Freedom First

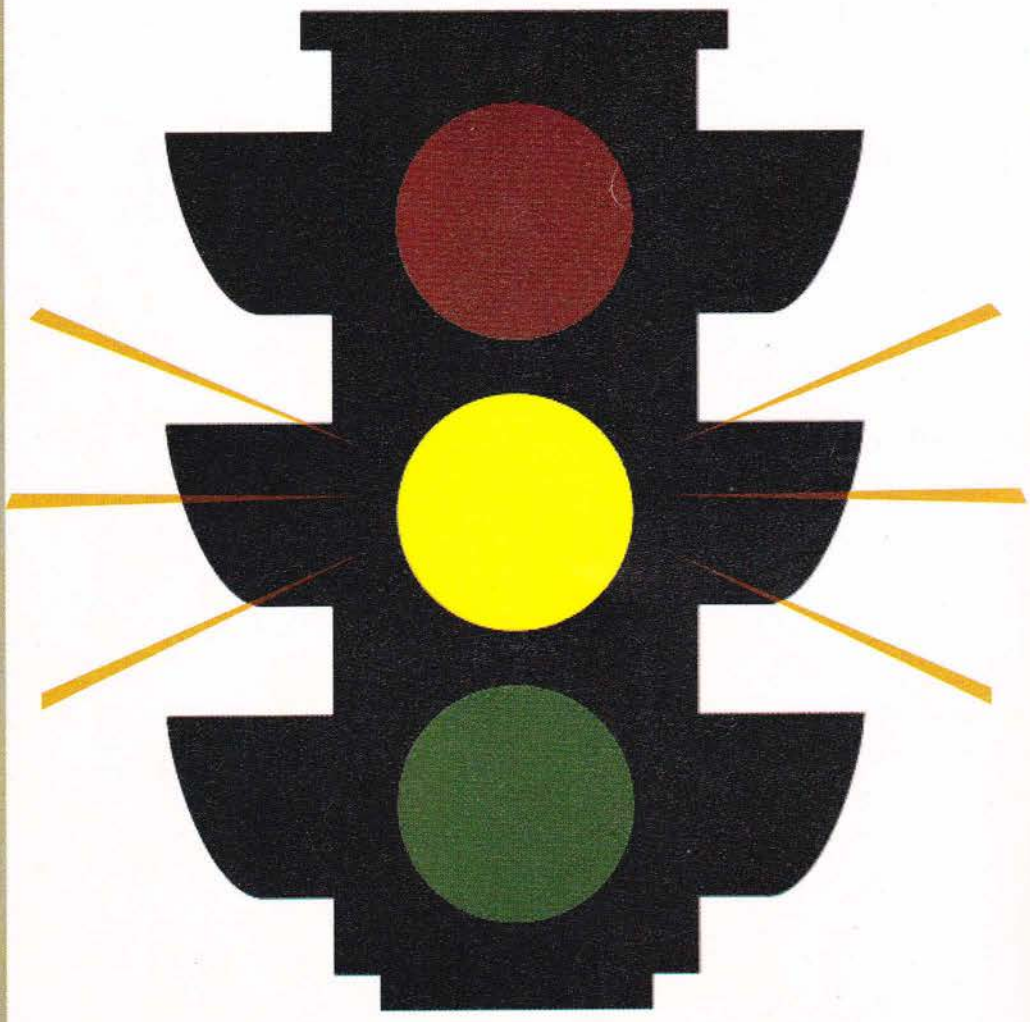
A Liberal Quarterly

49th Year of Publication

April – June 2001

No. 449

Rupees Twenty Five



WTO: Yes! But Let's Proceed Carefully

10 Enemies of Freedom

The Tehelka Tapes

The Bangladesh Border Fiasco

Union Budget 2001

Behram '*Busybee*' Contractor

October 11, 1930–April 9, 2001.

At a time when aspiring journalists chose bigger newspapers I chose my editor Busybee. Only he could give a job to an aspirant like me who had not read the day's newspapers, give him a byline for his first story, and with just 18 months experience make him the Chief Reporter.

Over three decades of writing 'Round & About', from 1966 to 1979 with *The Evening News of India*, from 1979 to 1985 with *MID-DAY* and then *Afternoon*, Busybee became a household name. Busybee put life into his fictitious characters Bolshoi the Boxer, his sons Darryl and Dexter, his friend on the 21st Floor (the world's richest man) and the wife, so much so I remember people calling him up and even asking him how his sons Darryl and Dexter and Bolshoi the Boxer were doing! And Behram would reply coyly `yes, fine,fine, fine' and then putting the telephone down, he would be smiling all over. Busybee's death meant the death of his characters and yet when I say that I am wrong - he immortalised his characters. He used them effectively to mock at everything the world held important. He was in every way the Art Buchwald of India or R. K. Laxman of the print world, always writing for the common man.

Busybee had 'The Wife' long before Behram met Farzana, much younger than him. Of course, we never asked him why he married so late but Behram would plainly say 'I did not marry earlier because I had not met the right person'. And Farzana was just right for him complementing him in every way. She like most of us adored Behram but with the additional responsibility of dressing him up. She could get him to wear a shirt but a tie and jacket was something Behram could never get used to so a luncheon meet with John Major was a tough assignment for Behram.

On the ethics of journalism he was clear, 'Corruption in journalism is not about taking money and writing for someone it is about knowing something and not writing about it'. So when the Tehelka journalists broke Operation West End and every television channel discussed the ethics of the Tehelka reporters, Busybee in his usual Round & About style took on the politicians, "Taking money for the party may be fine, but since when have you started taking cut in aircraft and gun deals for the part. Every time a middleman, real or fake, pays you, he is providing a product of a slightly inferior quality to the army. And we laugh, and cheer, and wave flags, and tell our jawans, one hill more to conquer."

Once I was upset as my report on Bofors could not find a headline space.He took the blame upon himself and said a good report will be read. He gave his own example how his 'Round & About' Column in *The Evening News of India* intitially on the front page was pushed to the last page because a Chief Reporter didn't like him. Behram was upset but later he took this as a challenge and stuck to the last page. He decided to write so well that people would read his column first and then the headline. He succeeded.

Behram was a free spirit. Born a Parsi, married a Muslim he visited more places of Hindu pilgrimage than most Hindus. He wrote, 'If there is a God, you can sense him at Kedarnath.' He wished to visit Mecca if allowed and wished to be cremated at Malabar Hill's Banganga. He even visited Banganga but the priests told him, 'Only for Hindus'. He asked me, 'Why?'

So with an auspicious full-moon still on the horizon Behram passed away at 4 a.m., the time he would fondly write of little fishing boats leaving for the sea.

Manuwant Choudhary

Death Is Nothing At All

Death is nothing at all.
I have only slipped into the next room.
I am I, and you are you.
Whatever we were to each other,
that we still are.
Call me by my old familiar name,
speak to me in the easy way
which you always used.
Put no difference in your tone,
wear no forced air of solemnity or sorrow.
Laugh as we have always laughed
at the little jokes we enjoyed together.
Let my name be ever the household word
that it always was,
let it be spoken without effect,
without the trace of a shadow on it.
Life means all that it ever meant.
It is the same as it ever was;
there is unbroken continuity.
Why should I be out of mind
because I am out of sight?
I am waiting for you, for an interval,
somewhere very near,
just around the corner.
All is well.

Busybee

Freedom First

Founder
Minoo Masani

Editor
S. V. Raju

Associate Editor
R. Srinivasan

Advisory Board
Sumant Bankeshwar
Arvind Deshpande
Geeta Doctor
Nissim Ezekiel
Yogesh Kamdar
Jehangir Patel
S. A. A. Pinto
Nitin Raut
Abe Solomon
Ajay Varadachary

Cover Page
Design by Creative Literati, Bangalore
Illustration by Anil Reddy

Publishers
Indian Committee for Cultural Freedom*
3rd Floor, Army & Navy Building,
148, Mahatma Gandhi Road,
Mumbai 400 001.
Phone: +91 (22) 284 34 16
E-mail : freedom@vsnl.com

Published by J. R. Patel for the
Indian Committee for Cultural Freedom
and printed by him at
Kaiser-E-Hind Private Ltd.,
300, Perin Nariman Street,
Mumbai 400 001.

Typeset at ***Kotak Printers,***
59, Dr. V. B. Gandhi Marg,
Fort, Mumbai 400 001.
Phones : 204 60 18 - 284 26 19.
Telefax : +91 (022) 204 60 18.

Single Copy : Rs.25
Annual : Rs.100
(Add Rs.30 for outstation cheques)

Overseas (Hpd Class Air Mail)
Annual : $10 or £7

Cheques to be drawn in favour of
ICCF and mailed to the publishers
at the address marked *.

BETWEEN OURSELVES ...

For the crooked who thrived in a sheltered economy, while the State perched on its commanding heights, kept a baleful eye on the goings on below, it is hardly surprising that the acronym WTO sends shivers down their spine. No longer will it be possible for a producer of manufactured goods, to pass of shoddy sub-standard goods on the hapless Indian consumer. No longer will the trade union *neta* be able to keep his flock together because the state no longer has the wherewithal to pamper the *neta* to buy industrial peace. And what to say of the poor bureaucrat who finds himself robbed of the powers of patronage? Is it surprising therefore to see unlikely allies make common cause to demand that India leave the WTO. And because a large majority, which includes a majority of our lawmakers, haven't the faintest clue about what the WTO is all about, they join the chorus of the newly deprived to demand that India leave the WTO.

It is in this context that we decided to carry a feature that helps our readers get a better understanding of the World Trade Organisation.

We welcome readers of the SRDD Newsletter. The Newsletter will, for the foreseeable future form part of *Freedom First*. This pooling of resources apart from economising on costs will provide the SRDD with a wider readership and *Freedom First* subscribers with information on a subject that is assuming increasing significance in a situation where modern medicine has acquired the ability to prolong life but not necessarily its quality particularly in cases of terminal illness.

Our next cover feature
DO OUR VOTERS NO LONGER CARE?

Share with the other readers of *Freedom First* what the results of the recently concluded elections to the State Assemblies mean to you. Some have, surely in a lighter vein, concluded that perhaps it is a mandate for corruption (Tamil Nadu) and a mandate for organised political violence (West Bengal).

Last date for contributions: Monday July 23.

We accept contributions by post, fax or email - freedom@vsnl.com or on floppies (Ms Word format).

HAVE YOU RENEWED YOUR SUBSCRIPTION?

Editor

Contents

April-June 2001
No.449

Many Voices		2
Of Cabbages & Kings		3
WTO - Yes! But Let's Proceed Carefully		
Understanding the WTO	A. Mohammed Jaffar	5
WTO Norms and Indian Agriculture	L. S. N. Prasad	7
WTO and Indian Agriculture - Farmers Declaration		9
Using Surplus Food Stocks Profitably	S. S. Bankeshwar	12
Time for Expanded Trade Relations with India	Dana R. Dillon	15
The Tehelka Tapes - An Analysis	Ashok V. Karnik	17
The Union Budget - 2001	S. S. Bhandare	21
SRDD Newsletter		25
Reflections Serious and Facetious	Louella Lobo Prabhu	29
The Bangaldesh Border Fiasco		
Not Just A Skirmish	Nitin G. Raut	31
A Blundering Response	Eustace D'Souza	32
10 Enemies of Freedom		35
[illegible]	[illegible]	39
Frederic Bastiat		41
Debate		42
Book Reviews		43

WITH MANY VOICES

"The deep moans round with many voices. Come, my friends
'Tis not too late to seek a newer world" - Tennyson

The key problem in India is always implementation, not lack of policies. We have great policies and ideas about how to do things, but somehow things don't get done.

Sam Pitroda, in his article *The Magic of Teamwork*, September 3, 2000

The PM and the FM have a chance to write a glorious chapter in India's history, if only they sell some "temples of modern India" instead of trying to build some ancient temples.

Nirmal Jain, in *Indiainfoline.com*, February 14

The licence-permit raj is officially over.

Priya Ranjan Dash, *The Sunday Times of India*, April 1

I ask Afghans and the world's Muslims to use their wisdom. Do you prefer to be a breaker of idols or a seller of idols?

Taliban leader Mulah Muhammad Omar, *The Week*, March 18

Street fighting has its place in politics but surely not in the Lok Sabha. What we need desperately in parliament is debate.

Tavleen Singh, *India Today*, April 16

Brutalise the government if you want, scrub out the system if you want, but please do let the business of governance and economic management go on undisturbed.

Sandipan Deb, *Outlook*, April 2.

There are certain words in the English language that acquire very distinct meanings when used by political parties in India.

Swapan Dasgupta with Lakshmi Iyer and Farzand Ahmed, *India Today*

An alliance of corrupt forces is now ruling the country

Sonia Gandhi, *The Sunday Times of India*, April 22

It is doubtful whether naming a road after a person is a good way of paying a tribute to him. Some of the roads are in such a stinking wretched condition that it will make the honoured citizens turn in their graves

Editorial in *The Afternoon Despatch & Courier*, April 10

No place on earth has a better future than India if in every village all youngsters are given the same opportunities of education as any child in the U.S.

Bill Clinton speaking at Rampur a village in U.P., *MID-DAY*, April 9

Seek and you shall be stonewalled, is the burden of an Indian citizen's song when it comes to getting even the most basic information from the *sarkari* machinery.

Radha Rajadhyaksha, *The Sunday Times of India*, April 8

They talk of platonic love. I hate platonic love. I could have a platonic love affair with a cat, not a man!

Suraiya (Kamala Das before she converted to Islam), *The Sunday Times of India*, April 1

The youth today don't think it is 'uncool' to talk about or follow religion, God and spirituality, what is definitely NOT in the 'What's Hot' list is Atheism. Its fashionable to be religious these days.

Suba Vasudevan, *Bombay Times, The Times of India*, April 2

The United States is prosperous in large part because it avoids class warfare.

Daniel J. Mitchell, *The Insider*, a publication of The Heritage Foundation, [illegible]

OF CABBAGES AND KINGS

Tibetans Protest

When Comrade Li Changchun of the People's Republic of China leading a 15 member delegation decided to visit the Prince of Wales Museum on May 14, he did not reckon with the possibility of being greeted by Tibetan protestors! Over 30 Tibetans wearing headbands reading FREE TIBET unfurled the Tibetan national flag, carried placards and the Museum echoed with their slogans one of which said 'Stop Genocide in Tibet'. We Indians cannot object to that can we. The protestors were taken into custody detained at the nearby Colaba Police Station and released at 8 pm after the Comrades had safely left the city.

Incidentally Comrade Li and his delegates left in a hurry without savouring the arts and culture of India at the Museum.

Once before when Tibetan Women held an exhibition at the SNDT Campus, Comrade Counsel of Communist China in Mumbai took umbrage and succeeded in getting the exhibition closed a day or so before the scheduled date.

Touchy aren't you Comrades. If you wish Bombayites to receive you with their heart all you have to do is to leave Tibet to the Tibetans. Its as simple as that!

*

When the Taxpayer pays for their Security

Listen to this: An aide to a criminal gang was found moving about the streets of Mumbai with two Haryana policemen as security escorts! According to a report in *MID-DAY* of April 11, their protection had allegedly been ordered by Haryana Chief Minister Om Prakash Chautala. Possibly because he finds it difficult to distinguish between criminals and legislators?

The *MID-DAY* report adds that the Mumbai Police incur an expense of over Rs.2 crores (Rs.20 million) every month providing security to politicians and film personalities. Over 1400 people are being given protection by the city police. Among the film personalities are: Salman Khan, Shah Rukh Khan, Hrithik Roshan, Rakesh Roshan, Ajay Devgan and his secretary and of course Amitabh Bachchan who has been provided security cover for over a decade. The *MID-DAY* report quotes a police officer: "Why can't these film stars, who earn crores, make arrangements for their own security? Or at least contribute towards the state exchequer for availing of security services" Why not indeed!

*

Community Help Line

What keeps our society going despite rampant misgovernance is the work of hundreds of small voluntary organisations in their chosen fields of activity. One such organisation is Community Help Line in Mumbai who deal with the problem of the educated unemployed. Here is an extract from a a circular letter signed by Mohandas Nathani the spirit behind this organisation:

"You may not have seen some person take some food from the garbage bin and then eating it. I have witnessed it. The sight was shocking, revolting. It froze my limbs for a moment. The memory is premanently etched in my mind. The uneducated, illiterate, unemployed may take some food from the garbage. But what is the position of a graduate unemployed?" And Mr. Nathani goes on to discuss how educated unemployed youth unwilling to take on small jobs, gradually drift into crime. He says "I have vowed to spare three hours every day on this subject. Collectively we can do a lot. We have to change our grabbing mentality and create a society that cares and shares."

Every Tuesday the Community Help line meets at 6 pm at the Shahani Trust, Court Chamber, New Marine Lines, Mumbai. All are welcome to these [illegible] Mr. Mohandas Nathani. Those interested can phone him at 636 3457 between 7 am and 10 am.

SVR

B. K. Desai – A Tribute from a Friend

Mr. B. K. Desai, Secretary of the Democratic Research Service (DRS) and publisher of *Freedom First* between the years 1959 and 1963 passed away on April 14, 2001. He was 71.

I have known B. K. Desai or BK as he was known to many, almost from the time he joined the DRS. The DRS was an organisation that was set up by Mr. Minoo Masani at the behest of Sardar Vallabhbhai Patel to educate the people of India on the real nature of the international communist movement of which the Communist Party of India was a part. Around that time the Comintern had decided that the Indian communists should launch a violent insurrectionary movement in Telengana, Andhra Pradesh. *Freedom First* was then a 16-page monthly devoted to the promotion of the DRS's objectives. DRS couldn't have appointed a better person for the job of Secretary of the DRS.

Even at a young age BK was well read and had begun contributing articles to the press both English and Marathi under the pseudonym S. Sarangapani. His writing was clear, logical and objective. His understanding of Marxist doctrine and of the intentions of international communism were second to none. He read whatever literature there was on the Chinese communist and was actively associated with the China Study Circle. A study that took him to Harvard for a month. There were several papers that were published by the DRS. Some of them written by BK. One of them I remember was titled: India, China and Tibet.

While actively campaigning for General Cariappa who was contesting as an independent candidate from Bombay's North East Parliamentary Constitutency against V. K. Krishna Menon, he caught the attention of Mr. Ramakrishna Bajaj and soon joined him as his Executive aide. Like Mr. Ramakrishna Bajaj, BK too was deeply influenced by the Gandhian philosophy.

It was typical of BK that he helped friends irrespective of party affiliation whether it was Sharad Pawar or Manohar Joshi.

He wanted the Marathi people to develop and this objective occupied much of his attention in the latter period of his life. In fact he even assisted Balasaheb Thackeray in founding the Shiv Sena with the aim of developing the Marathi people, but soon drifted away from Thackeray and the Sena when he found that they were straying from the path of rectitude. He continued to pursue his objective and was largely instrumental in organising the World Marathi Parishad which has successfully held several international conferences in India and overseas including one in Israel where a number of Marathi-speaking Jews had migrated.

A gentle soul, he was humble to a fault. He had difficulty in saying no to any request for help and I don't mean financial help. It was his intellect and his ability to think things through that were sought after. If he is not widely known outside certain circles it was due to his total disinterest in wanting to be known. Very few of his friends knew that this self-effacing person, a student of Bombay's Ferguson College was a gold medallist in both his BA and MA examinations. BK who specialised in his graduate and post-graduate studies in: Sanskrit and Marathi, spoke and wrote impeccable English.

B. K. Desai could have emerged as a leading figure in Maharashtra's public life. That he didn't was his own choice. He wouldn't have been B.K.Desai if he had chosen differently.

S. V. Raju

Have you visited

www.liberalsindia.com

If not, do so today

This is the website of the Indian Liberal Group

WTO - Yes! But Let's Proceed Carefully

The WTO seems to have become the favourite whipping boy for any and all ills of our economy. Most of the time, the denunciation of the WTO emanates from vested interests like trade unions and the new class of corrupt politicians, corrupt businessmen and corrupt bureaucrats, fathered by 40 years of the Socialistic Pattern of Society who have much to lose in a free economy.

Whether one likes it or not the WTO is here to stay. Technology, in many ways, has brought the concept of one world closer. Trade and commerce across borders, globalization in other words, is the order of the day. This being the case India cannot return to the bad old days of autarky. On the other hand being part of the WTO means ensuring that we do our homework before stating our case. The vested interests have been feeding the public with a lot of nonsense and the climate of change has generated many uncertainties.In such a situation what is important is to educate ourselves on what the WTO is all about. This is the essential purpose of this cover feature. Ed.

