country", says Arun Kumar Kushwaha, as he shouts down the sole dissenting voice in the group — of Sushma Paswan, Dalit social worker, who says that the "NRC-NPR will hurt Hindus too, those affected by the regular floods in east Bihar, and most of all Dalits and Mahadalits".

## Solidarity strongest among students

To be sure, there is empathy for apprehensions being expressed in the protests, located in Muslim neighbourhoods, against the new citizenship law and the proposed register of citizens, outside those neighbourhoods too. The solidarity seems strongest, everywhere, among students.

It is visible, too, in the more divided spaces outside campuses, both in West Bengal as in UP, the

two states where the CAA-NRC has stoked maximum controversy.

At a tea shop in Ghushighata market in Kulti village, in West Bengal's North 24 Parganas district, Gautam Sahu, who is in the transport business, says: "I have all my papers, we have land. But many in my village are now queuing up to get their names rectified in their Aadhaar cards (for fear of the NRC). I may be safe but my neighbour, who is a Muslim, feels he may be asked to leave. That is not right".

In Kaulapur village in the UP district of Bhadohi, Chandresh Kumar, SC, Gram Rojgar Sewak says: "Sab Hindustani hain, sab rashtrabhakt hain, sabko vikas chahiye (everyone is a Hindustani and patriot, everyone wants development). Secure the borders by all means, but treat all those who have *aashta* (faith) in India's Constitution as India's citizens".

From Bengal to UP, however, cross-community solidarities — that the leaderless people's protests against the CAA are laying claim to, and also reposing faith in — seem visibly constricted and strained for several reasons.

# Plans afoot for Census of indigenous Muslims in Assam

TORA AGARWALA  
GUWAHATI, FEBRUARY 10

PLANS TO implement a Census to identify khilonjia or indigenous Assamese Muslim population are afoot this year, confirmed state Welfare of Minorities Minister Ranjit Dutta. On Tuesday, Dutta will meet representatives of the indigenous Assamese Muslim community to seek "suggestions" in finalising framework of the census. "A sum of Rs 100 crore was announced to form Khilonjia Muslim Development Corporation in the 2019-2020 budget. To that end, the government will carry out a Census to identify the population of the community," said Dutta.

The Assam Budget 2019-2020 listed creation of a Development Corporation for Indigenous Muslims, aimed at their "holistic development", and a "socio-economic census" to help assess their

## Who are Assam's indigenous Muslims?

UNDER THE indigenous Assamese Muslim community fall three main groups — Goriyas, Moriyas (from Upper Assam) and Deshis (from Lower Assam). While Deshis are 13th century converts from indigenous communities such as Koch Rajbongshi and Mech, Moriyas and Goriyas trace their lineage to converts as well as soldiers, karigars etc who came to the region during the Ahom rule. Smaller groups such as Julha Muslims also fall under this category.

"socio-economic condition". On February 6, a memo was issued by Welfare of Minorities and Development Department, calling for a "meeting regarding a socio-economic census of indigenous Muslims of Assam — Goriya, Moriya, Ujani, Deshi, Julha, Mainai, Syed etc" on February 11 at Dispur. However, Dutta confirmed that the planned Census is not a socio-economic one but simply to count

population of khilonjia indigenous Muslims.

For indigenous Muslims of Assam, who consider themselves distinct from Bengali-speaking Muslims who migrated from East Bengal or Bangladesh, the demand for a Census is not recent. "We have been deprived of benefits despite being indigenous," said Azizul Rahman, general secretary of All Assam Goriya Moriya Deshi

# Minister misled Parliament on quota: Cong slams govt

EXPRESS NEWS SERVICE  
NEW DELHI, FEBRUARY 10

THE CONGRESS on Monday targeted the ruling BJP over the Supreme Court's judgment that states are not bound to provide reservation in appointments and promotions and that there is no fundamental right to reservation in promotions.

The Congress raised the issue in both Houses of Parliament and directed its state units to hold street protests on the issue this week. It asked all senior leaders, including MPs and



Rahul Gandhi at Parliament House on Monday. Anil Sharma

MLAs, to participate in state-level protests before February 16 and then take it forward to district and block levels. Claiming that there was a "big conspiracy"

to take away the rights of the deprived sections, senior party leader Rahul Gandhi alleged that it is in the DNA of the BJP and the RSS to try to erase reservations. "What could be bigger treason than this?" he asked.

The Congress argued that the BJP government of Uttarakhand filed a special leave petition on November 14, 2019 in Supreme Court and claimed that the judgment had come on that. "The minister has misled the House and definitely the Congress will move a privilege motion against the minister," AICC general secretary K C Venugopal said.

Parishad. "Since 2006, we have been demanding a Census. Our other demands include an autonomous council, political reservation and a fixed number of seats in educational institutions."

Rahman will be part of the meeting with Welfare of Minorities and Development Department. He said many indigenous Assamese Muslims have been wrongfully tagged D-voter in Assam. "We face a major identity crisis since we are confused with Bangladeshis. Nothing can be more shameful..." he said.

According to the 2011 Census, Muslims constitute 34.22 per cent of the 3.12 crore population of Assam. "Around 12 per cent of that is indigenous Muslims. Because of migration from Bangladesh, this group has lost its identity and is lagging behind..." said Syed Mumtaz Aowl, Assam Minorities Development Board chairman. FULL REPORT ON [www.indianexpress.com](http://www.indianexpress.com)

## Echo with security, economy

For one, the CAA-NRC discussion appears to have given another leg-up to the "national security" argument which flared so prominently in the wake of Pulwama and Balakot in the BJP's campaign and mobilisation ahead of the Lok Sabha polls in 2019, and which powered its renewed majority. Except that, this time, there is a crucial difference.

Then, the locale, imagined and real, was "Pakistan". Now, it has come home: The "ghus-paithiya" or infiltrator is now to be separated and weeded out from the "nagriki" and the "sharanarthi", citizen and refugee.

In Mantand village not far from Dhanbad, Saroj Kumar Mahto says: "We can take in *sharanarthi* (refugees) from Pakistan, Afghanistan and Bangladesh, but not infiltrators and terrorists. Our country's doors are open, but the government needs to be vigilant." And in Simrahat village in Gaya district, Mahendra Kumar says: "Only those people are worried about the NRC who shelter terrorists in our midst".

In places, the national security argument segues and slides into the majoritarian case for a Hindu rashtira or homeland: "Why would Muslims come as refugees to India? In 1947, we gave them Bangladesh and Pakistan," says Vikas Kumar of Simrahat. "The Hindu is the elder brother in India. The Muslim must accept that", says Prakash Kumar of Mantand.

There is sullen talk of "dual loyalties", and of people who "are of two places". In Krishnanagar Purbapara village in Hooghly district, West Bengal, Avik Ghoshal, who works with a private company, says: "The Hindu population is dwindling in Pakistan. Hindus who live in other countries must also be brought home."

The CAA-NRC issue also plays upon insecurities sharpened by the rising economy, which pit one against the other in a seemingly zero-sum race for opportunities that are perceived to be limited and shrinking.

## Tyranny of certificates

In Jharkhand, long before the prospect of a nation-wide NRC posed the question of who-is-a-citizen, and threatened to place the entire burden of proof on the citizen, the imperative to protect tribal identity combined with a competition for scarce resources spawned a race to prove who-is-the-original-"Jharkhandi" or "moolvasi". The tyranny of certificates and cut-off dates has been normalised in the state.

In Dhanbad, Rajkishore Mahto, ex-MLA and MP and leading light of the "Jharkhand aamdolan" for a separate state, who is now president of the Jharkhand Labour Union, recalls how Babulal Marandi made it mandatory for all applicants for Class 3 and 4 government jobs to prove their ancestral roots in the state on the basis of the 1932 khatian or land records: "No one after him touched the issue, 10 tribal chief ministers came and went, till Raghubar Das set the cut-off year at 1985. Now Shibu Soren is again talking of 1932".

"If there can be certificates for moolvasis, why not for citizen-ship?" asks Madhusudan Mahto in Mantand. "If you come and earn and want to settle down here, what happens to the economy? Prices are rising. We also have to look at the future of our children", says Ganesh Kumar Verma. Most of all, perhaps, this CAA-NRC moment also shows up an already imperilled neighbourliness between communities.

In tiny, congested Giridih, where the Sadar Hospital sits next to the DC office which is next to the Nagar Nigam Karyalaya, the bus stand and the thana, Sonali Singh, a student at the RK Mahila College, says she has seen the anti-CAA protests in Delhi on TV, but knows nothing of the one in the Muslim mohalla a stone's throw away, of Bhandaridih. "Bahar bahar ka sunne hain, us tarafaana nain hota (I have heard of what is happening outside, but there is seldom occasion for me to go towards Bhandaridih)".

Yet, from Bengal to UP, it is also among students like her that the anti-CAA protests find the greatest resonance across communities.

# Locate, rehabilitate migrant workers evicted: HC to Karnataka govt

EXPRESS NEWS SERVICE  
BENGALURU, FEBRUARY 10

A DIVISION bench of Karnataka High Court has directed the state government to locate and rehabilitate — or compensate — migrant workers whose homes were demolished by Bengaluru police in an eviction drive in January, triggered by an unverified police claim that workers living on a private property were illegal Bangladeshi immigrants.

The bench of Chief Justice Abhay Sreenivas Oka and Justice Hemant Chandangoudar issued the order on Monday after the state government reported suspension of a police inspector who issued the January 11 order seeking eviction of purported illegal Bangladeshi immigrants on a private property in Bengaluru's Marathahalli area.

After the government submitted its report on suspension

of the police officer, the court pointed out that it can be prima facie concluded that a large number of people were evicted "without following the due process of law". The bench said that no inquiry was conducted by the state to find out whether there were indeed illegal Bangladeshi immigrants living on the private property before the eviction was conducted.

"It is the responsibility of the state to rehabilitate since the right to shelter — a fundamental right — has been violated. The state has to come up with a scheme for rehabilitation," the court said while giving the government two weeks to draw up a plan to identify, locate and rehabilitate or compensate those who were displaced by the eviction drive.

A petition was filed in High Court by the People's Union for Civil Liberties (PUCI) on behalf of the affected migrant workers.

# Karnataka: Portfolios given to 10 ex-rebels, Jarkiholi gets Irrigation

EXPRESS NEWS SERVICE  
BENGALURU, FEBRUARY 10

KARNATAKA CHIEF Minister B S Yediyurappa on Monday allocated portfolios to 10 rebel legislators, who won the bypolls on BJP tickets and were inducted into the Cabinet last week, and gave the plum Irrigation ministry to former Congress MLA Ramesh Jarkiholi, as apparently demanded by the MLA from Gokak.

Jarkiholi, a six-time MLA and a former state minister, played a key role in the rebellion by 17 legislators against then Congress-

JD(S) coalition government last year to facilitate Yediyurappa's return. He had reportedly demanded the Irrigation portfolio, held by his bete noire in the Congress, D K Shivakumar, in the earlier coalition government.

Bengaluru MLAs S T Somashekhar and Byrathi Basavaraj were allocated, respectively, Cooperation department and Urban Development (without Bengaluru development responsibility). CM Yediyurappa has retained control of Bengaluru development, apart from Finance, Public Administration and Intelligence.

"I told the CM that whatever portfolio he gives me I will perform sincerely. I have got Cooperation department, where I have some experience," Somashekhar said.

Among the other new entrants, policeman-turned-actor-turned-politician BC Patil was given Forests portfolio, Shrimanth Patil got Textiles, K Sudhakar Medical Education, KC Narayana Gowda allocated Municipal Administration, Anand Singh given Food, Civil Supplies and Consumers Affairs, K Gopalaiah Small Scale Industries, while the Labour ministry has gone to Shivaram Hebbur.

MPs SLAM SC MOVE  
Union ministers Ram Vilas Paswan, Arjun Ram Meghwal and Ramdas Athawale at a meeting with SC/ST MPs at Paswan's residence in New Delhi on Monday. Several MPs criticised the Supreme Court's decision on reservation, terming it "disturbing", and sought immediate corrective action from the Narendra Modi government. Prem Nath Pandey





Govt plans J&K visit of 2nd batch of foreign envoys

SHUBHAJIT ROY NEW DELHI, FEBRUARY 10

SIX MONTHS after J&K's special status was revoked and the state bifurcated, the Union government is planning to take a second batch of foreign envoys to the Union Territory this week, a month after the first batch went there to see the situation on ground.

The Indian Express has learnt that the group is likely to visit J&K on Wednesday and Thursday.

A source said, "Since the last visit of envoys to J&K on January 9-10, we have received several requests from foreign envoys based in India to be part of the next visit to the UT organised by the government. In this context, a group of envoys from different geographical regions will visit J&K soon."

This group is expected to have some envoys from the

European countries, since no EU envoy was part of the first batch.

The envoys' visit comes in the wake of External Affairs Minister S Jaishankar's visit to Germany for the Munich Security Conference (February 14-16) and also Brussels, where he is likely to meet EU leadership — both in the Commission and the Parliament.

Jaishankar's visit is likely to be followed up by Prime Minister Narendra Modi's visit to Brussels on March 13.

Last month, the government had arranged a trip for 15 foreign diplomats, including the US Ambassador to India Kenneth Juster, to J&K.

The proposed visit comes after the EU Parliament last month deferred a vote on a joint draft resolution on Kashmir and CAA, that India called a "diplomatic victory." The voting is likely to take place in the next plenary

Two J&K leaders freed, now under house arrest

ADIL AKHZER SRINAGAR, FEBRUARY 10

THE J&K administration on Monday released two former legislators of the NC and PDP from the MLA hostel in Srinagar where they had been lodged since August 5 when the Centre decided to revoke Jammu and Kashmir's special status.

However, Irfan Shah of NC and Khurshid Alam of PDP will remain under house arrest. "They have been released and will remain under house arrest. Now five politicians are lodged at MLA hostel," a senior officer said on the condition of anonymity.

The decision came two days after senior NC leader Mubarak Gul and former CM Omar Abdullah's political advisor Tanveer Sadiq were released from the MLA hostel on Saturday.

sitting of the European Parliament in March-April.

Last month, EU envoys wanted to visit J&K as a group, which was not possible to accommodate due to restrictions in numbers and to keep the group broad-based.

"We wanted to take a global group of envoys to J&K with only some EU Ambassadors, and not all EU envoys were asked to join," a government source said.

This time, some EU envoys have been invited, and they will be part of the delegation.

On December 10, the EU's envoy had said that EU was concerned over restrictions on "fundamental freedom" of people in Kashmir and called for steps like restoration of communication network and essential services to bring back normalcy in the Valley.

FULL REPORT ON www.indianexpress.com

CHHATTISGARH NHRC accuses state officials of 'abetting' crimes of Salwa Judum

GARGI VERMA RAIPUR, FEBRUARY 10

THE NATIONAL Human Rights Commission has accused state officials of the Chhattisgarh government of 'abetting' the crimes allegedly committed by Special Police Officers as part of Salwa Judum's anti-Maoist activities.

The commission made the comment while declaring an order on September 23, 2019, in the matter of the killing of seven people and burning of 95 huts in the Komadaswali, Karrepara and Kandaragadi villages of Sukma district in 2007. In an order passed on December 23, 2019, the NHRC had declared a compensation of

Rs 5 lakh for the next of kin.

Chhattisgarh DGP DM Awasthi confirmed that the state had received the order. "The compensation was dispatched on January 15 and has reached the district officials. I have personally directed the IG of the region to conduct the investigation on the said FIR," he said.

According to the complaint, filed by a human rights organisation, seven people were killed and 95 houses were torched by SPOs in the three villages, leading to other villagers abandoning their homes and fleeing. When they returned in 2013, the villagers filed a complaint with the collector.

