

Freedom First

The Liberal Magazine



BUDGET 2013-14
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Between Ourselves...

Obfuscate, create, or at least encourage red herrings and if these fail, capitulate to the demands of one or the other erstwhile opponent's demands however unfair or unjustifiable - good governance can go to hell, for survival in power is *the* issue for family run political parties whether it be in New Delhi, Lucknow or Chennai. This is the sad fact of politics today. This, sadly, is also the case with the official opposition in parliament; their family too, but, of a different kind, is desperate to get back to power. To all of them the goal is the general elections of 2014.

In the anti-rape law we have an outstanding judge known for his integrity and judicial acumen who delivers a report in record time and which, by all accounts is deemed fair, with a few exceptions; his report is treated with palpable indifference and the debate is not, for instance on the new law's application to the Armed Forces as it should be, but on the marginal issue of 'age of consent'! As we go to press a consensus is likely to be reached, not because of its intrinsic merit or otherwise, but to satisfy *khap* and similar reactionary elements who control the vote in rural India. Remember the Shah Bano case? Then there is the case of the absconding Italian soldiers protected by their government and the diplomatic *cul-de-sac* that it has led to; or the Sri Lanka affair before the UN, the hysteria generated by both parties in Chennai. All these bode ill for an already bruised polity.

Fresh out-of-box thinking is the desperate needed of the hour if our country is to be rescued from outdated, scheming, geriatric politicians.

It is in such circumstances that we welcome a new political party with a novel name but hugely relevant strategy – The **Children First Party of India (CFPI)** founded by Dilip Thakore the restless founding editor of the excellent monthly *Education World* published from Bangalore. For more on the CFPI turn to page 33.

Editor

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Tributes

Professor P. V. Indiresan, R.I.P



1928-2013

Padma Bhushan award winner and Electronic Engineer, Professor P. V. Indiresan and a good liberal passed away in Pune. He was 85. A resident of Delhi he had come to Pune to chair the Election Commission's technical committee on Electronic Voting Machines.

Educated at the Presidency College, Madras, Indian Institute of Science, Bangalore and the University of Birmingham, UK he taught at the University of Roorkee, IIT Delhi and IIT Madras. He was a distinguished Fellow of the Institution of Electronics and Telecommunication Engineers, the Indian National Academy of Engineering, and Honorary Fellow of the Indian Railway Society of Signal and Telecommunication Engineers.

In 2004 our sister organisation Project for Economic Education had the honour of publishing his Dr. S. Ambirajan Memorial Lecture sponsored by the Institute for Economic

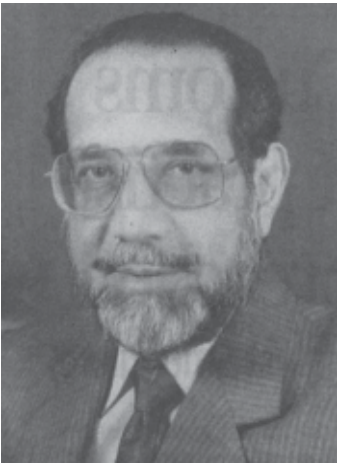
Education and the Public Expenditure Round Table on "Equity and Sustainable Development". In this lecture he discussed the scheme known as PURA (Providing Urban amenities in Rural Areas) championed by former Indian President Abdul Kalam. He dwelt in detail on the various aspects of PURA from concept to implementation. A concept that must be taken forward as a solution to reduce if not eliminate the India-Bharat divide.

He was an outspoken critic of reservations and the Common Entrance Examination on the ground that it would dilute the quality of the IITs. Professor Indiresan's opposition to 27 per cent reservation for Other Backward Classes surprised many because of his proximity to Arjun Singh the then Human Resource Development Minister.

We conclude with this typically Indiresan statement delivered while concluding his Ambirajan lecture:

"A former South Korean President remarked that South Korea is a small country that thinks big; India is a big country that thinks small. PURA is for those who are willing to think big, at least try big experiments. So far, apart from President Kalam, no one has picked up the courage to do so. The question is not money, but absence of will."

Viren J. Shah, R.I.P



1926-2013

Industrialist, Member of the Rajya Sabha, Governor of West Bengal, treasurer of the Bharatiya Janata Party and Swatantra Party Member of the 4th Lok Sabha passed away in Jordan where he was on a holiday.

At a meeting on August 1 2009 commemorating the 50th year of the Founding of the Swatantra Party Viren Shah reminiscing

about his early years said: "I started my active political work with the Communist Party of India as a student in 1942. The CPI's head office was then in Sandhurst Road in a building named Raj Bhavan. So when I went to Raj Bhavan in Kolkata as governor of West Bengal I reminded Jyotibabu (Jyoti Basu then Chief Minister) that from Mumbai 'Raj Bhavan', at Sandhurst Road I had come to Kolkata's Raj Bhavan. At that time, it was social justice that attracted young people, but of course, one got into the Quit India struggle mood. Till 1966, I still had a very strong feeling for the Socialist Party, great respect for

Jayaprakash Narayan and Achyut Pawardhan who had just retired from active politics, Ram Manohar Lohia, and also for my friends in the PSP, Nath Pai in particular".

Influenced by what Rajaji had to say about state capitalism and the licence-permit-quota raj he joined the Swatantra Party, contested the 1967 elections to the Lok Sabha from Junagadh and won.

He was a responsible member of parliament and played the role of running his company and representing the people of Junagadh without the one interfering with the other. The Swatantra Party between 1967 and 1971 was the largest single opposition party in the Lok Sabha and Virenbhai had the opportunity to speak often and receive encomiums not only from the Party leadership but from other parties as well.

Come the Emergency of Mrs. Indira Gandhi in 1975 and he was quick to go underground and defy the Emergency regulations. With the lifting of the Emergency Viren Shah responded to Jayaprakash Narayan's call and joined the Janata Party. Sadly the Janata Party split and he joined the Bharatiya Janata Party.

His was an, active, courageous, even colourful life (he was arrested during the Emergency and was charged for sabotage in what came to be known as the Baroda Conspiracy case. Soon the Emergency was lifted and he was out of prison and the conspiracy case was dropped.

From Our Readers

Perpetuating the Status-Quo

Everyone is welcoming the return of the Tata Group to the aviation industry, six decades after the takeover of JRD's *Maharaja* by the government.

Air India, under the government control, lost its efficiency and viability. Not surprising, that it continues to be on life support. Other private airlines like Jet Airways and Kingfisher Airlines are also in a bad shape, thanks to rampant bureaucratic hassles.

In such a beleaguered scenario, the announcement by the Tatas to launch a tie-up with Air Asia came as a huge relief. With the name of the Tata, we feel much more assured about efficiency, integrity and good services. Air Asia is a low-cost Malaysian carrier that would be collaborating with the Tatas to ferry budget-conscious fliers.

While this ambitious project is being welcomed by all quarters, very few are aware that this venture became possible due to FDI Policy announced last year. All major political parties and traders frantically opposed the FDI policy by embarking upon a nation-wide *bandh*, followed by the disruption of the Parliament session.

Unfortunately, our political class and feudal mind-set does not easily allow us to adopt reforms in keeping with the changing times. Today we would all be handicapped without our mobile phones. But, in the early nineties, when the telecom industry was sought to be liberalized, it was vociferously opposed, not only by the archaic political ideologies, but also by the police and the armed forces on the flimsy ground that it would help criminals and smugglers.

The liberalization of the domestic retails was also opposed by the *baniyas* by observing a nation-wide *bandh*. Today, visiting the shopping malls has become a relaxing shopping experience for the families on the weekend. They offer plenty of choices to the consumers on competitive prices.

If we look retrospectively at those protests and the *bandhs*, they appear not only stupid but also regressive and anti-people. Has our political class learnt any lesson from its past follies? I don't think so. Come next reform, and they will get into the same agitationist mode!

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*

Yet another Strike!

Once again, the advocates were on a nationwide strike today to protest against the baton charge on their fraternity in Rajasthan some weeks ago. The nonchalance with which advocates go on frequent strikes is, not just irresponsible, but also reprehensible. It reflects a culture of non-accountability, not only towards the Courts, but also their clients. Reprehensible because the Supreme Court has already declared strikes and boycotts to be unlawful. Yet the lawyers keep resorting to such antics with impunity.

It is mainly because there exists no mechanism to enforce accountability for resorting to such unlawful strikes. Little do we realize the magnitude of hardships that we inflict upon the litigants and witnesses who take their days off and travel long distances to attend the Court proceedings. Imagine the agony of the arrestees / detainees being produced before the Courts and denied bail for want of services of an advocate.

If political parties are now being taken to task for enforcing *bandhs* and are made to cough up substantial amounts by way of compensation by the High Court order, why not the Advocates' Bar Associations and the Council? Unless Advocates mend their ways of protest, the day is not far when they will have to face a similar backlash and the penal verdict, too!

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India's Growing Leadership 'deficit'

I very much liked Prof. Sheryar Ookerjee's article, "India's Growing Leadership 'Deficit' " (*Freedom First*, December, 2011). It is a lesson to our young readers. But what I disagree about is Gandhiji's leadership referred to in the article. Did not his followers mortgage their decision making faculties to him? For example, is not Gandhiji's lack of trust in Netaji Subhas Chandra Bose, despite his winning the post of Congress President in an open election for the second time in 1939, dictatorial?

After Gandhiji's assassination in January 1948, Dr. B. R. Ambedkar reportedly expressed a sense of relief stating that the Indians have, at last, got back their power to think independently.

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Main Feature: The Economy

Budget 2013 – An Elaborate Exercise in Denial

M. R. Venkatesh

*It is often remarked that Indians never miss an opportunity to miss an opportunity.
Budget 2013 only reiterates this.*

Just days after the Budget 2013-14 was presented on 28th February in the Parliament, the consistent flow of bad news that inundated us prior to its presentation seems to continue. Not surprising considering the fact that the Finance Minister seems to be in a complete denial mode of the challenges facing the Indian economy.

But on this score let me hasten to add that the FM alone is not guilty. Barring an occasional rant most chambers of commerce, professional institutions and vast sections of the media have been vacuous in their analysis of the Budget. And whenever such analyses are conducted it is restricted to changes in Direct and Indirect Taxes only.

India must be one of the very few countries in the world that has the maximum pre-Budget hype. Probably the collective national psyche of being constantly in search of a magic bullet reflects in this hype. Yet paradoxically, our post Budget analysis is rooted to the speech of the Finance Minister and not the Budget documents per se!

For instance, the FM claims to have “set apart Rs 10,000 crores, over and above the normal provision for food subsidy” towards funding the proposed Food Security Act [FSA]. Yet a scrutiny of the Budget document reveals that the FM has set only Rs 5,000 crores on this account.

Is he indicating that the FSA will be a non-starter? Or is there something more sinister?

Likewise the Economic Survey points out that “There has been a surge in projects where implementation has stalled. Both in value and volume terms, stalled projects have been rising since early 2009. As of December 2012, six sectors accounted for about 80 per cent of all stalled projects—electricity, roads, telecommunication services, steel, real estate, and mining.”

The aggregate value of money blocked in these projects, both in the public and private sectors, is estimated to be Rs.750,000 crores. This reflects policy paralysis at

the Centre. The nation wanted to know precisely how the FM proposes to kick start these stalled projects. What was expected from him was a promise – nothing more – of a time bound action plan.

The FM knows should he do this, he would instantly revive investor confidence. Yet given the mess that the government is in, he wisely refrained from making any precise commitments. And his answer to this conundrum is the outworn prescription of Cabinet Committee on Investment [CCI] – a non-starter at best; a deterrent at worst.

This paralysis in turn has a downward impact on new projects too. In a candid confession the Economic Survey points out that “New investment projects have been drying up across sectors, partly as a consequence of rising stalled projects which reduce the ability of firms to start new ones.” Isn’t this a classical example of shooting oneself in his foot?

In direct contrast, classical economics tells us that one has to step up domestic demand, investment and consumption when faced with such external slowdown. Thanks to policy paralysis at the centre, we are doing exactly the opposite of what the doctor prescribed.

If the diagnosis by the economic survey is spot on, why has the prescription in the Budget gone awry? The answer to this is not far to seek. Any large project now comes with a minimum of thirty percent cost of meeting the “challenges posed by our administration.” [Source Naira Radia Tapes and the author’s own computations]

Consequently, anyone who is not a beneficiary of this loot - from minister to under-secretary - can torpedo any project. That explains why the Budget proposal of referring to CCI inspires no confidence. When even existing investments do not see appropriate closure, one can be reasonably assured that the worst is yet to come.

Is the worst yet to come?

The Heritage Foundation, the US based Think Tank, tells us that “Thursday was a really bad day for the Indian economy.” The Thursday referred to was 28th February – the day on which the FM presented his Budget.

Castigating the Budget it points out “the central government budget for the next fiscal year leaves India on the same, failing course it’s been on of undisciplined spending and unrealistic expectations” and adds portentously “The true wealth of Indian households has stagnated in the past four years as income growth has slowed and consumer inflation remains high.”

Pointing to the need to “create tens of millions of jobs in response to demographic expansion” the Budget points out that “This requires manufacturing to lead the economy, and it is not doing so. The reason underlies all of India’s economic problems: lack of reform.”

Going into the numbers the Heritage Foundation puts it finger at the core of the problem: “the budget results for the last fiscal year [i.e. 2012-13] were barely acceptable, with the deficit at 5.2 percent of GDP. Spending is to increase by 17 percent, yet the deficit is to fall to 4.8 percent of GDP.”

Well, how did the FM achieve the impossible? Simple he has over-estimated revenues much above the increase in expenditure. No wonder the Heritage Foundation concludes that the Budget “proposal for this year is a triumph of hope over courage.”

Hope? Yes the government believes that even if it is supinely indifferent the Indian economy will somehow contrive to return to its rapid expansion mode of 2004-07, where higher income subsumed inflation. Simultaneously, it ensured revenues for our government so as to fund its wasteful spending programme. Alas 2013-14 is not 2007-08.

Given this paradigm the prognosis of this Think-Tank is “Without a sustained reform process, which will take considerable time, India will not return to the days of fast growth. Government revenue and GDP will continue to disappoint, deficits will continue to be high, and consumers will continue to suffer.”