Understanding the WTO

A. Mohamed Jaffar

The agreement with the WTO does not seek any changes in India's Public Distribution System (PDS) or the Food Subsidies.

The WTO was established on January 1,1995. The WTO is the embodiment of the results at the Uruguay Round (UR) and the successor to GATT. 76 governments became members of the WTO on its first day, India one among them. The present membership accounts for more than 90 percent of world trade. Many more countries have requested for membership of the WTO which is based in Geneva, Switzerland. Its essential functions are:-

1. Administering and implementing the multilateral and plurilateral trade agreements which together make up the WTO;
2. Acting as a forum for multilateral trade negotiations;
3. Seeking to resolve trade disputes;
4. Overseeing national trade policies; and
5. Cooperating with other international institutions involved in global policy making.

The GATT was a set of rules, a multilateral agreement, with no institutional foundation, but WTO is a permanent institution with its own secretariat. The GATT was applied on a "provisional basis" but the WTO commitments are full and permanent. GATT rules applied only to trade in merchandise goods whereas WTO covers trade Services as well. The WTO is a more powerful body with enlarged functions than the GATT and is envisaged to play a major role in world economic affairs. To become a member of the WTO, a country must fully accept the results of the Uruguay Round.

Tariff Barriers - Liberalisation of Trade in Manufactures

The UR agreement envisages substantial tariff reductions in both industrial and developing countries. The main liberalisation by industrial countries includes the extension of tariff binding (i.e., commitment not to exceed a particular level of tariff) to cover 99% of imports, the expansion of duty-free access from 20 - 43% of imports, and the reduction of trade weighted average tariff by 40% from 6.2 to 8.7%.

However the gains to developing countries from the tariff cuts by industrial countries is less impressive. The reduction in the average tariffs on their exports to industrial markets is 30%. India has bound tariffs at 40% (where they were above 40% in1993-94) on industrial raw materials, components and capital goods and at 25% in other cases. After the UR agreement comes into force about 68% of India's tariff lines will be bound (compared to 5% earlier). In comparison, many developing countries in Asia and Latin America have bound between 90 and 100% of their tariff lines at levels comparable to, or lower than, India's bindings.

Non-Tariff Barriers (NTB)

In the area of NTBs, the agreements to abolish voluntary

export restraints (VERs) and to phase out the Multifibre arrangements (MFA) are regarded as land mark achievements for developing countriers.

Liberalisation of Agricultural Trade

According to GATT estimates, the annual domestic support for agricultural products averaged $173 billion in industrial economies and $24 billion in developing economies over 1986-88. The export subsidies averaged $18.2 billion and $3.2 billion, respectively, over 1986-90.According to the calculations of the OECD, industrial countries transferred more than $ 14,400 on an average, to each full time farmer in 1993. The depressing impact of this on world prices prevented efficient producers from realising the benefits of their comparative advantage. Developing countries' exports suffered a lot.

Tariffication and Tariffcuts

Tariffication means the replacement of existing non-tariff restrictions on trade such as import quotas by such tariffs as would provide substantially the same level of protection. On agricultural tariffs, developing countries have the flexibility of indicating maximum ceiling binding. India has indicated ceiling bindings of 100% on primary products and 300% on edible oils.

Subsidies and Domestic Support Policies

Subsidies are required to be reduced only if their total amount as a proportion of the value of agricultural production exceeds 5% in case of developed countries and 10% in case of developing countries. If the non-exempted subsidies are above these limits, they are required to be reduced by 20% in the case of developed countries and by 13.3% in developing countries by 1999. The GATT provides for reduction of subsidies, which are more in developed countries, and other trade barriers in agriculture for enlarging global market access and better export realisation from agricultural products. At the same time, Indian farmers are not affected as the country is permitted to continue with current subsidies, which are in fact much lower than the maximum permitted under the agreement. Farmers are allowed to return and exchange seeds, only the commercial sale of patented and packaged seeds by farmers is prohibited.

Besides, the public distribution system and food subsidies in the country are also not affected. The agreement does not seek any changes in India's PDS or the food subsidies. The clubbing of product specific and non-specific subsidies allows flexibility for countries like India to raise subsidies further, if necessary.

The final act provisions will leave current subsidies to Indian farmers untouched. If the subsidies are less than 10% of the total value of output, India is not required to undertake cuts. Subsidies in India fall under two broad heads: input subsidies and product specific subsidies. The latter are received by only three crops - sugar cane, ground nut and tobacco. The bulk of the subsidies are directed through inputs. Electricity is provided at nominal rates or virtually free to farmers, water, seeds and fertilizers are also provided at subsidised rates. Nonetheless, the value of these subsidies is only about 5% of the value of output, substantially below the ceiling stipulated.

Non-Agricultural Export subsidies

Countries whose per capita income is less than $1,000 are not bound to phase out export subsidies. India's per capita income in 1995 was only $340. However, even such countries will have to phase out export subsidies on products where the share in world exports is 3.25% or more, in two consecutive years. This is applicable to india with respect to export of diamonds.

By being a part of WTO India enjoys the Most Favoured Nation (MFN) status with all the other members of the WTO.

However, India's gain will be much less than that of several other developing countries like China and the newly industrialised economies because:

i) India's share in world trade is very low;

ii) The foreign trade GDP ratio of India is low. The gain will also depend on the rate of growth of India's exports.

References:

1. Francis Cherunilam, International Business, Wheelar Publishing, 1999.
2. R. L. Varshney & Bhattacharya, International marketing management, Sulthan Chand & sons, 1997.
3. Vikas Singhal, Indian Agriculture IEDRC, NewDelhi, 1996
4. Southern Economist –Several issues

[illegible] in Commerce, HKRH College, Uthamapalayam - 625 533, Tamil Nadu.

WTO Norms and Indian Agriculture

L. S. N. Prasad

There are a number of articles in the WTO's provisions that are useful to developing countries.

There is a hue and cry against the World Trade Organization or the WTO.This is because interested politicians, intellectuals and sections of the media have been focussing on some negative aspects of the WTO's rules and regulations. Earlier, there were others countries too which opposed the WTO including the USA and countries in the European Union. But they were successful in achieving their objectives to a large extent.

There are a number of articles in the WTO's provisions that are useful to developing countries. Among these are:

Article XI: General elimination of quantitative restrictions on member states.

Article XII: Restriction to safeguard the balance of payments of the member countries.

Article XVI: Subsidies granted by the State.

Article XIX: Emergency action on imports of a particular product.

Article XXIV: Territorial application of frontier traffic and customs and free trade areas.

Article XXVII: Modification schedule for tariff reduction.

Article XXXVI: Trade and development.

These articles are meant to curb the exploitation of one member by another. Unlike earlier GATT negotiations agriculture was introduced in trading negotiations because of the huge subsidies given by the European Union.

There is an erroneous view in our country that the Uruguay Round (of GATT) forced our country to cut back the subsidies on agriculture and that by this agreement we were also forced to move away from food grains to large scale commercial crops which has no market domestically.

Agriculture Subsidies

Due to the Agreement on Agriculture (AOA), India can no longer remain aloof from the rest of the world. It had to join the WTO. This AOA has established a number of generally applicable rules with regard to agriculture and trade related matters. Most of the developed countries are providing huge subsidies to the agricultural sector. In these countries not more than 10% of the population is dependent on agriculture. The below table gives the information about the subsidies that are being given to agriculture by different countries and the percentage of the population depending on agriculture

India provides only 2.33% subsidy to agriculture. It is very small when compared with other countries. The Aggregate Measure of Support (AMS) to agriculture will be 10 percent in India as against 5% in the developed world. The total subsidy on agriculture in the developed world works out to $150 billion and in the developing world $19 Billion. If the AMS exceeds 10 percent in any country, it has to reduce by 13% by 2004. According to the WTO the AMS in India, product subsidies is 7.5% and subsidy on non-product is minus 38.5%. So there is no question of losing any thing in our agriculture by accepting the AOA.

Subsidies to Agriculture

Country	Subsidy per hectare	%subsidies	Population dependant on agriculture
EEC	$82	37%	8%
USA	$32	26%	5%
Japan	$35	72%	4%
China	$30	34%	24%
[illegible]	[illegible]	[illegible]	[illegible]
India	$14	2.33%	60%

Source: Compilations from WTO reports

WTO - Yes! But Let's Proceed Carefully

Tariffs

The tariff on agricultural commodities have been considerably restructured to comply with WTO requirements. India is committed to reduce tariffs on 686 agricultural products. The average tariff on agricultural commodities was 115% before the agreement. After the agreement it has been reduced to 35%. Along with 686 commodities the tariff on 587 other commodities is on an average 50% less than the negotiated tariff. Only on 10 commodities is the tariff rate more than the negotiated tariff rate.

We must recall, in this context that two decades ago India agreed at an international meeting to reduce the tariff either to zero or to a minimum level on the import of dairy products. In other words, India had accepted in principle the import of agricultural products many years ago. In the case of edible oils we agreed (binding) to impose a tariff of up to 150 percent but the bounded duty at present is '0'. With a duty reduction on edible oils as low as 25%, hundreds of oil mills have closed down, groundnut farmers are unable to get a minimum price and even compelled to dispose of their product at huge losses. Pulses were imported under OGL (Open General Licence) at zero interest rates. In July 1999 the Government of India sought to renegotiate the tariff on pulses. But the international community has not yielded.

The Challenge

a) **Investment:** Indian agriculture needs a lot of investment to have large-scale production. By this we can reduce production costs. But the problem is that large scale agriculture displaces persons who are dependent on agriculture. Instead of criticising WTO we have to think of an alternative system. Corporatisation of agriculture is seen to be inimical to social justice. Redistribution of land to the landless poor through the various land ceiling acts leads to fragmentation which will be a hurdle to improved production as well as productivity.

b) **Patent System:** Plants such as neem, turmeric and products such as Basmati (scented rice) are patented or about to be patented by American companies. It is strange that in India these have been household plants used in cooking and for medicinal purposes since ancient times. The system of Ayurveda has existed since times immemorial. All medicinal products based on plants and plant products must be patented by Indian companies. Conceding the patent rights to an American based company is ridiculous and we have to take this up with the WTO's Dispute Settlement Board (DSB) at Geneva.

Fishing in Indian Waters

There is another problem that has arisen as a result of our accepting WTO norms. Every country has to allow fishermen of other countries to catch fish in its territorial waters. India exports special grade fish (Tuna and Prawns) to other countries and earns substantial foreign exchange. Around 10 lakhs people are dependent on fishing. Deep sea fishing leads to exhausting not only fish resources, but also displacement of our people in fish catching, processing industries etc. This too is an issue that needs to be discussed at the appropriate WTO forum.

Conclusion

India is a reasonably efficient producer of agricultural products. But the problem lies with the employment of people who are displaced in agriculture. In this case instead of finding fault with international law we have to think how best to apply that law in our interests.

The problem identified in the existing agreement on patents, anti-dumping duties, subsidies, trade and textiles indicate that the developing countries are waking up to the need to ensure that India has to take the lead in ensuring the WTO regime is used to maximum advantage to protect the interests of developing countries.

(a) India can increase, in fact triple subsidies on agriculture without violating any international law.

(b) Fight in the DSB for the patenting rights of some of the medicinal plants

(c) Fight for plant breeder's rights

(d) Restrict foreigners from fishing in our territorial waters to the extent possible. We can also increase our catch by importing the appropriate technology to fish in deep sea waters

(e) Use the articles in the WTO Constitution to fight the exploitation of one country by another in international trade.

DR. I. S. N. PRASAD is an Economics Lecturer in Guntur College in Andhra Pradesh. He is the Secretary of the Indian Liberal Group, Andhra Pradesh

WTO and Indian Agriculture
- Farmers' Declaration

On the initiative of the Shetakari Sanghatana the Maharashtra-based farmers organisation, a Kisan Kumbh (Farmers Rally) was held in New Delhi on 6th April. *The Krishi Yogakshem Sanshodhan Nyas*, Pune (Foundation for Research and Development of Agriculture) issued a Declaration on the eve of this rally. The preamble to this Declaration had this to say:

"We the farmers of India, at this moment of historic change, having assembled in New Delhi on 6th April 2001 with all the strength at our command, would like to plead our case before the world."

The following is an extract from this Declaration dealing with the WTO and Indian agriculture.

The first important condition in the WTO agreement on agriculture is - get rid of the licence-permit system in imports and exports. During the socialist era in India, almost all imports were banned under the guise of saving foreign exchange. Imports were totally controlled by bureaucrats doling out import licenses and permits. Only those who had 'connections' with the government and bureaucracy could obtain such permits and licences. In most cases, the licensees for import did not actually use the quotas. The quotas were sold in the black market and the original licence-holders made huge windfalls. The quotas allotted for import through licences and the quantity of goods actually imported never tallied. This led to extreme fluctuations in the domestic prices of the commodities concerned.

The WTO made provisions to end such licence-permit import systems. Protection to indigenous products is now to be offered through tariffs and duties. The bound tariffs are decided by the member countries themselves and are to be openly declared in advance. Most countries have used this facility and have chosen to charge high import duties to protect their indigenous products.

Originally, India was not on the list of countries expected to remove import restrictions, as countries facing Balance of Payment problems were exempted from the implementation of this provision. But as India's trade had improved and foreign exchange reserves reached a comfortable level, India was no longer eligible for these exemptions. Last year, out of 1429 banned items, 714 were freed from import restrictions. On April 1, 2001 import restrictions on the remaining 715 items were lifted.

The beneficiaries of the old license-permit system want us to believe that the removal of these restrictions will damage the economic health and autonomy of India. However, the experience of lifting the ban on 714 items last year tells a different story. The import of only 10 of these items increased and that [illegible] crores. We have not experienced any other ill effects after the import bans were lifted.

Why Palm Oil is Imported

There is no denying that imports of some agricultural commodities, such as palm oil have significantly increased. It would be wrong to attribute this to the lifting of the ban on imports. Oilseed production in India has been on the decline since 1993-94. On the other hand, rising incomes have enhanced the demand for edible oil. To meet this demand, import was inevitable, since we were not producing enough cooking oil. At the same time countries like Malaysia, Indonesia, Papua New Guinea have developed the technology of extracting edible oil from other non-seed sources like plant trunks, etc. The production cost of oil from such non-traditional sources is very low. That is why cheap palm oil is being imported into India in large quantities. Due to this import, Indian oil mills and oilseed producers have undoubtedly been under stress. However, even in such exceptional cases, proposals to offer protection by imposing import duty [illegible] will be counter-productive. It would be naïve to assume that other countries will not take

retaliatory action by imposing similar high tariffs on imports from India.

Benefiting the Consumer

Given that exports from India are already very low, we will be put to greater disadvantage if new hurdles are put in the way of our exports. There are still larger issues of public good at stake in such decisions. If producers from other countries were able to offer better commodities at far cheaper prices, it would be unjust and unfair to the Indian consumers to restrict or ban such imports indefinitely. Expecting such protection as a time bound measure may be reasonable, if during that limited time span, we make determined efforts to increase productivity in agriculture, improve the infrastructure and upgrade the efficiency of Indian industry to face global competition. We, the farmers of India are confident that with judicious measures of protection during the brief transition period of 4-5 years, we will be able to successfully face international competition by building world class agriculture, provided the government gets off our backs and stops putting new hurdles in our way.

The Question of Subsidies

Another important stipulation in the WTO Agreement on Agriculture is that Government's direct support to agriculture i.e. non-product-specific. The Aggregate Measurement Support (AMS) should not exceed 5% in the case of developed countries and 10% in the case of developing countries. USA, Europe, S. Korea, Japan etc. support agriculture in various ways. In rich countries, it has become necessary to ensure that agriculture continues and that some people stay in agriculture. Besides, if the whole of the country becomes a forest of industries and cement concrete, there is a risk of the environment being destroyed. For these reasons, richer countries feel the need to keep agriculture operating and even flourishing. Subsidies and income guarantees are given for producing as also for not producing. There is a subsidy for producing a commodity and another subsidy for not producing the same commodity. There is also a subsidy for keeping the land fallow. Apart from this, governments spend liberally on research in agriculture; the development of underdeveloped areas; infrastructure, transport and communication to mention a few.

The situation in India is quite the contrary. In rich countries 1 to 2% of the population depends on agriculture. In India, it is more than 70%. 98% of the population of developed countries can extend ample help to their 2% farmers. On the other hand, 30% of India's population cannot extend much help to 70% farmers; nor is there the political will to do so. Therefore, the Indian farmer faces the continuing prospect of being crushed under negative subsidy for decades to come.

Some suggest that the Government should get included in the WTO Agreement, new ways and means to support farmers. As of today, there isn't any condition in the WTO Agreement on Agriculture (AoA) which stops the Indian government from helping farmers. Therefore, talking of fresh provisions is pointless.

Exporting Agricultural Produce

Coming to ground realities, what are the prospects and scope for the export of Indian agricultural produce? Potential exporters will face difficulties both in the domestic and foreign markets. The demand for Indian farm products (excluding some exceptions like Basmati Rice, Darjeeling Tea etc.) is very low. The reason is that Indian products are of poor quality. India lacks a system of grading and testing our produce. There is little awareness of regulations that are accepted the world over as necessary for the protection of the health of a consumer. Due to the license-permit system, Indian exporters have earned a bad name as unreliable suppliers. Indian agricultural exports are limited to ethnic markets catered through cousin-to-cousin channels.

The deficiencies in Indian agriculture pose severe problems in entering the world market. Land in India, due to various land-related Acts and chronic penury, is fragmented. Efforts to encourage the consolidation of land and production of quality-produce in viable volumes have been ineffective. Besides, the infrastructure for storage, transport, processing, grading and rating quality-standards are almost non-existent. Farmers fail to comprehend the sophistication of global markets, as their experience is limited to primitive APMC operations.

The Plight of Indian Farmers

Up to 1996-97, the prices of most agricultural commodities in the global markets were higher than those in India's domestic market and, therefore, there was a clear

comparative advantage in exports. At least at the farm gate, the Indian farmer was capable of competing with any farmer in the world. By the time the produce reached the point of embarkation, poor infrastructure wiped out most of the advantages. Even then, in some areas like organic farming products, medicinal and aromatic plants, multiplication of hybrid seeds etc., India had an advantage in global markets.

This situation has rapidly changed in the last 2-3 years. Modern technology has helped improve agricultural productivity in many countries around the world. As a result, there is a glut in the agricultural commodity market and a recession in prices. Therefore, the Indian farmer is not able to export several agricultural products, as our domestic prices are higher than those in global markets.

The condition of the Indian farmer is like that of a debilitated convalescent trying to face a flood. Exploited by the white colonial rulers and now by our own brown rulers, our land has been fragmented and depleted of fertility resulting in low production, capital evasion, lack of new investment, poor infrastructure; the lack of storage and marketing facilities; inadequate irrigation and electricity, the absence of roads and the insufferable burden of indebtedness. And then one fine morning, our farmers in such a condition, see a surging flood of globalization and revolution in biotechnology.

The basic objective of globalization is to improve the global 'Division of Labour with reference to comparative advantage'. Indian agriculture has the benefit of abundant sunlight, ample water and a hardy peasantry. Ultimately, these elements will be decisive in global competition. But while taking the such big leap from traditional agriculture to world-class competitive agriculture, some measures need to be taken that will be immensely useful and essential. These are:

Freeing Indian Agriculture from State Control

Laws and by-laws, rules and regulations, red-tapeism, and inefficiency of governmental machinery have strait-jacketed Indian agriculture. Ousting the State from agriculture and privatization of the agriculture sector are the most important measures. At present, land is owned by the State. It is leased to farmers for cultivation. The State, at its whim, can acquire land on the pretext of public purpose and dislodge farmers. Understandably, farmers are not willing to undertake sizeable investment on their land. The State controls all farm inputs like fertilizers, pesticides and farm equipment, etc. Disposal of the produce is also under comprehensive State control.

Unifying the Indian Market

The entire world is getting unified as a market, but India itself is not a unified market. State barriers like district bans, state bans, zoning and levy have fragmented the domestic market. On the other hand, different countries in Europe, with different languages, faiths and cultures, and despite a history of two world wars have come together and developed a unified common market (The European Economic Community or the EEC). In India, it has become imperative to scrap the Essential Commodities Act and other restrictive measures emanating from it and to create a unified

Kerala farmers driven to death by falling produce prices

Thiruvanathapuram, April 11

Incidences of farmers committing suicide following the fall in prices of agricultural commodities have been reported in Kerala.

A farmer in the northern district of Palakkad ended his life by consuming pesticides after he was served notice from a bank for revenue recovery. The body of 38-year old Ganeshan, a traditional paddy cultivator, was found in his fields last week.