In its latest order, the commission noted, "...the network of dis-

trict functionaries in a district is fairly large and widespread... Therefore, it is unimaginable and unacceptable that ghastly incidents of the nature which have taken place... did not come to the notice of any of the village/block/police post/police station level functionaries..."

It concluded that "these incidents had come to the notice of police, revenue and other officials soon after they had taken place, but police and district officials had deliberately turned a blind eye... the omission... is also a very strong circumstance to show that these crimes had been abetted by the district officials... or state officials..."

FULL REPORT ON www.indianexpress.com

Two CRPF men, Maoist killed in encounter

Raipur: A Maoist operative and two CRPF personnel died and six others including a deputy commander were injured in an exchange of fire between security forces and Maoists in Bijapur district of Chhattisgarh on Monday. The security forces were conducting an operation in the Pamed area of the district.

According to senior CRPF officials, the deceased personnel have been identified as constables Vikas Kumar and Purnanand Sahu. "The battalions were acting on a tip-off, that naxals of the first battalion were hiding in Erapalli village... In the exchange of fire, a naxal was shot dead and while recovering his body, the force came under intense firing," the senior CRPF official confirmed. ENS

Omar sister moves SC to quash PSA on him

EXPRESS NEWS SERVICE NEW DELHI, FEBRUARY 10

TERMINING FORMER J&K chief minister Omar Abdullah's detention under the Public Safety Act (PSA) as "ex-facie mala fide, for entirely political considerations", his sister Sarah Abdullah Pilot on Monday approached the Supreme Court, urging it to quash the same.

Senior advocate Kapil Sibal, appearing for Sarah, mentioned the plea for urgent listing before a bench headed by Justice N V Ramana. Sibal said a Habeas Corpus petition had been filed challenging Omar's detention and the matter should be listed this week. The court agreed to list it.

The petition said, "It is rare that those who have served the nation as MPs, chief ministers, ministers in the Union, and have always

stood by the national aspirations of India are now perceived a threat to the state."

Grounds on which the detention has been ordered are "false and illusory to the extent of being non-existent and are not grounds within the contemplation" of the PSA, it added.

PSA slapped on J&K MP's son Hilal Lone

Srinagar: The J&K administration has booked Hilal Lone, son of National Conference leader and Lok Sabha member Mohammad Akbar Lone under PSA.

"Probable MLA candidate of National Conference", being a "Poster Boy of NC", and his activities that allegedly "seem to be prejudicial to the sovereignty, security, integrity, peace and tranquility of the Union of India" are among reasons cited. ENS

Kashmir Press Club: Police intimidating us

ADIL AKHZER SRINAGAR, FEBRUARY 10

KASHMIR PRESS Club (KPC), the Valley's largest elected media body, on Monday stated that J&K Police is resorting to "intimidation", "threats", and "summons" to journalists in Kashmir and restricting their work since August 5, 2019, when special status to the erstwhile state was scrapped.

IGP (Kashmir) Vijay Kumar said journalists would be required to appear before police when called.

After an urgent meeting, KPC said in a statement that the "government is not enabling journalists and media to operate freely..." It stated: "This is evident from the

prolonged six-month internet shutdown... physical attacks, threats and summons to journalists are being employed by security agencies to intimidate journalists... Harassment and questioning of journalists... on flimsy grounds... is a damning verdict on the appalling condition..."

Those summoned, questioned, held or allegedly roughed up, according to KPC, include Irfan Amin Malik, Peerzada Ashiq of The Hindu, Muzamil Mattoo, a freelance photojournalist, Azaan Javid of The Print, Anees Zargar of NewsClick, Bashaarat Masood of The Indian Express, Haakeem Irfan of The Economic Times, Safwat Zargar of Scroll, Naseer Ganai of Outlook, and Haroon Nabi.

IDFC FIRST Bank Limited advertisement for immovable property sale. Includes details of the property, registered office, and contact information.

IDFC FIRST Bank Limited advertisement for debt recovery. Includes details of the debtors, registered office, and contact information.

IDFC FIRST Bank Limited advertisement for immovable property sale. Includes details of the property, registered office, and contact information.

IDFC FIRST Bank Limited advertisement for debt recovery. Includes details of the debtors, registered office, and contact information.

INDIAN INSTITUTE OF TECHNOLOGY, INDORE advertisement for recruitment of non-teaching positions. Includes details of the institute, positions, and application process.

IDFC FIRST Bank Limited advertisement for immovable property sale. Includes details of the property, registered office, and contact information.

ALLAHABAD BANK advertisement for possession notice. Includes details of the bank, the notice, and a table of properties for sale.

CANARA BANK advertisement for recovery & legal section circle office. Includes details of the bank, the office, and a table of properties for sale.

# 10 THE WORLD



## AUSTRALIA HEAVY RAIN BRINGS RELIEF, NEW DANGERS

A four-day downpour across Australia's east coast has brought relief after months of devastating bushfires and years of drought, but also widespread storm damage and forecasts of more wild weather to come. It represented the biggest sustained run of rainfall in Sydney for 30 years, dousing some bushfires and replenishing depleted dams across New South Wales.

### TOP OF THE WORLD



Annegret Kramp-Karrenbauer

### GERMANY Merkel's party in crisis as successor quits

Berlin: German Chancellor Angela Merkel's designated successor unexpectedly threw in the towel Monday, plunging her conservative party into deeper crisis as it struggles to agree on its future political direction after losing votes to the far right. Annegret Kramp-Karrenbauer told leading members of the Christian Democratic Union that she won't be seeking the chancellorship in next year's election, upending Merkel's plans to hand her the reins after more than 15 years in power. Merkel's spokesman Steffen Seibert told reporters in Berlin that Germany's long-time leader stood by her decision not to run for a fifth term in 2021, despite the latest development.

### PAKISTAN Deposed cleric agrees to vacate mosque after deal with govt

Islamabad: Deposed cleric of Pakistan's Lal Masjid Maulana Abdul Aziz, who occupied the state-owned mosque here and asserted his claim to be its prayer leader, has agreed to vacate it by Tuesday after striking a deal with the government. Aziz was removed from the post on the orders of the court in 2004 following a fatwa he issued against the army and the operation against terrorists in Waziristan. However, he was reinstated after his release from prison in 2009, but he stirred another controversy in 2014 after he openly extended support to the perpetrators of the Army Public School attack in Peshawar.

### RUSSIA Leftist activists jailed for 18 yrs

Moscow: A Russian court on Monday imposed 6-18 year jail terms against seven left-wing campaigners after finding them guilty of terrorism charges, a ruling decried by the Kremlin's critics who said the activists had been framed and some tortured. The men, aged 23 to 31 and mostly from the provincial city of Penza, were accused of planning attacks against the 2018 soccer World Cup and presidential election as part of an underground anarchist group called "the Network". Other charges included drug dealing and weapons possession.

### AUSTRALIA Ex-MasterChef judge's eatery empire collapses

Sydney: The restaurant empire of former Australian MasterChef judge George Calombaris was placed into voluntary administration Monday, a year after a wages scandal at his eateries and his exit from the globally popular show. Calombaris posted the news on Instagram, expressing "deep sadness and regret" over a move which hands control of the MADE Establishment restaurant group to administrators, who will decide the future of the business.

## CORONAVIRUS OUTBREAK: DEATH TOLL RISES TO 908

# Xi tours Beijing after 97 die in one day in China

WHO experts arrive in Beijing

THE NEW YORK TIMES  
FEBRUARY 10

XI JINPING, China's powerful but recently aloof leader, toured several public places in Beijing on Monday afternoon to oversee efforts to contain the coronavirus outbreak, according to a flurry of reports in the state media.

Xi, whose most recent public appearance came during a meeting with Cambodia's Prime Minister last week, travelled first to a neighbourhood roughly five miles north of his residence near the Forbidden City and toured a local government office.

He later visited a city hospital, where he took part in a video conference with officials and workers at a hospital in Wuhan, the city at the centre of the outbreak more than 600 miles to the south.

China Central Television and the Xinhua News Agency both said Xi's goal was to access the "front line" of Beijing's efforts to prevent an epidemic and ensure the adequate supply of "basic necessities." They later reported that he expressed his concern for all medical workers on the front lines.

Ninety-seven people died from the coronavirus Sunday, a new daily record since the new coronavirus was first detected in December, as the death toll rose to 908, China's National Health Commission said Monday.

The number of confirmed infections in the country rose to 40,171, and 3,062 new cases were recorded in the preceding 24 hours, most of them in Hubei province, the heart of the outbreak.

An advance team of experts from the World Health Organization arrived in Beijing on Monday evening, nearly two weeks after the organization's director general met with Xi and praised the country's handling



China President Xi Jinping with Beijing residents on Monday. AP

The number of confirmed infections in China rose to 40,171, and 3,062 new cases were recorded in the preceding 24 hours

of the coronavirus epidemic. The team will be led by Bruce Aylward, a Canadian physician and epidemiologist who has previously overseen international campaigns to fight Ebola and polio, the organisation's director general, Tedros Adhanom Ghebreyesus, announced Sunday in Geneva. Since Tedros' trip to Beijing in January, the organisation has sought to dispatch a team, but until now the Chinese government had balked. The delay raised questions about China's sensitivity to international assistance in combating the epidemic, though a spokeswoman said it was simply a matter of "sorting out arrangements."

## 65 new cases on board Japan cruise ship; Indians among passengers

PRESS TRUST OF INDIA  
TOKYO, FEBRUARY 10

AN UNSPECIFIED number of Indians were among the nearly 3,000 passengers and crew members on board a cruise ship quarantined off Japan due to diagnosis of coronavirus cases, the Indian Embassy here said on Monday.

Cruise ship *Diamond Princess*, carrying 3,711 people, arrived at the Japanese coast early last week and was quarantined after a passenger who de-boarded last month in Hong Kong was found to be the carrier of the novel virus on the ship.

Around 65 people tested positive of the virus on Monday, taking the total number of those infected on the ship to 135. Authorities had initially tested nearly 300 people when the ship



arrived at the Japanese coast. Indian Embassy in Tokyo on Monday tweeted the information about the Indians on the ship. "Many Indian crew & some Indian passengers are on board the cruise ship Diamond Princess quarantined off Japan due to Coronavirus (nCoV)," it tweeted, without giving a specific number of Indians on the ship. "In this context, any query please contact First Secretary (Consular) @IndianEmbTokyo at fscns.tokyo@mea.gov.in @CPVIndia @MEAIndia @PMOIndia," it said.

## Five Turkish soldiers killed by Syrian regime fire in Idlib

PRESS TRUST OF INDIA  
ANKARA, FEBRUARY 10

FIVE TURKISH soldiers were killed on Monday by Syrian regime artillery fire in the north-western province of Idlib, the last major rebel bastion, Turkey's defence ministry said.

Another five soldiers were wounded in the "intense assault that targeted our elements sent as reinforcement to the region with an aim to prevent clashes in Idlib, ensure our border security and stop migration and human tragedy," the ministry said in a statement.

The Turkish army retaliated, it added, "destroying targets".

"The developments are closely watched and the necessary measures are being taken," it added.

The UK-based Syrian Observatory for Human Rights said Turkish soldiers were killed and injured by regime forces shelling Taftanaz airport, north of Saraqeb town. But the war monitor did not give a toll.

This is the second such incident in a week after eight Turkish military personnel were killed in regime shelling last Monday.



Turkish military vehicles on the move in Idlib, Syria, on Monday. Reuters

Observatory for Human Rights said Turkish soldiers were killed and injured by regime forces shelling Taftanaz airport, north of Saraqeb town. But the war monitor did not give a toll.

## Taiwan scrambles jets to intercept Chinese planes, tensions spike

BEN BLANCHARD & YIMOU LEE  
TAIPEI, FEBRUARY 10

TAIWAN'S AIR force scrambled for a second day in a row on Monday to intercept Chinese jets that approached the island claimed by Beijing as its own, as tensions between the two took on a potentially dangerous military dimension.

Taiwan's Defence Ministry said Chinese jets, accompanying H-6 bombers, briefly crossed an unofficial mid-line in the Taiwan Strait that separates the two, prompting its air force to rush to intercept and give verbal warnings to leave.

The Chinese aircraft then withdrew to the western side of the line, the ministry added, without identifying the jets.



An H-6 bomber of Chinese PLA Air Force flies near a Taiwan F-16. Reuters

The H-6s were on a training mission in the Pacific having passed through the Bashi Channel that separates Taiwan from the Philippines, the ministry added.

According to Taiwan's official Central News Agency, the F-16s scrambled on Sunday carried live missiles. REUTERS

### 92ND ACADEMY AWARDS

# Parasite makes history; Zellweger, Phoenix win top acting awards

JILL SERJEANT  
LOS ANGELES, FEBRUARY 10

PARASITE, a dark social satire from South Korea, won the Oscar for best picture on Sunday, making history as the first film in a language other than English to claim the movie industry's highest honour.

*Parasite*, about the gap between rich and poor in modern Seoul, won a total of four Oscars, including best director and original screenplay for Bong Joon Ho and best international feature film. No film had ever won both international feature film and best picture at the Oscars.

When Bong got his first Oscar of the night — for best original screenplay — he gazed at the golden statuette in amazement.

He later paid tribute to his four fellow director nominees, saying, "I would like to get a Texas chainsaw and split the Oscar into five and share it with all of you."

The ceremony, held without an official host, was peppered with jokes and sarcastic commentary about the exclusion of women from the directing category and the list of 20 acting nominees that included just one person of colour.

The acting Oscars went as expected. Joaquin Phoenix won best actor for playing a failing clown who finds fame through violence in the dark comic-book tale *Joker*, and Renee Zellweger was named best actress for her performance as an ageing Judy Garland in the musical biopic *Judy*.

Phoenix, a strict vegan, gave a long, impassioned acceptance speech about climate change and animal rights but concluded on a personal note.

"I've been selfish, cruel at times and hard to work with, and I'm grateful that so many people in this room have given me a second chance," he said.

World War One movie *1917*, from Universal Pictures, had been seen as the film to beat but won just three of its 10 nominations. They came for its stunning "one-shot" feel cinematography, for visual effects and for sound mixing.

### AND THE WINNERS ARE...



Best Picture: **Parasite**  
Best Director: **Bong Joon Ho** (*Parasite*)



Best Actor: **Joaquin Phoenix** (*Joker*)

Best Actress: **Renee Zellweger** (*Judy*)



Best Supporting Actor: **Brad Pitt** (*Once Upon a Time... in Hollywood*)

Best Supporting Actress: **Laura Dern** (*Marriage Story*)

Original Screenplay: **Bong Joon Ho and Han Jin Won** (*Parasite*)  
Adapted Screenplay: **Taika Waititi** (*Jojo Rabbit*)  
Animated Feature Film: **Toy Story 4**  
Documentary Feature: **American Factory**  
Original Score:

**Hildur Gudnadottir** (*Joker*)  
Original Song: **(I'm Gonna) Love Me Again** (*Rocketman*)  
Cinematography: **1917**  
Film Editing: **Ford v Ferrari**  
Sound Editing: **Ford v Ferrari**  
Original Score:

## South Korea erupts in celebration over Academy Awards recognition

HYUNG-JIN KIM & JUWON PARK  
SEOUL, FEBRUARY 10

SOUTH KOREANS reacted with rare collective joy Monday after director Bong Joon Ho's *Parasite* won the Oscar for best picture and three other awards, good news that came as their country struggles to guard against a new virus.

The movie's wins made history in both the Hollywood and South Korean film industries. The class satire is the first non-English-language film to win best picture in the 92-year history of the Academy Awards, and is the first South Korean movie to ever win an Oscar.

"Can you believe that *Parasite* won the Academy best picture?"



Film club members celebrate in Seoul. AP

South Korea's biggest newspaper, *Chosun Ilbo*, said in a headline, "It rewrote the Academy's 92-year-old history."