Heritage Foundation is not alone on this. Several banks, analysts, economists, captains of business houses, corporate honchos, some chambers of commerce and MPs have been voicing this concern – mostly in private and quite a few even in public.

Obviously, the worst is yet to come.

Rupee @ 65?

Forget the future for a moment. Let us take a blast to the past. Why did we slowdown in first place? *The Economic Survey* has an interesting take on this. First, it says that the boost to demand given by monetary and fiscal stimulus following the crisis was large and not yet rolled back. This had a debilitating impact on fiscal deficit.

Second, it states that corporate and infrastructure investment started slowing both as a result of investment bottlenecks as well as the tighter monetary policy. Third it blames the global economy. Remember blaming global economy is mandatory for every government document. [Refer Para 1.5]

If these are indeed the reasons for our slowdown, pray why did the Budget not seek to roll back stimulus? What prevented the FM from removing investment bottlenecks? The answer is pretty simple – all these call for taking simple decisions. Let us not forget that the UPA has long forgotten the art of governance.

No wonder the Budget has failed to impress us or inspire confidence even to Indians. But all that has been stated above is internal. There is yet another dimension to all this – the exchange rate of the Rupee and our external deficits.

It is in this connection the FM in his Budget speech concedes “My greater worry is the current account deficit (CAD).” Probably this has been worrying every successive FM since 1947. But the sheer size of CAD now makes it an 800 pound gorilla in his room. Ominously, he adds “This year, and perhaps next year too, we have to find over USD 75 billion to finance the CAD.” [Para 11]

All this when we face an economic slowdown, if not a crisis, at the global level!

Assume even if we are keen to beg, borrow or steal [in the words of the FM it is Foreign Institutional Investment, Foreign Direct Investment and External Commercial Borrowings] the moot question is why should a foreign investor or lender play ball with us? What is his compulsion? Crucially, what is the guarantee that the money brought into India will not go down the drain?

Put simply, we have an imperative. Foreigners have choices. But does the FM realise this? Why should anyone invest now in India when it is quite possible that the Indian Rupee may suffer another bout of depreciation and possibly

(Cont’d. on page 10)

Twelfth Plan and the 2013-14 Union Budget - 3

Sunil S. Bhandare

Given such harsh realities about the absorptive capacity of the Ministries/Departments, one wonders how a massive jump of 29% in Plan expenditure during 2013-14 can be achieved?

The objective of this, the third part of the critique is essentially to reflect on the 2013-14 Budget's expenditure strategy in the framework of the Twelfth Plan, which was effectively launched in 2012-13. In his budget speech, the Finance Minister (FM) talks eloquently about "the economic space" that is supposed to have been gained thanks to the compression of the Central Government's total expenditure during 2012-13. This seems to have engendered him not only to provide for a substantial increase in total expenditure, but more importantly, to propose as much as a 29.4% hike in plan expenditure for 2013-14 (budget estimates). In absolute terms, the total plan expenditure is placed at Rs.555,322 crores in 2013-14 as compared to Rs.429,187 crores in the revised estimates for 2012-13. His sources of financing would predominantly be from non-tax revenues and the usual dependency on large market borrowings and other capital receipts.

It must be stressed that in the quest to contain the fiscal deficit/GDP ratio at 5.2%, the FM had drastically cutback plan expenditure by as much as Rs.91,838 crores in 2012-13 over the budget estimates of Rs.521,025 crores. Doubtless, this was perhaps the *severest fiscal austerity effort* in the fiscal history of our country; and the entire burden of this has unfortunately fallen on the growth promoting areas of plan spending, and not on the "stubbornly" irreversible areas of non-plan expenditure like subsidies, administrative expenditure and historically proliferating, hugely "leak-prone" social sector spending. With large market borrowings and massive accumulated public debt, the burden of debt servicing had also knocked off over 36% of revenue receipts in 2012-13.

In times of a decelerating investment cycle, *fiscal prudence demands protecting plan expenditure* and curbing non-plan expenditure. Every Finance Minister promises to build such "economic space", but the actual outcome invariably turns out to be contrarian. The share of plan expenditure in the total expenditure, which was 31.6% in 2011-12, dropped to 30% in 2012-13. Thus, non-

plan expenditure continues to pre-empt a predominant part (almost 68 to 70%) of the budgetary resources of the government. In the process, the plan expenditure for developmental activities continues to suffer from the constriction of *fiscal space*.

Credibility of Commitment (?)

Be that as it may, how does the Budget 2013-14 propose to steer a sharp hike in the Central Plan outlay within the overall framework of the Twelfth Plan strategy? How compatible are its sector-wise outlays with the annual phasing of investment in selected infrastructure sectors outlined in the Twelfth Plan Document (TPD)? The focus must now inevitably shift towards the UPA II government's progress with the implementation of a host of new schemes, projects and missions. In this context, one needs to appreciate the FM's sincere post-budget efforts to *build up feel good factors* and "talk up" the investment outlook. But, what is going to be more critical and relevant to recharge the economy's growth momentum are actions and deeds – and not mere words and rhetoric! The proposed financial allocations must translate into performance – and that too in terms of physical targets.

The budget no doubt conveys the FM's serious intentions in respect of Central Plan programs, which are apparently based on the consultative/participative process of assessing the requirements of various Ministries/Departments of the government. The success of plan implementation now depends on all of them working with a *spirit of active coordination and cooperation*; and we know for certain that this has been *one of the major fault-lines* in the UPA II government's current governance system. It may also be relevant to invite our attention to two very significant observations:

First, the FM in his budget speech states: "I dare say I have provided sufficient funds to each Ministry or Department consistent with their capacity to spend the funds. Now, it is over to the Ministries and Department to deliver the outcomes through good governance, prudent

cash management, close monitoring and timely implementation". All this is very well, but is the FM quietly advocating that only when *all such "conditionalities"* are fulfilled, the resources would be released to the Ministries/Departments concerned? Welcome in the context of considerations of fiscal governance, but almost impossible to manage, especially in coalition politics! Hence, there is an inevitable *credibility gap* about the FM's capacity to steer the proposed step up in Central Plan expenditure.

Second, *the Finance Secretary* in his interview to the *Business Standard* (March 7) points out that even when in 2011-12 "there was no curtailment and instructions were not really followed, the actual expenditure was only nine percent over the previous year's actual. In 2012-13, the Budget Estimates (BE) were 25 percent more than the actual of 2011-12. Clearly, if they were able to spend only nine percent more without any restriction, *25 percent extra was, in many cases, beyond the spending capacity of the ministries*". Given such harsh realities about the *absorptive capacity* of the Ministries/Departments, one wonders how a massive jump of 29% in Plan expenditure during 2013-14 can be achieved?

Furthermore, real action has now to emerge from the government's political will to resolve various *contentious non-budget areas of policy actions* – land acquisition bill, environmental/forest clearances, pricing policies of natural resources, etc. Indeed, many of the public private partnership (PPP) projects, on which the government has been relying heavily in recent years, have also been held up due to such constraints. It has been found that in the absence of competent project development activities by the authorities concerned, the interest of private sector participants in such projects is waning, leading to mispricing and often times huge delays in/postponement of project execution.

Apart from lack of coordination, the institutional capacities to undertake large and complex PPP projects are found wanting in various Central Ministries, States and local authorities. Incidentally, the Twelfth Plan has envisaged that *about 50% of massive infrastructure investment of over US\$ one trillion would be in the PPP format*. Even while waxing eloquent about various budget initiatives to augment investment flows in infrastructure and industry, *the FM has virtually been silent* about how the government intends to resolve the current challenges of PPP projects. We believe that a large part of fiscal pains (whether relating to PPP or otherwise) will be visible only in the latter part of 2013-14, when the FM has to really make available the promised resources for funding the Plan expenditure on various programs of the various Ministries/

Departments.

Comparison with TPD Estimates

Finally, thanks to the FM's promise of stepping up Central Plan spending, there is a strong belief of growth revival through such action! The proposed *thrust of the Central Plan Outlay* is visible from the Appendix table; but issues of availability of resources and absorption capacity of Ministries would continue to haunt the effective implementation of the plan programmes.

Having said this, let us quickly examine whether the Central Plan outlays during the first two years of the Twelfth Plan really conform with what is envisaged for the entire Plan period. The TPD has assessed that the total public sector outlays/resources would be Rs.8050,123 crores, of which the Centre's share would be Rs.4333,739 crores or 53.8%, and the balance would be of the State and Union Territories. Assuming that the FM fulfills his commitment of the Central Plan provision for 2013-14 as shown in the table, the total Central Plan spending in the first two years of the plan would be Rs.1236,299 crores or about 28.5% of the Center's share for the entire five-year period.

In other words, the remaining part of the Central Plan, that is as much as 71.5%, would be required to be provided in the last three years of the Plan. On present reckoning, there is going to be *a huge forward loading of plan spending*. Hence, there are risks of large shortfalls in plan expenditure in the subsequent period. Further, the TPD sets out year-wise phasing specifically of the projected investment in infrastructure. Thus, of the total infrastructure plan spending of Rs.5631,692 cores (over US\$ one trillion), the Centre's share is Rs.1628,129 crores or 28.9% of the total. If we were to aggregate the likely Central Plan expenditure on energy, transport and communications in the first two years of Twelfth Plan, it would work out to Rs.563,665 crores or 34.6% of the total envisaged infrastructure spending by the Centre. This appears to be fairly appropriate phasing of the Central Plan's infrastructure spending. However, *the issue of FM's credibility of commitment* to required financial allocations would still remain.

Concluding Observations

Summing up, what transpire are *three critical issues*: First, the Indian economy has already lost the very first year of the Twelfth Plan given our real economic growth of just about 5% - one of the lowest in the last decade. There is no promise that the real GDP growth would go beyond 6% in the second year of the plan period. In substance, the average real GDP growth rate would be

stuck at around 5.5% for these two years in contrast to the annual desirable growth rate target of 8% during 2012-17.

Second, the economy is *desperately crying for a strong revival of the investment cycle*. It is crying for acceleration of infrastructure development, be it in the exclusive domain of public or private sector or in the PPP format. The investment confidence of the private sector is visibly at a low ebb thanks to (a) the creation of excess capacities in many manufacturing industries, anticipating incorrectly the sustainability of earlier demand buoyancy; and (b) the failure of PPP projects in the infrastructure areas to gather any momentum. Therefore, to “crowd in” private sector investment (including FDI), considerable action now rests outside the budget.

Lastly, there is a *huge credibility gap* about the commitment to the proposed Central Plan (or even to the overall public sector plan) expenditure. The concerns about “*the fiscal bind*” of the government make this credibility of commitment even more suspect. We also apprehend that by the end of first two years of the Twelfth Plan, there would also be huge shortfalls in the budgeted financial allocations for the Central Plan. This would inevitably impact adversely the realization of physical targets. We strongly believe that no amount of road shows by the FM across various countries can substitute for the groundwork of actual action and execution that is necessary for promoting investment and returning to the path of high growth!

Appendix:

(Rs. Crores)	2011-12 (Actuals)	2012-13 (BE)	2012-13 (RE)	2013-14 (BE)	2012-13 (RE) over 2011-12	% growth 2013-14 (BE) over 2013-14
1. Agriculture, Irrigation, Rural Development, etc.	64, 171	69,696	60,103	76,419	- 6.3	27.1
2. Energy	121,855	154,842	148,230	158,287	21.6	6.8
3. Industry & Minerals	36,235	57,227	39,228	48,010	8.3	2.2
4. Transport	107,532	125,357	103,023	133,488	- 4.2	29.6
5. Communications	6,586	15,411	8,257	12,380	25.4	49.9
6. Science, Tech. & Environment	11,735	16,592	12,119	17,587	3.3	45.1
7. General Economic Services	19,696	24,777	21,017	31,602	6.7	50.4
8. Social Services	135,480	178,906	158,339	193,043	16.9	21.9
9. General Services	5,305	8,701	5,860	9,307	10.5	58.8
10. Grand Total	508,596	651,509	556,176	680,123	9.4	22.3

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Budget 2013 – An Elaborate Exercise in Denial (Cont'd. from page 7)

touch Rs.65 shortly? What is the evidence that anyone investing into India will not be a victim of a Rupee slide by December 2013?

That takes me to the core of the issue – how long are we to remain in denial on all these matters? Unless we save, invest, produce and consume more, we are condemned to be perpetually a developing country. Budget 2013 in fact prevents Indians from saving, investing, producing and consuming more.

Significantly, this Budget does not do anything to break the vicious cycle of despondency that has enveloped the nation.

PS: It is often remarked that Indians never miss an opportunity to miss an opportunity. Budget 2013 only reiterates this.

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Reflections: The Gang Rape and After

The New Delhi Protest

Nitin G. Raut

If the popular outrage frightened the Congress UPA leaders and Ministers from meeting peaceful protestors, what protection can an aam admi expect?

The New Delhi protest against the brutal gang rape of Nirbhaya on 16 December 2012 is considered akin to Tahrir Square protest in Cairo. In a sense it is but only in terms of spontaneity, outburst of youth anger and mass protest without organized leadership. It was not as violent as Tahrir. It was the pent-up anger that exploded against a policy of drift and corruption, policy paralysis and unaccountability. It was the proverbial last straw on the camel's back.

The initial reaction of the Congress-UPA Government to the protest was one of indifference hoping that the protest peters out. There was a show of imperious arrogance of the entrenched power. None of the ruling big wigs came to meet the protestors who were only demanding justice for the gang rape victim Nirbhaya and a speedy trial of the accused. It was the usual brinkmanship to test the resilience of the protesters. The coalition leadership was neither visible on the field nor in action.

Ostrich-like Reaction

Where was the Congress- UPA leadership? It was safely ensconced in the safe confines of their palatial Lutyens bungalows in the same way as the French nobility was in their castles in 1789 when the people marched to Bastille Prisons demanding justice and freedom for prisoners whose only crime was that they had protested against the absolute and tyrannical powers of the monarchy. In New Delhi, the constitutional protest was against the failure to enforce law.

The imperial Lutyens bungalows of the rulers resembled the impregnable castles of the French nobility, which scorned the protesters in the same way as the Congress-UPA Government looked contemptuously upon the protesters and dubbed the protest as acts of vandals. As thousands marched to Jantar Mantar and India Gate to protest, it perhaps recreated the scenes of droves of plebeians marching to capture the Bastille Prison that triggered the French Revolution when Bastille was captured on 14 July 1789 - the day commemorated as French National Day.