Ganeshan, who owed Rs.2.75 lakhs to the Land Mortgage Bank by way of loan and interest, had hidden the notice he received from his family members.

Farmers' organizations say that the plight of a large number of farmers in the state is similar.

The steep fall in the prices of agricultural commodities like rubber, coffee, coconut and tea as a result of globalisation have pushed farmers to penury.

The Kerala farmers have suffered losses to the tune of Rs.6,650 crores in 2000-2001, according to a recent study conducted by the Kerala Agricultural Prices Board for a workshop on World Trade Organisation.

Board Chairman Dr. Thomas Varghese said that the per capita loss suffered by farmers in Kerala would amount to Rs.12,000 per annum.

Using Surplus Food Stocks Profitably

S. S. Bankeshwar

It is sad that a well-reasoned letter dated 2nd April, 2001, addressed to our Prime Minister, Shri Atal Bihari Vajpayee, by the Delhi School of Economics (DSE) has not evoked any response from him, let alone any comments from our opposition leaders. Not a single English paper has bothered to even publish it or comment on it other than the Delhi weekly, *Mainstream*.

The main thrust of the letter is as follows:

1. Half of our children are chronically undernourished and half of our adult women suffer from anaemia.
2. This year, with drought affecting large parts of our country for the third time in succession, undernourishment and starvation will only intensify.
3. It is shocking to see massive public resources being used, rather misused, to buy foodstocks out of reach of our people, when we have no storage capacity. The foodstock stored is thus just allowed to rot! Either this foodstock should be exported or sold to the poor at subsidized price.
4. The Union Government spends over Rs.10,000 crores a year on so-called 'food subsidy', although only a very small proportion of this subsidy reaches the poor. Much of this 'food subsidy' is spent on procuring foodgrains and storing foodstocks, which is allowed to rot, as we have no storage capacity!.
5. Foodstocks have increased by leaps and bounds in the last couple of years, well beyond the official 'buffer stock' of about 17 million tones. Further increases in the 'buffer stock', following the recent Cabinet decision to raise the 'minimum price' (with an eye on the farmers' vote bank) cannot be ruled out.
6. According to the Commission for Agricultural Costs and Prices, wheat procurement alone is likely to exceed 15 million tonnes in the coming year. Nearly half of this will rot as we have no storing capacity! There are no plans to make constructive use of these foodstocks for any income generation programmes like food-for-work schemes or for an expansion of our public distribution system.
7. Such programmes will have no adverse effect on our budget. If surplus food stocks are used to fund income generation programmes, it would not add to the budget deficit at all, since the food stocks in question have already been bought.
8. The food stocks that are allowed to rot is a burden on the economy, considering that there is no possibility of exporting more than a small proportion of the foodstocks; storage and handling costs are high and the Food Corporation of India is in desperate need of storage space, in anticipation of large-scale procurement operations after the rabi harvest.
9. Far from being financially onerous, a constructive use of surplus food stocks for drought relief programmes would relieve the government of the expensive burden of storing idle stocks.
10. The Antyodaya programme aimed at providing subsidized food to the poorest of the poor has not made any significant dent in the surplus food stocks or provided any relief to the drought affected people of our country.
11. We should ensure that surplus food stocks are profitably utilized without further delay to fund employment generation programmes and other relief measures in the drought-affected areas. The case for immediate use of idle food stocks for income-generation purposes is worth considering seriously.

Finally, bold intervention at the highest level is imperative to avert widespread deprivation and misery and that too amidst plenty!

My congratulations to the Delhi School of Economics.

Mr. S. S. Bankeshwar is a member of the Advisory Board and a regular contributor to *Freedom First*.

market when we are on the threshold of globalization. A unified Indian market will increase the demand for agricultural produce; besides, the market will facilitate cropping patterns consistent with agro-climatic realities and comparative advantage.

Modernization of Market Networks

In India, agricultural commodities are sold mostly through Agricultural Produce Marketing Committees (APMCs). At one time, these Committees helped to improve agricultural marketing. But, today they do not provide even minimal facilities required for marketing, like shelter, godowns, facilities for processing, grading, sorting, quality evaluation, packaging, and information on various commodity markets, etc. Commission agents and *adatiyas* dominate these markets. If, instead of this system, another one like 'super-market networks' so common in many developed countries take over, farmers will feel comfortable entering global markets.

Information Network

Information regarding price, the demand and supply positions of commodities in different markets all over the world, weather reports and forecasts and agricultural extension advice must be easily accessible to farmers in the villages. Websites and portals providing such information and services are available. Development of information and communication networks enabling farmers to have access to this information is necessary.

Warehousing Receipts

The present system for the purchase of cereals and other farm produce must be changed and replaced by a system of storing farm produce in warehouses and extending to farmers credit to the extent of 70% of the value of material kept in godowns, needs to be introduced. This can easily be done by recognizing warehouse receipts under the Negotiable Instruments Act.

Corporatisation with Land Equity

All these measures are beyond the ambit of the State. They are also beyond the capabilities of co-operative establishments. For this, the efficiency of the company structure (joint stock companies) and the sense of participation and involvement of co-operatives will have to be brought together to forge new forms of economic institutions. Farmers could come together and form companies with share holdings proportionate to their land. Joint Stock Companies should take responsibility for finance, management, technology, and post-harvest work like warehousing, storage, processing, sales and export. If this is achieved, Indian farmers will be able to handle the challenge of global competition.

After thousands of years of enslavement and exploitation, with changes in the situation worldwide the chain that binds the hands and legs of the farmers - are breaking. Opportunists would like us to believe that there is happiness in living as slaves and that freedom is painful. Farmers cannot be deceived by such calumnies and allow themselves to be diverted from their determination to live with self-respect and in freedom.

Editor's Note: *This extract has been edited to make for easier reading without in any way changing the meaning or the thrust of this part of the Declaration.*

We should understand and do our duty as citizens of a democratic country. Political parties, legislators and ministers are becoming autocrats. They are not afraid of public opinion because there is no public opinion. They care less for their voters because voters are not enlightened or organised. Political parties do make their own propaganda, but that is not to create a healthy and impartial public opinion, which may rise above party politics and effectively express itself in matters of right or wrong, moral or immoral, just or unjust. To build such a public opinion is the greatest national task and bounden duty for us.

Jayaprakash Narayan

Towards Total Revolution, Volume 3, Popular Prakashan, Mumbai

"AMONG A PEOPLE GENERALLY CORRUPT,
LIBERTY CANNOT LONG EXIST"

- Edmund Burke

ESTD - 1910

THE LAKSHMI MILLS COMPANY LIMITED

COIMBATORE

Time for Expanded Trade Relations with India

Dana R. Dillon

A massive population and rapidly developing economy make India the world's largest untapped market for American goods and services. If its ongoing transition from a socialist-style command economy to a free market comes to fruition, India will become even more attractive as a destination for investors. India's effort to liberalize its economy began in 1991 and was greatly accelerated after India joined the World Trade Organization (WTO) four years later. However, with WTO multilateral negotiations currently ensnared by labor and environmental issues, India's reform efforts have proceeded at a slower pace than would be possible with a bilateral trade arrangement.

The ruling Bharatiya Janata Party (BJP) has expressed its desire to encourage further economic development in India by reducing trade barriers and encouraging foreign, particularly American, investment. The Clinton Administration failed to take advantage of this willingness by insisting on unrealistic labor and environmental standards and by relying solely on WTO mechanisms to reduce India's barriers to trade. The multilateral process, under which agreements are reached at the lowest common level, lags far behind what could be accomplished bilaterally. If the BJP is indeed willing to make unilateral tariff reductions, the Bush Administration should seize the opportunity to expand trade with India and reduce its tariffs by negotiating a comprehensive bilateral trade agreement.

Dismantling India's Protectionist Regime. Despite years of reform, India maintains the highest tariff barriers in the noncommunist world, with average rates at nearly 30 percent. The Heritage Foundation/Wall Street Journal 2001 Index of Economic Freedom ranks India in the bottom quintile of its 161-country survey, categorizing India's economy as "mostly unfree." The BJP recognizes the need to open India's markets to foreign business but is characteristically long on rhetoric and short on results. There are numerous areas in which trade barriers could be eliminated – for example, in goods not manufactured locally – without harm to protected indigenous industries. India, for example, maintains a high tariff on mobile phone imports even though there are no domestic producers of those products. Consequently, an estimated one-third to one-half of all mobile phones in India are purchased on the black market. This not only deprives the government of much-needed tax revenue, but also undercuts legitimate business opportunities.

In the service sector, India's foreign equity caps are a disincentive to American investment. American insurance companies are eager to enter India's virtually vacant market, but New Delhi requires them to form joint ventures with local firms and limit their investment to 26 percent. Because of a 45-year government monopoly on insurance, only a few Indian firms are experienced enough to enter a joint venture with an American insurance company. Even fewer possess the financial wherewithal to provide the 74 percent investment necessary to start a new business. If an agreement could be reached to lift the foreign equity cap, more American investors would be able to enter the market, providing better insurance coverage for Indians in the process.

Technology: A Common Border. The technology sector is one of the least regulated in India and offers the greatest opportunity for U.S. investment. The wage demands of India's large computer-literate, English-speaking workforce are below the global average. Lucent Technologies reports that approximately 280,000 Indians are employed in the information technology (IT) sector, making it the world's second largest IT workforce. This sector generated $4 billion in trade last year, and India hopes to expand IT exports to $50 billion annually by 2008. U.S. companies are only beginning to take advantage of this skilled labor force.

The latest innovation in this field is a sophisticated form of international telecommuting. Growing numbers of Indians are working as customer service representatives, software developers, and Web site designers on projects for foreign companies from offices in India. The development of high-capacity digital telephone lines, for instance, makes it possible for American companies to have call centers in India that cater to inquiries from customers in the United States. The New York-based

consulting firm of McKinsey & Company expects that by 2008, such services will create 800,000 new jobs and $17 billion in revenue for India while drastically reducing overhead costs for U.S. companies. This sector should be cultivated, not restricted by U.S. regulators.

Technology transfer between the United States and India is an inevitable result of a more open commercial environment. Therefore, some boundaries must be established to protect dual-use technologies. India has made it clear that it aspires to be a nuclear power capable of deterring aggression from rivals such as Pakistan and China. The sharing of technology between the United States and India – specifically, technology with both civilian and military (dual-use) applications – should be regulated in light of these nuclear ambitions.

Nevertheless, India is not a security threat to the United States. While the United States should not transfer technology that would help India improve its nuclear and missile programs, technology transfer restrictions imposed on India should not exceed those imposed on other friendly countries to ensure that national security is not compromised.

What to Do Next. Although no substantive agreements were made during President Bill Clinton's trip to India last year, his visit generated a lot of goodwill. Many Indians now see the United States as a potential friend rather than as a cultural hegemon. President George W. Bush has an historic opportunity to build on that goodwill to create a more meaningful partnership.

If India is willing to lower its prohibitive tariff regime to demonstrate its commitment to trade liberalization, Washington should initiate negotiations for further reductions under a comprehensive bilateral trade agreement. The agreement should build on the existing WTO framework but advance bilateral trade beyond the limits imposed by the multilateral process. While opening up the floodgates to trade could result in protracted negotiations, striking an enduring trade relationship between the world's two largest democracies is a grand opportunity for American diplomacy.

DANA R. DILLON is a Policy Analyst, Asian Studies Center, The Heritage Foundation.

http://arbiter.wipo.int/domains/decisions/html/d2000-0479.html
Administrative Panel Decision
Tata Sons Limited v. D & V Enterprises Case No.D2000-0479
Re: Pornographic Web Site - www.bodacious-tatas.com

a) Domain Name "Identical or Confusingly Similar"

It is clear to the Panel that an integral part of the Domain Name registered by the Respondent in this case, namely "tatas", is confusingly similar, and almost identical, to the Complainant's TM TATA. It is true, of course, that the Respondent, in its Domain Name registration, has used "tata" plus the addition of the letter "s" whilst the Complainant's trademark has no "s". This, however, is of no benefit to the Respondent. In the Complainant's submission, which is amply substantiated by copies of articles and reports submitted (see: Complaint - Annexures "E" and "F") the Tata Group of Companies is collectively referred to as "Tatas" throughout the world.

One might think, nevertheless, that the inclusion of the word "bodacious" in the domain name registered by the Respondent, taken together with the addition of the letter "s" to TATA, could create a sufficient distinction, for trademark purposes, between the Complainant's TM TATA, on the one hand, and the Respondent's Domain Name on the other. Such a contention, however, is untenable in the view of the Panel, by virtue of the very high level of goodwill that both TATA and TATAS have acquired. Further, TATA, without any vestige of doubt, constitutes a famous (or, in international parlance, well known) mark - a subject to which the Panel will return.

...

It must be said, also, that it is now generally accepted in most countries that well-known marks, particularly those surrounded by an aura of high repute, excellent quality and respectability, deserve wide protection. This the Panel holds to be the case with the TM TATA and its corresponding service mark. In this area, therefore, the addition of a word like "bodacious" ["South Midland and Southern U.S.-1. "thorough"; "blatant"; "unmistakable"; 2. "remarkable"; "outstanding"; 3. "audacious"; "bold"; "brazen" - Webster's Encyclopedic Unabridged Dictionary of the English Language" (1989)], and the addition of the letter "s" does not render the Doman Name less identical or less confusingly similar to a trade or service mark. Indeed, the opposite is true, particularly when one considers most of the meanings attributed to the word "bodacious".

Courtesy: The Washington Monthly, November 2000.

The Tehelka Tapes – An Analysis

Ashok V. Karnik

There is competition in mud-slinging which will become worse if mere allegations start bringing down governments.

The tehelka.com exposé of corruption in defence deals has shaken the country, not because of new facts brought before the country but because of the blatant venality of a few senior officers – both uniformed and civilian – shameless bragging and name dropping by self-appointed middlemen, the sight of senior politicians dealing innocently or otherwise with supposed arms dealers and innuendos regarding high level involvement in such corruption. The opposition parties did not allow the country to study dispassionately the implications of the tapes or even understand what the tapes meant. The opposition was interested in embarrassing and if possible dislodging the Government. The media was interested in publicizing the scandal and not in arriving at the truth. The Government was on the defensive and wanted to either condemn the tapes or defend the politicians. In any case, the atmosphere was so vitiated that whatsoever the Government did was construed to be wrong. Dispassionate, objective debate became impossible.

India's Misfortune

This was, and is, the misfortune of this country. We are still an immature democracy; the parliament, the media and the political parties are ruled by emotions and not by logic. That a two-man team of video journalists, by using means fair or foul, however intrepid, can shake the foundations of this country by recording the unguarded and foolish talk of a few individuals on the fringes of power is amazing and disturbing.

Implications

There is no reason to believe that the tapes are forged or bogus. *Prima facie*, these have to be accepted as genuine.

The real problem may be in the editing of the tapes. What does the omitted portion contain? Does the edited portion reflect the entire truth? Or does it highlight only a pre-determined conclusion? Do the deleted portions include interviews of honest officers who refused to talk to the bogus arms dealers?

Legally, the officers who have accepted money and entered into a dialogue with the tehelka pretenders should be penalized. To determine whether their action fits into the exact anti-corruption provisions may involve legal hair-splitting but they should certainly invite the provisions of conduct rules. They are a disgrace to their service and should not escape retribution by resorting to some legal trickery.

The politicians accepting money even for their party funds may be guilty of no crime but certainly of impropriety – particularly when they knew that the offer was made by a business house trying to get a government contract. No favours might have been sought but the implications have to be understood at least by senior politicians. Jaya Jaitley was at least careful enough to make her position clear but Bangaru Laxman did not know right from wrong. To be fair, he may have same excuses to offer but he will have a lot to explain. Whether an MP (a public servant) accepting money for party work – from unverified sources – constitutes an offence is a question open for legal debate.

The middlemen were obviously trying to prove their reach and dropped names galore. Anybody analyzing their statements carefully would know that they were bluffing. They thought that they had come across a naïve international dealer and were trying to get the maximum commission by claiming that they knew everybody from the Prime Minister downwards. One of them, a Nigam, made a very apt comment saying that all middlemen in Delhi claim that they know the PM; it is doubtful if they have access to the PM's gardener!

R. K. Jain and R. K. Gupta who have done the most name-dropping on the tapes fall in the above category. Jain has already confessed that he had lied just to get high commission. The lies were so obvious that if the Tehelka team was really keen to unearth the truth, it should have investigated their claims.

Retired defence officers and

civilian Defence Ministry officials who led the Tehelka team to serving senior Army Officers are middlemen themselves. Rules have to be amended to check retired officers from misusing their acquaintance. Serving Defence Ministry officials deserve to be penalized for acting as touts. They are a part of the evil network.

One admires George Fernandes' simplicity in using only one room of the Defence Minister's bungalow, but he should recognize the sanctity of a minister's house and know that any activity therein acquires the stamp of government approval. Jaya Jaitley's activities from his bungalow do not remain only Samata Party's affairs. The government should frame rules to prevent use of Ministers' houses for collateral purposes.

Journalistic Freedom or Licence?

The journalistic enterprise shown by the Tehelka team is *prima facie* praiseworthy – an unorthodox perhaps even unethical – effort in exposing corruption. One may not like Tehelkas' method but one has to appreciate its results. However, Tehelka's intentions ought to be judged on further scrutiny of how the team handled the material collected by it. Did it want to present the facts to the world as the team found them? Or did it want to cause a sensation by highlighting certain facts and hiding others? Did the team try to verify the shocking claims made by some of the interviewees or did it allow the more explosive claims to remain, knowing fully well that the interviewees were lying? Some of the claims were blatantly false. What did the Tehelka team do to [illegible] obviously check back with maligned leaders like George Fernandes, Yeshwant Sinha, Brajesh Mishra, Ranjan Bhattarcharya, *et al.* Such checks might have exposed the team prematurely but did it check the public records to verify facts?

The Tehelka team almost ruined the careers of many persons just on the basis of somebody bragging about what they could get done through such persons! Remember the Kapil Dev tapes publicized by Manoj Prabhakar for the same tehelka.com. Was Kapil Dev not exonerated by the CBI?

Is a journalist justified basing his findings on unsupported gossip (that is unknowingly recorded) and damage the reputation of any person? Normally, sworn affidavits are recorded in such cases to safeguard journalistic probity. In this case, loose talk was let loose to attack high officials. We are familiar with groups of persons in the comfort of private gatherings indulging in wild gossip ranging from politicians' lives, film stars' scandalous behaviour to cricketers' betting habits with apparently the fullest authority of personal knowledge. Should journalists publicize these as evidence of wrong doing? The affected persons should take Tehelka to court or at least to the body which seeks to regulate the electronic media.

Political Reactions

The reaction of opposition parties, particularly the Congress, to the Tehelka tapes was not surprising. The Congress thought that it had got a weapon to bring down the Government. That the Congress was desperate enough to grab any opportunity to bring down the Government was well known. What it could have legitimately expected was that the coalition government would collapse in the wake of the Tehelka shock. Once this did not happen, it went to the ridiculous extent of demanding the Government's resignation. The Congress when in power, had faced such scandals without even instituting inquiries into the allegations, refused to debate the issue in Parliament or trust an Inquiry Commission to arrive at the truth. Its insistence on the Government's resignation and registration of FIR are too lame to stand scrutiny. To say that what is seen on a video film does not require any inquiry is an irresponsible assertion. Even self-confessed murderers are allowed a trial after due investigation. How can you ask a Government to resign because some dubious middlemen have dropped names of Ministers and senior Government Officers in their tall claims of being wheeler-dealers? Or because some army officers have turned out to be corrupt? At this rate, no State or Central government can ever function. Witness the recent scenes in the Maharashtra Assembly! Let the Congress act as a responsible opposition party and not like a petulant child, asking the government's resignation one day or the formation of a JPC the next day! There is competition in mud-slinging which will become worse if mere allegations start bringing down governments.

Other opposition parties gleefully joined hands with the Congress to obstruct Parliament. To what depth the values of parliamentary democracy have sunk! Since the Government wants a discussion on the issue, the opposition should be happy to expose the government's negligence and not block parliamentary procedures. How the Speaker allows this and does not suspend [illegible]

In any case, all this proves why democratic practices are still foreign to us.

The Sangh Parivar

While the reaction of the opposition parties was predictable, though inexcusable, the Sangh Parivar's was no better. Its recent propensity to speak out on any and all subjects, is becoming its undoing. The pre-Sudarshanji Sangh might have waited, demurred and allowed the issue to take its normal legal course. The current Sangh practice is to jump in with both its feet. The description of Bangaru Laxman as a failed student (*swayamsevak*) was realistic enough, but some RSS leaders questioned the competence of the PMO's functionaries. That they had a bias against some PMO officials was well known but to use the Tehelka episode to exhibit this bias was unpardonable. Since they cannot attack the PM, the Sangh functionaries are using the PMO officials as whipping boys.