South Korean social media were overwhelmed with congratulatory messages. Bong, *Parasite* and other Oscar-related news also dominated search terms throughout Monday at

major internet portal sites, which had been preoccupied with the outbreak of a virus in China that has killed more than 900 people and sickened tens of thousands of others, mainly in China.

But the concerns about the virus and political warfare eased Monday to celebrate Bong's wins.

"It's happy news, like welcome rain, to the Republic of Korea, which is depressed, stagnant and thrown into despair due to Wuhan pneumonia," the main opposition Liberty Korea Party said in a statement.

President Moon Jae-in tweeted that he is proud of Bong and his staff and "particularly grateful to them for giving courage and pride to our people who are overcoming difficulties." AP

## Israel officials accused of torturing Palestinians after fatal bombing

MOHAMMED DARAGHMEH & JOSEPH KRAUSS  
RAMALLAH, FEBRUARY 10

ONE OF the men was hospitalised with kidney failure and 11 broken ribs. Another was nearly unrecognisable to his wife when he was wheeled into a courtroom. A third was stitched up after being attacked by a security dog.

Then the three Palestinians were returned to their Israeli interrogators. They had been swept up in a sprawling manhunt launched after a roadside bomb killed a 17-year-old Israeli girl and wounded her father and brother as they hiked down to a spring last August in the occupied West Bank.

The allegations are the most serious to come to light in yrs against Israel

The attack raised fears of a sophisticated militant cell that might strike again, and Israeli interrogators appear to have treated it as a ticking time-bomb scenario. Israeli and Palestinian rights groups say there is strong evidence that they tortured several detainees in violation of Israeli and international law.

The allegations against Israel are the most serious to come to light in years, and the rights groups say they point to a loos-

ening of constraints two decades after the Israeli Supreme Court outlawed most forms of torture.

Lawyers and family members of the three main suspects say they were tortured to the point of being hospitalised. Several other Palestinians swept up by Israel's Shin Bet internal security agency say they were threatened, beaten, forced into painful stress positions and denied sleep.

A landmark 1999 Israeli Supreme Court ruling forbids such torture. But the law allows interrogators to defend the use of force when there is fear of an imminent attack. Rights groups say interrogators routinely make use of the loophole, knowing they will face few consequences, if any. AP

## Sanders, Buttigieg clash on eve of primary

ALEXANDER BURNS & NICK CORASANITI  
HOOKSETT, FEBRUARY 10

SENATOR BERNIE Sanders of Vermont and former Mayor Pete Buttigieg of South Bend, Indiana, clashed throughout the day Sunday in a combative display of their determination to treat the upcoming New Hampshire primary as a two-person race, with former Vice President Joe Biden continuing to struggle.

After a year when Biden and Senator Elizabeth Warren dominated the campaign at different stages, Sanders and Buttigieg have arrived in New Hampshire with the greatest momentum, according to public polling and a consensus of Democratic strategists in the state. A one-two finish for



Democratic presidential candidates Bernie Sanders and Pete Buttigieg at campaign events in New Hampshire. Reuters

Sanders and Buttigieg here, after their near-tie in Iowa, could reorder the race and hasten a reckoning among Democratic leaders about which man would be the stronger nominee against President Donald Trump.

For all its divisions, the Democratic field has been united for a year around the goal of defeating Trump, and even as attacks flew Sunday the candidates pledged they would work together in the general election. NYT

### EXPLAINED

#### New Hampshire becomes crucial

NEW HAMPSHIRE hosts the first primary in the race for the Democratic nomination, coming after the chaos of the Iowa caucuses. Sanders won the state by a big margin in 2016, so anything other than a win this time would be a big blow to his campaign. Buttigieg will be keen to maintain the momentum he picked up in Iowa, while Warren and Biden need a strong showing to keep their campaigns from fading early.

## TELLING NUMBERS

### In higher education, dropout rates decline in last five years

DROPOUT RATES HAVE been declining in higher education institutions over the years. Gross enrolment in higher education, meanwhile, is at just over a quarter of the population in the relevant age group. These emerge out of data tabled by the Ministry of Human Resource Development in response to two separate questions during the ongoing session of Parliament.

On Monday, the ministry presented data to show that there has been a decreasing trend in dropout rate over the last five years. The dropout rate in the IITs has fallen from 2.25% in 2015-16 to less than 1% in 2019-20, that in the IIMs has fallen from 1.04% to less than 1% in the same period, and that in other institutions of higher education from 7.49% to 2.82%. This trend has been achieved by taking a number of corrective measures to minimise the dropout, which include appointment of advisors to monitor the academic progress of students and peer-assisted learning, the ministry said.

Last week, the ministry tabled data from the Unified District Information System for Education Plus (UDISE+) 2018-19 (provisional), and the All India Survey on Higher Education 2018-19 (AISHE), which showed that the Gross enrolment ratio (GER) at Secondary, Senior Secondary and Higher Education are similar for boys and girls.

#### DROPOUT RATE IN HIGHER EDUCATION (%)

Year	IIT	IIM	Others
2015-16	2.25	1.04	7.49
2016-17	1.60	1.06	8.56
2017-18	1.71	1.03	6.76
2018-19	1.46	0.50	5.36
2019-20	0.68	0.78	2.82

#### GROSS ENROLMENT RATIO (%)

Level	GER boys	GER girls
Secondary	78.00	81.32
Senior Secondary	57.54	59.70
Higher education	26.29	26.36

Source: Ministry of HRD

Gross enrolment ratio is calculated by dividing the number of students enrolled in a given level of education regardless of age, by the population of the age group which officially corresponds to the given level of education, and multiplying the result by 100.

At the higher education level, according to AISHE 2018-19, the GER is 26.29% for boys and 26.36% for girls. At school and senior secondary levels, too, GER is again a little higher for girls than for boys.

## THIS WORD MEANS

### SUPERCAM

Atop new Mars rover, a robot that fires lasers to study rocks, and will look for signs of past life on Red Planet



SuperCam that can vaporise rock material and study the resulting plasma. NASA/JPL-Caltech

absorb or reflect solar radiation. This helps predict Martian weather better.

SuperCam includes a microphone so scientists can listen each time the laser hits a target. The popping sound created by the laser subtly changes depending on a rock's material properties. The Mars 2020 rover marks the third time this particular microphone design will go to the Red Planet. In the late 1990s, the same design rode aboard the Mars Polar Lander, which crashed on the surface. In 2008, the Phoenix mission experienced electronics issues that prevented the microphone from being used.

Source: NASA

## SIMPLY PUT QUESTION & ANSWER

# Fine-tuning the Surrogacy Bill

A Select Committee has given its report on the Surrogacy Regulation Bill, recommending that surrogacy should not be restricted to close relatives. A look at the provisions and journey of the Bill since 2016

ABANTIKA GHOSH  
NEW DELHI, FEBRUARY 10

IN A recent report, a Select Committee of Parliament has recommended that the contentious clause limiting surrogacy only to "close relatives" be removed from the Surrogacy (Regulation) Bill, 2019, to make the benefits of modern technology more easily available to infertile couples.

A look at the genesis of the Bill, its provisions and why the current report could signal some progressive amendments in the Bill:

#### What are the provisions of the Surrogacy (Regulation) Bill?

The Surrogacy Bill proposes to allow altruistic ethical surrogacy to intending infertile Indian married couples in the age groups 23-50 years (women) and 26-55 years (men). The couple should have been legally married for at least five years and should be Indian citizens. They cannot have a surviving child, either biological or adopted, except when they have a child who is mentally or physically challenged or suffers from a life-threatening disorder with no permanent cure. The Bill has already been scrutinised once earlier by the Standing Committee on Health and Family Welfare. It requires surrogacy clinics to be registered, and national and state surrogacy boards to be formed, and makes commercial surrogacy, and abandoning or disowning a surrogate child punishable by imprisonment up to 10 years and a fine up to Rs 10 lakh.

It was first mooted in 2016 in the wake of repeated reports of exploitation of women who were confined to hostels, not provided adequate post-pregnancy medical care and paid a pittance for repeatedly becoming surrogate mothers to supplement family income.

#### What changes has the Select Committee suggested?

The Select Committee chaired by BJP Rajya Sabha MP Bhupender Yadav recommended that the "close relatives" clause should be removed, and any "willing" woman should be allowed to become a surrogate mother provided all other requirements are met and the appropriate authority has cleared the surrogacy. It has strongly backed the ban on commercial surrogacy.

It has also recommended that di-

vorced and widowed women aged between 35 and 45 years should be able to be a single commissioning parent, and the need for a five-year waiting period for childless married couples could be waived if there is a medical certificate that shows that they cannot possibly conceive. It has recommended that persons of Indian origin should be allowed to avail surrogacy services.

The committee has not, however, recommended expanding the definition of commissioning parent to include singles, either men or women. This means people like Tusshar Kapoor, Karan Johar and Ekta Kapoor, all from the entertainment industry, would still not qualify for using the surrogacy route for children. All of them have already used that route.

The Select Committee also recommended that the ART Bill (which deals with assisted reproductive technologies) should be brought before the Surrogacy (Regulation) Bill, 2019, so that all the highly technical and medical aspects could be properly addressed in the Surrogacy (Regulation) Bill, 2019.

#### What is the ART Bill?

The Assisted Reproductive Technology (Regulation) Bill has been in the making since 2008. It aims to regulate the field through registration of all IVF clinics and sperm banks, segregation of ART clinics and gamete banks etc. It also requires national and state boards to be established for the purpose of regulation of the fertility market.

The Select Committee report says: "Surrogacy is a part and parcel of Assisted

Reproductive Technology (ART) and hence the Surrogacy Bill should come into force only after the enactment of ART Bill. Bringing Surrogacy Bill before the ART will be irrelevant and also create duplication of Boards. Suggestions have been received to incorporate Surrogacy Bill within the ART Bill as proposed earlier in the draft ART Bill." The Standing Committee on Health and Family Welfare, too has "strongly recommended" to the government that the two Bills should be brought together and not in isolation.

#### How big is India's surrogacy market?

Ballpark estimations by the Indian Council of Medical Research (ICMR) put it around 2,000-odd babies per year through commercial surrogacy — when a woman is paid an agreed sum for renting her womb. CII figures say surrogacy is a \$2.3-billion industry fed by a lack of regulations and poverty.

#### What happened the last time the Bill was scrutinised by a parliamentary panel?

The Bill was earlier scrutinised by the Parliamentary Standing Committee on Health and Family Welfare. That committee had recommended that compensation should be the norm and the word "altruistic" should be replaced with "compensated".

Couples — including those in live-in relationships — should be allowed to choose surrogates from both within and outside the family. Altruistic surrogacy, it observed, is tantamount to exploitation.

The "close relative" condition is open to misuse in a patriarchal setup, the committee had observed. "Given the patriarchal familial structure and power equations within families, not every member of a family has the ability to resist a demand that she be a surrogate for another family member. A close relative of the intending couple may be forced to become a surrogate which might become even more exploitative than commercial surrogacy." Those recommendations were not accepted by the government.

#### So, the Select Committee has made a recommendation that the government has rejected earlier?

As in the case of the Standing Committee, the government is free to accept or reject the recommendations of the Select Committee. Many who have criticised the original Bill as archaic, however, are hopeful that the Bill may finally see some progressive amendments.

Bhupender Yadav, who chaired the Select Committee that made these recommendations, has been part of several other crucial Parliamentary Committees, including the Joint Committee on Insolvency and Bankruptcy Code, 2015, Select Committee of Rajya Sabha on the Constitution (One Hundred and Twenty Third Amendment) Bill, 2017, Select Committee of Rajya Sabha on the Enemy Property (Amendment and Validation) Bill, 2016, Select Committee on the GST Bill etc.



# Who was Kota Rani, likened to Mehbooba?

PSA dossier compares former J&K Chief Minister to 14th-century Kashmir queen; a look at her life & times

BASHAARAT MASOOD  
SRINAGAR, FEBRUARY 10

IN THEIR dossier on invoking the Public Safety Act (PSA) against top Jammu & Kashmir politicians, the state police have referred to former Chief Minister Mehbooba Mufti as "Kota Rani" — a mediaeval queen of Kashmir.

"The subject is referred for her dangerous and insidious machinations and usurping profile and nature by the masses as 'Daddy's girl' and 'Kota Rani' based on profile of a mediaeval queen of Kashmir, who rose to power by virtue of undertaking intrigues ranging from poisoning of her opponents to ponyardings," the PSA dossier on Mehbooba Mufti read. The meaning of the word "ponyardings" was not clear.

#### What the accounts say

Kota Rani died in 1339, the last ruler of the Hindu Lohara dynasty that ruled Kashmir. She was the daughter of

Ramachandra, prime minister of the then King Sahadeva. In 1300, when Mongols invaded Kashmir, Sahadeva escaped to safety and his prime minister Ramachandra took refuge in a fort near Sonamarg. The Mongol leader Zulchu conquered Kashmir but could not hold it for long; while leaving ahead of winter, he died in a snowstorm in the Pir Panjal mountains.

Historical accounts say that after Zulchu's death, Ramachandra tried to claim the throne and was rivalled by Rinchan — a Buddhist prince from Ladakh — and Shah Mir, a Swat resident and the founder of Kashmir's Shahmiri dynasty. It was Rinchan who occupied the throne and killed Ramachandra. Rinchan married Ramachandra's daughter Kota Rani.

It is said that under the influence of Kota Rani, Rinchan wanted to convert to Shaivite Hinduism. Eventually, however, he is said to have converted to Islam, becoming Sadr-uddin, while Kota Rani held on to her Hindu beliefs. After Rinchan's death, Kota Rani chose not to enthrone her son Haider and instead

invited Udayanadeva, brother of King Sahadeva, to take over. Kota then married Udayanadeva.

Some years later, Kashmir was invaded again and Udayanadeva fled to Ladakh. Kota Rani stood her ground and, together with Shah Mir, defended Kashmir. When Udayanadeva returned to Kashmir, Kota Rani re-installed him as king.

It is said that Shah Mir too asked for Kota's hand in marriage. According to some records, she didn't accept the proposal, while other records claim that she did marry Shah Mir. In one historical record, it is said that Kota Rani married Shah Mir and could have tried to assassinate him on the wedding night.

After Udayanadeva's death, Kota sidelined her sons — Haider from Rinchan and Bolaratan from Udayanadeva — and assumed power. She made Bikhshana Bhatta her prime minister, who was reportedly killed by an upset Shah Mir.

#### The PSA link, if any

It is unclear how the description in the

PSA dossier, "undertaking intrigues ranging from poisoning of her opponents to ponyardings", matches what is written in accounts about Kota Rani.

Prof Mohammad Ashraf Wani, former Head of the Department of History at Kashmir University, said it could actually be a reference to another queen, Didda, Kashmir's first woman ruler, sometimes described as the "Cleopatra of Kashmir". Didda ruled Kashmir directly and indirectly for around five decades in the 10th and 11th centuries.

Didda's husband, King Ksemagupta, died suddenly of fever contracted during a jackal hunt. After his death, Didda was expected to perform sati but it is said that she managed to escape after bribing courtiers.

Didda anointed herself as the regent of her minor stepson, Abhimanyu, who died some years later. After Abhimanyu's death, she herself took the throne. It was during this period that her two grandsons also died, both of them allegedly killed at her behest. "Didda was very ambitious woman," said Prof Wani.

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# The cinematography of 1917, and its defining 'single take' experience

KABIR FIRAQUE  
NEW DELHI, FEBRUARY 10

IN THE 92nd Academy Awards dominated by *Parasite*, most of the awards that *1917* had been tipped for eluded the war film. Of the three awards *1917* did win, one was for what many see as its defining feature — the impression that the film was shot in one continuous take, which brought the Oscar for Best Cinematography to Roger Deakins.

Since its release, the filmmakers have made it clear *1917* was not really shot in a single take; the editing made it appear so.