In New Delhi, Congress-UPA used the police to break the peaceful and Constitutional protest in the same way the French guards fired upon the unarmed protestors surrounding Bastille. If the Bastille storming ushered freedom from tyranny and justice, the brutal gang rape of Nirbhaya fanned a wave of anger against the lack of rule of law and against the reign of terror of the lumpens who thumbed at the law with impunity while the rulers enjoy the security of dozens of citizen-financed guards. It created an awareness of citizen's constitutional right to protest.

There is a striking similarity between the storming of Bastille in July 1789 and the march to India Gate. As those in France were incarcerated in Bastille for protesting against the rulers, those in New Delhi were tear gassed for expressing their constitutional right to protest peacefully in a public place, against a Government that has abdicated from its Constitutional responsibilities.

Moral Bankruptcy of the Ruling Coalition

The protest also had other facets. It was a protest of youth and students against corruption and mis-governance that virtually condones lawlessness. It had its parallel to Beijing's Tiananmen Square protest in April 1989, by University students fighting against corruption and demanding freedom and democracy. If the Tiananmen protest was in honour of the late Hu Yaobang, the General Secretary China's Communist Party, sacked for his Perestroika and Glasnost and support of the pro-democracy protest which started in December 1986, the New Delhi protest was in honour Nirbhaya, the gang rape victim, whose brutal death at the hands of fiendish rapists sparked a Tsunami of protest against an indifferent leadership which locked itself in its government fortresses.

The New Delhi protest also exposed the moral bankruptcy of the Congress-UPA leadership who was afraid of its own show and turned a Nelson's eye to protest that almost looked like the Nav Nirman student protest in Gujarat in early 1970s and was a precursor to the historic Jayaprakash Narayan movement against corruption. Even the Delhi Chief Minister Sheila Dikshit beat a hasty retreat

after a delayed visit. To add insult to injury, the Home Minister Shinde commented that if he were obliged to meet all protestors, tomorrow even the Maoists would come to Delhi and expect the same. If the Home Minister did not have the courage to meet peaceful protestors would he even dare to meet the ruthless and armed Maoist notwithstanding the security curtain wrapped around him and his ilk! Was this not the same Home Minister who was non pulsed and pleaded helplessness when the Pak Home Minister on his January 2013 visit to India insulted Kargil martyr Captain Saurabh Kalia, and defended the LeT boss Hafeez Sayeed? If the popular outrage in Delhi frightened the Congress UPA leaders and Minister from meeting peaceful protestors, what protection can an aam admi expect?

The protest proved that the elected representatives are only concerned about their own security while the citizens are left to fend for themselves. It showed the disconnect between the rulers and the citizens. Dynastic politics has come to be synonymous with absolute

monarchy that is not in sync with republicanism and democracy. Will the protest detoxify corruption? UPA chairperson Sonia Gandhi is billed as the 10 top powerful leaders. What use is that 'power' if it provides no courage to meet peaceful protestors? Today that power has become a self-serving instrument and political snobbery has assumed sickening proportion.

The protest however has a larger message. The political process is in a state of convulsion. It is a crucial phase of transition for Indian democracy where political parties are groping in the dark for answers. The frauds, kickbacks and corruption has crippled the Congress-UPA Government. If the BJP happens to return to power because of the decline of the Congress, it will be, unfortunately, not because it is a party with a difference, but because the Congress-UPA Government is drunk with power.

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We are still in an age when some of us believe that our "thanedar" should be the one to deal with terrorism. Some even say that each police station in India should be converted into a counter-terrorist unit. Terrorism can be resisted only through a joint strategy of preventive intelligence, preventive structural arrangements in public buildings and by drawing in the support of the local community.

V. Balachandran, *Sunday Guardian*, February 24



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Reflections: The Gang Rape and After

Justice Verma Committee Report

Suresh Sharma

*Compared to civilian courts, delivery of justice by court-martials is faster and exemplary.
The chances of acquittal are far less.*

Justice Verma Committee was appointed after the Delhi rape case and the agitations that followed the incident all over India. The Committee was required to make recommendations to modify the laws relating to rape and connected offences against women. The Committee was flooded with suggestions on the issue after it had sought suggestions from the public. Working overtime the Committee has produced a voluminous report of over 500 pages. The Report also touches on the subject of violence against women or rape by military personnel and has recommended that such cases be tried by criminal and not by military courts. It has surprisingly recommended that the commanding officer [CO] be tried and sentenced up to seven years imprisonment for breach of command responsibility under a new section 376F.

This provision is based on faulty perceptions and plea of NGOs who ignore ground realities. There is no evidence of the armed forces shielding personnel accused of rape. On the contrary, there is an urgent need for action against those who make false allegations. In theory a soldier who has been falsely accused can seek justice from the courts, but he does not have the financial resources to fight the legal battles. Besides, his name has been tarnished amongst his colleagues and family. Can a monetary award compensate for that?

Court-Martials vs. Civil Court

The committee has obviously not taken care to examine the record of military courts. Compared to civilian courts, delivery of justice by court-martials is faster and exemplary. The chances of acquittal are far less. There is little chance of influencing witnesses or delay due to witnesses not reporting. We see that in civil courts trial being postponed for years as witnesses are not produced in the court. The army, on the other hand, takes this seriously since it is considered to be a breach of discipline. No commander allows his men to indulge in such activities as it reduces or even destroys the combat ability of his command. When soldiers commit serious crimes, and prima facie evidence exists, army initiates immediate action to conduct an enquiry and court-martials the culprit without any sanction from any authority. It is only in cases where

the Army feels that a soldier is being falsely implicated that Central government's sanctions are sought. The conviction rate in civil courts in Maharashtra is 6%. Every soldier will opt for trial by civil court if he has the option. A soldier is carrying out a difficult task. He has implicit confidence in his leaders and exposing him to trial by civilian authorities will spoil that sense of confidence and camaraderie. It must be noted that confidence in leadership is the first requisite of high morale.

Subjective Unjust Approach

The section demanding punishment to a CO for crimes committed by the soldiers under his command beats all logic. It is applicable to insurgency areas only where the AFSPA is valid. The army has a difficult task. A soldier is not used to dealing with situations in urban area and is hesitant to strike friendship with civilian population. The militants take refuge in houses, either by force or through connivance. They use the inhabitants as a shield. The women are known to hide weapons under their veil and open fire. Should the soldiers not take the obvious measure to search them? There are no women soldiers available. A clause to protect the CO has been included that states that action against the CO is to be taken only if he could have foreseen molestation or rape. This is a highly subjective approach and is against the grain of justice. When we see criminals getting away due to the strict provision of the Indian Evidence Act, must the COs be subjected to this inhuman act? At the top of it, it is being supported by elements who want humane treatment of militants. A unit has to cover a wide area and the patrols may have strength of only five to ten soldiers. How can the CO exercise control on men ten kilometres away?

For the time being, it is some comfort that the recommendation for holding the CO responsible for the crimes committed by the soldiers has not been included in the Ordinance proposed by the Government. In case it is included in the final Act, all I can say is that nobody would want to be a Commanding Officer.

The Need for AFSPA

The flawed approach to violence against women

by soldiers has prompted Human Rights groups to demand scrapping of Armed Forces Special Powers Act [AFSPA] altogether. The social activists' oft repeated argument is that AFSPA has not ended terrorism and is of no use. The law against theft has not put an end to that crime. Should it be scrapped? In a lecture, Chidambaram has spoken in favour of making the AFSPA more humane. He blames the army and not the Defence Minister for opposing any such proposal. It is strange for a minister to criticize a decision of the cabinet. The former Defence Secretary, Prasad repeated the same song during a TV discussion. Ideally, the Defence Minister or the Prime Minister should have refuted the charge of Chidambaram. Failing that, the Army should have explained the need for this Act.

The panelists and media appear to be considerate by accepting the need to protect the army. AFSPA is necessary to allow the army to function and bring the situation under control since the police are unable or reluctant to do so. It is essential to enforce the constitutional authority of the State. Chidambaram will do better by training and motivating his police force so that the army is not downgraded to do a police duty. He considers the army to be a bad guy in a democracy. UK and USA have laws against use of military in domestic violence except for rescue of hostages or defusing bombs. Let us be bold and follow similar practice. I wish to remind him that Aizwal was once bombed by fighter aircraft at the behest of the Cabinet and was not the choice of the military. The army should not be exposed to insurgency operations for long periods. It can be used like a surgical operation and revert to barracks soon after that. There is a grave danger of

alienating the army from some religious or ethnic groups if used for operations over long periods. Let Chidambaram's police force shoulder its responsibility.

Failure of Political Processes

The army must learn to brief the media and take the public into confidence. We need to tell the public that violence continues due to failure of political process. The army can only create conditions to assist political negotiations and enable the Government to talk from a position of strength. While the army must act for any crimes committed by the troops, the troops deserve accommodation and suitable amenities of peace environment rather than the present conditions of toiling in jungles and earn bitter comments.

The comment that "the brutalities of the armed forces faced by the residents in the border areas have led to a deep disenchantment and lack of mainstreaming of such persons into civil society" is strange and contrary to facts. The army is inducted only after the population has been alienated. If withdrawal of the army can restore peace and bring the population into mainstream, let us not wait even for a second and move them out. The army would be only too happy to get into barracks in peace stations. Only do not send them back to suffer casualties when insurgency breaks out again and the political process fails.

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The Hijacking of Wharton

Though American universities are amongst the best in the world, there also exist many compromised academics that promulgate theories on India which are racist, colonial and downright inimical to India's interests. Many naïve Indian donors have unwittingly sponsored such scholars. My earlier book, *Invading the Sacred*, analyzed how certain professors at top American schools view Indian culture as oppressive and destructive, using outmoded theories; my next book, *Breaking India*, exposed the nexus between such academics and civic groups that are promoting separatist identities and schisms in India. I analyze the long-term trend that I have called "breaking India," in which many colonized Indian intellectuals are funded to dish out divisive and biased materials on India. Such meta-narratives can put Indian business leaders on the defensive in their international negotiations.

Wharton should not have capitulated to political petitions from persons outside of the business world. It

ought to have turned this into an opportunity to debate Modi, and confront him on the controversies that swirl around him. That would have been true to the spirit of intellectual freedom. Universities are not known to shy away from controversial figures, and students are supposed to learn multiple sides of complex issues. This was meant to be a business students' forum that has been organized entirely by students for several years. Most of them will have careers involving non-Western countries with controversial leaders and circumstances. They are better off being taught to think for themselves rather than running away from complexity or letting others make decisions for them.

Excerpted from the article by Rajiv Malhotra in The Huffington Post Blog. Posted on 7 March 2013. Contributed by Ram Narayanan. To read this highly readable article visit http://www.huffingtonpost.com/rajiv-malhotra/the-hijacking-of-wharton_b_2814421.html.

Reflections: The Gang Rape and After

Death of a Rapist

Ashok Karnik

Ram Singh's death became a sensation not because people cared about him but it exposed the inadequacies of our prison system. The prison system is an anachronism

The suspected suicide (March 10) of Ram Singh, a self-confessed rapist of the Delhi brave-heart, would not be mourned by many. Harsh but true! There are two inaccuracies in the above statement. Ram Singh was not convicted of rape yet and his so-called confession was open to retraction in court. The fact remains that most of us would suspend our humane inclinations and prefer to see all the six accused summarily hanged for the offence that shook the country. It is only our adherence to a civilized judicial system that compels us to give such accused a chance to defend themselves. Tihar jail where Ram Singh met his end is under a microscope to find out how Ram Singh could commit suicide or get murdered and escape justice. This is more an emotional response as proper justice could not have inflicted greater punishment than forfeiture of life.

Mystery Behind the Death

Tihar houses 9,000 (some say 12,000) prisoners against its capacity of 6,000. Its occupants range from politicians involved in chicanery to terrorists and murderers. Its staff is accused of corruption and brutality as well as negligence. Those with political, financial or physical muscle seem to get preferential treatment in the jail. In the Ram Singh case, in spite of knowing that he was a suicide candidate, the jail could not prevent it. Of course, the suicide theory has a lot of holes in it. It is not known whether Ram Singh was really remorseful and suicidal; how could he hang himself when three of his co-accused were sleeping next to him? What did he hang himself with? The story goes that he ripped his *durrie* (mat) and used its threads to make a rope to hang himself. He is supposed to have done all this while his mates were sleeping a few feet away. The suspicion that the jailers might have got rid of him does not hold water as his cellmates would have raised a hue and cry. Does the needle point to his cellmates then? There was a grill door within the prison cell. Did it isolate Ram Singh from his cellmates? Or whether the cell mates helped him in ending his life? Wonder what the jailors were doing while all this was happening? Then there were specific reports that a prisoner was using a cell phone to suggest how all the rape accused could be killed. There was no love lost for the rape accused

within the prison community as rapists are considered low even among criminals. Everybody seemed to want them dead!

Tihar jail also houses VIPs caught in scams and is a high profile institution. The difficulties in managing a township-sized jail are enormous. There is insufficient jail staff to keep track of life in the overflowing jail. Every half an hour or so, a guard is supposed to take rounds of the cells from outside. Can he do so regularly or does he choose to do so every 2-3 hours? The attention of the jail staff is on preventing escapes. Rape accused like Ram Singh are hated by most jail-mates and are in danger from within. That they have to be guarded from themselves is the last consideration.

Need for Improvement in our Prison System

There are ongoing debates on how to improve our prison system. Utopian ideas are bandied about that there should be psychiatric evaluation of prisoners and counseling be made available to them so that their mental state would be understood better. In a country where honest citizens do not get life saving medicare, the idea of providing psychiatric counseling to prisoners would be hard to sell. We have to be realistic to set limited goals or we will fail badly. Ram Singh who died unmourned, except by his immediate family, did manage to start a debate on prison reforms.

The fear that Ram Singh's death would jeopardize the rape-murder trial is misplaced. His confession would have implicated himself but not the other accused. They would face their retribution in time – hopefully soon. Unfortunately, their lawyers would cite Ram Singh's case to seek security for them and our system would compel us to provide it. Ram Singh's family would try to project him as a martyr with the help of TV channels. We have to guard against giving misplaced importance to rapists and keep remembering their victims to ensure that the guilty are punished adequately.