Prognosis

It is high time, balanced minds and objective thinking came to the fore. The Tehelka tapes have exposed a weakness. All parties together must seek remedies to control the virus of corruption. It cannot be totally eradicated. No civilization has succeeded in eradicating the evil. It is the bane of the human species to be greedy, unethical and immoral. What can be done is to make it clear that corruption will have a heavy price to pay. Corruption should invite social condemnation and legal penalty. It should not become an accepted norm. The greater the power entrusted to an official, greater should be the vigilance over him. Theoretically, checks and balances are put in place but who checks that the checks are not by-passed? This is a national problem which, cannot be solved by ousting one Government and bringing in another. The earlier this is realized by all political parties and social organizations the better it would be for the country.

MR. ASHOK V. KARNIK was a senior officer (retd.) in a central government security organisation.

"The men who create power make an indispensable contribution to the nation's greatness. But the men who question the power make a contribution just as indispensable – for the determination whether we use power or power uses us."

– J. F. Kennedy

POWERING INDIA'S GROWTH for MORE THAN FIFTY YEARS

Thermal • Hydel • Nuclear • Diesel • Gas • Wind

A leading ISO-9001 Engineering Company

Products & Services offered :

- Medium & Large Pumps
- Hydro-Electric Generating Systems
- L.T. & H.T. Alternators and Motors
- Special Rotating Electrical Machines
- H.T. Switchgear & Switchboards
- Electronics & Control Systems
- Jyoti assumes single-source responsibility for implementing Turn-key Projects.
- Jyoti Pro/ENGINEER Design Service Centre offers CAD / CAM / CAE solutions to improve engineering processes.

Jyoti Ltd.

Nanubhai Amin Marg, Industrial Area,
P.O. Chemical Industries, Vadodara - 390 003 (India).
Phones : 0091-265-380633, 380627 Fax : 0091-265-380671, 381871
E.Mail : cmd.jyoti@sm3.sni.in Website : http://www.jyoti.com

50 Years of Engineering Excellence

Calcutta, Siliguri and New Delhi editions available

The Union Budget – 2001

Promising & Inspiring – But is it Credible?

S. S. Bhandare

In a manner of speaking, every Indian citizen has, a burden of internal debt of about Rs.11,330 and debt servicing obligation of about Rs.2,230.

The Union Budget this year is positive, promising and inspiring. But in the matter of a few days the lustre started waning. Two devastating events are responsible. First, the financial tremors in the stock markets, the dimensions of whose damage to investment sentiments are difficult to gauge at this stage. The other and, perhaps, even more serious, is the 'crisis' of credibility of political governance arising from the tehelka.com exposé on corruption in high places.

Not a Scene to Cheer

For the past four years, the Indian economy in general and industry in particular have become victims of under-performance. Witness the annual average real GDP growth of just about 6% during 1997-2001 in contrast to 7.5% achieved in the three year phase 1994-97. In particular, industry is experiencing high volatility in its growth trends. In the mid-nineties, there was tremendous exuberance in business and industry circles with respect to the prospects of scoring double-digit growth on a sustained basis. But somehow this has become elusive. The agriculture sector, despite the so-called consistency of a favourable monsoon, has suffered a negative growth for the last two years consecutively. A sense of despondency is pervading the investment climate. Indeed, at the macro level, the ratio of investment to GDP is sliding.

The fiscal strains have continued unabated. This is reflected not only in the high level of fiscal deficit, which worked out to Rs.1,11,972 crores or 5.1% of GDP in the revised estimates for 2000-01, but also in the reduced resources available for spending on necessary capital and Plan programmes in the economy. More worrisome has been the ever-growing burden of internal debt of the Central Government alone, which in the last five years has almost doubled to over Rs.1,163,335 crores or the equivalent of 53% of the GDP. The total debt servicing obligation of the Central Government in 2000-01 works out to Rs.228,955 crores, of which interest payments of Rs.100,667 crores take away 48.8% of revenue receipts. In a manner of speaking, every Indian citizen has, thus, a burden of internal debt of about Rs.11,330 and debt servicing obligation of about Rs.2,230.

The only significant positives of economic performance during 2000-01 were: (a) An impressive 20% growth in exports, which together with the mobilisation of India Millennium Deposits, has helped the country accumulate huge forex reserves of over $ 42 bn. (b) The build-up of massive food stocks of 45 mn. tonnes, even in the wake of a sizeable drop in foodgrains production during 2000-01, thus offering strong supply side support for the economy. In a sense, we are experiencing a paradox of plenty in the midst of paralysis of policy implementation. The policy-makers are clueless about how to deploy the 'surplus' forex reserves in developmental activities, and 'excesses' of food in mitigating poverty and under-nourishment – the bane of India's economic planning for the past many decades.

The Six-Fold Objectives

The reformist budget was perceived by most experts as well as by Indian industry to transform all such worrisome features. Unfortunately, the confidence level, be it of consumers, investors or businesses, now appears to have been shaken. Consequently, damage control measures by the Government will have to be swift and effective to regain the lost momentum. The Budget seeks to achieve the following objectives:

- Speeding up agricultural sector reforms and better management of the food economy.
- Intensification of infrastructure investment, continued reform in the financial sector and capital markets, and deepening of structural reforms.
- Human development through better educational opportunities and programmes of social security.
- Stringent control of non-productive expenditure, rationalisation of subsidies and improvement in the quality of [illegible] expenditure.
- Acceleration of the privatisation process and restructuring of

public enterprises.

- Revenue enhancement through widening of the tax base and administration of a fair and equitable tax regime.

The Strategic Framework

All these are no doubt well-meaning objectives and they epitomize a medium to longer term perspective for the future direction of the economy. Indeed, it is imperative that every budget instead of seeking to re-define such objectives, must provide a sustainable framework of policy implementation. However, to begin with, what is the new policy framework set out in the budget for realising various objectives?

Policy Framework of Budget 2001

Firstly, the Finance Minister has sought to place the reforms agenda centre-stage. This comprises not only a strategy for agriculture and infrastructure development, but also encompasses capital markets and financial sector reforms, including capital account liberalisation. There are also proclamations regarding sector specific structural reforms with the emphasis on the pursuit of overall industrial restructuring. Illustratively, with a view to encouraging free inter-state movement of foodgrains and agriculture produce, it is proposed to review the operation of the Essential Commodities Act, 1955 and remove many of the restrictions imposed through it.

Likewise, in the case of the power sector, it is proposed to introduce an Electricity Bill 2001, which, apart from ensuring the restoration of the financial viability of State Electricity Boards, will set out major milestones for power sector reforms. Further, to facilitate industrial restructuring, a number of vexatious provisions through appropriate amendments to the Industrial Disputes Act as well as the Contract Labour Act are proposed to be reviewed and removed where necessary. However, a major weakness of the budgetary strategy is that the responsibility to effect legislative changes have been passed on to the Cabinet Ministers concerned. Given the poor cohesion among the partners of the Government, one is skeptical of the effective and time-bound implementation of most such tough second generation reforms which are admittedly tough.

Yet, another vital aspect of the budgetary strategy is the long-pending concern for fiscal consolidation. The Fiscal Responsibility Bill is already under the consideration of a Select Committee of Parliament. At this stage, it needs to be pointed out that the combined fiscal deficit of the Central and State governments is placed in the region of 10% of GDP. This massive fiscal deficit eloquently reflects the poor fiscal health of the country. Further, in the wake of the enormous non-Plan expenditure comprising interest payments (Rs.112,300 crores), defence (Rs.62,000 crores), major subsidies (Rs.29,801 crores), and salaries and pension burden (over Rs.48,000 crores) in 2001-02, there are basic constraints on effective expenditure management. While a series of initiatives to tackle the intractable problems of expenditure control deserve acclaim, these should not become merely symbolic gestures. Government should not only reduce the size of the bureaucracy at the rate of 2% per annum in the next five years, but also go beyond to initiate various other changes to bring about a responsive administrative structure.

Weak Growth Prospects

What are the likely growth drivers in the post-budget economic scenario?

- First, there is a promise of raising the Central Plan expenditure by about 20% to Rs.130,181 crores in 2001-02. But this is conditional on the Government's efforts to mobilise Rs.12,000 crores from the proceeds of .PSUs' disinvestments. Further, much of the success in the plan spending is determined by incremental budgetary support and the capacity of PSUs to generate internal and extra-budgetary resources. On both these counts, recent experience is very disappointing. The promise-performance gap in the Central Plan as well as in the other areas of capital expenditure has become endemic. As a matter of fact, the role of the budget as a growth driver through its mechanism of capital and plan expenditure is diminishing very rapidly in the post-reforms period. In the quest for fiscal deficit reduction, the public sector-supported developmental activities are likely to be jeopardised even more in the current year.
- Second, the budget has sought to provide relief in the tax burden on personal incomes, corporate profits and dividend incomes. The consequential total net benefit is placed at Rs.5,500 crores, while in gross terms, it is estimated in the range of Rs.8,000–Rs.10,000 crores. Such incremental incomes in the hands of assessees in a normal situation would stimulate either additional consumption or savings, thereby giving impetus to industrial recovery and investment. But erosion in the real wealth of the investing public and its consequential dent on the propensity to

consume and invest is so overwhelming as to totally nullify the positive aspect of various tax reliefs and incentives.

- Third, the budget has sought to enhance the affordability of some industrial products through reduction in special excise duties (e.g. passenger cars, two-wheelers, etc.) or through benefits of accelerated depreciation (e.g. commercial vehicles, textile machinery, etc.) or through sector specific support (e.g. textiles, food processing, etc.). Such efforts to lower the cost structure of industry through reduction in excise and customs on raw materials and intermediate products together with the softening of interest rates are most welcome. However, their positive outcome would be lost to the industry particularly due to the negative real wealth effect caused by the violent fluctuations of stock markets.
- Finally, lowering of interest rates on contractual savings (provident funds, small savings, etc.) as well as the other interest rates *per se* are imperative from the view point of promoting long-term investment in infrastructure projects. But how can we ignore their downward impact on consumption expenditure of the vast mass of the Indian middle-class? Combine this with the fact that there are tremendous efforts, quite independent of the budget, to downsize the organised industry and very recently the banking sector. In order to protect the future stream of incomes from typically fixed interest bearing financial assets, the possible response from the affected households would be to tighten belts and increase the quantum of savings.

Finally, with decelerating growth drivers from the domestic side of the economy, Indian industry needs to desperately search for external stimulus. In the last two years, impressive export performance has certainly come to our rescue. But we have a long way to go looking upon exports as a powerful growth driver, especially given the fact that the exports to GDP ratio is still well below one-tenth of the economy. More importantly, there is a worrisome imponderable about the likely adverse impact of the global economic slowdown thanks to the rapid slide in the U.S. economy in the last few months. On current reckoning, no other advanced economy (or even a major economic bloc), be it Japan, EU or South East Asia, holds out promise of making up for the US slack in the short-run.

Conclusion

All in all, the message is loud and clear. The Finance Minister may have provided a wonderful budgetary strategy; and even the structural design of the second generation reforms may look equally very impressive. But this may not ensure incremental growth for the Indian economy in the short-run. Systemic failure and the absence of effective implementation of a series of proposed reformist programmes has already undermined the post-budget economic scene. Indeed, we now have to pray to the rain gods on the one side and restoration of some degree of sensitivity and sagacity in the political governance of the country; on the other, to bring about a resurgence in the economy!

MR. S. S. BHANDARE is an eminent economist and Consultant, Tata Services Limited.

Statement about ownership and other particulars about *Freedom First*.

Place of publication	:	Mumbai
Periodicity of its publication	:	Quarterly
Printer's & Publisher's Name	:	J. R. Patel
Whether citizen of India	:	Indian
Address	:	285, Javji Dadaji Marg, Adenwalla Baug, Mumbai 400 007.
Editor's Name		S. V. Raju
Whether citizen of India		Indian
Address	:	L/9/72, Tilak Nagar, Chembur, Mumbai 400 089.
Name & address of individual who owns the newspaper and Partners or shareholders holding more than one per cent of the Capital.	:	Indian Committee for Cultural Freedom 3rd floor, Army & Navy Building, 148, Mahatma Gandhi Road, Mumbai 400 001

I, J. R. Patel, hereby declare that the particulars given above are true to the best of my knowledge and belief.

Dated: 1st April, 2001

J. R. Patel
Publisher.

For the special occasion called life.

Raymond presents its stunning range of fabrics, in a wide variety
of colours, designs, textures and blends. All-wool, wool-rich, poly-wool blends and more.
Whatever you're looking for, you're sure to find it with Raymond.

The Complete Man

Raymond

SINCE 1925

www.raymondindia.com

THE SOCIETY FOR THE RIGHT TO DIE WITH DIGNITY

Affiliated to the World Federation of the Right to Die Societies

NEWSLETTER - APRIL 2001

When any organisation senses that its current strategy to achieve its objectives has reached an end point, it needs to re-evaluate its methods to meet the needs of achieving its objectives. No organisation can remain static in its approach as that would ultimately lead to its demise. Today, the SRDD finds itself in such a situation.

To evolve further strategies, a meeting of the Executive Committee was held on May 12, 2001. The committee attempted to outline the factors which were responsible. Many factors were outlined, but it was felt by all members that the single most significant one was the lack of awareness of the Society and its objectives amongst all levels of the social structure. After discussions, the following decisions were made:

I.(a) The committee gratefully accepted the offer of the Editor of *Freedom First* journal to incorporate the Society's *Newsletter* in each of its quarterly issues. This would enable the message of the Society to be spread to a wider group of people than at present. It would also in some ways reduce the financial burden of printing and posting the *Newsletter* as it is done today. The Committee felt that even if there is some increase in the financial burden for the SRDD, the effort is worth it. This is the first experiment with the above proposal.

(b) The second decision made was that a small booklet produced by the Chairman, Dr. B. N. Colabawalla should be published after it had been duly revised. Such a booklet is entitled a Reflections on Freedom of Choice - Dying with Dignity and Voluntary Euthanasia. The objective is to place before the reader in a simple and in an easily understandable language, some of the basic facets of the concept without going into the deeper psychological, metaphysical and moral aspects. The main problem will be the cost of such a booklet. It was felt that atleast a part of the money needed could be mobilised through some sponsorships.

(c) The third decision was to hold a one-day convention in November-December 2001 jointly with the Indian Liberal Group in Mumbai to discuss some modalities of the concept. Details are being worked out.

II. The Committee elected the following as members of the Executive Committee for the next three years:

Dr. B. N. Colabawalla	:	Chairman
Prof. S. S. Varde	:	Vice Chairman
Mrs. Pareen Lalkaka	:	Hon. Secretary
Dr. Nagraj Huliogol	:	Jt. Hon. Secretary
Mr. Feroze Patch	:	Hon. Treasurer
Mr. V. N. Khote	:	Members
Dr. N. H. Wadia		"
Mr. S. V. Raju		"
Mr. Arvind Deshpande		"

The Committee empowered any two of the following to jointly operate the bank accounts and other financial issues:

Dr. B. N. Colabawalla, Mrs. Pareen Lalkaka, Dr. Nagraj Huligol and Mr. Feroze Patch.

Mr. R. Ramakrishnan's appointment as Office Secretary was confirmed.

III. Information for Members:

After a rather prolonged period, the Society has been able to secure office space at Sassoon Building, 1st floor, 143, Mahatma Gandhi Road, Mumbai 400001. Tel.No.267 06 10 / 267 44 53. Members are advised, however, to continue communications C/o. Dr. B. N. Colabawalla, A3, Ben Nevis, Bhulabhai Desai Road, Mumbai 400026. Tel.No.363 00 80.

Overseas News: In the news letter ***EXIT***, an interesting article titled "What is Voluntary Euthanasia" has appeared. This article is of interest as different definitions of voluntary euthanasia have been quoted from literature on the subject. To quote the author: "When we hear the phrase Voluntary Euthanasia, people generally think of two things: The active termination of life at the patient's request as it occurs

in the Netherlands or one of the Nazi extermination programmes of murder. Many people have beliefs about whether euthanasia is right or wrong, without being able to define it clearly. Some people take an extreme view, while many fall somewhere between the two camps. Dictionary definitions avail us a little, as there will always be a large group of people that claim it means something else... Even extending the definition to include bringing about of this especially in case of incurable and painful disease hardly covers it ... This is the dilemma which faces all of us now. Should we as potential patients have the legal right to ask our doctors to help us die when the end of life is in sight and our suffering severe?" What the author says is worth a thought from all of us.

Thoughts About Dying

There is but one freedom, to put oneself right with death. After that, everything is possible. I cannot force you to believe in God. Believing in God amounts to coming to terms with death. When you have accepted death, the problem of God will be solved – and not the reverse. (*Albert Camus*)

Dying is more than a set of problems to be solved. The nature of dying is not medical, it is experiential. Dying is fundamentally a personal experience, not a set of medical problems to be solved. (*Ira Byock*)

Dying is personal ... and it is profound. For many, the thought of an ignoble end, steeped decay, is abhorrent. A quiet proud death - bodily integrated intact is a matter of extreme consequence. (Justice Bremnan, *Curzon Decision*, 1990).

(From Newsletter of ***EXIT*** Society)

❖

Netherlands Legalises Euthanasia

Policymakers and pro-euthanasia groups in the Netherlands voiced the hope that Tuesday's landmark decision to legalize mercy-killing will encourage discussion on the controversial issue elsewhere

The country's upper house of parliament defied thousands of protesters and voted by a clear majority Tuesday to legalize euthanasia, the first country in the world to do so, bringing into law a practice that has been tolerated here for over two decades.

Demonstrators turned out in force earlier Tuesday to register their opposition to the bill, but most had headed home by the time of the vote – seen as a formality after the lower house overwhelmingly approved the bill last November – was taken.

"I hope other governments will find the courage to enter into similar debate," said Health Minister Els Borst after the senate voted 46-28 to make euthanasia legal.

At present only Belgium has agreed on a draft law to legalize the practice, subject to parliamentary approval. The U.S. State of Oregon allows physician-assisted suicide.

"I feel glad because after 27 years we have finally achieved what we have been campaigning for," Rob Jonquiere, managing director of the Dutch Voluntary Euthanasia Society (DVES), told Reuters after the vote.

"But I feel sympathetic toward our sister organizations in other countries because I know they are campaigning as hard. I hope this will be a great support to them," he added.

First Reaction from abroad Negative

Early reaction from abroad, however, was negative.

Russian Health Minister, Yuri Shevchenko, interviewed by RTR state television, said the law would be wide open to abuse. "Imagine an ill, old man induced to die with his belongings and small apartment taken from him. This is a great sin and we must not allow it," he said.

The Illinois-based "Not Dead Yet," organization, a U.S. disability rights group, also condemned the action. "The Dutch experience with euthanasia is best described as one of increasing carelessness and callousness over the years," it said in a statement.

An influential Roman Catholic bishop in Poland also spoke against the new law. "Euthanasia allowed in one sphere.., can slip out of control and embrace other groups of people – those unwanted and disabled," said Bishop Tadeusz Pieronek, former secretary general of Poland's episcopate.

The Dutch believe legalizing euthanasia will clear up a fuzzy area of law which has left open the possibility of doctors being prosecuted for murder. Doctors will still face prosecution if they fail to follow strict rules. The new law insists adult patients must

have made a voluntary, well-considered and lasting request to die, that they must face a future of unbearable suffering and that there must be no reasonable alternative. A second doctor must be consulted and life must be ended in a medically appropriate way.

"It must be stressed how careful this whole procedure is," said Nicoline van den Broek Lamen Trip, leader of the liberal VVD party in the Senate which supported the bill.

The Netherlands has a history of tolerance. It recently became the first country to allow gay couples to legally marry and adopt children.

Jacob Kohnstamm, president of the DVES, said prior to the upper house ruling that he had received thousands of supportive letters and e-mails from as far afield as Britain, France, Belgium, Australia and the United States. "Someone has to be first. There's nothing to be proud of and nothing to be ashamed of... Within 25 years, most countries will have a euthanasia law," he said.

(A Reuters Report dated April 10 from The Hague)

❖

The Right to an Honourable Exit

Mr. N. Mukundan Pillai of Kollam in Kerala, filed a writ petition in the Kerala High Court at Ernakulam. The writ petition was filed under Article 226 of the Constitution of India (Power of High Courts to issue certain writs).