#### What is a long take and what is the point of using this technique?

A film is typically made of a large number of camera shots, which are played out one after the other after editing. A long take is one that is uninterrupted for a longer time than a typical take would be.

By most accounts, the long take is a means to enhance viewer involvement with what is playing out on the screen, an experience that would have been interrupted if there were frequent cuts from one scene to another.

"The majority are filmed with cuts but of course but these days the journey fashionably has to be seamless to be convincing and that's the difficult bit as modern audiences demand higher quality filmmaking. It's certainly more immersive," said cinematographer Barbara Nicholls, a lecturer in cinematography at Kingston University.

#### So, how much of *1917* was actually shot in long, continuous takes?

The film was shot in a number of takes, edited cleverly to make it appear as if the viewer is watching a single take. The two-hour film tracks two British soldiers on a perilous mission during World War I, with much of the journey taking place along a trench.

"I wanted to tell this story in two hours

of 'real time'. So I felt like it was a natural thing, to lock the audience into the men's experiences," director Sam Mendes told *Vox*. And cinematographer Deakins told *The New York Times* that once he was briefed by Mendes, "it seemed like an interesting way to tell the story". About the number of takes actually taken, Deakins made it clear there were several: "I really don't want to say, but we were shooting for 65 days. I never really timed it, but I think the longest shot was about seven minutes," he told *The NYT*.

#### Why don't filmmakers use this technique more often?

Out of many possible reasons, two are obvious. One is that shooting a long take is challenging. "Obviously it has to take a lot of preparation on the part of the director and his assistants to set up the whole scene that has to actually take place in that particular period of time, whether it is continuous, or whether it is half an hour, or five minutes..."



1917 cinematographer Roger Deakins with his Oscar. AP

said veteran filmmaker and cinematographer Govind Nihalani. "... Actors have to be ready with their dialogues; everything has to be controlled by the time."

The other reason why long takes are rare is that earlier technology used to restrict the cinematographer. In the days of celluloid, "anything was limited by the length of the reel, which used to be 10 minutes. Now it is without any limit," said Nihalani.

#### So, are long takes more frequent now?

The trend has picked up in the last 20 years or so, film critic and historian Saibal Chatterjee said. "Because people now have the option of digital filming, you can actually do [an entire] film in one take," Chatterjee said. He cited a number of examples, including Alexander Sokurov's *Russian Ark* (2002, 96 minutes), the German film *Victoria* (2016, 138 minutes) and the Norwegian film *Blind Spot* (2018, 102 minutes). Again, the second half of the 105-min

Malayalam film *Ozhivudivasathe Kali* (*An Off-Day Game*, 2015) was shot in a single take, Chatterjee said. And *Birdman* (2014), Best Picture winner at the 2015 Oscars, was, like *1917*, edited in a way that made it appear as if it were a single-take film.

#### Didn't filmmakers before the digital era experiment with long takes?

Orson Welles began *Touch of Evil* (1958) with a three-minute continuous take, while Andrei Tarkovsky's *The Sacrifice* (1986) includes a classic six-minute shot. And while Alfred Hitchcock did not have access to digital cinematography, *Rope* (1948) carries the appearance of having been shot in one take. "Look at the film [*Rope*] and you'll see the stopping points," said Nicholls, the cinematographer. "The back of an actor or the lid of the chest James Stewart's body is placed in. In the next roll of the camera it starts again on these points and editing makes it look seamless. It's not 'takes'."



## The Indian EXPRESS

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RAMNATH GOENKA

BECAUSE THE TRUTH INVOLVES US ALL

# Dissent as sedition

By slapping the PSA on Omar Abdullah and Mehbooba Mufti, government sends a chilling message



RADHA KUMAR

## A BIZARRE CASE

Grounds for slapping PSA on former CMs in Kashmir only underline how scandalous their continued detention is

THE GROUNDS ON which the government has invoked the draconian Public Safety Act against former chief ministers Omar Abdullah and Mehbooba Mufti read like a fake WhatsApp forward. But the Union Home Ministry, no less, has peddled this misinformation to keep the two politicians in extended detention, raising serious questions about the bona fides of decisions taken by those in charge of the country's internal security. The material on which the two chief ministers have been charged is essentially based on statements made on and off social media, and actions taken by the two former chief ministers, plucked out of context, and presented as proof of their separatist credentials. For instance, Abdullah's ability "to convince his electorate to vote in huge numbers" is being held against him, for the purported reason that it shows he "enjoys the support of gullible masses". Leave aside the evident contempt for people who elect politicians to power, the government seems to forget that it was the National Conference and the PDP that provided credibility to India's decision, from 1996 onward, to demonstrate to the world that it could hold elections in J&K, even those that were flawed, as a snub to separatism and the designs of Pakistan. The case against Mufti is as, if not even more, absurd, embellished with comparisons to a medieval queen for "her dangerous and insidious machinations and usurping profile and nature". Mufti's tweets and statements, conveying to the BJP, her then willing partner in the ruling coalition, that India would be left with no friends in Kashmir if Articles 370 and 35A were revoked, have also been twisted and taken out of their political context.

It increasingly appears that the government has no plan for Kashmir that can be democratically or transparently implemented, and that it is counting on "national security", or purported threats to it, to justify all actions. The J&K High Court has as good as abdicated its role by declaring last week it was "not a proper forum to scrutinise the merits of administrative decision to detain a person". With this, the court, which even earlier quashed PSA cases only on procedural grounds, has effectively removed itself as the main remedy.

Abdullah's sister has petitioned the Supreme Court on the PSA cases against the former chief minister, but the court's track record does not offer confidence. Pleas against a peaceful protest in Delhi on the grounds of traffic problems get a quicker hearing than habeas corpus petitions and those relating to Article 370. Five months after a petitioner from J&K approached the court, the bench went so far as to acknowledge fundamental rights violations in Kashmir, but puzzlingly did not strike down as illegal the actions causing those violations. The government must urgently release all those in custody in J&K, restore the Internet, and put its actions to an accountable, political test in Kashmir. Anything less will only set a troubling precedent for the entire country.

LAST WEEK, JAMMU and Kashmir's draconian Public Safety Act (PSA) was slapped on two more former chief ministers, Omar Abdullah and Mehbooba Mufti, as well as half a dozen other state political leaders.

The charges against them, as revealed by the media, are clearly absurd and, in the case of Mufti, even vulgar. Omar Abdullah and Ali Mohammad Sagar, for example, are accused of being able to bring people out to vote "even at the height of militancy" (sic), which, the charges go on to say, gives them the capacity to incite protests against the voiding of Article 370. More shocking still, Mufti is called Daddy's girl and Kota Rani (whose perverted imagination applied those terms, I wonder?). In 2011, when our group of interlocutors wrote our report, we recommended the removal or amendment of the PSA. "The Act's sweeping powers," we said, "make it open to misuse".

The main problems with the PSA, we found, were under Chapter IV (power to make orders detaining certain persons), Section 8 (detention of certain persons). This section provides a vast number of reasons for detention, ranging from "promoting, propagating, or attempting to create, feelings of enmity or hatred or disharmony on grounds of religion, race, caste, community, or region" to incitement, instigation, abetment and actual commission of such acts, and leaves it to district collectors or district magistrates to decide, giving a 12-day period within which an advisory board has to approve the detention.

Pointing out that the PSA does not distinguish between minor and major offences, allowing detention for up to one year for disturbance of public order and two years for actions "prejudicial to the security of the State", we had argued that "the detention period should range from one week for minor offences to one month for major offences, but no longer. Assuming that actions 'prejudicial to the security of the State' constitute far graver offences, three months' detention should be ample for proceeding to trial. Juveniles should not be held under the PSA at all."

The Jammu and Kashmir Reorganisation Act, passed by Parliament last year, nullified

There is a stark contrast between the PSA against Abdullah and Mufti on the one hand and, on the other, the Narendra Modi administration's complacency when its own ministers and MPs make incendiary statements accusing critics of being terrorists and calling for violence. Admittedly, successive governments have suspected the political leaders of Jammu and Kashmir, starting with the arrest of Sheikh Abdullah, but after that fateful period no chief minister has been detained, let alone under the PSA.

over 150 state Acts but kept the PSA, which is more draconian than the all-India detention legislation, even the Unlawful Activities Prevention Act. Now that the state has become a union territory, why has the PSA not been brought in line with the all-India legislation?

Defending his administration's unilateral actions of August 2019 in Parliament, the prime minister and most of his cabinet stated loudly and repeatedly that the voiding of Article 370 would bring in a new golden age in Jammu and Kashmir, including the extension of all rights under the Indian Constitution to the state. Six months on, detentions, denial and obstruction of communication continue, the state's economy has lost thousands of crores, and now we are told that the state's top political leaders are a threat to security on the basis of unfounded allegations.

This too the PM defended last week in Parliament, asking members rhetorically if they could accept Abdullah's alleged statement that the voiding of Article 370 would be an earthquake dividing the state from India (the statement was taken from a satirical fake news site). To their shame, the bulk of our MPs thumped "no". Even had the statement not been fake, the prediction of calamity ensuing from an action is not a crime of any sort. If it was then we would have jailed all the astrologers of India, including those consulted by our politicians. Or is that to come too?

There is a stark contrast between the PSA against Abdullah and Mufti on the one hand and, on the other, the Narendra Modi administration's complacency when its own ministers and MPs make incendiary statements accusing critics of being terrorists and calling for violence. Admittedly, successive governments have suspected the political leaders of J&K, starting with the arrest of Sheikh Abdullah, but after that fateful period no chief minister has been detained, let alone under the PSA.

Sadly, the enormity of detaining chief ministers and almost the entire legislature of a state was marked by only token protests in Parliament and the rest of India. Perhaps it is

our just deserts, certainly it is ironic, that what used to be a special dilution of law for "disturbed areas" such as Jammu and Kashmir now appears to extend across the country. Students are accused of sedition, as are citizens protesting the Citizenship Amendment Act (CAA). A comedian has been banned by several airlines, against the advice of the concerned pilot but on a tweet by the aviation minister. School children are being interrogated and a school principal arrested for a play criticising the CAA. And these are only a few instances of the daily acts of state suppression of dissent in our country.

The message from our current government is clear: Any dissent — even that which is only suggested — will be harshly punished. Yet dissent is the lifeblood of any democracy, as our Constitution and courts underline (the latter rather selectively, alas).

Alarming, the institutions that should act as a check on the executive are in retreat. Parliament barely debates legislation brought by the Modi administration and the Opposition appears unable to unite even to amend. The courts are divided: While some judges, as in the Gauhati and Delhi high courts, have upheld the right to dissent, the Supreme Court has taken note of one baby's tragic death at Shaheen Bagh, which should have been prevented, to ask whether all parents should be prevented from bringing children to protest sites. The President, who could have checked the governor's abuse of power in J&K, and who surely knew better of Gandhi's views than to allow the inclusion of a statement that the CAA fulfilled Gandhi's dream in his address to Parliament, did not intervene.

The Modi administration has now labelled dissent as sedition in J&K. Its supporters have followed suit by extending the label to all dissent in our country. With over four years to go under this administration, will anyone dare to dissent by the time our next election comes along? From Jammu and Kashmir to the rest of India, the darkness continues to grow.

Kumar's latest book is *Paradise at War: A Political History of Kashmir (Aleph:2019)*

## DENYING EQUALITY

Arguments in government affidavit against commanding posts for women in Army are wrong and discriminatory

THE ISSUE OF bringing women into the armed forces has been contentious for some time, despite Nirmala Sitharaman battling strongly for equality for women, when she was defence minister. Last week, the Supreme Court heard arguments in a case for grant of equivalence in allowing posts of commanding officers to women in the armed forces. The government submitted an affidavit, laying out its justification for the alleged unsuitability of women officers to discharge this role: "Psychological limitations", lower physical standards, domestic obligations and absence due to pregnancy. The government argued that the "composition of rank and file being male predominantly drawn from the rural background with prevailing societal norms, troops are not yet mentally schooled to accept women officers in command of units". Stretching the argument even further to exclude women, it argued that "The non-linear battlefield has rendered the erstwhile rear areas as much vulnerable as battlefield. Therefore, the induction of women officers into the Indian Army, hitherto a male bastion, needs to be viewed in the perspective of the changed battlefield environment".

Needless to say, the arguments are regressive and do not meet the yardstick for progressive and liberal values that any modern society ought to aspire for. The government's arguments reopen a debate which had been closed nearly three decades ago, when the women officers were first inducted into the armed forces. All the arguments put forth against giving women more responsibility have been answered by the armed forces by giving women greater responsibility in uniform — the IAF has allowed women to become fighter pilots, and the Army has sent them to tough UN peacekeeping missions globally.

The arguments are not only wrong, they are also misplaced: The current case in the Supreme Court is not about granting a role to women in combat arms but about the denial of equal opportunity in their existing roles for promotion to higher commands. Women officers are already commanding platoons and companies successfully, with male soldiers accepting orders from them as part of a professional force. A professional force does not discriminate on the basis of gender, it works because of training, norms and culture. There is no need to give women any special dispensations but the government cannot promote discrimination on the basis of gender. It must move towards gender mainstreaming in the army, and further achieve gender equality by establishing professional standards and adhering to them without any bias.

## A SPECIAL WIN

Bangladesh's cricket victory over India in Under 19 World Cup was an evocative moment

BANGLADESH HAS BEEN a cricket-crazy nation for at least three decades now. Visual evidence would come in any road journey from Dhaka to Chittagong, where kids take over any open ground. Cricket in India has largely moved to academies and clubs, and barring a few traditional maidaans, you don't see as many young people involved in unstructured cricket in the gullies. However, Bangladesh's national team has struggled to match the fans' ambition for a triumph in a major ICC tournament. So much so that, ahead of their last encounter against India in the 50-over world cup, their captain Mashrafe Mortaza played down their chances, just to ensure the fans don't get too disappointed and angry later.

It's befitting then that the special moment for Bangladesh cricket has come in an Under-19 world cup. It suggests that the national addiction has caught on and a new generation has emerged which was fearless on the big day. Nerves was one of the reasons that held the seniors back — like in the 2016 T20 world cup semi-final when they contrived to lose from a winning position against India. Defeating India in a final has been the icing on the cake. Many in Bangladesh feel the Indian cricketing ecosystem has been condescending to them in the past.

The win suggests that the cricketing journey has been organic. Akram Khan, a former captain, said, "We were never mentally tough, we were in awe of India and Pakistan." Khan was instrumental in the 1997 triumph in the ICC Trophy that triggered Test and ODI status to Bangladesh. Two years later, they defeated Pakistan in a World Cup game and in 2007, repeated the dose to India. But the ICC cupboard remained bare. Until now.



RITU PRIYA

HAKIM AJMAL KHAN (1868-1927), born on February 11 in Delhi in a family of hakims, was an exceptional healer, a freedom fighter, and the founder of Ayurveda and Unani Tibbia College in Delhi and the Jamia Millia Islamia. His contributions led to his birthday being declared Unani Day. The Tibbia College was envisaged to strengthen indigenous scientific content and practice of Ayurveda and Unani by bringing them into one institution.

The evolution of Unani medicine itself has been as a syncretic science. It draws its roots and name from ancient Greek physicians and philosophers, Hippocrates and Galen, also the acknowledged roots of modern medicine in Europe. Greek knowledge was absorbed and preserved by the Arabs through translation of Hippocratic and Galenic texts into Arabic (and later into Latin, making them accessible to Europe). The Persian scientist-philosopher Ibn Sina was next in chronology to contribute much to this medical tradition.