ASHOK KARNIK, ashokkarnik2001@yahoo.co.in

Reflections: A Flawed Democracy

Are We Really Free?

Firoze Hirjikaka

The system is engineered such that even a former prince or the head of a powerful business empire is forced to grovel, cap in hand, to a minister or a bureaucrat, some of whom have criminal antecedents.

India gained freedom from British rule in 1947 - supposedly. In 1947, India became a functioning democracy - supposedly. After 65 years of governance, supposedly by the people of the people, the question all right thinking Indians should be asking is this: are we really free?

The most onerous and egregious aspect of British rule was their air of superiority. Our overlords never let even the most educated and refined Indian forget that he was inferior to even an uncouth British subaltern. They were the rulers and we were the ruled; and we had better damn well always remember that. After more than six decades of throwing off the imperialist yolk, are we citizens of a free country or subjects of a self-appointed VVIPS coterie? The reality of modern India is so far removed from the vision of our founding fathers that Mahatma Gandhi, Nehru and the other stalwarts must be turning in their graves.

The New Viceroy

The division of India is not just between the rich and the poor. It is between an all-powerful political class and the rest of us. The system is engineered such that even a former prince or the head of a powerful business empire is forced to grovel, cap in hand, to a minister or a bureaucrat, some of whom have criminal antecedents. The new viceroys have cleverly kept in their exclusive grasp the most powerful weapons of all - permissions and clearances. They have manipulated the system to ensure that nothing gets done without government permission. The clearances ostensibly meant to ensure good practices, or to protect the environment are, in reality, tilted towards the dishonest and unscrupulous who are prepared to grease the right palms.

Our new rulers take great pains to keep themselves at a safe distance from the very citizens who elected them. Under the pretence of protection against non-existent threats, they surround themselves with posse of gun toting policemen. They ensure that traffic is stopped and roads cleared when they move about in our towns and cities like modern day maharajas. The whole intent is to

perpetuate the myth that they are a class apart, with perquisites and privileges that are their absolute right. One way is to maintain tight control over the police and investigation agencies, thereby ensuring their subservience. Who will bring wrongdoers among them to book when they have power over the very instruments capable of making it happen?

Our 'democratically elected' leaders have usurped the one prerogative that ironically keeps dictators in power - unaccountability. Yes, we have an independent judiciary, but for courts to function, the primary prerequisite is for the cops to file a case; and it would be utopian to expect the law enforcers to initiate action against politicians who hold their careers in their hands. Time and again we have witnessed even petty politicians throw their weight around and take the law into their own hands - with impunity. It degrades our nation to hear policemen openly admit their inability to arrest someone indulging in criminal activity simply because he is a politician or has political connections.

Cancer of Corruption

Then there is the all pervasive cancer of corruption; incurable and rapidly spreading. Corruption is not just about those in positions of power getting rich by unscrupulous means. It is about demeaning the reputation of India; it is about labelling India as a country of crooked public officials who will forsake their conscience and go to any length to make a quick buck. It is a land where heartless and amoral bureaucrats will blithely deprive the poor and destitute of the pittance the government doles out as subsistence to them just to fill their already bulging coffers; where greedy traders have no compunction about adulterating food products with toxic substances, unmindful of the countless innocent deaths it may cause; a land where fruit sellers and criminals enter politics and amass hundreds of crores without being questioned or held accountable. A land where powerful and obscenely wealthy ministers, by siphoning off money allotted for vital water supply projects, literally cause thousands of farmers to die of thirst or allow them to kill themselves.

There is a more insidious form of corruption that

goes largely unreported. I am talking about the profligate waste of the lakhs of crores collected from the common people in the form of direct and indirect taxes. It is almost a given that all infrastructure projects will be inordinately delayed and go grossly over budget. I am talking about a smug government that wastes hundreds of crores on full page advertisements in national newspapers to blow their own trumpet. I am talking about a police force whose members make judgements not in the interest of justice, but based on which party can offer them the greater financial benefit. I am talking about callous municipal corporators who are so uncaring about the perks granted to them - at taxpayers' expense - that their drivers earn more in overtime than the commissioner himself.

The Helpless Citizens

What can we, the people, do about the ignominies heaped upon us? Not very much, I'm afraid. Our intentionally flawed democracy allows votes to be bought cheaply and criminals to be elected by the mafia. Yes we can vote one party out of power, but only to replace it with another that is equally arrogant, venal and corrupt. It is a shame that the reputation of our politicians and police is so dismal that the general public readily believes the most outrageous reports of their misdeeds, even when

they are exaggerated. It is true that more and more Indians, helped along by an inquisitive and aggressive media, are demanding better governance and greater accountability from our leaders, but we still have a long way to go.

Yes we have a long way to go, but will the present system allow us to ever get there? The dice are heavily loaded against the citizens. We need better laws and regulations, but laws can only be made by parliament; and parliament is controlled by the very charlatans who have got us into this mess in the first place. And even if we force the lawmakers to get their act together, they will ensure that the law enforcers under their control implement them selectively to cause themselves minimum harm.

So that's about it. We Indians are too docile to stage a Tahrir Square style revolution. We are not totally helpless however. As the sustained public outrage after the Delhi gang rape showed, we do have the power to make the modern maharajas seriously worried. It may not result in any fundamental changes, but at least it will make them less complacent. It's a start.

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Remembering Hari Shankar Singhania - R.I.P.



I am writing this to express my personal respectful grief at the demise of the late Shri Hari Shankar Singhania, head of the JK group, at New Delhi on February 22, 2013.

During my decades as the Chief Economist of Tatas, I had only a nodding acquaintance with Mr. Hari Shankar. But when he had the distinction of becoming the first Indian President of the International Chamber of Commerce [ICC], Paris, in 1992, he decided to launch a 'Corporate Economists Advisory Group' [CEAG] in the ICC, and invited me to be an honorary member to represent India and the developing nations. I welcomed this prestigious opportunity. As it turned out, it involved some hard work before and after attending the CEAG's two full day meetings held annually in Paris or elsewhere. There was hardly any other member from the developing world. So, my presence, hopefully, helped place the Indian perspective

on the radar of ICC management and, more so, of some of the world's best business economists. During his tenure, Hari Shankarji took great interest in the happenings at the CEAG meets. His innovative foresight obviously paid rich dividends. We also hosted a two-day path breaking CEAG meet in Delhi. Hari Shankarji hosted a widely attended dinner at his residence. He, like Dr. Montek Singh Ahluwalia, also had in-depth discussions with the Group. His support and interest, as well as the unsolicited compliments from FICCI committee members on my reports were my satisfying rewards..

A few years ago he rightly decided to write short down-to-earth articles on some macro issues facing the industry. I strongly favoured his publishing them together as a book. Happily, he had done this recently.

I served on it several years after his tenure at the ICC and remained in occasional contact with him. But it was my ICC exposure that created enduring respect for Hari Shankarji and convinced me that Indian industry is poorer without him. - R.I.P.

Dattaraya R. Pendse

Well-known economist and was, for a number of years, Chief Economic Adviser to the Tata Group.

Reflections: A Flawed Democracy

A Travesty of Justice!

H. R. Bapu Satyanarayana

“Katju has reinforced the corrupt patronage system”

- Firstpost Editor, R. Jagannathan

All the Perfumes of Arabia

My interest was provoked after reading an article in *The Hindu* dated February 15, 2013, wherein under the title, ‘All the perfumes of Arabia’, the Chairman of the Press Council of India, Mr. Markandey Katju has expressed his strong views against Mr. Narendra Modi, the Chief Minister of Gujarat, whose name is making the rounds as the prime-ministerial candidate for the 2014 elections. Justice Katju’s arguments follow the now familiar pattern that rests on two issues; firstly referring to the aftermath of incidents of Godhra in February 2002 and secondly on the Gujarat’s development model. He dwells in some detail on the attack on Muslims, which in effect conveys an extremely negative impression of his unsuitability for the post of future Prime Minister. Justice Katju qualifies, with colourful expressions, that all the perfumes of Arabia cannot wash away the stain on Modi and adds that he certainly does not buy the story that Modi had no hand in the events of 2002.

Had Justice Katju confined his comments to these two issues it would probably not have created such a furore as this has been the running theme of the so called ‘secularists’ with the Congress spokespersons in the vanguard and people are getting tired of it. However, Justice Katju appears to have reached a new high when he says, I quote, “To call the killings of Muslims in 2002 a spontaneous reaction reminds one of Kristallnacht in Germany in November 1938 when the entire Jewish community in Germany was attacked, many killed, their synagogues burnt, shops vandalized after a German diplomat in Paris was shot dead by Jewish youth whose family was persecuted by the Nazis. It was claimed by the Nazis government that this was only a ‘spontaneous’ reaction, but in fact it was planned and executed by the Nazi authorities using fanatic mobs.” Katju concludes, “I appeal to the people of India to consider all this if they are really concerned about the nation’s future. Otherwise, they may make the same mistake that the Germans made in 1933.” The import of what he says in the end leaves little room as an unvarnished political propaganda against Modi.

The Congress may have become wiser after Ms. Sonia Gandhi called Modi the *mauth ka Saudagar* in the previous Assembly election when they suffered electoral reverses. The party will be mightily pleased that Justice Katju, short of comparing Modi to Hitler, has conveyed the same message. This is an undisguised statement not only to paint Modi in lurid colours in line with the Congress and their spokespersons have been indulging since a decade but also constitutes a propaganda exhorting people to shun Modi. Probably the statement coming from any other person other than Justice Katju, might not have created such a furore since he holds a very responsible position.

War of Words between Justice Katju and Jaitley

Understandably, the leader of opposition in Rajya Sabha, Mr. Arun Jaitley, who belongs to the BJP, reacted sharply and called for the resignation of Mr. Katju as the chairperson of PCI. His reaction appeared in *The Hindu* on February 12, 2013, under the heading ‘Katju appears to be more Congress than the Congress’ He further says that Justice Katju is “extraordinarily soft on those who provided him a post-retirement job” and exercises ‘self-censorship’ on issues related to the UPA’s corruption from the 2G spectrum to the coal block allocation. He dwells at length on Justice Katju’s failure on every test on which a judge, whether sitting or retired, could be judged and the choice of his subjects and targets appear to be motivated by his political preferences. This has drawn a sharp repartee from Justice Katju who says, “Arun Jaitley is talking rubbish and he must take ‘sanyas’ from politics because he is not cut out for it. He is twisting facts. I have criticized Congress-ruled States as well. I sent notices to the Maharashtra government when two girls were arrested for their post on Facebook.”

It is in this context that the observation by *First Post* Editor, R. Jagannathan’s, in his article “Katju has reinforced the corrupt patronage system” assumes relevance to judge where the truth lies¹. Jagannathan says that in the slanging match between Jaitley and Justice

Katju, truth seems to have been the casualty. According to him, “one simple fact has been lost sight of: The systemic element of patronage that supports the entire edifice of corruption in India;” that instead of fighting corruption, Justice Katju has chosen to reinforce the system. The *First Post* editor avers that the perception of Justice Katju about Narendra Modi is not the important issue; what is important is the fact that his appointment as Chairman of the Press Council immediately after his retirement as Supreme Court judge has strengthened a vital pillar of political patronage in our corrupt system.

Justice Katju says that Jaitley has twisted his statement. Jagannathan says that Jaitley must realize that if Justice Katju was really interested in safeguarding values he would have refused to accept the nomination. Therefore, there was no possibility of Justice Katju’s conscience being hurt by Jaitley’s comments. Justice Katju not only accepted the job but also asked for more powers to control the media by which he demonstrated his unwritten pact with the Congress-led UPA government.

He cites a news item published by *The Indian Express*, according to which from 2008 onwards, out of 21 retired judges, 18 have been appointed to financially rewarding positions. He quotes the example of how a judgment was delivered just before retirement by a judge of the Supreme Court to facilitate the judges’ appointment as information commissioners at the centre and in the States. He says that if you review the instances of appointment after retirement to positions of power and profit one cannot escape viewing it with suspicion. He avers that this also applies to the case of Justice Katju, who was appointed as the chairperson of Press Council of India within 15 days of his retirement on September 20, 2011. To prevent such systemic aberration he suggests that officers and judges should not be appointed to new office until after a lapse of two years of their retirement. In fact, he goes on to question whether it is at all necessary to appoint retired judges or is it that other deserving persons are not available in the country. He says that this applies not only to judges, but also equally to those officers who are in a close relationship with politicians. In such a situation, how can good governance be expected? He again refers to an article published in *The Indian Express* according to which countless retired IAS and IPS officers, whose number is legion, are appointed to positions of profit without much responsibility. He gives statistics to show how the system has been perverted and in fact, positions have been created to accommodate such retired officers

Judiciary’s Assault on Democracy

Mr. A. G. Noorani, a Supreme Court advocate, in an article in *The Hindu* on January 12, 2013 has referred to the recent judgment delivered on September 13, 2012 by a two-judge bench of the Supreme Court comprising Justice Swatanter Kumar and Justice A. K. Patnaik calling for complete overhaul of the system of the Central Information Commissions and State Information Commissions. He characterizes the ruling as a wanton and reckless assault on parliamentary democracy without realizing its graver and long-term consequences. Fortunately, it could not be followed-up as proceedings of its review had to be halted because its author, Justice Swatanter Kumar, retired and was immediately appointed as the Chairman of the National Green Tribunal (NGT) but not before delivering intemperate comments during the review proceedings.