Petitioner is an Indian citizen and is 69 years old. Having taken B. A. Degree in Economics in 1953 he became a teacher and later be took B. Ed. Degree. After his retirement as Head Master at the age of 55 petitioner worked for three years as Principal of N. S. S. Public School, Thiruvananthapuram. Petitioner and his wife as well as their daughter and her family are leading happy lives. Petitioner is in good health, both of mind and body. Being an absolutely contented person who believes that all his duties and obligations in this life are over, petitioner has no further impetus to live any longer. Petitioner's only desire in life is that he should have an honourable exit from life while he is mentally and physically healthy. He does not want to live a life at the mercy of others when be is disabled and is a botheration.

Though death is the only certainly in life, it is shrouded by the uncertainties of its time, place and nature. Thus man who otherwise would have had his mastery over death became a victurn of death. The legal incapacity of man, over and above his biological and moral limitations to choose the time, place and modus of his death makes man a helpless toy in the hands of a dreaded villain, namely death. With the advancement of science and technology, man has been able to pose challenges to death, but no mastery can be established in the absence of the certainties about the time, place and modus of his death. A man who thinks that be has lived enough and who is contented with his accomplishments in life should have the freedom to choose the time, place and modus of his death so as to have an honourable exit from life. Such a freedom alone can embellish the enjoyment of the freedom of life guaranteed and protected by the laws. It can be seen from history that in many societies, elderly people enjoyed the freedom for voluntary death. Nomadic communities developed such a custom to ensure greater efficiency for the younger generations by reducing the number of dependents on them. among the Eskimos the elderly, the week and the disabled have the option not to move along with the others in tune with the change in climate which Stengler calls as altruistic suicide. ancient civilisations like the Indian, prescribed the procedure to be followed for voluntary Death and offered arrangements for the same. The notion of *Kaast yaathral Mahaaprasthaana* needs to be understood in this sense.

The chapter on "The Hermit in the forest" in Manu's Code deals with the procedure for voluntary death. Accordingly a hermit may walk, fully determined and going straight on, in a north - easterly direction subsisting on water and air until his body sinks to rest. When a hermit has got rid of his body by one of those modes (drowning, precipitating, burning or starving) that was practised by the great sages, he would be exalted in the world of Brahma, free from borrow and fear. Apasthambha states that voluntary death by starvation was considered a befitting conclusion of hermit's life. Jaina ascetics consider voluntary death meritorious and practises even today. The concepts of Samadhi and Nirvaan form part of the heritage of Indian thinking. The failure of Anglo-Saxon judicial system and Western jurisprudence to appreciate the

distinction between voluntary death and suicide prepared the ground for misunderstanding the traditional and age old practice of voluntary death also as suicide; making a portion of our philosophical, religious and cultural heritage blurred. Unaware of the distinction between, voluntary death in India and the British notion of suicide conveyed by Lord Macaulay, the Law Commission of India 'discovered' (42nd Report 1971) that suicide was permissible in some circumstances in ancient India. It recommended the deletion of section 309 from the Indian Penal Code that makes the attempt to commit suicide an offence. Following this though a Bill was introduced in the Parliament 1972 to amend Indian Penal Code to this effect it got lapsed. Confusion and ambiguity with regard to suicide, euthanasia and right to die is traceable in judicial decisions as well.

Almost all the religions teach the DEATH is not the end of a man's existence and proclaim the beauty of life after death. Hindu scriptures teach us about rebirth and proclaim that the eternal bliss is the union of the ultimate and the soul: *Bramalmalkyam Njaanam Moksham*. Judaeo-Christian religious teachings also hold that the dead will resurrect and there is life after death. Islamic teachings too view death as the end of worldly sufferings to re-unite with the ultimate power. It is only the materialists who treat death as the *finale* of man's life the same way as any other plant and animal organisms. Such thinking leads one to believe that life should be enjoyed till its natural end enacting the last stage sans teeth, sans eyes, sans ears and sans everything reminding the words of Shakespeare in King Lear. This in fact is man's surrender to the universal process of nature namely degeneration and decay. It makes impossible for a person to donate his bodily organs such as the heart, the eyes, the kidneys etc. as he does not need them any more. Our epics, mythology and history are full of narration of the great lives of *sadhus*, *snyasis* and *rajas* who opted for voluntary death. Santhanu's boon to his son Bhishma was that he would die only when he willed. Thus Bhishma had the right to choose the time of his death and thereby the place and modus also. Rama walked into the Sarayu and Sita allowed Earth to swallow her as options for voluntary death.

When a person lays down his life for the cause of the nation, he is a hero and his action is absolutely legal whereas for a person who wants to donate his bodily organs to another one who needs them, there are no possibilities but there are even legal hurdles. It may be pointed out that in executing capital punishment, State plays the role of a murderer. On the other hand, State enacts the role of a great protector of the sanctity of life inking away from persons the right to decide the time place and modus of their death. Moreover, the petitioner cannot envisage a situation whereby he seeks the mercy of others for his day to day existence, himself being bed ridden and incapable of sensible communication. Petitioner therefore holds that State should provide citizens with facilities not only for treating ailments but also for happy comfortable death. Hospitals should not be mere anti-death treatment centres. This is more so when state does not offer any useful facility for elderly citizens who are to live entirely at the mercy of others which cannot be taken for granted even from one's kith and kin. Demographic figures reveal that 10% of Kerala's 30 million population is in the age group of 60 plus and that by the year 2002 AD it will be 20%. At that time 20% of India's old people will be in Kerala. For the social security of the aged the U.K. spends 90 billion pounds while the USA 490 million dollars for the housing of the elderly. India's 100 million 60 plus would need Rs: 60,000 crores. With the enhancement of life expectancy in Kerala, thanks to different social factors the increase in the elderly population and their problems call for greater attention of the respondents. This is more so when a number of diseases such as Alzheimers, Parkinsons, malignancy, paralysis, etc. Keep aged people in disabled conditions for longer periods. Geriatric care has not yet become part of our medical concern and the elderly people are simply left to the sweet will and pleasure of the others who have very little time to spare for them.

Petitioner therefore wants the state to offer in their hospitals facilities for comfortable death while a person is healthy and to utilise his bodily organs for others instead of being buried or burned by others, sometimes even contrary to the wishes of the one who died. Establishment of a voluntary death clinic *Mahaaprasthaana Kendra* attached to every District hospital with the facilities for comfortable death/ *samadhi* as well as the arrangement for examining the voluntary nature of one's decision regarding his death and the preservation of his bodily organs for the benefit of others is necessary for the meaningful enjoyment of the right to life guaranteed under the Constitution.

For more information on the SRDD, write to Dr. B. N. Colabawalla, Chairman of the SRDD, A-3, Ben Nevis, Bhulabhai Desai Road, Mumbai 400 026.

Reflections Serious and Facetious

Louella Lobo Prabhu

In Memoriam - R. K. Narayan

India, and the world of letters, were orphaned by the death of R. K. Narayan. To a newer generation, honed by the transcontinental success of Salman Rushdie, Vikram Seth and Arundhati Roy, he may appear a 'back number'. In fact, it was he, who stormed the world of English letters, when Graham Greene introduced him to Hamish Hamilton, who became his first major publisher. Greene was to Narayan, what Yeats was to Tagore. The generosity of the British Establishment, sometimes, is highly commendable. Without Yeats, Tagore may not have made it to the Nobel Academy. Narayan may have languished as a teacher of English, in Maharaja's School. It is ironic to note that, when he failed in English, he took a year off to study it! His private readings developed his style, and directly led to his trying his hand at creative work.

The postman, who called, would commiserate when yet one more packet arrived – with one more rejection slip.

Malgudi, is to Narayan, what Egdon Heath, was to Thomas Hardy. He worked in the miniature to create a wholly imaginary town, which is more real, or feels more real, than the place where you live. Its nearest equivalent is Mysore. That is where his mind, his heart his very soul lay. He came to national fame, when one of the Nag brothers serialised his short stories over TV (Doordarshan). It was DD's most popular serial.

As a nominated MP, the one issue he took up was the weight of a child's schoolbag. Otherwise, like Shabana Azmi, he was apolitical. He lived a long full life, up to the age of 96. It is sad that he has gone, but his passing bears with it, the plenitude of a life full of personal growth; the ability to take failure, with success, and in the end, to be overwhelmed with an amplitude of honours.

S. M. Krishna Does A Marie Antoinette

In her life (before she was beheaded), the Queen, when told that villagers were starving, said "Why not give them cake"? Thus sounds Mr. Krishna's proposal that provision shops will now sell beer and wine, along with grains, so that people can have quality liquor rather than hard liquor. I do not believe in prohibition – for that drives a commodity underground, and deprives an adult consumer of the right to choose. However, it is a different matter to make a commodity freely available, especially to the young. Mr. Krishna, fortunately, has modified his proposal, though he has not dropped it.

In the past, developments in the South were radically different from those in the North. This time (the second time around, *vide* the Moily Tapes), V.S. Kaujalagi, was caught on camera accepting Rs.40,000/-. One must say of him, as was said by an old India hand of the East India Company: "Gentlemen, I am amazed by my own moderation". The expense on the Congress Convention held in Bangalore recently, raises questions on its funding. In his budget, the C.M. wanted to provide beer and wine in ordinary shops. Would it be imaginative to say that there was some nexus?

"Jesus Christ Superstar"

For those of us, who have not seen this musical abroad, or in the major cities of India, it was a revelation to see it on the small screen. The first impact is of cultural shock. Most of the characters, including Mary Magdalen are Afro-American, even Pilate. Our lady does not appear at all. However, Mary Magdalen is assigned a principal role in this musical. Judas is the counterpoint to Jesus. He does not understand why, when Jesus has such a fan following, he does not use it, either for power or money. He virtually, seems to think that it is the (Heavenly) pre-ordained [illegible] before human history. The musical only starts, from the Agony in the garden, and it compresses the whole Jesus story into an encapsulated form. All the

characters look repellant. Even Mary Magdalen, looks like a modern hooker: exactly like what a man would expect of a whore today, in some cities of the Western world. Nonetheless, precisely because it is different, the musical exercises a powerful hold on the mind. The music is, in fact, "Hard Rock". The opening theme, "Jesus Christ Superstar" has a very catchy beat. But the most beautiful song, is sung by Mary Magdalen, and it must go down in history of contemporary music, as an immortal love song.

Finally, for orthodox Catholics, the film ends with the death of Jesus on the Cross – but not the Resurrection. Thus, from a Christian point of view, the musical is unacceptable theology. However, if one approaches the musical, merely as a piece of art, it leaves a powerful impact on the viewer.

The Forgotten Fixed Deposit Holder

While the papers and magazines detail the fate of stock holders who lost their all in a rigged market, one category of people has received no attention or sympathy – the Fixed Deposit Holder. As Bank rates fall for borrowers, they also fall for depositors. These are conservative people, who did not fall for the blandishments of quick results. The rate has fallen from 13 to 9.5%. A loss of 33%. Those who go for fixed deposits are senior citizens, who need a fixed and secure income. Allied with the fall in the rates, is the impact of inflation, rendering a cautious saver, a fool for his pains.

At a meeting of the KCCI, when I raised this point, suggesting that for senior citizens, those willing to make a deposit for 5 or 7 years, a more attractive rate could apply, as bankers would be sure of how much they are holding Mr. Cheriyan Verghese said that it was the same rupee which was getting an interest. Mr. Kamath of the giant ICICI suggested that I ask the portfolio manager of the Bank, to see how my returns could be maximized.

The attraction of the Fixed Deposit is that it is easy to operate; the days and amount of interest due are known; they can be encashed or used as security any time. The banking sector has one more problem: the number of people who opted for the voluntary retirement scheme (VRS). Many of them were competent officers at their peak, made victims of not so competent superiors. A large number of competent people, in their prime, are now rendered idle. New firms are not coming up fast; they do not have the "culture" of business. Most are wondering what to do, in their enforced idleness.

National Film Awards

Several members of the jury resigned over the composition of the jury for the National Film Awards. These included the election agent of Sushma Swaraj in Bellary, the P.A. of Shotgun Sinha, and Raveena Tandon who campaigned for the BJP. Vyjayanti Bali, once a Congress MP, is now of the saffron persuasion. How can government awards be credible, if the jury is packed with members of the ruling party or its minions?

Portrait of an MP

One of our glossies figured a Bihar Member of Parliament, whom the police said, was on the police records for 30 offences. He corrected them, he had 60, not 30 crimes, "to his credit" – but as yet, had not committed rape! How can law-breakers be makers of the law? How do political parties give them tickets? Presumably in the belief that they can win the seat – which this M.P. successfully demonstrated.

Democratic government can be reconciled only with government of willing people, not with attempting to establish sovereignty over unwilling people.

The problem of government becomes difficult and so is the risk to a State increased when we gather into ourselves on the margin less than fully loyal people. It is not territory and forest that we acquire, but *people*, and if the people are not happy and willing to attach themselves to us, it would be good to let them remain apart as friends rather than create problems for ourselves by demanding loyalty and forcing obedience on them.

C. Rajagopalachari
Swarajya, December 5, 1964

Issued by The Rajaji Foundation

The Bangladesh Border Fiasco

Not Just A Skirmish

Nitin G. Raut

It was not incumbent for India to demonstrate its overzealousness to pull Hasina's chestnuts out of the fire at the cost of India's honour and dignity.

The brutal torture and killing of sixteen Border Security Force soldiers by Bangladesh Rifles in the same way as Indian Prisoners of War were tortured by the Pakistani Army during the Kargil incursion is not to be dismissed as a local border skirmish but bears ominous signs of a larger terrorist game plan.

If it was merely a question of demarcating five or six kms. of the border out of 4095 kms. then the response of the Bangladesh Defence Rifles (BDR) was not only disproportionate but a grave breach of protocol when in normal circumstances such issues could have been resolved by Flag Meetings of Sector Commanders of the two nations as has been the practice.

It is understandable that constraints of diplomacy and international relations will not permit sabre rattling but the Prime Minister and Foreign Minister Jaswant Singh were mistaken in their belief that a tough approach would upset Bangladesh Prime Minister Sheikh Hasina's – a government friendly with India – applecart in the country's general elections due in October.

It was not incumbent for India to demonstrate its overzealousnes to pull Hasina's chestnuts out of the fire at the cost of India's honour and dignity. A quiet and firm diplomacy at the government level combined with a tough military response to the BDR provocation would have sent the right signals even if a person like Khaleda Zia were to be elected. Did not Sheikh Hasina maintain a studied silence on the BDR provocation and delink the political and diplomatic aspect to keep the doors open for a political resolution?

After the 1971 Bangladesh liberation, Zulfiquar Ali Bhutto who had assumed the reins of a truncated Pakistan, brought of a diplomatic coup when he got India to sign the Shimla Agreement that recognized Pakistan's locus in the Jammu and Kashmir Issue. The then Prime Minister Indira Gandhi let go an excellent opportunity to hammer out a durable peace with Pakistan. Instead, Indira Gandhi allowed herself to be deceived by giving undue consideration to Bhutto's domestic political fortune than interests of national security. Not that Bhutto or a Pakistan army general would have made any difference and indeed. The same blunder was repeated by former Prime Minister Rajiv Gandhi by committing the Indian Peace Keeping Force in Sri Lanka to save its President Jayawardene from an internal political imbroglio. On both occasions, India neither asserted itself as a regional power nor succeeded in improving bilateral relations with either Pakistan or Sri Lanka. The border row with Bangladesh is perhaps a pointer in that direction more so if pro-Pakistan elements succeed in getting an upperhand in Bangladesh.

Among the Opposition parties [illegible] border row was in sharp contrast to their stand on Tehelka. If the Tehelka issue was a cause to paralyse Parliament, the Bangladesh border provocation hardly galvanized the Opposition to make an issue of such grave national concern.

It must be noted that Major General Fazlur Rehman, the BDR Commander is not only considered pro-Pakistan but is a product of *'madrasas'* (Islamic religious schools) – the Institute which spawns the Islamic terrorists, who have launched a *'jehad'* in Jammu & Kashmir and elsewhere in India. The BDR's adventurism has its nexus with Bangladesh's domestic politics. It is also the handiwork of some anti-Indian forces in league with rogue elements in BDR and the ISI. The political graffiti left behind by the BDR soldiers, "Long Live Khaleda Zia" show their political preferences.

In terms of prospects of bilateral relations between India and Bangladesh, what does it suggest? Bangaldesh may not be a match for India either economically or militarily. But a weak country cannot be less threatening. The border adventurism may be just the tip of the iceberg. There is every possibility that such rogue elements in Bangladesh Army will push Islamic terrorists across the border with the aid of the ISI. Given the porous borders and insurgency in the North-East, it is not far-fetched to believe that Pakistan is targeting Indo-Bangla borders. The unabated illegal immigration of Bangladeshis has caused an unnatural growth in population in the North-East. India will then have a major terrorist problem in North-East than the present splintered terrorist

insurgency. Therefore, India has to prepare itself for a long drawn out Pakistan-sponsored terrorism in the North-East.

The problem of Bangladeshi illegal immigrants has assumed menacing proportions in many parts of India. If it is not tackled on a war footing India has a major problem on hand. Unabated illegal immigration by Bangladeshis coupled with such border adventurism have all the ingredients of an explosive security problem fatal to India. If not, the North-East will face the same problem as Jammu & Kashmir.

Mr. Nitin G. Raut is an advocate, a freelance writer and a member of the Advisory Board of *Freedom First*.

A Blundering Response

Eustace D'Souza

Firmness is the need of the hour and perhaps we need to draw a lesson from the Americans when a spy plane with 21 crew aboard force landed on Hainan Island. The American reaction was immediate and strong.

It is to be noted that when the Tehelka team uncovered rampant match fixing by our worthy cricketers, the dispensation in power promptly handed over the investigation to the CBI as a result of which many heads fell. But not so in the Tehelka disclosures where the Government continues to procrastinate, for its own survival.

Mr. Brajesh Mishra, our vaunted National Security Adviser showed no concern for the 16 BSF personnel who not only lost their lives but whose bodies were returned in mutilated condition by the muscle flexing Bangladesh Rifles. Was the National Security Council asleep as it was during the Kargil intrusions? Was this not another example of an intelligence failure? Is it not time for Parliament to demand the revamping of the NSC to be headed by a responsible individual who understands the nuances of national security and who has just this one charge? Rumour has it that K C Pant, an experienced MP, is being tipped for this post and this may well explain why he has been appointed front man for the Government in the proposed talks to resolve the Kashmir issues during the ongoing cease fire.

Corruption in the Army

To revert to the Army involvement in the Tehelka disclosures. Is it not strange that none has bothered to comment on the immediate reaction of our low key but highly cerebral Army Chief General Padmanabhan for instituting within 48 hours a high profile Court of Inquiry headed by a responsible Lieutenant General and two Major Generals? At the time of writing, just a few minor witnesses remain to be examined. The Court of Inquiry will submit its findings to the Adjutant General by end-April who will have it examined for any legal implications before recommending to the Chief that a bonafide case exists. The Army Chief will then dispassionately scrutinize it before ordering a Summary of Evidence to be recorded based on a charge sheet drawn up by the Judge Advocate General, before a General Courts Martial is ordered and the accused, hopefully, cashiered from service. General Padmanabhan has displayed his keenness to ensure that the traditional values of discipline in the Army are upheld; this is apparent from the news that two more Major Generals are under dismissal for certain misdemeanors but in no way linked to the Tehelka scam. Let us not forget that the Army Chief is not so bothered at the extent of the amounts involved in the Tehelka scam but the principle and the violation of the code of conduct expected of every Officer.

Reverting to the Bangladesh blunder that one picture captured by an alert press photographer whoever he is, says it all – the body of a BSF Jawan slung by his hands and feet to a bamboo pole like an animal being taken to slaughter. By what stretch of imagination can Bangladesh, with its alleged sense of Bengali culture, resort to such a crude expression of human behavior? The confusion that exists in the country as to how best to handle such a situation, which should not be permitted to escalate for the simple reason that we just cannot afford to have three hostile powers on our borders, needs no elaboration.

Is there a hidden agenda in Bangladesh? To what extent is the infamous ISI been behind this unfortunate episode? Is it to deflect attention from J&K where, due to late snowfall, the passes on that border continue to remain closed? Or is it a local issue in this neighboring country where elections are about to take place and there is a danger of Sheikh Hasina being replaced by the fundamentalist Begum Zia? Surely that is a local matter.

Weak-kneed Response

Our gut reaction in this incident runs to type and the operative word is obfuscation in which we are masters. We were spineless in handling the IAC hijack issue, with our otherwise effective Foreign Minster flying down to Kabul to negotiate with the Taliban. We were equally weak-kneed in the Kargil

intrusions when we meekly permitted the Pakistanis to withdraw from the Kargil heights to the extent of allowing them extra time to do so, resulting in the loss of more of our troops through mines planted during the withdrawal.