Translations into Persian expanded its reach. Scientific growth of medicine in the Muslim world between 8th and 15th centuries was in keeping with the original Greek humoral theories of bodily functions and their imbalance as cause of disease. A large body of preventive, promotive, therapeutic and palliative (lifestyle, medicinal and surgical) knowledge emerged. It reached India in the 11th century, receiving patronage since the 13th century from the Delhi sultanate to later Mughal rulers and nawabs. The then practising hakims' research on local health problems, medicinal plants and methods for preparation of medicines, and interaction with the

## DECOLONISING HEALING

Syncretic systems like Unani offer lessons for sustainable, effective healthcare

voids, led to generation of an Indian version of Unani. Translations from Arabic and Persian to Sanskrit and vice-versa was also undertaken, as was translation into Gurmukhi, Tamil, Malayalam and other Indian languages. Besides treatment of common ailments, Indianised Unani medicine is especially known for its contributions to the knowledge of toxicology, for effective cures in urological and skin diseases, among others.

Unani remains alive in practice on the Indian subcontinent. As reported in 2017, there are in India 264 hospitals, over 1,500 dispensaries, 201 colleges and almost 50,000 registered Unani practitioners. The Traditional Knowledge Digital Library set up by Centre in 2001 includes 98,700 Unani formulations.

Important to recognise is the value of the scientific approach of Unani that is diagnostic, prognostic and holistic, with a stated syncretic developmental approach. All sciences grow by interacting with and assimilating from other knowledges, but most do not actively acknowledge this, instead claiming a superiority and universality of application. Historically, medicine and its effectiveness has been one route to assertion of cultural superiority and political legitimacy. However, Unani demonstrated a scientific humility by retaining the name that acknowledges its roots.

When the first Unani Education Committee was set up in 1964 by the Government of India to formulate a *shuddha* (pure) Unani curriculum, members argued that "purity" is unscientific and undesirable. It was said: "The appellation 'Unani' (Greek or Ionian) has been retained by promoters of this

system of medicine, the Arabs, and the Persians as an honest acknowledgment of their indebtedness and a tribute to the great Greek philosophers who were originators of the basic principles of this system... as well as of the modern system of medicine. Though the Arabs contributed extensively and made substantial advances by hard work and extensive researches and experiments, they continued to call it Unani. Later on in India, the hakims, made, during the Mughal period, extensive researches to adapt it to local conditions and took much from Ayurvedic practice, but still, they continued to call it Unani, although in reality it became an Indianised Unani system."

To strengthen this knowledge system, the Committee suggested admitting undergraduate students immediately after school for a Pre-Tibb curriculum of two-years and then a four-and-a-half-year curriculum of Unani medicine and surgery; research including "research on the fundamental principles and basic theories of Unani system of medicine, such as temperament, the humoral theory and Tabiat Mudabra-Badan (natural healing powers); and rights, status and privileges for Unani practitioners equal to their Allopathic counterparts."

We still have a way to go on each of these. Decolonising healthcare with confidence in fundamental principles of AYUSH systems and openness to syncretic adaptations based on sound logic and research has lessons for sustainable and effective healthcare.

The writer is professor, Centre of Social Medicine and Community Health, JNU



## FEBRUARY 11, 1980, FORTY YEARS AGO

### CRUDE SUPPLY HIT

PRODUCTION OF KEROSENE by the public sector Gauhati refinery will come to a halt in the next few days following the present agitation in Assam on the foreign nationals issue, according to a government press release. The release said, with the stoppage of crude handling in the refinery since February 6, production of high-speed diesel had come to a halt. The present threat to production of kerosene would plunge the entire northeastern region into acute scarcity of the commodity. Meanwhile, round the clock picketing outside the oil installations at Narengi near Gauhati continued preventing the supply of crude and other products

to regions outside the state.

### SOVIET ACCUSATIONS

THE SOVIET UNION asserted that the United States, with the backing of Pakistan and China, is striving to step up offensive operations by Muslim guerillas within Afghanistan. The Communist Party newspaper, *Pravda*, and other Soviet news media made no direct mention of western reports that in the coming weeks Moscow may withdraw some of the estimated 90,000 troops it now has in Afghanistan.

### ACADEMY FOR PILOTS

A CENTRALISED FLYING academy to train

about 100 pilots a year for Indian Airlines and Air India is likely to start functioning from the middle of this year. The "Civil Aviation Flying Academy" as it will be called will be run by the Directorate General of Civil Aviation in cooperation with Indian Airlines and Air India who are being asked to bear part of the costs. The DGCA has already taken a decision to set up the academy and efforts are now underway to dovetail the pilot needs of the two airlines for the next 10 years into the academy's training programme. The new approach for meeting the needs of the aviation industry is one of the beneficial fallouts of the joint chairmanship experiment tried out with the two airlines.

WHAT THE OTHERS SAY

"We cannot control Pompeo's mouth. It is almost certain that he will continue to launch attacks against China. What China can do is to keep moving forward until it steps out of Pompeo's firing range." — GLOBAL TIMES, CHINA

# A welcome reservation

The Constitution of India provides for positive discrimination. The CAA extends this principle to persecuted minorities in the Subcontinent



SHIV NARAYAN DHINGRA

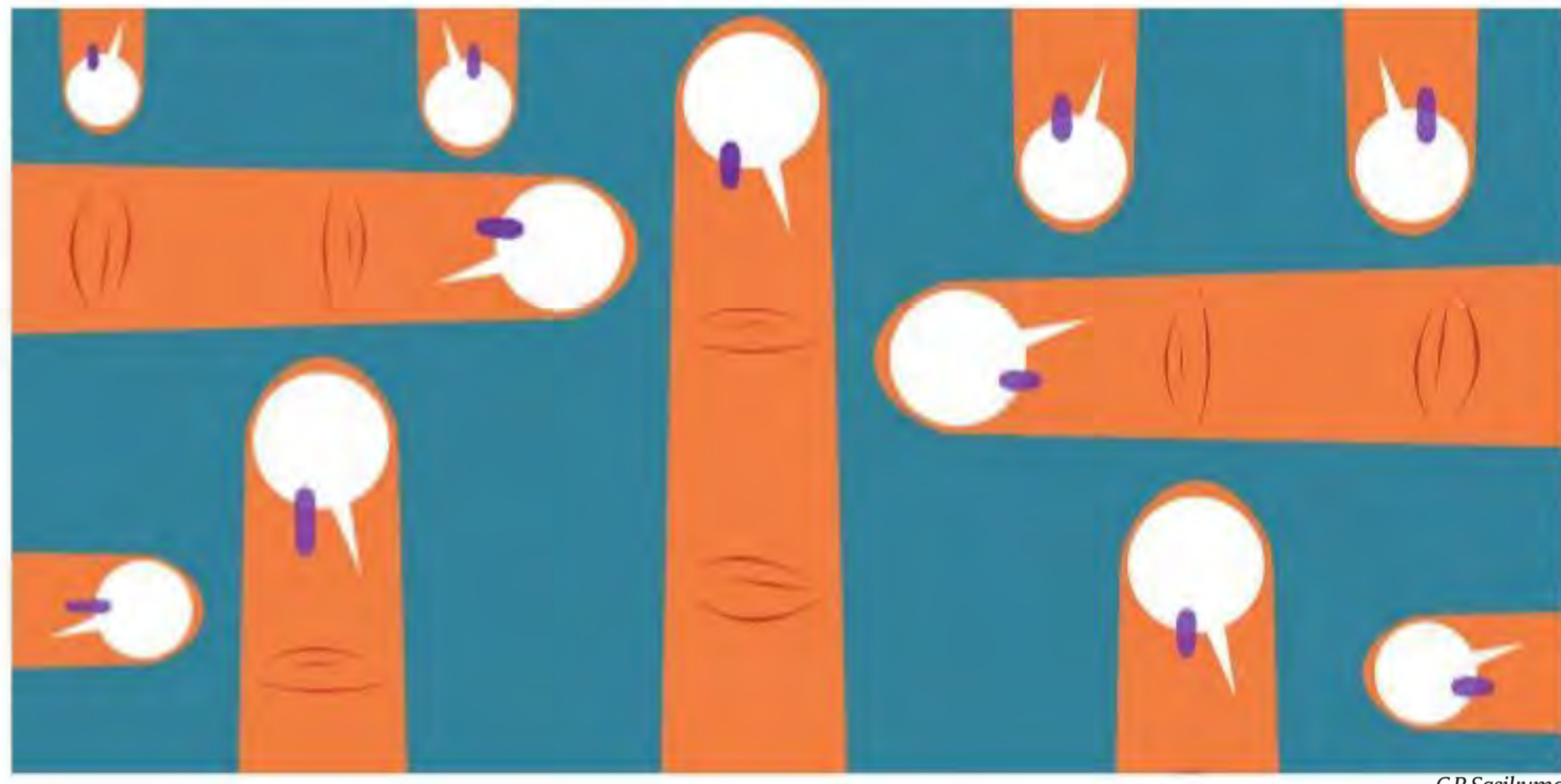
THE PURPOSE OF enacting the Citizenship Amendment Act 2019 is to give citizenship by naturalisation to Hindus, Sikhs, Buddhists, Jains, Parsis or Christians, who have faced persecution in Afghanistan, Bangladesh and Pakistan because of them belonging to said communities. These communities are in minority in three neighbouring Islamic countries: Blasphemy laws in these countries are so rigid that the onus of proving innocence lies on the accused, not the complainant. And the punishment for blasphemy is death. The terror in the minds of these minorities — of being implicated in false blasphemy cases, has come to light in many instances. The US, and other European countries, have been using strong-arm tactics against the harassment of Christians in these countries, especially in Pakistan. They have ensured that Christians who face blasphemy charges get proper legal help. However, a fear remains: Pakistani lawyers appearing on behalf of blasphemy-accused have often faced death threats.

The problem of granting citizenship to those who had subsequently taken shelter in India was pending for long. Almost all political parties at different times had expressed concern for these minority communities and advocated granting citizenship to them. But, since the advent of coalition governments in India, no political party in power had the courage to bring such a law, lest it affect their vote-bank. After the CAA was passed recently by Parliament, those very political parties, who in the past had been advocating for citizenship to these people living as refugees in India, started opposing it in the name of secularism.

However, the word secular has not been defined in the Constitution of India. Article 15 is the first article in the Constitution, which mandates that state shall not discriminate against any citizen on ground of religion, race, caste, sex or place of birth. The mandate given to the state is in respect of citizens — the citizens of this country cannot be subjected to any disability or discrimination on the grounds of religion, race, caste or place of birth. The Constitution has not mandated that non-citizens also cannot be discriminated against on the grounds of religion, race or caste. A state can have reasons to discriminate among non-citizens.

These reasons may be various and one may be the security of the state. India has been facing terrorism from across the border for decades. Some Pakistan-based terrorist organisations have proclaimed their goal of establishing an Islamic fundamental order in India. Afghanistan is battling Pakistan-supported terrorists. Terrorist organisations in Bangladesh also get Pakistan's support. All these are good enough reason for the Indian state to deny naturalisation of illegal migrants/infiltrators belonging to the majority religion of these neighbouring countries.

Despite the Indian state being a proclaimed "secular state" in view of the various articles of the Constitution, the central and state governments, right from Independence, did not profess secularism even in making laws. What was needed was to separate religion from the civil rights of the citizens. The Constitution had



CR Sasikumar

mandated enacting a Uniform Civil Code, which would have protected all citizens, irrespective of their caste, creed and religion in respect of their civil rights. It would have left them free to profess any religious practice or adopt any ritualistic practice in their worship, provided the rituals did not interfere with the rights of other citizens. However, instead of framing the UCC, governments went on to regulate the practices associated with the Hindu community, making significant changes in the Hindu personal laws. While the state took these steps in respect of Hindus, it did not take similar steps — of enacting progressive laws — with respect to Muslims and Christians. Even when the courts tried to give such rights to Muslims, the government at the Centre overturned such decisions because it enjoyed a majority in the legislature. The word secularism was present in the Preamble when the Shah Bano ruling given by the Supreme Court was overturned by Parliament. The non-framing of the UCC by Parliament defeated the concept of secularism. The first step to be taken by the legislature towards secularism is, thus, enacting the UCC.

As early as in 1953 in *Satish Chandra v UOI* (AIR 1953 SC 250), the SC stated that the guiding principle of Article 14 was that persons and things similarly circumstanced shall be treated alike: Constitutional provisions do not forbid different treatment of unequals. The rule is, like should be treated as like and unlike should be treated differently. Uniform treatment of unequals is as bad as unequal treatment of equals (AIR 1989 SC 88). The position of minority communities in all the neighbouring countries and the position of Muslims in the same countries has never been equal, and the minority communities there have consistently suffered at the hands of the majority.

Discrimination on the ground of caste and sex has often been approved by the SC if it is done as a positive action by the legislature to protect groups or to undo historical injustice. Despite Article 15 (1) mandating that there shall be no discrimination on the ground of religion, race, caste, sex and place of birth, Article 15 (IV) mandates that the state has the right to make special provisions for the advancement of any socially or educationally backward classes. The state has been making laws preferring women over men or making special laws for securing the protection of certain sections of society on the ground of historical injustice. The state, then, has full authority to pass a law to undo injustice done to minorities of neighbouring countries, who have sought refuge within its borders.

The word secular has not been defined in the Constitution of India. Article 15 is the first article in the Constitution, which mandates that the state shall not discriminate against any citizen on ground of religion, race, caste, sex or place of birth. The mandate given to the state is in respect of citizens — the citizens of this country cannot be subjected to any disability or discrimination on the grounds of religion, race, caste or place of birth. The Constitution has not mandated that non-citizens also cannot be discriminated against on the grounds of religion, race or caste. A state can have reasons to discriminate among non-citizens.

While the Union, normally, cannot interfere with the powers granted to a state by the Constitution, the states also cannot refuse to administer laws passed by the Union. The Constitution has given authority to the Centre to enforce its administrative directions and to compel states to comply with them. This power is intended to ensure harmony between the Union and the states. Executive authority of the states has to be so exercised that it ensures compliance with Union laws. Where a state exercises authority to impede or obstruct the execution of Union laws or services, the state exhibits a definite attitude of hostility against the central government. The Centre, in order to maintain the integrity of the country, has been empowered to intervene.

The Constitution does not envisage dual citizenship, one of the state and the other of the Centre. The power in respect of the laws for citizenship exclusively lies with the Union. The passing of a resolution by a state assembly is a meaningless exercise, only having a palliative effect.

The Constitution makers and the people of this country have opted for parliamentary democracy, which works by the principle of majority rule. This principle implies the willingness of the minority for the time being to accept the decision of the majority. Normally, political parties have their own agenda and they go to the people with this agenda at the time of contesting elections. In a country like India, there exists a large body of voters who owe no allegiance to the vision of any party. At the time of election, they decide which political party would best serve the national interest or whose policies should be considered as best for the nation, and its people.

Once the people have exercised their right, the minority is supposed to respect the majority opinion, and, wait for the next election and convince the people that the policies of the political party in power were not good for the country. The minority cannot take the law into its own hands nor undermine the will of the majority expressed through their representatives in Parliament. If they do not want to wait for the next parliamentary election, they have the option of bringing a no-confidence motion against the present government. The battle for political parties is fought during the general elections or within Parliament during debates. It is not fought on the streets or roads as that leads to anarchy.

The writer is a former judge, Delhi High Court

# The battle in Beijing

The coronavirus epidemic poses a challenge to China's place in global affairs, its political leadership



RAJA MANDALA BY C RAJA MOHAN

THE SCALE AND impact of the current crisis in China triggered by the spread of the new coronavirus has raised questions about its political implications. If the epidemic turns into a pandemic, as some analysts bet, China's all-powerful leader Xi Jinping might not be able to escape the blame and will likely come under considerable political pressure.

Others take a step further and speculate that the backlash against the government's mishandling of the crisis could turn into a systemic threat against the dominance of the Chinese Communist Party, that is all set to celebrate the centenary of its founding next year.