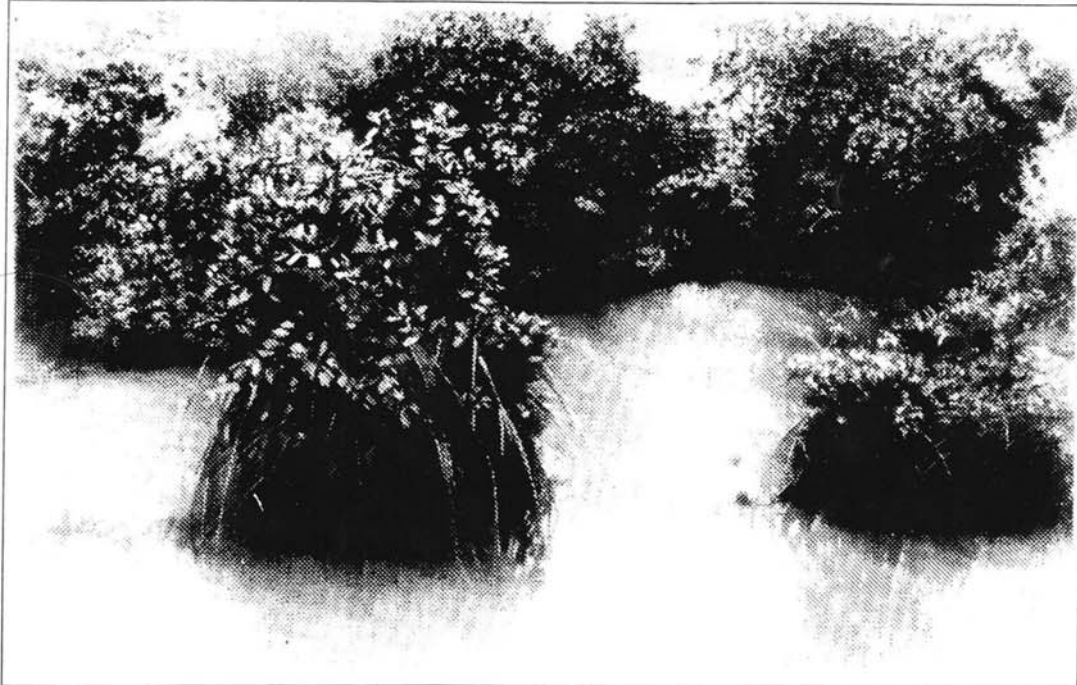
It is pertinent to point out that another bench, comprising Justices G. S. Singhvi and S. J. Mukhopdya, remarked that appointments to tribunals including the NGT had “raised serious issues relating to the integrity of judges” and that ‘there is a competition among the judges to get those appointments’. This only shows that if today there is still a semblance of justice prevailing and people continue to repose confidence in the judiciary, the country owes its gratitude to a few judges who adhere to certain ethics of their profession. The tragedy is that their numbers are fast dwindling. It is clear that various Commissions presided over by judges have served little practical value.

The conclusion is obvious that these Commissions have served little purpose and a waste of taxpayers’ money. How successfully the judges of the Supreme Court have conducted themselves on the Press Council of India becomes clear from the fact that at least six CJIs left office in the last quarter century under a cloud points out Noorani. Apart from the war of words exchanged between Justice Katju and Arun Jaitley the former has also been credited with saying that 90 percent of Indians were idiots! Wonder whether Justice Katju will join the tribe of six referred to above.

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¹ For the full text <http://www.firstpost.com/breaking%20views/katju-has-reinforced-the-corrupt-patronage-system-630605.html>

CONCERN FOR THE ENVIRONMENT



A unique feature of the Industrial Garden Township, Pirojshanagar, is a large expanse of swamp, one of the very few such areas existing in the city under original mangrove forests.

At a time when mangroves are being destroyed at an alarming rate in the process of excessive and damaging reclamation..., Godrej has taken steps, at considerable care and expense.

to preserve and protect this Nature's gift in the awareness that mangrove destruction leads generally to loss of food, breeding grounds and shelter for numerous forms of life.

It is almost unbelievable that, like the Sanjay Gandhi National Park in Borivli, such a mangrove still exists in the excessively congested and polluted megapolis that Mumbai is

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WELFARE : ENVIRONMENT / POPULATION NEXUS...

Reflections: In the Midst of Blasts, Turf Wars Continue ...

National Counter Terrorism Centre (NCTC)

Ashok Karnik

The Union Home Minister has shown willingness to consider detaching the NCTC from the IB to satisfy the autonomy protagonists. However, that would create another problem altogether...

After the Hyderabad twin blasts (February 21), attention is again focused on the inadequacy of coordination between the Centre and the States on life and death matters like terrorist strikes. As usual, there were claims that the Centre had intelligence that terrorists were planning to strike but not the date, time and exact target. What was the State expected to do? The Centre expects the States to fill in the blanks in the intelligence provided by the Centre; it would be impossible for the Centre to penetrate the *gullies* and *mohallas* to identify the specifics. All over the world, generic intelligence is obtained at the national or international level and it is further developed at the ground level to foil terrorist strikes. The problem is that in India there are no resources at the local level to fill in the blanks.

Why NCTC?

It is easy for the Centre to leave the ground action to the States but time and again the local police are found to be inadequate. They are simply not equipped to deal with such a complicated matter as terrorist action. Firstly, they have no time to develop expertise since their energies are dissipated in all directions from *bandobast*, crime investigation, VIP security to routine law and order functions. Terrorism needs a study of the mind of the terrorist, his methods, sources of recruitment for such activities, the module formation and the network of suppliers, bomb makers, the shadowy controllers and finally the motivators. It is unreasonable to expect that every town and city police would have officers with this level of expertise. It is, therefore, logical and mandatory to have a dedicated group of officers to deal with this complex problem. The NCTC is expected to provide this expertise. P. Chidambaram, when he was the Union Home Minister, studied the best practices adopted all over the world in view of the newly emerging threat of terrorism, post 9/11 and came up with several ideas for the Indian situation. While his ideas like the National Investigation Agency (NIA), National Technical Research Organisation (NTRO) were accepted – though with some reservations – the National Grid (NATGRID) and NCTC met with opposition. NATGRID faced difficulties about control and

dissemination of information while NCTC faced more fundamental, constitutional hurdles. Even Chidambaram's critics will concede that he is never short on ideas. His only problem was the gap between his ideas and their implementation.

Objections

The objection to the NCTC was twofold: the NCTC needs to be empowered to act wherever it detects a threat which would entail a Central force acting on its own in States, violating the State autonomy vis a vis law and order. Secondly, the Intelligence Bureau was proposed to be the controlling entity for the NCTC. The IB, which has the wherewithal to keep track of terrorist activities, is not a police organization *per se* and has no police powers; it is deliberately kept so, as intelligence needs to be kept aloof from the power that intelligence provides so that it is not misused. In the NCTC, the IB would be the apex body with powers of arrest and seizure. The combination of intelligence and police powers is considered dangerous. The Union Home Minister has shown willingness to consider detaching the NCTC from the IB to satisfy the autonomy protagonists. However, that would create another problem altogether as NCTC without the IB backup would be an empty shell. It will have to raise a country wide network parallel to IB's or be at IB's mercy to obtain intelligence. Knowing our empire building bureaucrats, IB would most likely be inaccessible to NCTC and the two would start working as rivals. The expenditure on duplication is another matter. Then somebody would come with an idea of a supervisory body to coordinate between the IB and the NCTC. That would be music to our bureaucratic soul and put an end to all anti-terrorism effort. It is sure to kill the patient instead of curing the disease. If that happens, soon there will be skirmishes between the IB and the NCTC for kudos for saving the country from terror or finger pointing at each other whenever a terror strike succeeds. Detaching the NCTC from the IB would be akin to reinventing the wheel, as the NCTC would have to begin from recruitment, training, developing expertise, raising contacts and sources, which can take years. All these handicaps could render it ineffective for

years and make it fail so badly that it might be condemned without trial. A concession offered by the Home Ministry is to get the NCTC to inform the State Director General of Police in advance of any arrest or search to be carried out in that State. This might assuage the feelings of autonomy warriors. The ideal solution now proposed is to give up the police powers envisaged for the NCTC and allow it to remain as part of IB.

Pragmatism vs Apprehensions

Instead of opposing imaginary ghosts, the States must realize that the NCTC should be given a fair run in the interest of national security. It can be kept under the 'oversight' of a neutral unbiased body (judicial?) to prevent its misuse. If, and when, it is suspected to have been misused by the Centre, as is its wont, as seen in the use of the CBI, the States can take it up with the 'oversight' body. Lack of trust in the Central Government

should not come in the way of national interests.

The need for an apparatus to tackle a long-term danger like terrorism must be appreciated by all. It is a matter that should transcend political boundaries. We have suffered long enough complaining of lack of coordination and doing nothing about it. It must be realized that terrorist attacks will continue as long as Pakistan continues to regard India as the bogeyman responsible for all its ills. Let us not delude ourselves that the threat would disappear just because we show magnanimity. A word of caution: NCTC is not a panacea against terrorism and its formation would not automatically safeguard us against terrorist attacks. It would only be an instrument to fight the menace. Let us at least try it out.

ASHOK KARNIK, formerly Deputy Director Intelligence Bureau, Government of India. Member of the Advisory Board of *Freedom First*. ashokkarnik2001@yahoo.co.in.

'Trousing' a Brown Envelope in Myanmar and Communal Politics in Britain

Thanks for *Freedom First* – a good source of information about Bharat, where I was a visiting academic 1973-4, and a country for which I still feel much affection.

I see the Congresswallahs are the same as ever. They have more Congress positions than in the Kamasutra. Meanwhile the bureaucrats still obstruct progress. When Mrs. Gandhi was in power, I always used to refer to India as a 'chumchocracy'

I am just back in UK from Myanmar – a walking socialist disaster. They not only need democracy, they need free markets. As it is, the Burmese military rulers will survive by allowing in big corrupt foreign enterprises, particularly the Chinese, on a crony and back-hander basis. The Chinese will get a port in the Bay of Bengal. Money talks.

Bribery creeps in here too. In Britain, we have a wonderful slang term for this; it is called 'troussing a brown envelope'. I do not know what the dhoti equivalent would be. Many of our MPs and peers here in Britain have gone to jail or at least had to resign for making false expenses claims but they have not had the guts to prosecute the worst offender, Baroness Uddin because she is a Muslim.

Your readers should check out these links

<http://www.publications.parliament.uk/pa/ld201011/ldselect/ldprivi/39/39.pdf>

http://en.wikipedia.org/wiki/Pola_Uddin,_Baroness_Uddin

<http://www.spittoon.org/archives/5636>

One is the House of Lords report on Baroness Uddin. The others refer to the misdeeds of Muslims on local councils. They have infiltrated the Labour Party just as the Trotskyites used to, and fix meetings so that a Muslim candidate is chosen. Then they try to replace qualified local administrators with Muslim pals of the Muslim councilors. I used to live in a three-councilor ward where perhaps 20% of the people were Muslim. The rest of us were Christians, Jews, Hindus and Sikhs. Somehow, all three of the councilors were Muslims. They never mixed with the rest of us. One lived across the road from me. He never spoke to any of his non-Muslim neighbours – we are Europeans, West Indians and Sikhs so we do not count. It cost the Labour party all three seats because people went in for tactical voting to get them out. The Muslims will no doubt scream Islamophobia but the real problem is Muslim communalism - the curse of India has come to England. They switch between Labour (the equivalent of Congress) and the Muslim based Respect party. Shades of Jamaat-e Islami.

PROFESSOR CHRISTIE DAVIES, a political sociologist and the author of 'The Strange Death of Moral Britain' (Transaction 2006) was a visiting scholar in India in 1973-4 and wrote regularly for *Quest* and later *New Quest*. He has been contributing to *Freedom First* as well.

Terrorists Strike Again, and Again, and Yet Again: Failure of Will

B. Ramesh Babu

After the American withdrawal Pakistan, Afghanistan and Taliban will soon work out a modus Vivendi. Then all the Islamic terrorists in the region will be free to turn their attention to India.

Last month's article in the series ended by suggesting, "What cannot be cured must be endured." The twin blasts of 21 February 2013 in Hyderabad tell us once again that a lot can, and must be, cured at home immediately. Otherwise, India will remain condemned as a soft state, an easy target for terrorists of all hues; whether they are homegrown or those that sneak in from across the borders, or a deadly collusion between the two.

As a nation, we seem to be unwilling and unable to learn much despite repeated terrorist attacks all over the country. Mumbai and Hyderabad seem to be the favoured targets. Since the serial blasts in Mumbai two decades ago, terrorist attacks on our soil have become routine tragedies involving loss of many innocent lives; serious injuries to many more, and a lot of destruction of property. The saddest part is that we have failed to prevent, forestall, and abort the Dilsukhnagar blasts even when advance alerts were received. These warnings were ignored even when the local police knew about the two-month-old recce of the blast area by known accomplices of the terrorists. The Indian Mujahidin (IM) suspects and their handlers in Pakistan must be patting themselves on their back for yet another macabre mission accomplished. This certainly is the worst possible indictment of the panoply of "high power" bodies established to fight the menace of terrorism at national and state levels.

Each time the terrorists strike, we go through the same post facto tragic drama, which has become a disgustingly routine affair over the decades. One sees a frenzy of feverish activity in the aftermath of the attack:

- promises of quick investigation and stern punishment of the guilty whoever they may be;
- a lot of brave talk to the effect that such things would not be allowed to happen again;
- big and small leaders descending on the scene for photo opportunities shedding tears for the victims

and praising the helpless victims as 'brave people'; announcing ex-gratia relief to the dead and seriously wounded citizens;

- indulging in the now familiar political blame game;
- huge crowds milling around the targeted area destroying evidence;
- and media hype for a few days.
- Inevitably and predictably the finger of suspicion is pointed to our treacherous neighbour i.e. some terrorist outfit based in Pakistan, and ISI, the devil incarnate.

Soon afterwards, we relapse into the 'business as usual' mode.

This time, in the midst of all this, India received the Prime Minister of Pakistan, who came on a pilgrimage! Our Foreign Minister Salman Kurshid hosted a lunch for him in Jaipur. However, the nation was assured that there would be no discussion of any issues of importance at the meeting! Our official position is that of 'no talks' till Pakistan does something substantial in apprehending terrorists involved in the Mumbai carnage! In the meanwhile, the religious head of Ajmer Shariff announced that he would boycott the visit of the Pakistani Prime Minister in protest against the beheading and mutilation of our soldiers in J&K! No wonder people are at a loss to understand exactly what the Government of India's policy is towards Pakistan! India is indeed a free country, all are free to do whatever they choose to do and anything can happen any time anywhere!

What is most alarming is that in a few days we sit back and relax, and wait for the next attack, which is bound to occur sooner than later. What follows then is the wonder of wonders, *the disgustingly familiar aftermath routine!* 'Business as usual' is in full swing. There are wild reports that the extensive drive of checking vehicles and people all over the city had come as a 'windfall' for the Hyderabad

police. Obviously, a sense of shame is not among our great virtues!