Why, Why, Why ...

Why should the largest democracy in the world with capable armed force succumb so meekly? One was surprised to learn that the pragmatic Jaswant Singh, now wearing the additional hat of Defence Minister misled the agitated Rajya Sabha on the latest incident? Why was the Home Minister under whose jurisdiction the BSF falls remain silent while the Home Secretary Pandey, the DG BSF and the Foreign Secretary make contrary statements? If this is not an attempt to obfuscate the issue what is? The Home Minister has not bothered to visit the scene inspite of the fact that the BSF comes under the Home Ministry. No Government representatives could be seen among the BSF Jawans at the cremation site. Even the families were kept in the dark by the authorities that their loved ones like Shri Mondal were no more and they only came to know about it through the media. Have we lost our sense of basic values?

One learns that there is a division among the officers of the BSF between those who belong to the BSF cadre and others in more senior ranks from the IPS cadre. This could possibly explain the casual planning of this operation, apart from the total lack of intelligence. General Roy Chowdhury, former Army Chief and now Rajya Sabha MP very rightly said that he was shocked to learn that the patrol was not in contact with the battalion HQ as they had no wireless sets and that a reserve force had not been earmarked. How then could there have been a quick counter action? The personnel for this operation were not new to the area. They were drawn [illegible] deployed on border duties. So the theory that they may have lost their way is not tenable. The list of avoidable blunders is endless. What now needs to be done by a reactive Government that should be proactive in such matters, especially in the sensitive area of national security?

Arising from the Tehelka disclosures, there should be greater transparency in the acquisition of defence equipment. Like the declaration of personal assets, the names of all those involved in defence purchases be they politicians, bureaucrats or officers of the Armed Forces, the people of India have a right to know who they are. In the case of the Armed Forces, either there is a Government ban on Armed Forces retired officers acting as middlemen or agents or their names should be made public. The appointment of such serving officers in whose hands such purchases lie including the technical aspects, must be carefully scrutinized by a vigilance cell and their life styles discreetly monitored. Deterrence is the name of the game. Pay-offs there will always be for so long as the powerful arms lobby calls the shots. Individuals dealing in such matters must be rotated at regular intervals. It is understood that the Army has appointed an Inspector General Army in the rank of a senior Lieutenant General who will function independently of Army HQ to oversee logistics. If this is so then it will be an infructuous assignment as in military terminology, logistics covers items like rations, POL, clothing and equipment. Rather, it should be the Inspector General Army (Procurement Capital Equipment). But is such slot essential once a Chief of Defence Staff (CDS) is appointed?

This then leads one to the next recommendation. Why is the Government dilly-dallying in announcing the name of the first incumbent of this important assignment? At one period recently the name of Admiral Sushil Kumar was published by a reputed [illegible] daily. He is the senior-most of the three Chiefs and although from the relatively smaller service the Navy, it will set a healthy precedent.Once the CDS is appointed it is learnt that he will have a Vice CDS (VCDS) and a Deputy CDS (DCDS) from the other two services. One of them could well handle the duties of the proposed Inspector General Army. The sooner the CDS system is introduced the better so that security concerns can be addressed expeditiously.

The next major step that must be taken is to revamp the National Security Council. As a first step it should be headed by one who understands the ramifications of national security in all its varied aspects and who wears just that one hat. One of its most important functions will be the acquisition, collation and expeditious dissemination of intelligence. The track record to date, as manifest at Kargil and now along the Indo-Bangladesh border has been lamentable. There is urgent need to improve intelligence gathering, not only through the BSF but RAW and the High Commission in Dhaka. Firmness is the need of the hour and perhaps we need to draw a lesson from the Americans when a spy plane with 21 crew aboard force landed on Hainan Island. The reaction was immediate and strong almost bordering on the hysterical, right from President Bush down to the street cleaner in New York. Compare this to the shocking lack of concern for the 16 BSF personnel killed in action and whose bodies were returned as they were. We need to hang our heads in shame at the callous attitude of the Government to these deaths. The Tehelka Tapes have brought to light our shortcomings in major defence purchases, and remedial measures will hopefully be taken. But more than that they have opened the eyes of the people to our spineless and gutless reactive actions. Let us hope that the Bangladesh Border issues does like wise.

MAJ.GEN.(RETD.) L. D'SOUZA is a defence analyst and a regular contributor to *Freedom First*.

Armayesh

The Finest Hand Embroidery - Forever

ARMAYESH, world leading Manufacturer-Exporters of the finest quality Hand Embroidered designs and products supplied around the world, also guarantees the same international quality and timely delivery **FOR THE INDIAN MARKET.**

You can select from many existing international designs or order any design of your choice for your Sarees (Parsi Garas are our Speciality), Dupattas, Ghagras, Cholis, Jackets, Vests, Handbags, Cushion covers and other products which will be exclusively hand embroidered for you.

Please telephone Ms. **NILOUFER IRANI** or Ms. **VARSHA ADVANI** on 2662987 / 2658071 / 2661364 to finalise the date and time of your visit to our **DESIGN STUDIO AND SHOWROOM**.

Armayesh Fashions Pvt. Ltd.

Design Studio & Showroom
Kamanwala Chambers, 2nd Floor,
Sir P. M. Road, Fort,
Mumbai 400 001.
Fax : (91-22) 263 9450, 266 2183
E-mail : armayesh@vsnl.com
Website : www.thearmayeshgroup.com

10 Enemies of Freedom

The CPJ has, on the occasion of World Press Freedom Day (May 3, 2001) named the Ten Worst Enemies of the Press for 2001, focusing attention on individual leaders who are responsible for the world's worst abuses against the media. This year, repeat offenders Supreme Leader Ayatollah Ali Khamenei of Iran and President Jiang Zemin of China are joined by Liberian President Charles Taylor at the top of CPJ's annual accounting of press tyrants.

Ayatollah Ali Khamenei, Supreme Leader of the Islamic Republic of Iran

Ayatollah Ali Khamenei

Ayatollah Ali Khamenei's fiery April 2000 sermon against the press inspired an unsparing campaign of repression against Iran's reformist media that continues to this day. To date, the conservative courts have banned more than 30 papers and jailed the country's best-known liberal journalists. When parliament debated reversing harsh provisions of Iran's notorious press law, Khamenei stopped things cold, declaring that any easing of the rules was not "in the interests of the system and the revolution." Today, the press law remains untouched, and at least nine journalists (including CPJ 2000 International Press Freedom Award winner Mashallah Shamsolvaezin) languish in jail.

Charles Taylor, President of Liberia

Charles Taylor

Since he became president of this war-plagued nation in 1997, Charles Taylor has been single-minded in clamping down on the independent press. He has jailed outspoken journalists on trumped-up charges, censored some media outfits at will, and forced others out of business through abusive tax audits. The popular Star Radio was effectively banned in March 2000. Since August, at least eight journalists have been jailed in Liberia on baseless charges of espionage. In September, Taylor, known for his erratic and bloody tactics, pledged to become "ferocious" with local media that did not toe his line. Several papers immediately closed down and their staffs fled the country en masse.

Jiang Zemin, President of The People's Republic of China

Jiang Zemin

Jiang Zemin presides over the world's most elaborate system of media control. Twenty-two journalists were jailed for their work in China at the end of last year, more than in any other country. Wary of the Internet's potential power to break the state's information monopoly, Jiang has poured huge resources into policing online content. His campaign to strengthen "ideological conformity" has led to closings or reorganizations at several media outlets that had begun operating with a degree of editorial independence.

Robert Mugabe

Robert Mugabe, President of Zimbabwe

Robert Mugabe

Robert Mugabe's government has launched an all-out war against independent media, using weapons that range from lawsuits to physical violence. Since January 1999, two local journalists have been tortured and two foreign correspondents expelled, while the secret service screens e-mail and Internet communications to preserve "national security." Bomb attacks twice damaged the premises of the independent *Daily News*; the second bombing followed close on the heels of a call from Mugabe's information minister to silence that paper "once and for all." Meanwhile, Mugabe makes liberal use of his courts to prosecute independent journalists for criminal defamation.

Vladimir Putin, President of Russia

Vladimir Putin

Since taking office last year, Vladimir Putin has presided over an alarming assault on press freedom in Russia. The Kremlin imposed censorship in Chechnya, orchestrated legal harassment against private media outlets, and granted sweeping powers of surveillance to the security services. Despite Putin's professed goal of imposing the rule of law, numerous violent attacks on journalists have been carried out with impunity across Russia. In an ominous and dramatic move this April, the Kremlin-controlled Gazprom corporation took over NTV, the country's only independent national television network. Within days, the Gazprom coup had shut down a prominent Moscow daily and ousted the journalists in charge of the country's most prestigious newsweekly. Despite Gazprom's insistence that the changes were strictly business, the main beneficiary was Putin himself, whose primary critics have now been silenced.

Carlos Castaño, Leader of the United Self Defence Forces of Colombia (AUC)

Carlos Castano

Even against the violent backdrop of Colombia's escalating civil war, in which all sides have targeted journalists, Carlos Castaño stands out as a ruthless enemy of the press. The leader of the United Self Defense Forces of Colombia (AUC), the ultra-violent right wing para-military organization, Castaño has been formally charged with ordering the 1999 murder of commentator and political satirist Jaime Garzón. His AUC has been implicated in the murders of at least four other journalists and at least one case of torture. Castaño's vicious public relations strategy is to grant frequent interviews to journalists who defend his actions, while using violence and threats of violence to terrorize those whose coverage he dislikes.

Leonid Kuchma, President of Ukraine

Leonid Kuchma

Leonid Kuchma's government has stepped up its habitual censorship of opposition newspapers and increased attacks and threats against independent journalists. The disappearance and presumed murder of Internet editor Georgy Gongadze late last year brought the plight of Ukrainian journalists into sharp focus. Allegations that Kuchma himself may have directed the elimination of Gongadze sparked a political crisis that threatened to bring down his government, and [illegible] attempts to muzzle publications that carried coverage critical of the Gongadze scandal.

Fidel Castro, President of Cuba

Fidel Castro

Fidel Castro's government continues its scorched-earth assault on independent Cuban journalists by interrogating and detaining reporters, monitoring and interrupting their telephone calls, restricting their travel, and routinely putting them under house arrest to prevent coverage of certain events. A new tactic of intimidation involves arresting journalists and releasing them hundreds of miles from their homes. Meanwhile, foreign journalists who write critically of Cuba are routinely denied visas, and early this year Castro threatened some international news bureaus with expulsion from Cuba for "transmitting insults and lies." Cuba is the only country in the Western Hemisphere that currently holds a journalist in jail for his work. Bernardo Arévalo Padrón continues to serve a six year sentence for reporting (news and comments) critical of Castro and the Communist Party.

Zine Al-Abdine Ben Ali, President of Tunisia

Zine Al-Abinde Ben Ali

For more than a decade, Zine al-Abdine Ben Ali has brought Tunisia's press to almost total submission through censorship and crude intimidation. Newspapers were closed. Journalists have been dismissed from their jobs, denied accreditation, put under police surveillance, and prevented from leaving the country. Some have been subjected to physical abuse. With the exception of a few courageous journalists, the totalitarian tactics of Ben Ali's police state have produced one of the most heavily self-censored presses in the region, while his propaganda machine churns out endless paeans to the dictator's supposed achievements in democracy and human rights. Last year, incredibly, Ben Ali chided local journalists for self-censorship. "What are you afraid of?" the president asked.

Mahathir Mohamad, Prime Minister of Malaysia

Mahathir Mohamad

Mahathir Mohamad is openly contemptuous of press freedom. He has manipulated Malaysian media to cement his hold on power and has signaled plans to introduce even more stringent controls on a severely constricted press. Officials are now considering legislation to regulate the Internet, a crucial venue for independent news and opinion in a country where traditional media outlets are overwhelmingly controlled by Mahathir's political allies. Notoriously thin-skinned, the prime minister regularly demonizes the foreign media for reporting news he considers unfair. This past year he used the state's bureaucratic machinery to repeatedly block the circulation of international news magazines that featured articles about Malaysia.

The Committee to Protect Journalists (CPJ) is a New York-based, independent, nonprofit organization that works to safeguard press freedom around the world.

For more information, contact:
Judy Blank, Media Director, phone: +1-212-465-1004 x105; e-mail: info@cpj.org

Kavita Menon, Asia Program Coordinator, phone: +1-212-465-1004 x140; e-mail: asia@cpj.org, **Committee to Protect Journalists**
330 Seventh Avenue, 12th Floor, New York, NY 10001, phone: 212-465-1004, fax: 212-465-9568, e-mail: info@cpj.org, web: http://www.cpj.org.

Pictures Courtesy: Mick Stern

BUY YOUR MARUTI

FROM

SAH & SANGHI AUTO AGENCIES LIMITED

DEALERS FOR MARUTI UDYOG LIMITED MARUTI 800, OMNI, ESTEEM, BALENO, WAGON R, ZEN MODELS, GYPSY HARD & SOFT TOP AND MARUTI 1000 CC .

SALES OFFICE : "GIRI KUNJ"
11-C N.S. PATKAR MARG
NEAR KEMPS CORNER FLYOVER
MUMBAI - 400 007.
TEL NO: 380 34 23 / 3804225
FAX NO : 022 - 380 37 88
E-mail : rsanghi@bom5.vsnl.net.in

WORKSHOP : PRAKASH MILLS COMPOUND
OFF. GLOBE MILLS PASSAGE,
OPP. T.V. TOWER, WORLI,
MUMBAI 400 013.
TEL NO : 492 54 52 / 53 / 54
FAX NO. 497 32 75
E-mail : ssaa@bom8.vsnl.net.in

SAH & SANGHI GROUP

The Fanatic Taliban

R. V. Chari

The Taliban is a product of the Cold War – the clash of interests between the Americans and Russians in Afghanistan.

Situated on the 8000-km. Silk route between the Central Asian heartland and the Levantine sea-board, Afghanistan, about 1700 years ago was a very flourishing nation. The Kushans, reigning during the 3rd and 4th centuries A.D. nurtured and nourishing one of the world's finest civilizations, borrowing heavily from a multiplicity of cultures – Indian, Chinese, Persian, Greek, Roman and Scythian. It became the focal point for scholars, sculptors, poets, physicians, philosophers and others. The coming into existence of cities like Bamiyan, Herat, Jalalabad, Kapisa, Kabul and Ghazni hastened the developments of the arts, especially sculpture and statues of Buddha, Hindu gods and other religious idols started coming up. At its peak, Bamiyan was a bustling city, with droves of camels, loaded with silk, jade and spices passing from one point to another. It was here that two of the tallest statues of Buddha, carved out of sandstones, until very recently, adorned the market place. Even the marauding army of Chenghiz Khan, which ravaged the city during the 13th century, spared the statues.

It takes years for the sculptor to carve out a magnificent statue. Having prepared a sketch of the image to guide him, he carefully selects the stone and his full attention is now focused on carving the statue. This is graphically described by Irving Stone in his biographical novel on Michelangelo, *The Agony and the Ecstasy*.

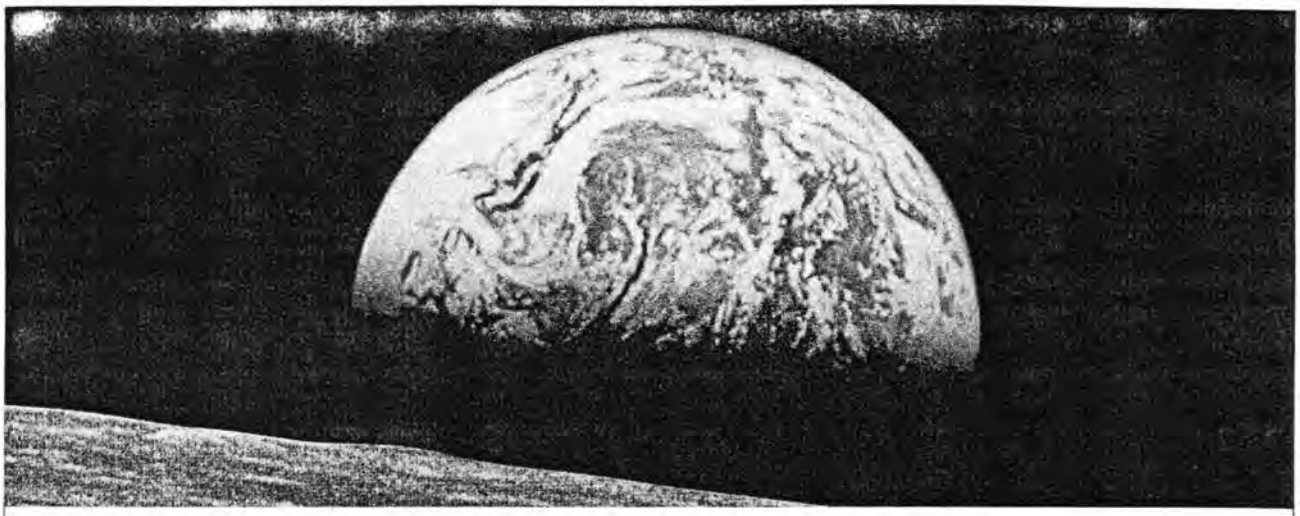
"He took the most ... to act"

The statues and idols carved out by ancient sculptors were not just decorative showpieces adorning the market-place. They were meant to regulate, control, calm and tame the unruly mind swayed and swerved by emotions. Speaking about the Sphinx, Dr. Paul Brunton says in his book, *A Search in Secret Egypt*, "Fitly, this strange creature embodying the strength of a lion, the intellect of a man, and the spiritual serenity of a god, quietly teaches the inescapable truth of the necessity of self-control that man's being may surpass the animal in him and tame it". The same view is echoed by Ranjit Hoskote in *The Hindu*: "...for they (the statues in Bamiyan) were symbols of hope and resistance to the oppressiveness of the lower nature".

The Taliban is a product of the Cold War – the clash of interests between the Americans and Russians in Afghanistan. The Taliban's policy has been to impose the harshest laws throughout Afghanistan, snuffing out all forms of opposition; banning music and photography; closing down theatres, preventing women from taking up employment and preventing them from moving publicly without male escort. Women are also expected to cover themselves from head to foot. Such steps have put Afghanistan back by a few centuries. The Taliban is absolutely unfazed by such tragic developments as malnutrition and starvation-deaths, with millions fleeing the country to nearby Iran and Pakistan. Instead of tending to the living-dead, the Taliban is vigorously pursuing a policy of demolishing innocuous statues, which have stood the test of time for centuries. In order to propitiate Allah and expiate for the delay in destroying the statues, the Taliban even ordered the slaughter of 100 cows – the beef to be distributed among the poor.

In some quarters, comparisons are being made between the Babri Masjid demolition and the Taliban's destruction of the statues. This comparison is quite odious and out of place. The Babri Masjid demolition was the work of a section of Hindu elements which has been condemned in the very strongest terms by the public, including the Hindus. The ruthless demolition of the statues and idols is the handiwork of the present government in Afghanistan. This senseless destruction of such exquisitely carved statues has invited the wrath and opprobrium of the whole world. The eminent Islamic scholar, Maulana Wahiduddin Khan terms it as "the de-Islamisation of Islam". Be that as it may, the fact is the nations of the world watch with impotent rage while the Taliban destroys with impunity a priceless heritage.

PROF. R. V. CHARI is a retired teacher of Commerce and Managment and a freelance writer.



apocalypse now?

It's not as though we have anywhere else to go. She is our only home. If she dies, we die.

Already, we have stripped her of her forests. Polluted her air and water. Blasted a gaping hole in her delicate protective atmosphere.

If we continue to live the way we do now, then by the year 2025, about 75% of her rain forests will be wiped out. Over 50,000 species will be extinct. 40% of her fertile land will be barren. Her rivers and seas will turn toxic. Her weather patterns will spin out of control.

But if enough concerned, aware people act now, there is still hope. And what is called for is not heroic but rather very simple.

Check your equipment and your processes regularly. Recycle waste products. Use technology that's environmentally sustainable. On an even more basic level, don't leave a tap running when you're not using it. Don't leave lights on when there's no one in the room. Write on both sides of a sheet of paper. Check your vehicle regularly. Recycle old plastic bags. Pool your car.

Such simple things, we can all do them. We can all teach our children to do them.

Start today. Because tomorrow, we may not have a planet left to save.

TATA

TATA ENGINEERING

Vehicles that deliver on emission norms ahead of legislation. Manufacturing processes and design that preserve the environment. A harmonious co-existence with ecology. All part of TATA Engineering's drive towards a healthier planet.