Sceptics, however, dismiss such speculation as merely reflecting the perennial hope among Beijing's harshest critics who can't wait to see a China without the CCP. Realists point to the massive mobilisation of state power by President Xi in limiting the spread of the virus. Xi and the CCP have invoked the metaphor of "people's war" from its revolutionary history to cope with the massive challenge.

Whether it is the lockdown of Hubei province and its capital Wuhan, from where the virus began to spread, or in deploying thousands of doctors and health workers in the province and building massive hospitals for treating the infected, China's handling of the crisis had drawn much respect, grudging or otherwise, from the international community.

To be sure, there were major failures in the initial faltering response to the crisis. The attempts at the lower levels to cover-up or underplay the crisis and the inadequate appreciation at the higher levels of the potential consequences are common to all large bureaucracies. The party-state in China is not an exception.

Yet, there is no question that a crisis of this magnitude — as of Monday more than 900 people have lost their lives to coronavirus — will have some political impact. The party-state is certainly having some difficulty in containing the public outrage against the initial failures.

The CCP, however, is bound to shield the supreme leader from any damaging criticism and in fact, celebrate Xi's triumph in containing the spread through a determined effort. Responsibility will be affixed on provincial officials in Hubei and a purge of some kind may have already begun. Last week's death of the doctor, Li Wenliang, who had warned about the impending catastrophe back in December but was charged by the police for "spreading rumours", has seen an outpouring of emotion in China. Beyond the outrage at the system's attempt to suppress to a conscientious whistle-blower, there have been calls for "freedom of expression" on the social media.

But China's real challenge, however, might lie in addressing the uncertain economic consequences of the health crisis. Nearly two decades after the SARS epi-

demic — which broke out of China in 2002 and killed 774 people worldwide — China is now a much larger economy and its interdependence with the world has only deepened. This in turn lends a strong international dimension to China's crisis.

Optimists hope that a sharp drop in economic activity in the current quarter will be followed by a steep uptick in growth in the next when the virus is contained and normalcy returns. Pessimists, however, suggest that the economic disruption — in terms of the impact on internal and external trade and the breakdown of the global supply chains — could have lasting effects. Some suspect that the disruption could reinforce the slowdown driven by a number of other internal and external factors including the trade war with the US.

Some in the West hope that a prolonged economic crisis might turn the people against the CCP. For now though, Beijing is channeling the resentment against the West. Beijing has criticised the advisories from various countries against travel to China and the cancellation of flights as over-reaction. It has also been lukewarm to efforts of various countries to evacuate their citizens from Wuhan and Hubei.

While Delhi has managed to convince Beijing to let India airlift its students from Wuhan, Pakistan has declared that it will not evacuate its students as a gesture of political solidarity with China in a time of crisis. Many of India's other South Asian neighbours are torn between the reluctance to offend Chinese sentiment and the mounting domestic pressures to bring students back.

The external affairs minister Subrahmanyam Jaishankar said last week that India has been willing to bring back students from all the neighbouring countries. But the logic of balancing between Delhi and Beijing has prevented most of the smaller neighbours from requesting Indian assistance. Maldives has been the only exception.

Beyond South Asia, many countries in East and Southeast Asia have been hesitant to be seen as rushing to cut themselves from China. Deep economic interdependence and massive flows of Chinese tourists led to much dithering among the East Asian countries in their early responses to the crisis. Prime Minister Narendra Modi has thanked President Xi for letting the government get the students out of Wuhan and has also offered assistance in combating the spread of coronavirus. It is not clear what kind of assistance that Delhi has in mind and the nature of Beijing's response. While being critical of the US travel restrictions against China, Beijing has certainly been open to cooperation with the US in dealing with the crisis.

Beyond its offer of assistance, Delhi can learn much from Beijing's handling of the crisis. Given the constraints on state capacity in India and the nature of its political system, India is especially vulnerable to pandemics of the kind China has managed — the SARS during 2002-03 and the coronavirus now. Delhi must explore all potential cooperative engagement with Beijing as well as its other international partners on pandemics — an important but under-addressed challenge for national, regional and international security.

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

# A win-win game

Government has made its move with budget. Citizens must reciprocate



KRISHNAMURTHY SUBRAMANIAN

yad yad acharati shresthas tat tad evataro janah/sa yat pramanam kurute lokas tad anuvartate. "Whatever action an inspirational entity/man performs, the world follows the same. And whatever standards the same sets by exemplary acts, the entire world pursues."

WHAT IS THE context for this shloka from chapter 3 of the Bhagwad Gita? It is in this year's Union budget. This year's Economic Survey has argued that the hand of trust is an important enabler for the invisible hand of the market. As the budget has taken important steps to enable the hand of trust, understanding the import of the shloka is crucial. As the age-old wisdom underlying this shloka clearly articulates, mere talk by the inspirational entity/man is not enough. The actual behaviour, as captured in "pramaan" or proof of behaviour, is what inspires the rest of the world.

The Survey introduced the idea that, unlike a public good such as water that gets depleted with greater use, "trust is a public good that gets enhanced with greater use". In economist speak, trust is a "game" played between multiple parties where trustworthy behaviour is more likely to elicit a reciprocal response. As more entities and people indulge in trustworthy behaviour, the expectation that a particular action can be trusted increases. This is how

the greater use of trust enhances its value in the economy. Thus, as people/entities behave in a more trustworthy manner, trust is enhanced disproportionately in the economy.

Trust is depleted disproportionately when people/entities behave opportunistically because the same "game" gets played in reverse. Untrustworthy behaviour elicits reciprocal responses, thereby everyone's expectations of trustworthy actions decreases. The converse aspect of trust as a public good has been on display for several years in our economy. The boom-bust in the financial sector starting from 2011 was a glaring example of this phenomenon. The arithmetic of the budget had also exemplified this converse phenomenon till now, with non-transparent showing of extra-budgetary resources (EBR), such as oil bonds or FCI borrowings, into remote corners, combined with unrealistic growth projections and/or tax buoyancy numbers.

In this context, this year's budget makes a significant departure from the past. First, the budget speech delivered by the finance minister lists the complete list of EBR in an annexure down to the footnote relating to the bonds issued for recapitalisation of public sector banks. Second, the projection of 10 per cent nominal GDP growth is a realistic estimate. Third, the projected tax buoyancy of 1.2 should be achievable. While the projection of Rs 2.1

lakh crore from disinvestment is ambitious, more than half this amount can be achieved in the first half of 2020-21 from the deals that are currently in process but had to be rolled over to the this year. It is legitimate to ask if the ambitious target for disinvestment will be achieved. But, in a year when the delicate balance between fiscal prudence and stimulus for growth had to be achieved, relying on non-tax revenues to fill the fiscal gap makes eminent economic sense.

As described above, trust is a "game" played by multiple parties. As the government has made the first positive move, citizens should now respond positively and thereby build on these gains. In this, if citizens focus on the gains that their positive actions create for the Indian economy as a whole, instead of their narrow private gains, everyone benefits from this positive process. For instance, when many folks break the traffic signal for the private gain of reaching their destination earlier, everyone gets delayed by traffic snarls. However, if everyone focuses on the societal good of following traffic rules, everyone reaches their destination in time. Similarly, when one large corporate wilfully defaults on its loan, a bank then (rationally) expects that other borrowers are also more likely to wilfully default. To cover the losses from defaults, the bank increases the interest rate on the

loan. As a result, every borrower suffers. There are many such instances where untrustworthy behaviour by a minority creates enormous costs for the majority.

Finally, we must acknowledge that "one swallow does not make a summer". The positive steps in the budget must be followed by more such steps to enhance citizens' trust. The setting up of a task force to review the statistical infrastructure is a correct step in this regard, even though the Survey finds no evidence of any over-estimation of the GDP growth rate. More such steps are required. For instance, the government must set the example in corporate governance through public sector enterprises, including adhering to all norms for listing in stock exchanges. Similarly, public servants must remember the word "servant" attached to their role and ensure that their actions do justice to the spirit underlying that word.

While trustworthiness may seem a quaint concept to some people in today's times, ancient wisdom across societies and contemporary evidence — from both the global financial crisis and the financial sector in India — demonstrates its critical importance. Everyone would benefit from paying heed.

The writer is chief economic advisor to the Government of India

## LETTERS TO THE EDITOR

### MTP ACT

THIS REFERS TO the article, 'Her right to choose' (IE, February 10). The amendments to the MTP Act are welcome. The proposed amendments provide women right to make reproductive choices. But we do not talk about the elephant in the room: Legal ambiguities with respect to live-in relationships, definition of "woman" under the Act, failure to providing essential amenities in rural regions, lack of sex education. These issues make the proposed amendments incapable of being effectively implemented.

Vaibhav Pimpale, Pune

### COURT IN DOCK

THIS REFERS TO the report, 'SC: States not bound to give reservation in jobs, promotions' (IE, February 10). Articles related to the representation of "socially and educationally backward classes" are given under the Fundamental Rights chapter, which are enforceable in nature. In *N M Thomas v State of Kerala*, the Supreme Court held that Article 16(4) is a facet of Article 16(1) and Articles 14, 15, and 16 are not about bare formal equality, but also substantive equality. In *NALSA v Union of India*, the SC directed affirmative action measures under Article 16 for the transgender community. The recent judgment of the SC on reservation seems to be contra-

### LETTER OF THE WEEK AWARD

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

dictory of its previous judgments. Aditya Rao, via email

### GENETIC ANSWERS

THIS REFERS TO the editorial, 'Mapping life' (IE, February 10). This project will not only help in understanding cause of various diseases and finding their remedies, its data may be used to know pre-historic facts like about Aryans and from where they came to the Indian Subcontinent. This will help in resolving differences within various groups and castes

Anil Kumar Jain, Jaipur



# 15 ECONOMY

<b>GOLD</b>	<b>RUPEE</b>	<b>OIL</b>	<b>SILVER</b>
₹41,508	₹71.30	\$54.31	₹47,396

\*Indian basket as on February 7, 2020

SENSEX: 40,979.62 ▼ 162.23 NIFTY: 12,031.50 ▼ 66.85 NIKKEI: 23,685.98 ▼ 142.00 HANG SENG: 27,241.34 ▼ 162.93 FTSE: 7,451.12 ▼ 15.58 DAX: 13,489.35 ▼ 24.46

\*International market data till 1900 IST

## SALES OF PVs DOWN 6.2%, TWO-WHEELERS 16%, CVs 14%, SHOWS SIAM DATA

# Auto sales continue downhill race in Jan; weakness across PVs, CVs, two-wheelers

ENS ECONOMIC BUREAU NEW DELHI, FEBRUARY 10

THE INDIAN automobile sector continued to reel under pressure with all major categories — passenger vehicles (PVs), two-wheelers and commercial vehicles (CVs) — announcing a decline in their domestic sales last month.

As the economy continues to undergo a slowdown and consumer sentiment remains weak, vehicle sales across all categories registered a year-on-year decline of 13.8 per cent to 17,39,975 units in January 2020.

The domestic PV sales for the industry declined 6.2 per cent in January 2020, over the corresponding period last year even as the market leader Maruti Suzuki India announced a marginal growth in its domestic sales. The decline came as other major manufacturers including Hyundai Motor, Honda Cars India, Mahindra & Mahindra and Tata Motors announced decline in their domestic sales for the month.

According to data released by Society of Indian Automobile Manufacturers (SIAM), PV

### EXPLAINED Slowdown, rising input cost keep pressure on

THE CONTINUING slowdown and rising manufacturing costs kept auto sales growth muted in January. But the industry is pinning its hopes on the recent Budget announcements to bolster infrastructure and rural economy, which could support vehicle sales, specifically commercial ones and two-wheelers.

Further, with the ongoing Auto Expo 2020 — where 70 new models were launched or unveiled — seeing a positive response, the industry expects consumer sentiment to improve this year.

### 'Fear over virus impact on auto parts supply'

New Delhi: The Indian automotive industry is apprehensive about coronavirus outbreak disrupting component supplies from China, but a clear picture will emerge only in the next few days after factories in the country reopen, SIAM said Monday.

SIAM said it will be collecting information and data from its members in the next couple of days. PTI

sales last month stood at 2,62,714 units against 2,80,091 units in corresponding month last year.

Two-wheelers — which are considered a barometer of consumer demand in rural area — also witnessed a sharp decline as their domestic sales declined by 16 per cent to 13,41,005 units last month.

While the year-on-year sales of Bajaj Auto fell 22.4 per cent, that of Hero MotoCorp and Honda Motorcycle & Scooter de-

clined 14.3 and 6.6 per cent. Sales of TVS Motor Company also fell 28.7 per cent during the month.

On the other hand, the CV segment — which is an indicator of industrial activity in the country — also witnessed a 14 per cent decline in sales for the month of January.

For the 10-month period between April 2019 and January 2020, while the total vehicle sales has declined by 15.5 per cent, the PV segment and two-wheeler segment is down 15.3

per cent and 15.8 per cent, respectively.

The CV segment has seen a 20 per cent decline in the 10-month period over the corresponding period 2018-19.

"Sales of vehicles continue to be stressed due to rising cost of vehicle ownership and slower growth in GDP," SIAM president Rajan Wadhra said.

Vehicle prices have gone up as manufacturers gear up for the transition to stricter emission norm BS-VI from BS-IV begin-

ning April 1. Besides, many companies had increased prices in January citing rising input costs.

Wadhra further said, "We are hopeful that the recent announcements by the government on infrastructure and rural economy would support growth of vehicle sales going forward, especially in commercial vehicles and two-wheeler segment."

Three-wheelers was on the only category that witnessed growth in demand in January as its sales rose 12.69 per cent to 60,903 units.

For the 10-month period, the sales of three-wheelers is down 1.25 per cent.

Commenting on the overall sales performance, SIAM director general Rajesh Menon said wholesales declined in all segments, barring three-wheelers.

Among passenger vehicles, he said post-festive season sales decline has been less, although the industry is still in the negative territory.

"We are hopeful that the response that we have received to the ongoing Auto Expo will help further improve consumer sentiment. Already there have been 70 unveils and launches so far," Menon added.

# Amazon moves Karnataka HC for stay on CCI probe

ENS ECONOMIC BUREAU NEW DELHI, FEBRUARY 10

AMAZON Monday moved the Karnataka High Court seeking a stay on the Competition Commission of India's (CCI) order last month asking its director-general to investigate allegations that the e-commerce giant's business practices entail "deep discounting, exclusive arrangements and preferential listing of sellers".

In its petition, which was reviewed by FE, Amazon said: "... the present impugned order has been passed without prima facie application of mind and will cause serious prejudice to the petitioner. Its findings are perverse, arbitrary, untenable in law".

It said an interim stay on the proceedings directed by CCI should be granted as "the balance of convenience for the stay lies in favour of the petitioner as a bona fide company". The CCI investigation would also cause "irreparable loss and injury" to the company and its reputation. Further, "no harm or injury would be caused to the Respondent no. 1 (CCI) if a stay is granted," Amazon said. Amazon's petition is likely to come up for hearing on Tuesday or Wednesday.

Following a plea by Delhi Vyapar Mahasangh (DVM), CCI in January had directed its director-

## PROBE INTO AMAZON'S BUSINESS PRACTICES

■ CCI last month asked its director-general to probe allegations that Amazon's business practices entail "deep discounting, exclusive arrangements and preferential listing of sellers"

■ In its petition in the SC, Amazon said an interim stay on the proceedings directed by CCI should be granted as "the balance of convenience for the stay lies in favour of the petitioner as a bona fide company"

general to investigate Amazon and Flipkart over alleged charges of deep discounting, exclusive arrangements and preferential listing of sellers. Amazon refused to comment on the matter as the subject is sub-judice.

In its order, the fair trade regulator had stated that "... it needs to be investigated whether the alleged exclusive arrangements, deep discounting and preferential listing by the Ops (opposite parties — Flipkart and Amazon) are being used as an exclusionary tactic to foreclose competition".