Learn From Others

We as a nation should learn from other countries, big and small, which have a good track record on the terrorist front. The most successful among them is the US. After the mega tragedy of 9/11/2001, America has not suffered a serious terrorist attack. That is an inspiring record and we should go all out to learn from the US, which is willing to help. America is more federal in principle and practice than India. Yet, we have fumbled and failed in creating a strong all-India anti-terrorist agency. Even such a crucial need of the hour is bogged down by narrow partisanship and turf wars between the Centre and the States. Homeland Security Act may not fit our needs in all respects, but nothing prevents us to learn from them the intelligence sharing dimensions of the massive operation and the nitty-gritty of their best practices. The real issue is not that of resources. It is the lack of political will, absence of integrity at the highest levels of bureaucracy and political leadership.

Another country that could be of immense help is Israel. The country may be small. But their passion, commitment, and grit to stand the daily grind day after day, year after year and for long decades are worthy of emulation. Israel is able and willing to help, we should work closely with the country's security and anti-terrorist agencies.

There is no need to cite other foreign examples of relative success in tackling terrorism. There is a surprising inability and unwillingness to learn even from our own successes. We should go back to the drawing board on our very successful fight against the Khalistani terrorists in Punjab. K S Gill is alive and well. Between Gill, Israel, and America, there is a lot to learn and unlearn. We are good at diagnosis and in delineating the complexities involved. However, when it comes to putting into practice what we preach and swear by, our track record is very poor. Failure in implementation is our biggest inadequacy.

Local Connections

Almost all the terrorist attacks on the Indian soil tell us that local linkages are very critical at all stages of the operations. Without some degree of sympathy, empathy, and collusion at the local level, the terrorist

attacks do not happen so frequently. Availability of and accessibility to local accomplices makes it easy for Pakistan to carry on its 'proxy war' of *bleeding by thousand cuts*. Transferring the attack operations to local accomplices makes the Pak strategy of 'denial' more plausible.

Indian Mujaheeddin (IM) and its sleeper cells spread across the country are the most convenient and willing tools for Pakistan in its nefarious activities in India. In this particular case, there were reports of an official of the Ministry of Home Affairs (MHA) being in communication with a Pakistani spy soon after the blasts in Dilsukhnagar. It was immediately claimed that no vital information was passed on, naturally! A day later, another suspected case of Pakistani intelligence services efforts to break in to India's critical security network came to light. It was also reported that police and telecom departments in the state did not have the expertise and the wherewithal to crack such calls! Voice over Internet Protocol or Internet Telephony is being used by the terrorists and ISI agents from Pakistan and occupied Kashmir. In this context, the MHA claims to have neutralized many ISI modules and Pak spies. (See *The Hindu*, 6 March 2013, p.13 for more details) Obviously, this is a cat and mouse game and will go on forever. With our known skills and talent in the fields of IT and communications, we should be able to play our hand better in the game.

Follow-up and Political Interference

Failure to do a quick follow-up and to act in time

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on the leads received and recurrent political interference are among the other inadequacies in our fight against terrorism. It is reported that the NIA got leads suggesting that a three-member team including the much wanted IM operative Asadullah Akhtar alias Tabrej arrived in Hyderabad a week before the twin blasts. The police are now grilling several suspects including Mohammed Rayeesuddin to zero-in on the members of the sleeper cells in Hyderabad. It is necessary to note that the Hyderabad Police Department admitted that the alert from MHA about the possible terrorist attacks in some localities in Hyderabad was received ahead of time and they had 'acted' on it. Yet, the blasts could not be averted. It is rather 'interesting' that one of the police officers 'rued' that the terrorist were very clever and 'left no clues.' In fact, the latest reports on the ongoing investigations highlight how techno-savvy the attackers have become. They are using disposable emails and self-effacing websites to enhance their efficacy in operations and deniability. Our side has to do a lot of catch up with, and also stay a few steps ahead of, the adversary, which should not be insurmountable given our avowed technological prowess and enormity of our network.

Political interference in the Police Department is an unedifying constant in our country. This hard reality has come out in the Dilsukhnagar case as well. For example, Syed Maqbool, one of the accused in the Pune blast case, was given remission (along with others) by the YSR Government following requests from 'some political quarters', it was reported. He was actually released on 2 October 2009 when K. Rosaiah was the Chief Minister. Soon after his release, Maqbool was involved in several acts of terror including the four bomb blast cases in Hyderabad! **Now** the Police are questioning him about the recce conducted by his associates in some localities in Hyderabad including Dilsukhnagar. In response to the revelations, the current CM cancelled the remission given by his predecessor! Such wishy-washy attitude towards the menace of terrorism and the avoidable interference in the due process are not isolated examples. They impede investigations and undermine the morale of the law enforcing agencies.

Controlled Retaliation: a Way Out?

Obviously, our police and national security agencies have to pull themselves up at home on many fronts, including some of those highlighted above. Our political leaders must stop vote bank politics when it comes to terrorism, internal security of the nation, and safety of our people. Be that as it may, it is high time to be more assertive and aggressive in dealing with Pakistani intransigence and perfidy. We should explore, seriously

and urgently, ways and means of punishing Pakistan on a case-by-case basis. Our armed forces, top bureaucracy in MHA and MOD, and the political leaders at the very top must think carefully and thoroughly and agree on a set of punitive actions whenever terrorist attacks traceable to Pakistani actors (State or non-State) take place on our soil, *as per our investigations*. The top-most political leaders and the top brass of the armed forces should sit together and work out a detailed and hierarchy of specific acts of retaliation in Jammu and Kashmir and elsewhere. As a layman, I cannot suggest what they could be. However, I firmly believe that the time for retaliation is on hand and such a policy, short of war, would restrain Pakistan and the fundamentalist groups in the country. This approach deserves serious consideration because the withdrawal of the American and other western troops from Afghanistan is not far. Pakistan, Afghanistan and Taliban straddling both of them will soon work out a *modus Vivendi*. Then all the Islamic terrorists in the region will be free to turn their attention to India. In fact, the various actors in Pakistan have already indicated such a future. Unless we put our act together now, the promised future will be here before we are ready!

Graduated and controlled retaliation may be the only recourse left for us to deal with Pakistan sponsored terrorism now and hereafter.

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This poem, written by an African child was nominated by the UN as the Best Poem of 2005

COLOUR

When I born, I black;
When I grow up I black;
When I go in sun I black;
When I scared, I black;
When I sick, I black;
And when I die, I still black;
And U White fellows;
When U born, U pink;
When U grow up, U white;
When U go in sun, U red;
When U cold, U blue;
When U scared, U yellow;
When U sick, U green;
When U die, U grey;
And U call me coloured



Cornucopia

Firoze Hirjikaka

Preamble to a Farce

In a nation where sycophancy is rampant and the word 'sir' rolls readily off the tongue, individual dignity is a bit of a joke.

India's governments, irrespective of the party they belong to, have an unholy knack of making asses of themselves and cutting their own throats in the process. The latest idiocy is the diktat that boys and girls in Maharashtra's schools will have to compulsorily read the Preamble to the Constitution before starting classes. On the face of it, this seems like a laudable initiative. The irony lies in the fact that it is the same politicians that constantly make a mockery of the Constitution. Consider the following aspects of the Preamble.

The Preamble supposedly guarantees social, economic and political justice for all citizens. The unfortunate reality is that the poor of India, who constitute more than two-thirds of the population, rarely receives justice of any kind. The government knowingly perpetuates poverty in order to ensure a gullible vote bank that can be cheaply bought. The entrenched caste system imposes a social hierarchy that constantly puts obstacles in the path of those from the lower strata who aspire to elevate their position in society. As for political justice, the quality of our legislature and the preponderance of criminals speaks for itself.

Next comes liberty of thought, expression, belief, faith and worship. The nominally liberal and secular democracy of India imposes the worst kind of censorship on the majority of citizens. Our country has thousands of self-styled moralists and do-gooders who seek to impose their warped thinking on free speech, writing, exhibition and broadcasting. They even vent their bigoted spleen on something as innocuous as a Facebook post. The government is culpable for its cowardice in meekly

acquiescing in this unofficial dictatorship - and so is the police. Of course, the most insidious censorship is that on freedom of faith and religion. It is always a bunch of ignorant fanatics, who use hooliganism to 'guide' the faithful on their version of the right path, no matter how warped it may be.

Constitutionally, all Indians are guaranteed equality of status and opportunity. This is perhaps the most abused article of the Constitution. For a majority of citizens, their status is pre-determined by the caste they are born in; and so is their opportunity for advancement. Yes, there are sterling examples of those who have broken through the barrier, but these are few and far between. As for our political class, a prevailing feudal mindset ensures that the anointed leader enjoys near-absolute power and obedience.

The Preamble emphasizes fraternity, which is meant to ensure the dignity of the individual and the unity and integrity of the nation. In a nation where sycophancy is rampant and the word 'sir' rolls readily off the tongue, individual dignity is a bit of a joke. So is the unity of the nation. Splitting the country along linguistic lines has resulted in a fractured polity where the Centre holds only nominal authority.

There you have it then; our worthy and impeccable Constitution, which is followed more in the breach than the rule. And now, millions of students will be reminded on a daily basis about how badly they and their country have been let down by their rulers. Come to think of it, it's not such a bad idea.

The Art of Giving

Is there something in the Indian psyche that prevents us from acknowledging that there is a limit to everything, including wealth?

The recent India visit of Warren Buffet, the world's second richest man has highlighted the differing philosophies relating to philanthropy between Indian billionaires and those in other countries. The art of unconditional giving demonstrated by Buffet and Bill Gates, among others, seems to be lacking in their Indian counterparts. True, Aziz Premji recently donated 2 billion

dollars of his personal wealth to charity, but he is the exception rather than the rule. In general, when India's rich do give to charity, it is more for publicity or to avail of tax concessions. Sometimes the motive is even crasser. During the recent centenary felicitations for the Bohri spiritual head, one businessman used the occasion to

(Cont'd. on page 28)

Point Counter Point

Ashok Karnik

Every issue has at least two sides. A wise man examines all sides before coming to a conclusion. This is an attempt to present various sides of an issue so that a considered opinion can be formed.

Terror Strikes Again!

1. This time it was Hyderabad (February 21)! It could be anywhere. We wait to be hit again and again and then grieve. Nothing is done in the interregnum. We argue and debate while the enemy prepares. When will we learn to do something concrete? Two serial blasts in a busy locality ensured a lot of damage. The Indian Mujahideen are suspected to be the perpetrators. There were arguments about intelligence failure but no unanimity on what to do next. The PM as usual declared that the guilty will not go unpunished. Soon we will be negotiating with Pakistan again, refusing to accept that that country is the real culprit. There were claims that the Centre had alerted the State and the hint that the State failed to act. We are saying this for years without ensuring that the States develop the capacity to act on the intelligence received from the Centre. For us, national security is a mantra to be recited but not to be acted upon. The recitation presumably absolves us of all responsibility. We make good plans and then rest happily thinking that the job is done.

"If he is terrorising the terrorists, if he is terrorising America the terrorist [...] I am with him. Every Muslim should be a terrorist." - Zakir Naik

1. An IM operative in his interrogation in Delhi in October 2012 had revealed that Dilsukhnagar area of Hyderabad had been recced by him (IM) and was a possible target. Two days before February 21, the Union Home Ministry had received information that an attack was imminent in the next few days. Prior to that there were reports that the United Jihad Council had met in Pak-occupied Kashmir and decided to launch more militant attacks in India to distract the Indian police and render them ineffective in tackling terror. In spite of all this knowledge, we failed to act. Are we incapable of acting in anger? The real problem lies in our unwillingness to fix accountability for acts of omission and commission. All our efforts are concentrated on putting the blame on somebody else. Whatever the preventive mechanism, it will fail unless politicians and officials learn to own up responsibility. Starting from the Union Home Minister, nobody inspires confidence that the job will be done. After 2014 when the Americans withdraw from Afghanistan, we should be prepared for massive terrorist strikes. Is India equipped to deal with it?

(Also please read the article on NCTC on page 21)

Phone Tapping and CDRs

2. The revelation that BJP leader Arun Jaitley's phone records were being accessed illegally exposed a sleaze and caused concern. It was felt that obtaining of the Call Data Records (CDRs) was a small step away from phone tapping. Both are equally unethical and need to be condemned even though the two are wholly different. Phone tapping requires technical expertise and deep access. It is legally permissible only on the authority of the Union Home Secretary and that too by designated organizations like the IB, Enforcement Directorate etc. at the Centre and similar bodies in the States. On the other hand, CDRs are routinely available in cell phone offices and can be legally accessed by officials of the rank of Police Inspector and illegally accessed by just anybody. CDRs are required for

2. The Jaitley case revealed that it is a lucrative business to collect CDRs of important persons and sell them to interested parties. These can become embarrassing to the victim as his contacts that may be confidential are exposed to unscrupulous persons. Not only the Government, but almost anybody can acquire this information for a price. CDRs are maintained by telephone companies for billing purposes and it is not difficult to pass on these details to Government agencies as well as unauthorized persons if the price is right. Like telephone tapping, this too is a breach of privacy. The practice of maintaining CDRs cannot be stopped, as it is the administrative need of the telephone companies. However, law can ensure that these records are kept in encrypted form and even when

routine investigations, just to check who was in contact with a suspect. CDRs show the number called (or calling), duration of talk as well as the location of the phone but not the contents of the talk, unlike telephone taps. It can be used for various purposes from detecting marital infidelity to business dealings to political shenanigans.

decrypted their disclosure should invite severe penalty. Similarly, instead of empowering Police Inspectors to requisition the CDRs, the power should be entrusted to a higher official like the DCP. We live and learn to deal with modern technology and its pitfalls.

The Helicopter Deal

3. The Augusta Westland Helicopter deal got exposed not through the vigilance of our agencies but because of the *expose* in Italy. The Tyagi family, including the former IAF Chief, has been named as probable beneficiaries. This is shameful and alarming. It damages the reputation of the Air Force, not only of its Chief. We no longer know who is guilty and who is not. In the 'copter scam, a lot of names are being bandied about: Brajesh Mishra, Pranab Mukherjee, M. K. Narayanan, B. V. Wanchoo. All respected men but connected with prescribing the specifications for the helicopters. Anybody in their position would have had to give their opinion as to the copter requirements. Brajesh Mishra's suggestion to avoid a single supplier situation should have been taken as a welcome step, intended to avoid favoritism, not the opposite. It is difficult to draw a money trail of the bribes because such operations are so masked as to require an investigative agency months to name the beneficiaries. The CBI record does not instill confidence that it would do the job effectively.