YOU CAN TASTE THE MOUNTAIN FRESHNESS & THE FULL DARK POETRY OF PURE COFFEE

Every bean that goes into Coorg Pure Coffee is born from the freshness of Tata's Coffee plantation - the largest and finest in Southeast Asia.

All the mountain freshness of Coorg Country is brought out by the Roast-master.

Roasted just right Ground and blended, with great care and high art.

So when you taste a cup of Coorg Pure Coffee from Consolidated Coffee,

you taste the sunshine, you taaste the mountain breeze,

you taste the full dark poetry of pure coffee.

TATA

COORG COFFEE IS COORG COUNTRY

Debate

Preserving the Professionalism of the Armed Forces

Admiral Bhagwat's article (*Freedom First*, January-March 2001) implies that nothing is right with the Government which sacked him. Irrespective of whether his forced retirement was justified or not, to suggest that the Army is being infected with a communal virus, is a traversity of fact. Visits by troops to religious places of importance was a well recognised amenity even in the 'fifties. The Army has a tradition of officers following the religion of the troops they command. A Maratha company commander, Muslim by faith, conducts Satyanarayan Puja and Christians or atheists visit temples and gurudwaras with enthusiasm. Soldiering has been a religion by itself for the Army. A religious teacher is an authorised personnel for the establishment and unit temples have accompanied their respective units throughout a war by land, sea and air.

Sindhu Darshan or the Lahore Bus Ride has nothing to do with the Kargil intrusion. I do not see how the local commander can escape the blame for lack of vigilance. Intelligence failure has become an old tale. It occurred in 1962 and 1965. Did we get a warning of Pakistan air raids in 1971? The lack of intelligence about the Kargil intrusion is not a new occurrence. Those guilty must be dealt with expeditiously. Sacking the Home Minister will not help. Why has every government in the past from Nehru onwards permitted the IB and RAW to get away with their failures?

The present Chief has as much influence in the promotion of senior officers as his predecessors had. It is not a 'since-1999' affair, when Bhagwat was forced to retire. The earlier retirements of Thorat and Bhagat bear testimony to it. The denigration started much earlier with Nehru, who tried to supersede Cariappa. Generals Rajendra Singh and Nathu Singh declined to accept the Chief's post and so Cariappa became the Chief. Admiral Bhagwat should do well not to forget Admiral Harjinder Singh, because of whom the controversy occurred, was promoted to his present rank under a non-BJP regime. The present government or even George Fernandes cannot be held responsible for it. His own promotion came through political interference.

Interference in promotions, selection of bad equipment (helicopters), rushing to war with China without preparation – all these ills have occurred more often and more blatantly under Congress rule. In trying to plead for professionalism in the Armed Forces and to discourage political interference in Army promotions, let us not become politicians ourselves or, worse, tools of selfish politicians.

Brigadier (Retd.) S. C. Sharma, Mumbai

'Don't Politicise the Army – Please'

Major General D'Souza's plea not to politicise the army was eminently readable and interesting. However, I do not agree with his criticism of "the tiresome complaints of the National Human Rights Commission" about "alleged human rights violations against the peoples of J&K". He compares this to fighting with one arm tied behind one's back. This shows a mind narrowly focussed on matters military. The political objective in J&K is to win over the Kashmiris to India's side and to isolate the militants from civilian support. It is telling that Major General D'Souza calls the militants faceless. They are faceless because the army cannot distinguish between civilians and militants, and they let the people feel this general suspicion, thus reinforcing the hold of the militants. If the people are to help the army against the militants - and without this help the militants cannot be defeated militarily - the people have to feel that the army is on their side, and the people will not believe this if the army tolerates human rights violations against the Kashmiris. The militants feed on the fear of and hatred against India, as symbolized by the security forces. If the security forces crack down on their own errant members, that will discredit the militants and strengthen the credibility of the security forces. Major General D'Souza will complain that this undermines morale; but what morale is this that depends on a silent acceptance of criminal behaviour?

R. Ramakrishnan, Mumbai

BOOK REVIEWS

B.K.Nehru

Nice Guys Finish Second
MEMOIRS

NICE GUYS FINISH SECOND - MEMOIRS
By B. K. Nehru

Published by
Viking Penguin Books India (P) Ltd., 11, Community Centre,
Panchsheel Park, New Delhi 110 017.
Year of Publication: 1997. No. of Pages 261. Price Rs.595.

Reviewed by
Mr. J. B. D'Souza, Retired Civil Servant.

Right at the start, B. K. Nehru warns that his book is not history; it is merely bits and pieces of his own story. Ignoring the literal inaccuracy - OED defines history *inter alia* as the record of a career - here is an engaging account of events highly significant to India's evolution in the last seventy-five years; of events that made history, like the negotiation of our sterling balances in Britain; and of history that nearly happened, like premature nationalization of the Imperial Bank of India in 1948, well before its assets and liabilities had been divided between India and Pakistan.

It is a story of integrity, of unusual luck, of unusual energy - a quality the author repeatedly disowns - of unusual skill. B. K. Nehru (BKN) started his official life in the ICS in the Punjab in 1934. Only five years later he was serving the Central government; he never returned to work in his parent State. Not of his own volition, I believe, he skipped the regular milestones in an ICS career: charge of a district as Collector, promotion to Divisional Commissioner and so on, before secondment to the Centre. Those who managed the ICS in the past regarded these as essential steps in an officer's career. BKN was lucky to escape them. But having reached Delhi he was quickly absorbed into the Finance Pool, where, though incredibly young, he began to handle independent India's most complex problems: the sterling balances, the assignment of assets between India and Pakistan, the tapping of international sources for funds for India. From there, again rapidly, to our most important diplomatic positions, as Ambassador in the US and High Commissioner in Britain, to being a Governor, in the North East, in Kashmir, and finally in Gujarat.

This is a fascinating story, told with becoming modesty, of fifty two years of dedicated service to the country, of extraordinary success in that endeavour. Perhaps his most spectacular successes came to his work in the US, unravelling the knots which Jawaharlal Nehru's so-called non-alignment was tying for us in its pronounced bias toward the Soviets. The effects of that bias the Ambassador had to temper when, as happened often enough, India was in dire straits and had to crawl and plead to the US President and an understandably hostile Congress when our pantry was empty and we sorely needed food imports, or for desperate defence aid when the Chinese had us by the throat. He managed this by gaining not only access to, but friendship with, both Kennedy and Johnson. Seriously undervaluing his own negotiating skill, he writes: "what matters is not so much the strength of your argument as whether the other side regards you as a good guy or a bad one".

His diplomatic efforts had repeatedly to contend with Krishna Menon's flair for losing friends and influencing people against us. Menon steadily hurled invective at the western nations, spreading for us a 'holier-than-thou' image. He used one of his calls on Kennedy, for instance, to denounce American policy toward Laos, provoking a reply: "What you are saying in effect, Mr. Minister, is that the Soviets are always right and the United States are always wrong." As the author later learnt from the State department, the President was hopping mad, and had observed that it was obvious that the Indians had no idea of what was happening to Laos. "Indian foreign policy may have been to remove injustice from the whole world", BKN writes, "but my personal foreign policywas limited to removing the injustice of poverty from a limited part of the world, namely India. I was a bad Ambassador in that I did not pursue

the totality of Indian foreign policy with equal vigour. . Menon used not only to vituperate and abuse the Americans but specifically used their actions to illustrate the sins, including violence, against which he was preaching."

When, after years of preaching to the nations against violence, we marched into Goa and evicted the Portuguese, BKN went to explain our action to Kennedy, hoping he was not annoyed with us, this was the answer he got: "Not at all. I am not in the least bit annoyed because I understand your case. You have done now what you should have done fourteen years ago. But you have spent those fourteen years preaching morality to us and telling us how wrong it is to use force in one's own interests. Now you have done exactly what any other country would have done, and used violence to further your interests. The result is that the country is saying that the preacher has been caught coming out of the brothel and people are clapping. And, Mr. Ambassador, I wish to tell you that I am clapping with them."

Menon could be incredibly ham-handed, even puerile, in his antics. He would try to short-circuit the Ambassador and get to the President, and had to be foiled. During the debate on Kashmir, he spoke to the Security Council for no less than nine hours [although] his audience consisted of First Secretaries; the Ambassadors or Ministers had no time to waste listening to the tiresome repetition. After the speech, Menon fainted in the delegates' lounge. A photographer was conveniently at hand, so was Dr. Hitzig, Menon's personal physician. A photograph was printed in all the Indian newspapers of Menon lying semi-conscious on the floor with Dr. Hitzig taking his blood pressure over the sleeves of his overcoat!"

One of his affectations was a cane, "a totally artificial prop carried purely for effect; it was supposed to aid him in some difficulty he had in walking, which in fact never existed... He once walked into the delegates' lounge at the UN and spotted Dean Acheson and Vyshinsky talking to each other at the other end and [a photographer] limping towards them - for he was genuinely lame - to take a shot. Krishna ran from one end of the room to the other and stuck his face in between the representatives of the two superpowers just in time for the click of the photographer's camera."

Far more serious than such buffoonery was his assumption of authority that he didn't have. "The Indian vote on Hungary in 1956, the single non-communist vote supporting the Soviet Union's invasion, a vote that India and its Prime Minister had great difficulty in living down, was cast without any reference to headquarters. The PM's loyalty was, however, such that there was no reprimand, even private, to Krishna Menon." But thereafter instructions came daily on the phone from Delhi on the position the Indian delegation should take on each matter before the UN.

Menon's hold on Jawaharlal was inexplicable. It stayed immune to attack from every side except the extreme Left - until his own Congress party forced a broken PM to jettison his Defence Minister after we lost so ignominiously to China in the 1962 war.

Krishna Menon was not the only Indian politician whose follies were objects of derision or embarrassment. On a trip to the UK our first Finance Minister, Shanmukham Chetty, who had already burnt his fingers in the Imperial Bank episode, suddenly bought a housing factory for a million pounds, with no study of our requirements or how the factory would meet them. When he had left India for London the PM had casually told him that we needed housing for the refugees from Pakistan. He (PM) "had heard that there were factories in England which produced readymade houses, would he please on his trip buy one and bring it along? Shanmukham being a businessman knew better, but sycophancy was more important than the country's interests. [The factory] certainly never produced a single house." Thirty years later, as Secretary in the Works and Housing Ministry, I had to cope with this foolish acquisition, which had steadily lost money.

Even a person as highly respected as Asaf Ali, our first Ambassador in the US, could make a fool of himself. Addressing a luncheon meeting of the heads of major industrial and financial houses controlling billions of dollars, Asaf Ali tapped his pocket and said, "In this pocket I have twenty million dollars. But I shall spend it only on my own terms and conditions. Take it or leave it."

Within the country T. T. Krishnamachari's involvement in the Mundhra scandal in the late fifties and the improper cover-up he attempted, and Sanjay Gandhi's excesses and extortions during the Emergency were outstanding features of a general decline in public morality that began hesitantly during Jawaharlal's rule but became uncontrollable after Shastri died and Nehru's daughter ascended the gaddi.

For me, BKN's otherwise civilised writing holds two major disappointments. One, while he

deplores Sanjay Gandhi's excesses, he still hails Indira's corrupt and oppressive Emergency as a blessing because of the discipline it forced on a chaotic country. One can't help recalling the plaudits Mussolini earned in Italy, 'because the trains run on time'. Indira was forced into the Emergency, BKN suggests, by the mutinous advice to the army from leaders like Jayaprakash Narayan. Actually, a competent court had held her guilty of corrupt electoral practices and disqualified her, but her evil younger son urged her to impose the Emergency. She pounced on a false version of JP's message as a pretext; he had only, and very properly, asked the police and the armed forces to reject illegal orders, an injunction that cannot be faulted. Indeed, it is a pity that our civil officials too are now so ready to carry out instructions that are improper or illegal. BKN himself recounts admiringly the reaction of a Chairman, Central Board of Revenue, Arun Roy, to a demand from a Minister as headstrong as T. T. Krishnamachari to be shown somebody's income tax file. Roy simply told the Minister that the law did not allow it, even if TTK was his boss.

The author is a strong advocate of change to a powerful and stable presidential system in our Constitution. I shudder at the thought that in 1977 Indira Gandhi might have had this additional string to her bow. Who can tell to what depths of misery she and her sons would have dragged our poor country?

A second source of unease in reading BKN was this passage: "The organisation to which I showed not the slightest mercy (whatever that might mean), however, was Amnesty International. By nature, by belief, by education and by experience I am a great believer in national sovereignty. I do not believe in any outsider interfering with the internal affairs of any country. If there has to be such interference, it must be through the UN" (parenthesis added). Yet the author repeatedly urged the PM to war, during the atrocities East Bengal was suffering from Pakistan's security forces. Holding the views I have just set out, he could not honestly treat the refugee influx into India as a *casus belli*. We could have sealed our border to halt that influx. In any case, human rights are universal, not defined by national frontiers. "The terrible experience of two world wars, and the evolution of civilisation have finally brought humanity to the recognition that human beings are more than the state.. The idea of non-interference - the notion that it is none of our business what happens in another country, and whether human rights are violated in that country - should vanish down the trapdoor of history." - wisdom from Vaclav Havel, President of the Czech Republic.

These reservations aside, *Nice Guys* is an admirable story by a civil servant of whom the country, and particularly we of his profession, must be proud. His winning ways, his impressive accomplishments, his ability to stand up to pressure from superiors, and finally the story he has told - all these deserve the highest praise. During the fifty years after independence, I can name only two civil servants' books that I wouldn't regret owning. *The Men who Ruled India* by Philip Woodruff (formerly Philip Mason, ICS) was the first. *B. K. Nehru's* memoir is the second.

Liberal methods lead much faster to the socialist objective than socialist methods. Liberal methods which are economic freedom, or economic democracy, lead to social justice, equality, prosperity and freedom much quicker than the methods of State Capitalism or Stateism which in France is called *Etatisme*. That is a much more accurate name than socialism, which may mean anything or nothing.

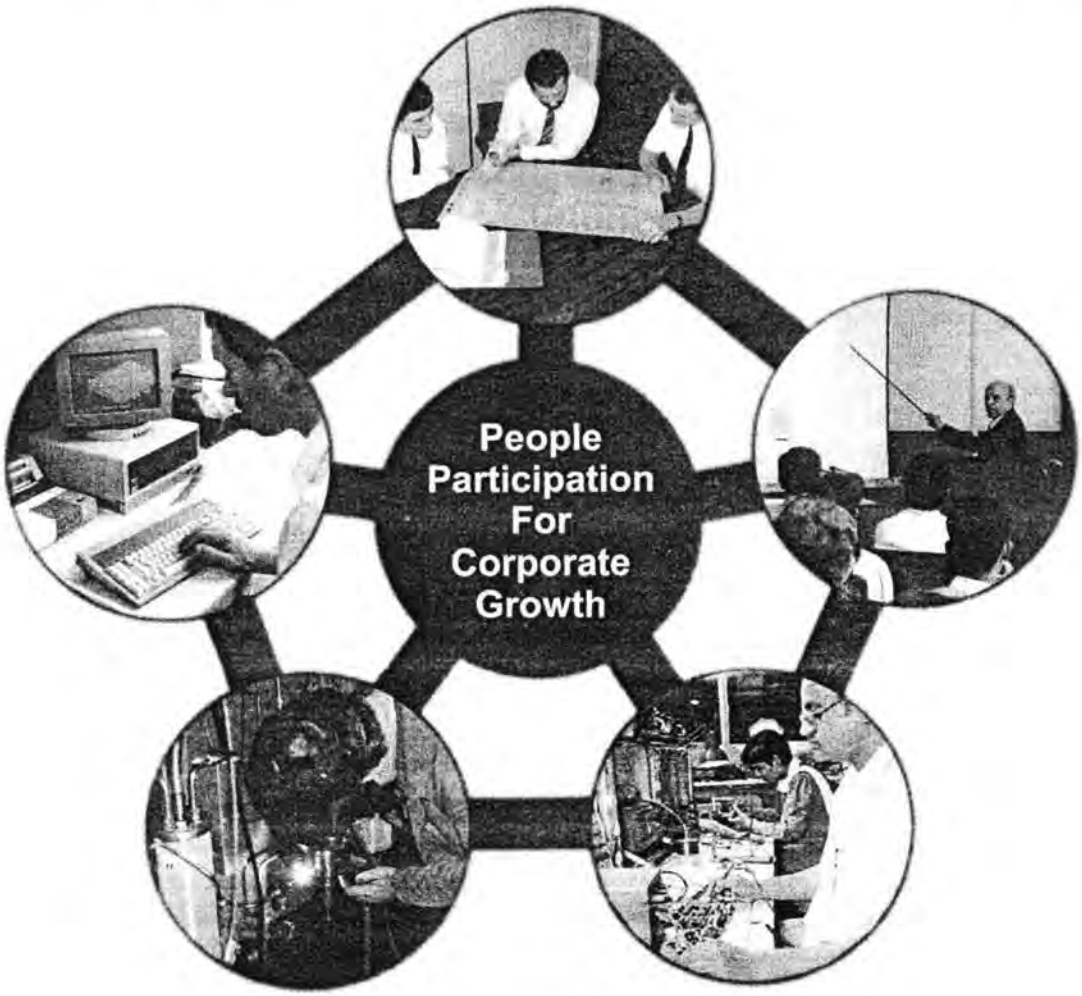
It is interesting that most of the world is beginning to see this. The world trend is away from communism and socialism and towards liberal democracy. This is not surprising, because, after all, human intelligence wins in the end.

Minoo Masani

In an article entitled 'Will Liberalism Survive Socialism?'
Swarajya Annual, 1966

Forbes Marshall

TÜV CERT EN ISO 9001 Certificate: 04100422 RWTÜV



For over half a century, Forbes Marshall has been building steam engineering and control instrumentation solutions that work for process industry. But we're proud of much more than just the products we make. We're committed to creating a progressive work culture that uniquely puts people first.

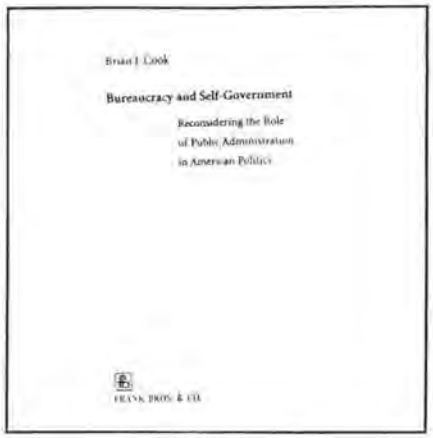
Creative contributions for organisational competitiveness and productivity, is a way of life at Forbes Marshall. We encourage employees to share experiences, to achieve the competitive edge. People participation is the only way we can become industry's best choice to better harness their steam, air and water.

F-A/BDD/ADVT/01/2000

Forbes Marshall Ltd.

Mumbai-Pune Road, Kasarwadi, Pune 411 034. India. ●Tel: 91(0)20 - 7145595●Fax: 91(0)20 - 7147413

www.forbesmarshall.com



BUREAUCRACY AND SELF-GOVERNMENT: RECONSIDERING THE ROLE OF PUBLIC ADMINISTRATION IN AMERICAN POLITICS, By Brian J. Cook

Published by
The Johns Hopkins University Press, USA, 1996 and
in India by Frank Bros. Co. (Publishers) Ltd., Frank House,
A-84, Sector-2, Noida (UP), India.
No of pages 201. Price Rs 134.90.

Reviewed by
Professor Adi H. Doctor, Retired Professor of Political Science,
Goa University, Goa.

Brian Cook's book Bureaucracy and Self-Government, is a book that must be read by every student of public administration and all administrators as well as citizens at large, interested in understanding the role of administration in a democracy and especially the relationship between politicians and administrators. Although Cook treats the theme as a historian of public administration, I shall not focus on the historical treatment but on the principal arguments or points made in the book.

The first important point Cook makes, is, that most Americans, laymen and many academics, viewed administration as a tool, something that at best had only an instrumental value. This view of administration was shaped largely by its colonial history. Historically the USA was a British colony, and, hence most Americans saw administration as essentially a tool of the Crown implementing policies in the American colonies, which were made in Britain by British politicians for the benefit of British commercial & trading interests. Owing to this colonial experience, the framers of the US constitution, cannot be blamed, if they perceived all administration & administrators as mere tools used by politicians to implement policy, while they perceived themselves as freedom fighters & politicians whose domain was the setting up of a self governing legislature. Thanks to this legacy, when American academics began to develop a discipline of public administration they made a sharp distinction between politics & administration, and, defined politics as the domain of elected representatives/politicians who made public policy, while they defined administration as the domain of civil servants/ administrators who were responsible merely for its implementation.