Amazon and Walmart-controlled Flipkart together command close to 80 per cent market share in the country's e-commerce sector, according to analysts. Traders have been lodging country-wide protests against Amazon and Flipkart over predatory pricing. They also claim that the deep-pocketed firms have been flouting foreign direct in-

vestment (FDI) norms for the e-commerce sector laid down by the government.

Praveen Khandelwal, secretary general, CAIT said since a caveat was already filed by DVM in the high court in anticipation of such a move by either Amazon or Flipkart, the court will have to give a hearing to DVM before passing any order on the matter.

A year ago, the government had revised its FDI norms for the e-commerce sector which bar online firms having foreign investment, like Flipkart and Amazon, from selling products of the entities in which they hold stake or whose inventory they control. It disallowed them from asking a seller to sell any product exclusively on their platforms.

Separately, the government is also in the process of devising an e-commerce policy to create a level-playing field between online and offline players. FE

# IOB Q3 loss at ₹6,075 cr as provisioning for bad loans more than triples

ENS ECONOMIC BUREAU MUMBAI, FEBRUARY 10

PUBLIC SECTOR lender Indian Overseas Bank (IOB) has reported a higher net loss of Rs 6,075 crore in the third quarter ended December 2019 as against a net loss of Rs 346 crore during the corresponding October-December period of 2018-19.

Its total income during the December 2019 quarter also fell to Rs 5,197.94 crore from Rs 5,688.59 crore in the year-ago quarter, IOB said in a regulatory filing. Provisioning for bad loans jumped to Rs 6,663.94 crore, compared to Rs 2,075.28 crore a year ago. The bank's total loss in the last three quarters amounts to Rs 8,671 crore.

IOB's gross non-performing assets (NPAs), however, dropped to 17.12 per cent of the gross loans at the end of December 2019, from 23.76 per cent a year ago. Net NPAs fell to 5.81 per cent from 13.56 per cent. In value terms, the gross NPAs were valued at Rs 23,733.86 crore as against Rs 35,786.57 crore previously. Net NPAs were Rs 7,087.09 crore from Rs 17,987.92 crore a year ago.

On NPA divergence for 2018-19, the bank said there was a gap of Rs 358 crore in gross bad loans, as the bank had reported it to be Rs 33,398 crore while the Reserve Bank of India assessed it to be at Rs 33,756 crore.

Net NPAs divergence was of Rs 358 crore and the divergence for provision came in at Rs 2,208 crore. Thus, overall loss during 2018-19 was adjusted to Rs 5,999.90 crore from the earlier reported Rs 3,737.90 crore.

The provision coverage ratio improved to 86.20 per cent, IOB stated, adding that it posted a net loss of Rs 2,254 crore for September quarter.

Total recovery, including technical write-offs, stood at Rs 7,085

## Union Bank Q3 standalone net profit up 276%

Mumbai: State-owned Union Bank of India Monday said its standalone net profit for the December quarter of 2019 rose 276 per cent to Rs 574.58 crore due to fall in provisioning for bad loans and higher recoveries as against a profit of Rs 153.21 crore in October-December 2018.

The bank has reduced the three-month MCLR rate by 5 basis points (bps) to 7.80 per cent from 7.85 per cent. One-year MCLR capital now stands at 8.10 per cent. The revised rates will come into effect from February 11. This is the eighth consecutive rate cut announced by the bank since July 2019. It had recently reduced its home loan interest rates for different categories of borrowers by up to 30 bps from 8.20 per cent to 7.90 per cent.

Its stock closed at Rs 50.95 on the BSE, up 4.19 per cent from the last close. ENS

crore achieved for the quarter ended December as against Rs 6,720 crore achieved for the September quarter, while the total fresh slippage (other than debits to existing NPA accounts) for quarter ended December was Rs 1,648 crore as against Rs 1,795 crore for the previous quarter.

Total deposits marginally increased to Rs 2,21,290 crore as against Rs 2,20,311 crore as of December 2018.

The bank has reduced the concentration of bulk deposits and high cost deposits and increased retail term deposits to have stable and sustainable deposit profile and reduce the cost of funds.

## 'Long airport queues to continue at least till 2023'

Given the slow progress on the ongoing Rs 38,000-crore capacity expansion at the top four metro airports, and also the surging traffic, long queues will continue at least till 2023, according to a Crisil report



**50%** Share of traffic accounted for by the four largest airports

**130%** above installed capacity: Operations at these four airports, expected to rise further in the next 12 months

**90%** above installed capacity: Utilisation levels at these four airports by financial year 2023, if operationalisation of capacities is done in upcoming two fiscals

**65%** Cumulative increase in capacity at these four airports by FY2023; from 138 million now to 228 million annually

## FOUR LARGE AIRPORTS



**10% per annum** Expected growth in traffic over the same period at the four airports

Source: Crisil/PTI

### FACTORS THAT WILL DRIVE HIGHER UTILISATION:

- Pent-up demand accumulated in 2019 as traffic was impacted with the grounding of Jet Airways
- Issues with new aircraft of certain airlines
- Improving connectivity to lower-tier cities
- Reducing fare difference between air and rail

# RBI's MSME recast scheme, relaxation for certain real estate projects are dilution of norms, moral hazard: Fitch

ENS ECONOMIC BUREAU MUMBAI, FEBRUARY 10

GLOBAL RATING agency Fitch has come down on the Reserve Bank of India's extension of the one-time restructuring scheme for micro, small and medium-sized enterprises (MSMEs) and the relaxation in asset classification for certain real estate projects, saying they mark a "further dilution" of the regulator's drive to enhance loan recognition and such a regulatory forbearance will "perpetuate moral hazard".

"The RBI's announcement on 6 February of forbearance towards stressed sectors signifies a gradual shift away from the regulator's earlier effort to enhance the quality and transparency of asset classification in Indian banking system," according to Fitch Ratings.

## The agency said there is a risk that "regulatory forbearance will perpetuate moral hazard, as it follows aggressive lending growth and risk-taking in certain sectors"

"There is a risk that such regulatory forbearance will perpetuate moral hazard, as it follows aggressive lending growth and risk-taking in certain sectors in the five years to the financial year ended March 2019 (FY19)," it said in a report.

"It is not clear at the moment whether this forbearance will be extended to non-bank financial institutions (NBFIs) as well, but we believe that the probability

of this is high, considering the impact that the NBFI liquidity squeeze and a slowing economy have had on the MSME and real-estate sectors," it said. In recent years, banks have preferred to lend to NBFIs, which lend heavily to the real estate and MSME sectors, as a way to deploy their excess liquidity, while limiting their own direct exposure to these areas.

It is unclear whether the latest announcement marks a substantial shift in the RBI's policy approach. Nevertheless, it is not surprising in the current weak operating environment and is in line with a recent trend to weaken asset recognition standards. "This was among the factors that prompted us to lower our operating environment score for India's banking sector in 2019," Fitch said.

only likely to defer asset-quality pressures unless there is a sustained improvement in macro-economic conditions. "Although we expect India's economic growth to pick up in the coming months, to 5.6 per cent in FY21 from 4.6 per cent in FY20, there are still risks to the country's economic outlook."

According to the rating agency, Indian banks have a poor track record with restructuring. The RBI's asset-quality reviews in FY16 and FY18 found that a dominant share of loans restructured post-FY12 had degraded into non-performing loans (NPLs). "In that context, Fitch will make appropriate adjustments in order to objectively assess the performance of the underlying loan book of its rated entities in India to ensure their comparability with those of global peers," it said.

## FISCAL 2021 PLAN PROMISES GOVERNMENT'S DEFICIT WILL CREST ABOVE \$1 TN ONLY FOR CURRENT BUDGET YEAR

# Trump's \$4.8 trillion budget proposal revisits rejected cuts

ASSOCIATED PRESS WASHINGTON, FEBRUARY 10

US PRESIDENT Donald Trump unveiled a \$4.8 trillion election year budget plan on Monday that recycles previously rejected cuts to domestic programmes like food stamps and Medicaid to promise a balanced budget in 15 years — all while leaving Social Security and Medicare benefits untouched.

Trump's fiscal 2021 plan promises the government's deficit will crest above \$1 trillion only for the current budget year before

steadily decreasing to more manageable levels, relying on optimistic economic projections, lower interest costs, scaled-back overseas military operations and proposed cuts to agency budgets that run counter to two previous budget deals signed by Trump.

The budget "sets the course for a future of continued American dominance and prosperity," Trump said in a message accompanying the document.

"There is optimism that was not here before 63 million Americans asked me to work for them and drain the swamp,"

Trump said. "For decades, Washington elites told us that Americans had no choice but to accept stagnation, decay, and decline. We proved them wrong. Our economy is strong once more." The plan had no chance even before Trump's impeachment scorched Washington. Its cuts to food stamps, farm subsidies, Medicaid and student loans couldn't pass when Republicans controlled Congress, much less now with liberal House Speaker Nancy Pelosi, D-Calif., setting the agenda.

Pelosi said Sunday night that "once again the president is showing just how little he values the good health, financial security and well-being of hard-working



American families."

Trump's budget follows a familiar formula that exempts seniors from cuts to Medicare and Social Security while targeting benefit safety net programs for the poor, domestic programmes like clean energy and student loan subsidies. It again proposes to dramatically slash funding for overseas military operations to save \$567 billion over 10 years but adds \$1.5 trillion over the same time frame to make his 2017 tax cuts permanent. Trump's proposal would cut \$465 billion from Medicare providers such as hospi-

tals, which prompted howls from Democrats such as former Vice President Joe Biden, who said it "viscerates Medicare," while top Senate Democrat Chuck Schumer of New York said Trump is planning to "rip away health care from millions of Americans" with cuts to Medicare and the Medicaid health programme for the poor.

Trump's budget would also shred last year's hard-won budget deal between the White House and Pelosi by imposing an immediate 5 per cent cut to non-defence agency budgets passed by Congress.

they start is very normal. That is done to ensure that the liabilities, if any, are limited to that project. However, earlier, while there was compliance at the group level, now the real estate companies will also have to ensure it at SPV level," he added.

The case relates to Gurgaon-based real estate developer Umang Realtech, which was taken to the NCLT by two flat owners, who thought wanted to initiate CIRP against the company, did not seek the approval of resolution plan of any other developer.

A promoter of the group, Uppal Housing, offered to "play the role of a lender" to ensure that the pending projects of Umang Realtech were completed on time, which was agreed to upon by all stakeholders.

"It appears none of the stakeholders sought or supported continuation of the CIRP in view of the commitments made by the promoter and the promoter agreed to support the corporate debtor by lending the requisite funds. Faced with such facts, the NCLAT has tried to evolve a solution which appears to put the CIRP into some kind of suspended animation," Manmeet Singh, partner at law firm L&L Partners said.

## 'Reverse CIRP': Realty cos' insolvency to be project-wise, not across group, rules NCLAT

'Once CIRP process is initiated... no home buyer can approach NCLT, NCLAT for refunds'

AASHISH ARYAN NEW DELHI, FEBRUARY 10

IN A ruling that is likely to change the Corporate Insolvency Resolution Process (CIRP) followed for real estate and infrastructure companies, the National Company Law Appellate Tribunal (NCLAT) has held that insolvency initiated by a homebuyer or bank or any other financial institution against a real estate company will be limited to a particular project, and not extend to other projects of the group.

"In CIRP against a real estate, if allottees or financial institutions, banks or operational creditors of one project initiated CIRP against the corporate debtor, it is confined to the particular project, it cannot affect any other projects of the same real estate company in other places where separate plans are approved by different authorities"

### NATIONAL COMPANY LAW APPELLATE TRIBUNAL

Other experts said that while the idea behind the 'innovation' of the appellate tribunal may be good, it stretches the "boundaries of IBC and runs the risk of being set aside in appeal if challenged by any stakeholder".

"The evident predicament faced in the matter only shows that the central government had correctly sought to treat real estate companies as a separate class of corporate debtors which should require a threshold of homebuyers for initiation of insolvency," Singh said.





## EU-UK NEGOTIATIONS

## There may be trouble ahead

The risk of Britain leaving the EU with no trade deal remains high



Pro-Brexit demonstrators celebrate on Parliament Square on Brexit Day in London, Britain, on January 31. Reuters

IF BREXIT-WEARY Britons hoped they would be able to read about something other than deadlocked talks once they had left the EU, they were disappointed this week. The transition period into which Britain has gone lasts only until the end of the year, by which time a trade deal needs to be done. But when negotiations began on February 3rd, the differences between the two sides seemed as wide as ever.

It was Britain's choice, insisted Michel Barnier, the EU's chief negotiator, to have a more distant relationship than the EU had wanted. But he said the bloc was ready to offer a zero-tariff, zero-quota free-trade deal that is more generous even than Canada's—with conditions.

The most contentious is a "level playing-field" designed to prevent Britain from undercutting its largest trading partner. This, says the EU, will require British observance of EU rules on state aid to companies and on environmental, workplace and labour standards. The EU also wants to maintain its access to British fishing waters. And it insists on a governance system for settling disputes that maintains a role for the European

Court of Justice (ECJ).

Speaking in the old Royal Naval College, Greenwich, a monument to Britain's seafaring power, Boris Johnson dismissed these demands in muscular terms. He wants a free-trade deal like Canada's. But just as Canada is not bound by stringent level-playing-field conditions, Britain should not be. There was no need for any deal to involve accepting EU rules on competition, subsidies, social protection or the environment. Instead, he argued, Brussels should trust his promises to keep to the highest possible standards. The EU, already suspicious that Britain may not fulfil its obligations under the withdrawal treaty to impose border controls between Northern Ireland and Great Britain, is reluctant to rely on trust alone.

As for fish, Mr Johnson declared that the EU must accept British control of its own waters. Nor could post-Brexit Britain allow any ECJ jurisdiction over its laws. And if a Canada-style deal cannot be negotiated by year-end, he concluded, Britain would be happy to trade like Australia. That is a euphemism for having no-deal and instead trading on World Trade Organisation terms (in fact,

Australia is trying to get its own free-trade deal with the EU).

There is only limited time in which to narrow such differences. That is because, against the EU's advice, Mr Johnson is refusing even to consider extending the transition period beyond the end of the year. The withdrawal treaty allows him to ask for this by the end of June. But EU lawyers say that, if he misses this deadline, it will no longer be possible to get more time.

Yet a free-trade deal that takes in not only goods but also extras like services, data rules, public procurement, aviation, transport and security normally takes several years to agree (and more to ratify). When talks begin in March they will at first see more posturing than negotiating. EU diplomats do not expect real horse-trading to begin until June. As

Mujtaba Rahman of the Eurasia Group consultancy says, the time-frame with just months left will dictate the terms of any deal, not the other way round. And that means a bare-bones agreement covering mostly trade in goods.

The big question is whether even this will now be possible. Much gloomy commentary suggests not; but there is a decent chance that it might. After all, both sides prefer a deal to no-deal. As Mr Johnson's flexibility over the withdrawal treaty last year shows, he is willing to make big concessions to get agreement. Unlike Theresa May, his predecessor, he has a huge parliamentary majority, which means that he need not worry about Westminster MPs rejecting it. Even on fish, his offer of an annual agreement on catchable quotas points to some room for compromise.

As for the EU, its hard line on the level playing-field could yet soften. What matters, says a diplomat, is not forcing Britain to adhere religiously to EU rules but having a reliable enforcement mechanism if it strays. He calls this having a gun on the table that can be picked up and fired if need be. Even the role of the ECJ in a governance structure can be fudged: it must have the exclusive right to interpret the EU's laws and thus police its side of any deal, but that need not imply intrusion into Britain's.