3. The disturbing thing is that although the scam was suspected a year back, the Government did nothing and in fact tried to cover it up. Its argument that it had no evidence against anybody in India to start an inquiry was laughable; if you do not inquire, how can you get evidence? Only when the scandal exploded in Italy that our Government accepted that something was wrong somewhere. The Government's reluctance to punish the guilty creates a doubt about its intentions. We have no plea bargaining system so that the accused has no alternative but to plead total innocence. Witness all the Tyagis and Khaitans pleading total innocence even when documents are unearthed mentioning their involvement. There is no easy way out in our judicial system; the trials would continue for years so that there is no satisfaction of closure for anybody. We would have forgotten what it was all about if, and when, the case is finally decided. Until then corruption would seem to have escaped punishment. We expected the Italian court to provide us documents when the CBI had yet to register even an FIR. The fact is that bribe takers are in India and it is our business to punish them.

Readers are invited to email their points of view on serious issues of the day to ashokkarnik2001@yahoo.co.in.

Readers who do not have the facility of a computer can also post (mail) their points of view on serious issues of the day to "Point Counter Point", c/o Freedom First, 3rd floor, Army & Navy Building, 148, Mahatma Gandhi Road, Mumbai 400001.

Cornucopia (*Cont'd. from page 26*)

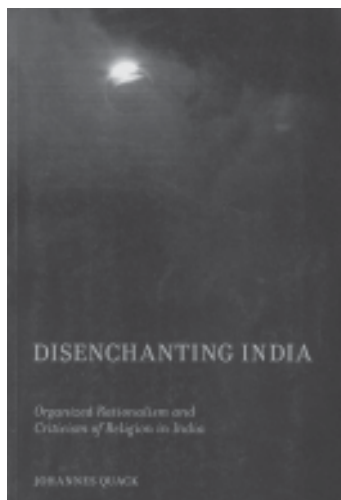
blatantly publicize his company and added insult to injury by including his grinning portrait.

Is there something in the Indian psyche that prevents us from acknowledging that there is a limit to everything, including wealth? Our politicians, of course, have demonstrated this gene deficiency in a spectacular fashion. There has been speculation that the infamous A. Raja has amassed almost Rs.3000 crores from the 2G scam. Even accounting for making more than adequate provision for the extensive family and hangers-on, there is no way these ministers would need, or even spend, the money they seem to acquire. But the greed is so in-built that he would readily acquire even more if he could.

As Buffet succinctly explained, giving to charity does not require the rich to deprive themselves of luxuries. As he candidly admits, he continues to live the good life, with his private jets and maybe with a villa in the South of France or even a private island. And yet, he has discovered that he still has a lot left over that he cannot possibly spend. So he gives it away to those whose need is far greater. In the same vein, no one grudges Mukesh Ambani his 2 billion dollar home – except that it is an architectural monstrosity inflicted on Mumbai's skyline.

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BOOK REVIEW



DISENCHANTING INDIA: ORGANIZED RATIONALISM AND CRITICISM OF RELIGION IN INDIA by Johannes Quack ● Oxford University Press (New York). Also available on amazon.com ● 2011 ● Pages 362 ● Rs.995.

Reviewed by Prabhakar Nanawaty, Editor, *Thought and Action*, the official journal of the Andhashraddha Nirmoolan Samitee. Email: pkn.ans@gmail.com

Johannes Quack, academically qualified in Religious Studies, Philosophy and Anthropology is currently a research fellow at

McGill University, Montréal, Canada. He has painstakingly documented various aspects of rationalism as practiced in India by travelling the length and breadth in India. During his travel he met many contemporary rationalists and recorded their views about rationalism. He attended a seminar organized by the Federation of Rationalist Associations in India hosted by the Maharashtra Andhashraddha Nirmoolan Samiti, (ANS - which Prof. Quack refers, in his book under review by the acronym ANiS). While interviewing rationalists in various parts of India he spent much time with ANS activists in recording their views.. The book, *Disenchanted India: Organized Rationalism and Criticism of Religion in India*, is the result of his studies, observations and experiences.

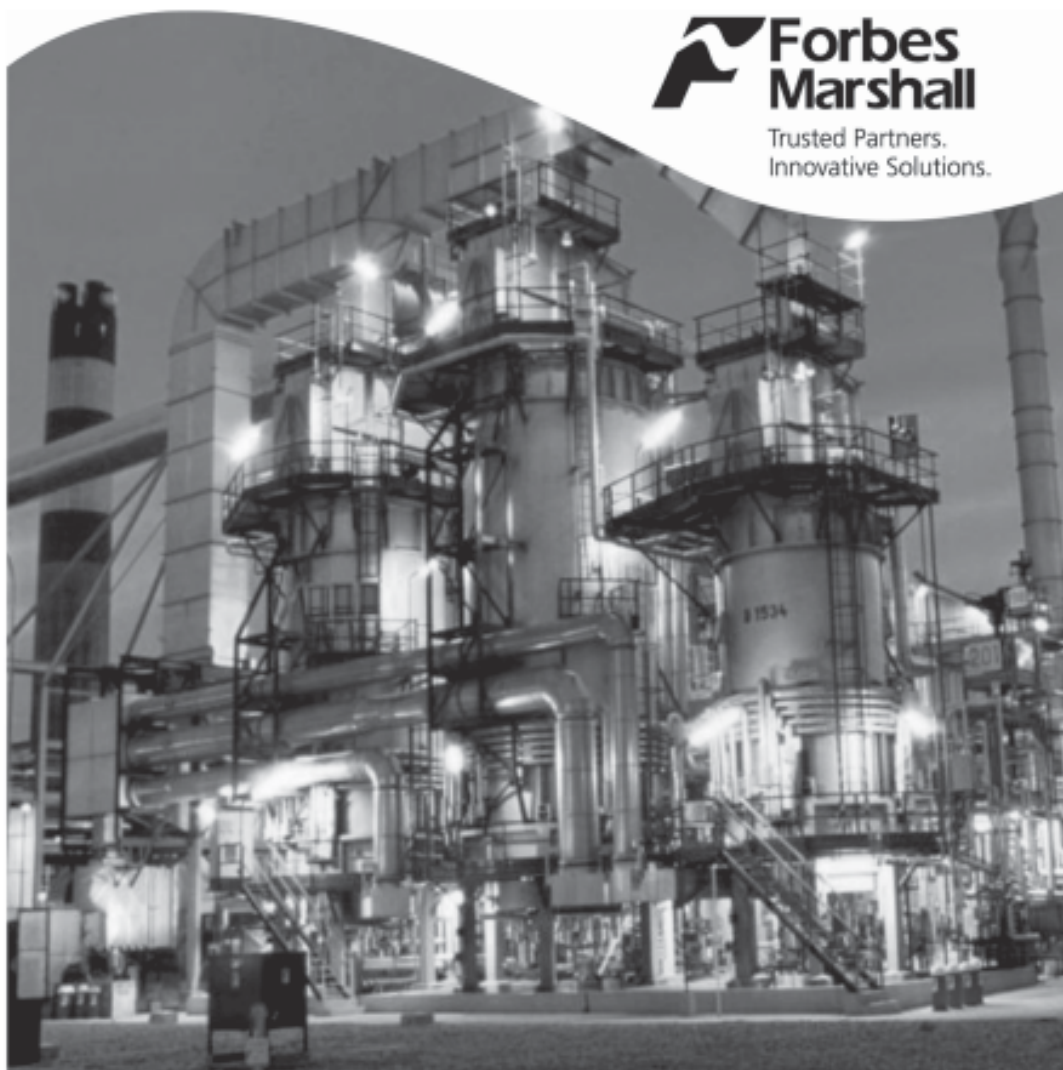
The essential content of this book is about the Indian rationalist, atheist, humanist, and freethinkers' movement. The prevailing rationalist movements in India explicitly challenge the belief in supernatural powers of irrational efficacy as practiced by charismatic gurus even in this age of advanced science and technology. All these rationalist movements are engaged in showing a way out of the enchanted, imaginary world towards a rational and this worldly way of life. In this connection the rationalists stress the fact that there has always been rationalism and criticism of religion throughout India's history such as the Charvakas, Lokayatas and reformists like, Basaveshwar, Sant Kabir, Sant Tukaram, Raja Ram Mohan Roy, Mahatma Phule, Pandita Ramabai, Agarkar, Maharshi Karve, Raghunath Karve, Periyar E. V. Ramasami, M. N. Roy, Gora, Dr. Ambedkar and Abraham Koor among others.

This book is largely based on the author's doctoral dissertation. He describes his research as 'multisited'

ethnography. In classical research, researchers generally limit their efforts to interviews, attending seminars, studying related documents, collecting the inputs by circulating a questionnaire, visiting places and videotaping. But this researcher in addition to these methodologies spent as much time as possible with the activists to get the feel of and insight into the organizations under study. His critical assessment of ANS can be summed up as a 'Social Audit'.

The first part of this book is about Indian Rationalists of an earlier era based on the sparse literature available. The author tries to explain the notion of 'mode of disbelief' and its relationship to the notion of 'mode of religiosity'. While doing so the author elaborates the concepts of 'rationality', 'irrationalism' and 'rationalization' as employed by various Western philosophers and compares those concepts in the Indian context. For some, rationalism means to fight for justice and equality, to avoid violence and to try to find the truth. For a few, rationalism is that philosophy of life which is based upon the reasoning faculty of a person. That may be the one of the reasons why Indian rationalists call themselves as *buddhivaadi*, *vivekvaadi*, *tarkikvaadi*, *yuktivaadi*, even *manavataavaadi* too. This difference appears to be related to the stand that has been taken by the individual concerned in terms of religion, existence/non-existence of God. For example, humanists are simply atheists who believe in living purposeful and moral lives. As such rationalists want to link humanism, rationalism, atheism, science and technology, the scientific temper and power of reason in order to live a contented life, emotionally and physically. While concluding his remarks on the theoretical aspects of rationalism, the author quotes Max Weber and Charles Taylor extensively.

In the next part, he traces the roots of organized rationalism in India by quoting *Charvaka* and vedic materialism. He also describes the Bhakti movement led by saints like Basaveshwar, Kabir, Tukaram and others



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who questioned the blind traditions practiced during that period. In fact these saints attacked the superstitions then prevailing in the society. However, rationalism in its strictest sense only appeared during the colonial period when western philosophers like Ingersoll, Bradlaugh, and Bertrand Russell started attracting intellectuals who studied the English language and were exposed to western culture. Agarkar, Mahatma Phule, Periyar E. V. Ramasamy etc., were the founders of organized rationalism in India in the latter half of the 19th century. In fact, these movements can be termed as religious reform movements to contextualize the emergence of rationalism.

Early 20th century saw the growth of various Rationalist organizations in places like Delhi, Hyderabad, Nagpur, Bombay, Vijaywada, Bhilai, Rourkela, Madras, Coimbatore, Kanyakumari, Madurai and, Amritsar by well educated Indian intellectuals with strong affinities to Western education and culture. Jawaharlal Nehru and M.N. Roy, for instance, contributed to the growth of rationalism in India. The Atheist Centre, founded in 1940 by Gora appears to be a milestone in popularising practical rationalism. R.D. Karve and his colleagues wrote extensively on various aspects of rationalism in their 'Reason' magazine despite opposition from the society and the rulers. These organizations started challenging *Gurus* and 'Godmen' like Satya Saibaba. Dr. H. Narasimhaiah and Dr. Abraham Kovoov tried their best to convince society of the fraudulent activities of Saibaba and were exposing his supernatural powers. However most of the rationalists confined their activities by writing articles in newspapers and magazines and participating in public debates. Abraham Kovoov gave momentum to the movement by his miracle-exposure campaigns. Kovoov was quite famous for his rhetoric and was able to entertain and fascinate large groups of people by giving lectures/demonstrations and exposing the tricks of the 'Godmen'. The late B. Premanand of Kerala took over the task of exposure of Godmen and he toured extensively to spread the message. There was tremendous response to his lectures from the public and he inspired many youths of post independent India.

The remaining part of the book covers various aspects of the ANS which was chosen as field work for the author's research. He has given a detailed ethnographical account of ANS. He has described in detail the ANS' activities like spreading the scientific temper, campaign against superstitions, exposure of Godmen, efforts to enact the anti-superstition bill, magazines and literature published by ANS, etc. While accompanying the group of ANS activists on a tour of Maharashtra, the author wanted to know how people reacted when ANS activists entered remote villages; how ANS' attempted to convince

the people that some of the beliefs and events so central to their everyday lives are harmful, pathological, based on illusions or made up by people who fool and exploit them in the name of religion, traditions or rituals and to what extent people were satisfied when ANS activists tried to relate to the perspectives of villagers, children and college students and try to involve them in their programs through games, tricks, songs and other interactive elements. The programs chosen were very simple in nature and the participation lively. He concludes that the didactical methods applied were of a rather high level.

While probing individual interpretations and applications of rationalism in day-to-day life, the author approached many activists to find out how the rationalistic attitude is applicable in family relations, marriages, festivals, births, and deaths etc. Surprisingly he found varied opinions on these matters. In fact, ANS activists believe that the fight against irrationality and the fight against injustice are one and the same. However the author has praised non-religious marriage ceremonies and non religious ways of dealing with death as advocated by ANS.

In his concluding remarks, the author is of the opinion that Indian rationalists are in the process of trying to disenchant the Indian public – that everything in the world is, in principle, explainable (by science) without any reference to supernatural entities (like religion, spirituality and miracles). He takes an overview of the world rationalistic movements and tries to analyse them in the Indian context. In fact rationalism has come a very long way and its votaries are variously described as Agnostics, Atheists, Brights, Clandestine, Freethinkers, (Secular) Humanists, Infidels, Secularists, liberals, etc. He concludes that the Indian Rationalist Movement can be seen as part of a larger onger transnational movement.