The second important point Cook makes, & which flows from the first, is that while politicians exercise constitutive rationality, administrators exercise instrumental rationality. Constitutive rationality is concerned with thinking, contemplating & determining the constituents of a policy; in brief, with policy-making itself. On the other hand, Instrumental Rationality is concerned with thinking about & determining the best means (that is the most efficient, appropriate & economical means) to implement policy. For example when American politicians were debating how blacks should be treated – should they be treated equally in all respects, or equally only in limited respects – they were determining policy & exercising constitutive rationality. But, when American bureaucrats were required to determine how best the policy of total or limited segregation could be attained they were implementing policy & exercising instrumental rationality.

The third and most significant point that Cook makes, is that this simplistic distinction between politics perceived as the domain of making policy and exercising constitutive rationality and administration perceived as the domain of implementing policy & exercising instrumental rationality, is misleading and harmful. Avoiding innumerable American historical examples, the book is replete with, I shall briefly sum up the arguments of Cook regarding the harm done by adopting the simplistic and erroneous distinction between politics and administration. The first harm done, by adopting this simplistic distinction between politics and administration was that politicians, by viewing administration only as a tool necessary to implement policy only ended up by adding to the size & power of the bureaucracy. The increase in size & power of the bureaucracy, in turn, made the bureaucracy arrogant,

conceited and domineering. Cook states that this was nowhere more evident than in the erstwhile USSR, where the bureaucracy intentionally behaved in an arrogant and overbearing manner, in order to strike awe & compel respect and submission to government. The fear of an oversized, overbearing and corrupt bureaucracy made many American academics argue that bureaucrats must always be kept under strict control of politicians, who must never allow bureaucrats to exercise constitutive rationality, that is, get involved in determining public goals or ends.

The second harm done by adopting the simplistic distinction between politics and administration was that politicians by increasing the size and powers of the bureaucracy only succeeded in increasing the public anger and disenchantment with bureaucracy. American anger and disenchantment with bureaucracy increased, because Americans always equated any increase in power of the bureaucracy as an encroachment on people's powers and freedoms. This fear expressed itself in such oft-repeated statements, like, "We are losing control of the forces that govern our life". Thanks to the simplistic distinction between politics and administration most Americans came to believe that bureaucracy represented a force inimical to self-government or democracy especially since bureaucrats felt they were responsible only to their administrative superiors, or political boss, the minister.

The third harm done by adopting this simplistic distinction between politics and administration was that it made many Americans ignore the fact that their administrators, while implementing policy, were also actually participating in policy making. Now bureaucracy was participating in policy making in many ways.

In the first place, the bureaucracy participated in policy making, by reporting to the politicians the difficulties & problems it came across while implementing policy at the ground or local level. In the light of the reported difficulties & problems, the politicians were compelled to review or change policy. Cook gives many American examples, from domestic, foreign and defence policy, to show how the implementers of policy on the basis of their ground level or field experience, made suggestions resulting in modification of the policy itself. For instance, he gives the example of the role of US Customs Service in shaping US Trade Policy and of US Defence Agencies in changing US Security policies & perceptions.

In the second place, bureaucracy participated in policy making by bringing to the notice of politician that certain ends were impossible of attainment because they were either too costly or just plain impractical. In India we are familiar with politicians announcing such populist policies as pension to every widow & electricity to every village, which later had to be modified or abandoned when administrators explained to politicians that these policies were unattainable either because of paucity of funds or lack of infrastructure.

In the third place bureaucracy participated in policy-making by the manner in which it presented to the politicians, the facts on which policy decisions are based. Politicians generally turn to the bureaucrats for factual information. No politician has the time (given his duties as representative) to study all the facts or to comprehend all the technical-economic details and implications of a proposed policy. It is here that bureaucrats invariably helped out by explaining and summarizing data and facts to the politicians. Now the summary document, bureaucrats would present to politicians would highlight or emphasize certain facts while de-emphasizing, downplaying or omitting certain other facts This, in effect, made the summary presented to the minister or politician, a point of view or a policy suggestion. The bureaucracy in American democracy had always participated in policy making by virtue of the privilege it had of studying, researching and advising the politicians and presidents on public policy. To give one example from Cook's book. Cook illustrates how the painstaking research done by US administrators regarding the hazards of nuclear & other waste sites helped shape American policy on treatment of hazardous waste sites.

A final point, noteworthy from the analytical and historical point of view, that Cook makes, is that bureaucracy played a significant role in policy making, that is, exercising constituent rationality, during two of America's greatest reform movements: first, President Roosevelt's New Deal or New Left Reforms, and, second, during President Reagan's New Right Reforms. Cook informs us that President Roosevelt delibe-rately refused to accept the purely instrumental view of administration and, in fact, encouraged & allowed administrators to be extensively and actively involved in making and defining New Deal or New Left goals, policies & objectives. The New Left policy you will recollect sought to make greater use of administrative or public sector

agencies to promote welfare.

Decades later President Reagan, acted similarly when he began an opposite wave of "New Right" reforms, popularly known as Reaganomics. The New Right reforms, sought to "re-invent government" by getting government out of such economic activities as providing goods and services to the people through government agencies. Instead of government agencies providing goods and services to the people, Reagan wanted to encourage manufacturers of goods and providers of services like transport, aviation, telecom, to emerge from within the community or civil society and compete with each other in providing cheaper and better services. In short, when President Reagan, embarked on his "re-inventing government" program he, like Roosevelt earlier, did not hesitate to let the bureaucracy play an active role in both implementing & shaping the New Right policies.

From this brief introduction or overview of the book, I would sum up the principal issues arising for our serious consideration and reflection as three. One, in the light of what Cook says, to what extent, should we discard the traditional concept of Neutrality and Anonymity of the Civil Service which for years on end, our undergraduate teachers have taught to their students. Two, should we too adopt the New Right reforms and proceed to re-invent government and, if yes, what role should we expect our bureaucracy or civil service to play in re-inventing government & in the re-invented government? Finally, since in any democracy, bureaucracy needs to be made accountable, what should we do to compel our government & bureaucracy to share information with citizens?

MAHATMA GANDHI - LETTERS TO AMERICANS

Compiled and Edited by Dr. E. S. Reddy

Published by

Bharatiya Vidya Bhavan, Gandhi Smriti & Darshan Samiti and Mani Bhavan, Gandhi Sangrahalaya

Year of Publication: 1998. No. of pages: 365. Price Rs.300.

Reviewed by

Professor G. N. Sarma, retired Professor of Political Science, Dr. Babasaheb Ambedkar Marathwada University, Aurangabad, Maharashtra.

India and America have met on the mental plane long back. The mutual influence and interaction of the thought and philosophy of the two great nations is a matter of common knowledge. It is well known how profoundly Gandhi was influenced by Thoreau, the great American political philosopher and activist. But for obstructions created by extraneous factors such as motivated propaganda misinformation, missionary activity and political shortsightedness, understanding between the two might have advanced more rapidly and concretely. As Gandhi writes, following the metaphor of the Isha Upanishad, the American mind is still under a cloud of misunderstanding, the golden lid which covers the face of Truth - and it is this which needed to be cleared in the interests of India as well as America.

Gandhi's letters to Americans seek to clear misunderstanding and ignorance about India and her culture and to present a true picture of the nature and significance of India's unique struggle for independence, the philosophy of non-violence and the pressing problems of Indian agriculture and poverty, untouchability, unemployment and general backwardness.

Though the letters are addressed to Americans, every reader would take them as addressed to himself. Their appeal is universal. But for the date of the letters, the reader would also feel that they have reached him by the very day's post. Such is their freshness.

The present volume comprises five Sections:-

1. Letter to President F. D. Roosevelt and cable to Mrs. Roosevelt
2. Letters to Richard B. Gregg addressed as Govind and Nilla C. Cook, addressed as Nagini.

3. Letters to churchmen and Missionaries;
4. Other letters and;
5. Messages to the United States.

The letters cover a period of more than two decades. The Message to America dated October 21 1946 is the last in the volume, less than two years before Gandhi's assassination.

What immediately impresses the reader of this volume is Gandhi's promptness in replying to letters and enquiries, be they ever so many and from anyone high or low, young or old. The letters are models of grace and precision and speak directly to the heart of the enquirer. Words act as direct and transparent vehicles of truth and are hardly employed for literary effect. Their appeal is spiritual and they reflect the unadorned simplicity and beauty of Truth and the Mahatma's boundless compassion, humility and good humour. The letters to Nagini show Gandhi playing the role of a patient mother and a puritanical father who ultimately failed to tame his ward, an individual of immense talent, wayward disposition and brittle nerves. Gandhi emphasises again and again that Americans should, first of all, try to understand India and her problems correctly. This is more important than extending charity and humanitarian services in the shape of hospitals and educational Institutions. Almost invariably they were motivated by missionary ambition and not by generosity or spirit of sacrifice.

The missionaries were also patronising in their attitude towards non-Christians, being too sure of their own superiority and arrogating to themselves the task of civilising peoples of lesser breeds. "India stands in no need of conversion from one faith to another". "I hold that proselytising under the cloak of humanitarian work is, to say the least, unhealthy Why should I change my religion because a doctor who professes Christianity as his religion has cured me of some disease or suggest such a change whilst I am under his influence? Or why should I whilst I am in a missionary educational institution have Christian teaching thrust upon me? Gandhi also administers a stern warning to the orthodox missionaries not to thrust on others their narrow interpretation of the Bible. They should first of all understand their own sacred book before undertaking to preach to others.

Gandhi's objection against missionaries was not to their presence as such but to their devious practices and secret motives. Writing to Bishop Fisher he says, "What Americans may do in giving constructive help is not to send doles of charity but to send expert knowledge in dairying, experts who are not exploiters in the disguise of philanthropists who will give

H. G. Wells – A Plagiarist!

An earlier generation of *Freedom First* will recall the liberating influence of H. G. Wells in their green years. Along with Bernard Shaw, he was responsible for widening in the mental horizons. The triology *The Science of Life, Work, Wealth and Happiness of Mankind* and *Outline of World History* remained important educational landmarks. The history volume went through several reprints and remained a work that most educated men had dipped into if not had studied in depth. Today, of course other approaches have been adopted and in many respects the book appears to belong to a past era.

His general tracts, his utopias and science novels had their day. For a brief decade, he remained one of Britain's major novelists as well.

Recently, a news items in the *Guardian Weekly* (March 8-24, 2001) relating to his volume on World History is shocking. Large parts of H. G. Wells' *Outline of World History* have been alleged to have been simply plagarised. A lady from Canada, Miss Florence Deeks had written a book on world history. This was during the First World War. She had submitted her manuscript to the publisher Macmillan, Canada. Wells published his history in serial form from 1919. Deeks who read the reviews and later the book itself found that it was almost identical with her manuscript. She had to importune again and again for the return of the manuscript from the publisher, and when it at last reached her, she found the pages "well-thumbed and torn". She fought an unsuccessful case against H. G. Wells and M/s. Macmillan but "the apparatus of the publishing world and the male dominated judiciary was against her. The case was dismissed".

Full details of these have been laid bare in a recent book by A. B. McKillop called "*The Spinster and the Prophet: A Tale of H. G. Wells, Plagiarism and the History of the World*" published by AURUM Press 2000.

knowledge for the sake of giving it and who will study the condition of India's cattle and show the way of improving our cattle breed and the supply of milk from the existing cattle".

Americans, with all their good intentions, failed to appreciate the difference between conditions in their country and in India. What was appropriate for the United States was not necessarily so for India.

In his letter to Prof. Higginbottom, Gandhi asserts that the problem in India is her 'teeming millions" and the unemployed or underemployed who have to be provided with work all the year round and that the introduction of machinery would only create further unemployment in the name of efficiency and economy.

"In her 350 million children she has so many living ready-made machines and if she can utilise their labour, half of which is running to waste, the double starvation of the body and mind will cease. That is the problem that faced me when I returned to India in 1915 and has haunted me ever since". This was in 1934. The situation remains even more alarming at the commencement of the new millennium with our population of a billion, crowded on a territory less than what it was in 1934.

These letters reveal not only the serious and unbending moralist, the uncompromising apostle of non-violence and truth but also the man of good humour. To Andrew Freeman who volunteered to send his hand spun yarn to India, Gandhi wrote: "The postal charges for sending hand spun yarn form America would be perhaps 50 times the value of the cotton used in hand-spinning. But America being a mammon worshipping country you can afford such expensive jokes".

We must be thankful to Dr. Reddy for collecting these letters and editing them with very useful notes on each of them. The tracing out of several of these letters has meant much labour and considerable research. This well brought out volume will be welcomed by all for the light it throws on the many sided personality of the Mahatma. Readers would miss an index to the volume but it would seem that the omission is deliberate – it must be read in full,, not casually or in random samples. Every word of it is precious and charged with a unique moral and spiritual force.

OF DEVELOPMENT AMIDST FRAGILITY – A SOCIETAL AND ENVIRONMENTAL PERSPECTIVE ON VADHAVAN PORT
By Ritu Dewan and Michelle Chawla

Published by
Popular Prakashan Pvt. Ltd., 35-C, Pandit Madan Mohan Malaviya Marg, Tardeo, Mumbai-400034,
Year of Publication: 1999 No. of Pages: 226. Price: Rs.165/-

Reviewed by
Mrs. Suman Oak, Retired Lecturer in English and a freelance writer.

The Government of Maharashtra had first announced its minor-port policy in 1996. It was proposed that forty eight minor ports should be developed to provide multi-user port facilities so as to reduce the overburdening of Mb PT and JNPT. Accordingly, competitive bids were invited for developing seven minor ports. Vadhvan was not one of them. Vadhvan was specifically rejected by CES (Consulting Engineering Services) on economic, technical and environmental grounds. Yet strangely enough Vadhvan situated in the eco-fragile, Dahanu Taluka was chosen for developing a multipurpose all-weather industrial port at the instance of P&0. It was claimed that only a solitary bid by P&0 (Peninsular and Oriental Ports. Pvt. Ltd. Company of Australia) was submitted. But according to the authors the bid by an Indian shipping company was inexplicably ignored, while the design of the port had been already finished when the letter of intent was awarded to P&0 in February 1997.

Various scientists, Indian navy officers, maritime experts, policy makers, planners, environmentalists, and villagers opposed the development of

Vadhvan port because of its proximity to the atomic power plant at Tarapur.

Fortunately, a few days after this research report condemning the Vadhvan Port Project, the Dahanu Taluka Environment Protection Authority headed by Justice C. S. Dharmadhikari rejected the construction of the port by an order (which is reproduced in the book), dated September 19 1998 to the relief of all concerned. However the issues involved are still alive and a debate on them is essential as long as such mega projects are proposed and accepted hastily and many times even executed in the name of growth and progress.

In the prevalent pattern of growth, modernization, industrialization, globalization, liberalization and privatization have become the goals to be achieved. In the name of faster growth and providing infrastructure, flyovers, power plants, dams and highways are built to the detriment of ecology and often ignore the reality of the existence of people. Industrialization is equated with progress while agriculture means backwardness. Mega projects alone are supposed to bring accelerated economic growth. The supporters of mega projects refuse to take into account the informal economy in terms of displaced people, depleted natural resources and destroyed eco-systems. The authors have tried to quantify the informal economy in terms of formal economy, which is the only economy accepted and understood by decision makers. They (the authors) maintain that. 'a cost-benefit trade-off can be vindicated, in the ultimate analysis, only by a social judgement...'

As against the prevailing paradigm of growth vindicated in terms of formal economy, the authors juxtapose a paradigm of organic development - vindicated by social judgement. In Chapter 7 they relate the story of "Vadhavan, Dhakti Dahanu, and Vangaon - Three representative economies.' Let us study the case of Vadhavan.

Jewellery die-making is a three generation old indigenous craft in Vadhavan. The die-makers have collected thousands of jewelry designs over the years and keep adding to them. The tools they require are inexpensive. A large number of boys "migrate into' this village to work as apprentices along with the youth in Vadhavan resulting in zero migration out. Die makers export not only to the neighboring towns and states but even to foreign countries. The daily income of a family is between 500 and 1000 rupees. This Industry does not harm the eco-system in the least.

Women almost solely look after cultivation in this village. Use of manure, cow dung, urea with some NKP and herbal pesticides (no chemical pesticides are used) give a large yield per acre as compared with other places in Maharashtra. All farmers have at least one bore well with electric motor. Plenty of vegetables and fruits are grown by most families for home consumption, local market and export to Mumbai. Recently, floriculture has been added to it. Palms, date palms and coconut trees with other fruit trees produce the required fruit, medicine and raw material for construction of huts, making brooms and mats and for die making processes. The story can go on and on.

In short this "high level of sustainability and self sufficiency of Vadhavan have been consciously developed and maintained by the people utilizing their traditional knowledge systems and all the available resources both privately and commonly owned'. This economy has a strong non-monetary component - the people themselves- that the central planners of mega-projects rarely recognize or value.

The thermal power-plant operating in Vadhavan, since the last few years is threatening this self-sufficient eco-friendly economy. No anti-erosion measures are being taken despite numerous complaints by the local people. The All Weather International Port project would have completely destroyed this unique economy, had it been given the green signal.

The researchers, Ritu Dewan and Michelle Chawla, have done intensive field work. In this entire region and have collected first-hand information and a lot of valuable data. They have taken the trouble of contacting almost all government officials concerned with the international port project, many research analysts, press people, local authorities, social workers and influential local residents. The book is replete with important and relevant statistical tables and maps.

This book is based on a project commissioned by Indian National Trust for Art and Cultural Heritage, Dahanu Chapter and funded by Rufford Foundation and Worldwide Fund for Nature, UK. All these organizations, as well as the authors, deserve to be congratulated for bringing out such an informative volume essential for making people aware of what is going on around them in the name of growth.

Freedom First

OUR MISSION

Freedom First speaks for the silent majority - the majority that wants to be left in peace to pursue its goal of improving its quality of life, but has been suffering in silence, the indignities heaped on it by insensitive governments who have abrogated to themselves the right to decide what is good for the people. In the process, the whole country has been turned into a cesspool of corruption. Public morality and character have reached an all-time low.

Freedom First affirms that much of the unrest and ferment in our society is a direct result of excessive State intervention in the day-to-day lives of our people. While the people's initiative has been stifled, the economy is in shambles. The Journal believes that while India needs a strong government that ensures the rule of law what India does not need is a meddlesome government – the system so far that has led to impoverishment, insecurity and instability.

Freedom First therefore stands for minimum government and maximum freedom, tempered by a sense of individual responsibility, in which the people's genius has a fair opportunity to develop and grow.

Freedom First rejects any ideology, movement or policy that sets one group of citizens against another, be it based on class, caste, religion or envy.

We invite you to subscribe to ***Freedom First***. Kindly complete the form below and return it to us with your subscription to

Freedom First
3rd floor, Army & Navy Building, 148, Mahatma Gandhi Road, Mumbai 400 001
Phone: (022) 284 1340 • email freedom@vsnl.com

I wish to enter a subscription to *Freedom First* and enclose my cheque* in favour of ICCF.
(Please type or write in block letters)

NAME:_____

ADDRESS:_____

_____

_____ PIN_____

* Subscriptions can also be sent by MO/DD. No postal orders please. For outstation cheques (within India), please add Rs.30 for bank charges.

For Subscribers in India

☐ 3 Years' Subscription	Rs.250
☐ 2 Years' Subscription	Rs.180
☐ Annual Subscription	Rs.100
☐ Single Copy	Rs.25

For Overseas Subscribers
(By Second Class Airmail)

Annual
$10
£7

Do A Favour

to your friends
send them
a sample copy of
Freedom First
with your compliments.

Freedom First
3rd Floor, Army & Navy Building,
148, Mahatma Gandhi Road,
Mumbai 400 001.

Please send a sample copy of ***Freedom First*** to the following, with my compliments:

Name:_____
Address:_____
_____
_____ Pin _____

*

Name:_____
Address:_____
_____
_____ Pin _____

*

Name:_____
Address:_____
_____
_____ Pin _____

*

Name:_____
Address:_____
_____
_____ Pin _____

*

Name:_____
Address:_____
_____
_____ Pin _____

(Sender's Name & Address)

Name:_____
Address:_____
_____
_____ Pin _____

R.N. 13981/57

Whatever.

Whenever.

Wherever.

At AFL, we move anything and everything to anywhere.
Now tell us when, where and what.

AFL LIMITED
FORMERLY AIRFREIGHT LIMITED

Where movement is a science

DHL AFL FREIGHT SYSTEMS • AFL LOGISTICS • AFL INDTRAVELS • AFL SHIPPING • AFL INFOTECH

Airfreight Limited, Neville House, Currimbhoy Road, Ballard Estate, Mumbai-400 001. • Tel: 2656761-7

Ambience/AFL/367