Geopolitics would urge a deal, too. Nobody in the EU wants Britain to drift off across the Atlantic or towards Asia. And despite chatter by some of his more rabid allies, there is little sign that Mr Johnson favours either (though he is bullish about a trade deal with America). Failure to reach even a basic agreement would reflect badly on both sides. And it ought to be possible later to build on such a plain deal to cover the more complex issues left over.

A big worry is that both sides may be drawing the wrong conclusions from the tortuous negotiations on the withdrawal treaty. The EU reckons it won by being firm and united, and by

using its superior weight to force successive British prime ministers into concessions. Mr Johnson believes that Mrs May failed because she was not ready to walk away from the table and into no-deal, partly because her own MPs would not let her. Brussels may be underestimating a newly empowered Mr Johnson's willingness to accept no-deal, while the prime minister may be overestimating the EU's fear of this outcome.

This is partly because, for both sides, the cost of no-deal has shrunk. The withdrawal treaty will remain in place to cover the first-round issues of money, EU citizens and averting a hard Irish border. Except for a few vulnerable sectors, the trade losses from moving from unfettered single-market access into a bare-bones deal for goods are not that much greater than those of switching to trade on WTO terms alone. If the political price for either side to reach an agreement starts to look too high, no-deal may start looking like a plausible alternative. That is the biggest reason why it might actually happen.;

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**Geopolitics would urge a deal, too. Nobody in the EU wants Britain to drift off across the Atlantic or towards Asia. And despite chatter by some of his more rabid allies, there is little sign that Johnson favours either**

## BANYAN

## The ministries of truth

Singaporean ministers can decide what is fake news

AS SINGAPORE grapples with the first cases of local transmission of the Wuhan virus, its government is also worried about another form of contagion: fake news. The two are not unrelated. In late January a Singaporean website claimed that someone in the city-state had died of the virus, when no one has to date. And two Facebook posts claimed, wrongly, that a train station had been closed and cleaned because an infected person had been there.

With an evolving epidemic, false rumours can lead to panic. Cue the Protection from Online Falsehoods and Manipulation Act, or POFMA, which came into force four months ago. A new virus was not what the government had in mind when it framed the legislation, but rather the danger in a multiracial, multi-religious society of incitement to hatred or violence based on false rumours. Online lies risked undermining faith in government itself. Such falsehoods were, the government claimed, being weaponised "to attack the infrastructure of fact, destroy trust and attack societies".

All democracies are grappling with the challenges of fake news. POFMA is the most sweeping response to date. It outlaws any false statement deemed "prejudicial" to public health, security or Singapore's foreign relations, or which may "diminish" public confidence in government. It gives what Cherian George of Hong Kong Baptist University says is unprecedented discretion to individual

**POFMA has been invoked mainly against opposition figures, activists and NGOs—at a time when the ruling party is skittish about an approaching general election. In one case the SDP earned a correction notice for a discussion of unemployment and redundancies among white-collar Singaporeans**

ministers to pronounce on what is false or misleading. The minister may demand a correction notice or even the removal of any offending statement or the post or article in which it appears. Sanctions include hefty fines for individuals and companies and up to a year in prison. Ministers' rulings may be challenged in the High Court. But it can rule only on whether disputed statements are indeed false, not on whether using POFMA is a reasonable response. What if a website exposed an official cover-up of shoddy construction work, say, but stated that the offending minister wore size eight shoes when they were in fact size ten?

Singapore's minister of communications, S. Iswaran, insists that the new legislation, far from being a sledgehammer, adds finesse in dealing with fake news. "Before this, the only tool you really had was to block or to take down, right?" he says. "Now, you have a tool that allows this spectrum of possibilities." POFMA's defenders point out that in none of the ten cases since October have ministers demanded that offending posts be removed, merely that corrections be published. It is about restraint and proportionality, Mr Iswaran says.

Yet POFMA has been invoked mainly against opposition figures, activists and NGOs—at a time when the ruling party is skittish about an approaching general election. In one case the Singapore Democratic Party earned a correction notice for a discussion of unemployment and redundancies among white-collar Singaporeans. Its appeal in the High Court argues that the statistics are not in dispute, merely their interpretation. In another case, a Malaysian watchdog, Lawyers for Liberty, refused to issue a correction to its online claims about how Singapore carries out the death penalty, arguing that the demand curtailed freedom of speech in Malaysia. In response, Singapore blocked its website.

As for social-media companies asked to implement POFMA notices, such as



A protest against earlier curbs on news websites in Singapore. Reuters/File

WhatsApp, Facebook and Twitter, dismayed executives say the government has come very late to an understanding of the practical, commercial and ethical challenges. "They seemed to think we are like a bulletin board," says one. Quite how—and to how many people—a general correction notice gets issued via a platform remains problematic. "One of the things they didn't quite grasp," says another executive, "is that they could end up driving peo-

ple off our platforms really quickly, and that they would lose the audiences they wanted." It is surely better for the government to get its own message out before policing others'. Yet the health ministry sent out zero tweets between May 3rd and January 29th.

As for Banyan, is he within his rights to call POFMA draconian? Go ahead, says Mr Iswaran, that's an opinion. Yet the minister is an exception. The government is no-

toriously thin-skinned. It also lacks a funny bone—and POFMA contains no exemptions for satire. The government's already frequent resort to the law has become something of a joke among some Singaporeans. Far from protecting citizens' good opinion of their government, POFMA is undermining it.

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# 19 TALK

ART, MUSIC, STYLE, FOOD



## YOUNG AND FEARLESS

The Serpentine Pavilion at The Kensington Gardens this year, will be designed by the youngest architects ever. The women trio who work out of South Africa, are all 30, and will celebrate London communities in the 50th year of the Serpentine Galleries.

### SETTING THE TONE

Chris Rock and Steve Martin took the stage after Janelle Monae's opening performance — serving as the *de facto* hosts for a ceremony that was officially hostless. They took turns skewering the academy for putting forward an overwhelmingly white group of nominees and, once again, overlooking women in the directing category. "There's something missing," Martin said. "Vaginas?" Rock responded, to raucous applause.

In yet another year which had no women nominees for Best Director, despite a promising pool of female talent, actor Natalie Portman had a list of overlooked names embroidered along the trim of her black Dior cape

REUTERS



### POLITICAL PITT

Regina King (*If Beale Street Could Talk*) presented the supporting actor award to Brad Pitt for playing a stuntman in *Once Upon a Time... in Hollywood*. Pitt offered a caustic appraisal of the Senate's handling of impeachment proceedings before settling into a more upbeat speech that thanked Leonardo DiCaprio, his co-star, and Quentin Tarantino, who directed the film. "They told me I only have 45 seconds up here," said Pitt, "... which is 45 seconds more than the senate gave John Bolton this week."



Janelle Monae's opening act during the event held in Los Angeles on Sunday  
REUTERS

# Show Time

Seen and heard at the 92nd Academy Awards Ceremony held on Sunday



### WINNER WITH A VOICE

Joaquin Phoenix won best actor for his performance as a deranged outcast in *Joker*. It was his first Oscar. Phoenix was previously nominated for *The Master* (2013), *Walk the Line* (2006) and *Gladiator* (2001). He used his acceptance speech to plead for a variety of causes, including animal rights. Here are excerpts from his speech:

I think the greatest gift that it has given me, and many of us in this room, is the opportunity to use our voice for the voiceless. I've been thinking a lot about some of the distressing issues that we are facing collectively and I think at times we feel or are made to feel that we champion different causes. But for me, I see commonality. I think whether we're talking about gender inequality or racism or queer rights or in-

digenous rights or animal rights, we're talking about the fight against injustice. We're talking about the fight against the belief that one nation, one people, one race, one gender or one species has the right to dominate, control and use and exploit another with impunity.

I think that we've become very disconnected from the natural world and many of us, what we're guilty of is an egocentric worldview, the belief that we're the centre of the universe... We feel entitled to artificially inseminate a cow and when she gives birth, we steal her baby, even though her cries of anguish are unmistakable. And then we take her milk that's intended for her calf and we put it in our coffee and our cereal. We fear the idea of personal change because we think that we have to sacrifice something to give something up.



Waad Al-Kateab, director of Syrian film *For Sama*, embroidered her dress with an Arabic poem. It translates to English as: 'We dared to dream and we will not regret dignity'

### COLOUR BLOCK

The lack of diversity was addressed about midway through the three-hour-plus telecast by actor-musician Utkarsh Ambudkar (pictured with Naomi Campbell), who appeared on stage to recount highlights from the first half of the ceremony in rap. "I'm here to recap the show and MC for a bunch of nominees that don't look like me," he said. Actor-singer Janelle Monae pointed to the diversity problem in the show's opening musical dance number, singing: *It's time to come alive... because the Oscars is so white!*

### SNAP SHOTS



Nirmal Harindran

#### Wall Art

ARTIST NALINI Malani's new work, titled *Can You Hear Me?* was presented at the façade of the Taj Mahal Palace Tower, for one evening only, on February 8. More than 50 animations and a multitude of floating images appeared on the length of the Taj Mahal Palace tower, seen from the side of the Gateway of India in Mumbai. The artwork is part of the golden jubilee celebrations of the Goethe-Institut / Max Mueller Bhavan Mumbai. The words "Can You Hear Me" were illuminated on the side of the hotel, along with other graphics and visuals. Malani began the series 'Can You Hear Me?' on Instagram with her handle ([www.instagram.com/nalinimalani](http://www.instagram.com/nalinimalani)).

#### Now Showing

FILMS LIKE *the Mossad* (pictured) will headline the first ever Jerusalem-Mumbai Festival that will be held this week. The two-day festival starting 15 February seeks to promote artistic cooperation in the diverse fields of culture. While day one would only have an entry for select guests, day two is open for the public at large. The festival will take place on the lawns of the Chhatrapati Shivaji Maharaj Vastu Sangrahalaya Museum in Mumbai.



# A Brush with Identity

As many as 50 artists come together to draw upon 70 years of the Constitution

### SURBHIGUPTA

IN HER digital print *Promises of the Constitution*, Shivangi Singh sketches Shillong-based activist Angela Rashid, who questions the transformative power of the Constitution. We also find the girl who was penalised in Mumbai for holding the 'Free Kashmir' banner. There is JNUSU president Aishe Ghosh, who was physically attacked on campus, and the students of Jamia Millia Islamia, who became the poster girls of the ongoing anti-CAA/NRC protests. Muslim women, who are leading protests in various parts of the country, also find space. Kashmir finds a place with people standing behind barbed wires, holding their laptops *sans* the internet. Her work is among the many that make up the exhibition "Celebrate, Illuminate, Rejuvenate the Constitution of India at 70", organised by Sahmat, the Safdar Hashmi Memorial Trust.

Over 50 artists are showcasing their works at Delhi's Jawahar Bhawan as part of the exhibition. "We started developing it after the Ayodhya judgement, while events were playing out in Kashmir simultaneously. We wanted to look at the 70 years of the



One of the works on display

Constitution, but when the protests erupted in December, it widened the scope," says Delhi-based artist Aban Raza, who has curated the exhibition.

The Preamble to the Constitution is invoked multiple times. While photographer Vijay S Jodha prints the words from the document on an identification form, which has his passport-sized photo and personal details; Rajinder Arora takes the empty pages of the Constitution and mounts them on an-

other that reads: 'To be Indian is to be human'. The Preamble also finds place in Vivan Sundaram's *Understanding the Preamble*, where he borders it with photographs from various protests.

Artists have also fallen back on BR Ambedkar. Sourav Brahmachari, in his work *Bhim Power No 1*, prints a quote by Ambedkar on constitutional morality. Mahavir Singh Bisht captures a man dressed as Ambedkar, in a blue suit and red tie, holding the Constitution at Shaheen Bagh. While Simar Puneet uses photographs from the protests to create Ambedkar's portrait. "We have to revisit our founders, and re-establish what they had said," says Raza. Kashmir finds a voice in Khurshed Ahmad's mixed-media work, where he returns to the 'Delhi Agreement, 1952', that set the tone for the region's autonomy. Photographs by Sanna Irshad Mattoo show protests in the Valley.

Sameer Kulavoor's *Multiply Against Divisive Politics* that had gone viral is also part of the exhibition. Works by prominent artists, such as Arpana Caur's *Leaves*, an untitled work by Mithu Sen, and Pushpamala N's *Eugenics*, are also on display.

The exhibition is on till February 15 at Jawahar Bhawan, Raisina Road, Delhi

# Who is afraid of the dafli?

The humble dafli, which has been part of Indian folk and popular culture for long, is now an object of suspicion

### ALAKA SAHANI

FOR THEIR performance of *The Rapist is You*, a Chilean protest song that condemns sexual violence, at Mumbai Bagh on Friday, a group of artistes carried a big *thaal* and a serving spoon as musical accompaniments. Sapan Saran, who directed the performance, had realised that the police were not permitting musical instruments. The piece directed by Saran was set to beats, and she had to find a solution. The loud clanking of utensils along with the sound created by the artistes, and small instruments such as the *manjira* they had managed to sneak in gave the performance a raw energy.

As the protests against the Citizenship Amendment Act show no sign of ending, musical instruments, especially those associated with folk and street performances, have suddenly become objects of suspicion in the eyes of the police and others against the protests.

On the day Saran was scoping out Mumbai Bagh for their performance, a Jaipur-based musician-poet, Bappaditya Sarkar, had been disallowed by the Mumbai police from carrying his dafli to a protest site. The night before, an Uber driver had taken him to the police, based on his phone conversation about anti-CAA protests, and the round musical instrument he was carrying. "Anytime an instrument is played, it indicates cultural activity. It also mobilises people in a certain way. The state is scared of that. In Maharashtra, instruments such as *dimdi*, *tutari* and *daf* are often used by *lokshahirs*. Hence, they are considered to be people's instruments. To take them away is like taking away their voice," says Saran. It is not just the anti-CAA protests. For the opening performance at the Mumbai Pride March recently, Saran's group was stopped from playing the dhol and dafli on the ground that it was "an area demarcated for sports". They had to improvise on the spot and create music based on the idea of beatboxing.

Daf and its smaller version, dafli, have always been popular with protestors. "These are quite effective while trying to draw atten-



Dil ka haal from *Shree 420*; Bappaditya Sarkar in Mumbai Tabassum Barnagarwala



tion. They are also easy to play," says Madhav Pawar, a veteran film musician. The 23-year-old Sarkar echoes Pawar's views when he explains how he started performing with a dafli two months ago. "This belonged to a friend. In a poetic way, I'm happy that I inherited it. At the Jaipur Literature Festival last month, a volunteer snatched the dafli from me when we were sloganeering. When I asked why, he told me that the dafli was drawing people's attention. That increased my fondness for dafli. It has been like a friend and a comrade," he said.

Unfazed by this, Sarkar taught some women protestors at Mumbai Bagh how to play the dafli before he left on Friday. "The dafli keeps me grounded. Its sound remains constant while the player can keep changing," adds Sarkar, who was in Mumbai to present his ghazal about the women of Shaheen Bagh at the Kalaghoda Festival.

When asked about restrictions on carrying the dafli and other musical instruments, Abhinash Kumar, Deputy Commissioner of Police, Zone III, Mumbai, says, "When the protest itself is illegal, musicians and artistes should not be going into the site at all."

Giving a brief history of the daf and its cousins, Mumbai-based musicologist Kushal Gopalka says, "Earlier, it was called 'chang' in India. Chang translates into daf which is a big instrument, 24 inches in diameter, while the dafli is smaller. It is also known as dimdi and kanjira, and is widely used in folk music." Bollywood, too, knows the power of the dafli. In the '50s, it became a symbol of criticism against corruption and capitalism when in *Shree 420*, Raj Kapoor crooned *Dil ka haal suno dilwala*. It has also been a symbol of celebration when Rishi Kapoor with a dafli in hand sang *Ranjhi ki nikli sawari in Sargam*.