As mentioned in the blurb of the book by Prof. Frederick Smith of University Iowa, Johannes Quack has ventured into new territory in his close study of the Indian Rationalist Movement particularly its manifestations in the early twenty-first century Maharashtra. He has combined ethnographic analysis, social theory, and a deep knowledge of Indian history with reflections on secularism, religious belief, rationality enhancement, and disenchantment; the result is a vivid depiction of India in the throes of modernity, in which class, gender, nationalism, and ideological and discursive strategy are contesting for the very future of India. This excellent volume must be read by anyone interested in modern and contemporary India because it addresses in a most illuminating way a desperately understudied topic.

Educating Adults

The Right to Education Act (10)

This is tenth in a series, examining the various aspects of the Right to Education Act (RTE) Act

Recognition of Schools

Suresh C. Sharma

*People, who make laws behind closed doors, don't know the ground realities.
These schools are a social necessity*

All schools have to obtain recognition from the Government by 31 March 2013. The schools have to submit details of the strength and qualifications of staff, the number of class rooms, pay structure, blackboards, laboratories and playgrounds. There are seventeen conditions that are required to be met. The school or the society responsible for it must have their own building or rented accommodation for 30 years. Their fate hangs with the Deputy Director Public Education. In Ahmedabad, only 450 schools out of 1045 have applied for recognition. Recognized schools have to obtain recognition again.

Some of the provisions are difficult to interpret. For example, the Act states that school should not be run for profit to any individual, group or association and it should conform to the values enshrined in the constitution. A large number of schools are managed by religious societies. Can these schools be allowed to function? In USA, some individuals succeeded in removing the morning prayers in the schools. Similar litigation can occur in India too. 50,000 private schools in Bihar had protested against the rules for recognition.

Closing down schools

A bureaucratic approach is not desirable. In Bihar, a school must have two acres of land. In Karnataka, 66 schools have not received approval due to lack of infrastructure. Is the Government ready to start their own schools to take the load of these schools? Many

Government schools do not meet the criteria of infrastructure. A school building in Dahisar with 200 students has been declared dangerous by the Fire Department. The Inspector of Schools has told the schools in the neighbourhood not to admit children from this school so that the teachers do not lose their jobs. The Management Committee is unable to carry out the repairs as the fees are low and some parents do not pay even that. The parents are of the view that the Management Committee wants to make money so they want to close down the school.

In the name of quality education, the schools cannot be shut down without making alternative arrangements. Jain, president of the Delhi State Public Schools' Management Association commented that if the three-year RTE deadline which expires in March 2013 is not extended, 1593 unrecognized schools in Delhi (as per a Municipal Corporation of Delhi survey quoted in a 2012 education report) will have to be closed down or face a one-time fine of Rs.1 lac and Rs.10,000 for every additional day. As per the MCD survey, 1.64 lac children study in these unrecognized schools. People, who make laws behind closed doors, don't know the ground realities. These schools are a social necessity.

The State Governments have to notify the rules under the Act. The Gujarat Government has taken a more pragmatic view. The rules have been framed by a committee under the former Chief Secretary, Mr. Sudhir Mankad. They



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have given importance to the parents and the children and not to the public sector providers of education. The RTE Act and the rules by most of the State Governments focus on the inputs and not on the results. The Gujarat Rules focus on learning results and provide weighted average on four measures:-

	Weightage
1. Students learning outcomes using standard tests	30%
2. Students learning outcome compared to last performance. This will ensure that schools just do not show good results by not admitting weak students.	40%
3. Inputs including facilities and teachers qualifications	15%
4. Non-academic outcomes like sports	

and personality development Feedback from parents is to be used for this measure. 15%

Teacher/student ratio is defined in a more practical way. In case, the class room is smaller than 300 square feet, the school need not be derecognized and should be allowed to function on a different teacher/student ratio. The acceptable ratio is [area in square feet minus 60] divided by 8. This allows the school to function in a more efficient way with limited infrastructure.

The RTE Act stipulates closing down of schools without recognition. Gujarat schools allow the State to take over the school or transfer it to a third party.

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Children First Party of India debut

The republic is in deep crisis. On every norm of good governance and practice, the Congress-led UPA-II government which was returned to power in New Delhi in the summer of 2009 with high hopes and great expectations, has failed. The economy is in serious trouble... With the country running dangerously high current account, balance of payments and trade deficits, there is real danger of a meltdown of the rupee which will drive up domestic prices of all imports, sparking a forest fire of hyper-inflation. On other fronts of governance too, the outlook is grim. Scams and scandals involving mind-boggling sums and politicians and bureaucrats in the highest echelons of government, is deadly proof that the slow poison of corruption has seeped deep into all vital institutions of the republic. Simultaneously, repeated bomb blasts in public places countrywide and the continuously rising wave of crimes against women and children which the corrupt police force and ossified judiciary are unable to prevent or contain, reflects not only severe erosion of the law and order and justice machinery, but also an acute socio-economic crisis within the crumbling social order. Tragically the rot is not only within the incumbent Congress party which has (mis)ruled the nation for over 40 of the republic's 65 years (interrupted by ineffective periods in the opposition), but in all major political parties who have reduced this high-potential nation to this sorry condition. Against this backdrop, beyond writing futile editorials, the sole remaining option available to socio-economic reformers such as the editors of this publication who have been waging a long cold war for an equitable deal for children — the most neglected and vulnerable section of the nation's population — is to venture into full-

fledged political activism. It's perhaps too late to save the adult population from the consequences of foolishly electing governments on caste, communal and dynastic considerations for over four decades. But it's possible to save the next generation by transforming 21st century India into a child-centric society. **On March 8 – International Women's Day – the Children First Party of India was declared formally operational by CFPI president and Editor of Education World Dilip Thakore.**

Membership: To fund and build the Children First Party of India (CFPI) I have committed my entire savings of Rs. 10,00,000 to CFPI's A/c No. 32714840147 in the State Bank of India, Richmond Rd, Bangalore 560025. I want a lesser sacrifice from all citizens who are invited to join CFPI as primary members. The membership fee is Rs.100 for urban residents and Rs.50 for rural citizens. Corporate members are welcome on payment of a membership fee of Rs.10,000. In a short while we will offer the facility of electronic payment of membership fees.

All members will have an equally weighted voice and vote in Party councils. CFPI membership cards will be issued to all subscriber-members.

Please send crossed cheques/demand drafts in favour of Children First Party of India A/c No. 32714840147 to our registered office at 703-704 Devatha Plaza, 132, Residency Rd, Bangalore 560 025. From this corpus, CFPI will fund the election expenses of Party candidates countrywide.

For further details visit CFPI website www.childrenfirst.in

My Mother Pramila

Imbibing the Strength of her Liberal Values

R. C. Saxena

Anything to do with Gandhi, and Khadi in particular, was anathema. In this background how could the future bride of the royal physician to the State of Jasdan be a staunch Gandhian and, more deplorably, be clad in khadi?

Born in 1921 and eldest of the brood of eight children, Pramila grew up in the walled city of Ahmedabad. Her father, a businessman, broker and speculator, introduced child Pramila to the stories of Gandhiji's *ahimsa* (non-violence movement) and *satyagrahas* in South Africa and India. By the time Pramila entered her teens, she was swept under the Gandhi wave, as was most of the city of Ahmedabad. The family, whole of it, took to wearing *khadi*, a fabric made out of hand-spun cotton yarn, as a proud symbol of self reliance, strength of character and nationalism. Leaving school after matriculation, as most of her peers did, Pramila devoted her time fully with spreading, as a volunteer, the message of Gandhiji. She would attend the clandestine meetings of fellow volunteers, distribute pamphlets, sing in the "*prabhat feris*" (the pre-dawn processions), and attend lectures by senior ladies from the educated and business class of Ahmedabad. She did all this despite her onerous responsibilities at home such as looking after her siblings, the youngest being Udayan for whom she was virtually a mother, besides helping her mother in the daily chores. Pramila being fully immersed in the Gandhi's philosophy of non-violence and *satyagraha* took a vow to always wear *khadi*.

Crossing her age of adolescence, and the natural human instincts allowing, she fell for Chandrakant, a recently graduated medical doctor. Chandrakant was from a small princely state of Jasdan ruled by the Khachar dynasty. Chandrakant was under a personal obligation of the Jasdan rulers as they had procured a seat for him in the medical college in Bombay and paid for his fees for medical education as well. He would soon be the royal physician to the ruling Khachar dynasty.

When Pramila's father went to Jasdan carrying a proposal of marriage of Pramila with Chandrakant but was severely disappointment. Chandrakant's family at the behest of the Jasdan rulers refused the proposal for reasons both political and emotional. At that time the Jasdan State

was, like many other States, under the supervision of the British Residency. Though well intentioned, the Jasdan royalty did not wish to displease the British Resident in charge. The British loathed Gandhiji's freedom movement and had warned the princely states of dire consequences if they, directly or indirectly, supported Gandhiji's movement. Anything to do with Gandhi, and *Khadi* in particular, was an anathema. In this background how could the future bride of the royal physician to the State of Jasdan be a staunch Gandhian and, more deplorably, be clad in *khadi*? The marriage proposal was, at the threshold, shot down.

Pramila, seeped as she was in the Gandhian courage of conviction, and liberal values, was not the one to give up easily. Chandrakant meant the whole world to her. She sought a personal audience with the senior Khachar and confronted him with the virtues of *Khadi*. After parleys of serious meetings, the defiant Pramila eventually relented and agreed to give up *khadi*. However, and this is where Gandhi's character building along with liberal values came out in full flow, Pramila convinced the senior Khachar agree to a trade off. Pramila agreed to give up *khadi* only, and only, if the women of the Khachar family, in particular, as well as women of Jasdan, in general, started to stop covering their faces in "*ghunghat*" (veils). The senior Khachar, a liberal himself, reluctantly agreed. The rest is history. The women of the royal household stopped covering their faces in public and the rest of the Jasdan women gradually followed suit.

Pramila is now 92 years old and lives with her son, the author of the article, in Baroda

R. C. SAXENA is a member of ILG and a practicing advocate at Vadodara.

Anandi Gopal Joshi

India's First Woman to Qualify as a Doctor from the USA in 1886

B. M. N. Murthy

This is a moving and tragic story of the first Indian woman, Anandi Joshi, who went to America and got qualified as a medical doctor in 1886.

Anandi, born in 1865 to an extremely orthodox middle class Brahmin family in Bombay, got married when she was just 9 years old to a widower almost thrice her age [25 years]. Anandi learnt her alphabets only after her marriage, her husband being her tutor. By sheer determination and indomitable courage of both the husband and wife, she rose to, secure a foreign scholarship, went to USA and qualified there as a Doctor of medicine. She returned to her motherland when she was just 21, but fate snatched her away in Poona under tragic circumstances when she was just 22 and in the prime of her youth.



Anandi, whose maiden name was Yamu, was born to the Joshis in 1865 A.D. Her parents were residents of Kalyan, Bombay and her father Ganapatrao Joshi hailed from the family of the Peshwas. But the family was now impoverished and all that they had was some ancestral land with a dilapidated building. The Joshis were highly orthodox and ran a joint family with three generations staying under the same roof. As and when Yamu grew up, it became a harrowing task for the Joshis to find a suitable bridegroom for her. In those days it was the tradition in orthodox Brahmin families to get the girl married before she reached puberty;

otherwise it was considered a public disgrace to the family. Further, Yamu was dark in complexion, hefty and pockmarked. The family did not have sufficient financial resources to offer any dowry to compensate for these deficiencies in Yamu. When Yamu turned nine and was nearing puberty, the parents became desperate, pushed to the brink and ready to accept any boy who would marry their daughter.

India, which is bound by tradition in matters of religion, culture and family values, suffered a setback with the conquest of the country by the Britishers who ruled the country for nearly two hundred years. The nineteenth century in particular was a time when two great civilizations were in active conflict – the traditional Hinduism and the resurgent Western civilization as transmitted through the British Raj which was in its heyday during that period. Reformers like Raja Ramamohan Roy, Maharshi Karve, and Mahadev Govinda Ranade played an effective and prominent role, particularly in the field affecting the status of women, their rights and aspirations. Issues like women's education; widow re-marriage etc., drew considerable attention of the society. In fact there were a few instances where a few ladies actually stepped out of the beaten track of established orthodoxy and fought tooth and nail against the prevailing customs. In the galaxy of such brave and courageous ladies, shines the name of Anandi Gopal as a brilliant star even today. Anandi was the very first Indian lady from India coming from an extremely orthodox and poor Brahmin family from Bombay who ventured to go to U.S.A in 1883 at the young age of 17 years and obtain a M.D degree from an American University.

Gopalrao, also a Joshi, aged about 25 years, was a clerk in the Kalyan Post Office and used to stay in Thane. He was an eccentric whose two obsessions in life were: women's education and remarriage of widows. When a matchmaker suggested the name of Gopalrao to Yamu's parents as a prospective groom for their daughter, they immediately jumped at the offer, in spite of the fact that Gopalrao was an unimpressive looking widower. It was also disclosed that his first wife Savitri died because he bullied her with his eccentric efforts to teach her to read and write Marathi. Yamu's educational level was also equally poor. Notwithstanding all these deficiencies in Gopalrao, the Joshis still agreed to the marriage and gave consent. The boy and the girl saw each other and the marriage was fixed. The only condition that Gopalrao

imposed was that he should be permitted to educate the girl and that the girl should be willing to read and write. Having agreed to this condition, the preparations for the marriage started.

After agreeing to marry Yamu, quixotic Gopalrao suddenly changed his mind, still obsessed with the idea of marrying a widow. In a shockingly callous manner, he went away to Poona without informing anybody and did not turn up even on the wedding day. He finally arrived at Kalyan after the *muhurtam* was over, keeping everyone in anxiety and suspense. As the marriage could not take place in the *muhurtam* fixed earlier it took place subsequently. Anandi was just 9 years old and Gopalrao about 25 years. Yamu became Anandi after her marriage to Gopalrao. It was later learnt that Gopalrao went to Poona with a view to getting married to a widow and returned to Kalyan after having been ditched by the widow who refused even to see Gopalrao after hearing that he was an ordinary clerk in a post office.

When Anandi was 14, she gave birth to a boy. But the child survived only 10 days because of non-availability of proper health care. Anandi and Gopalrao were much upset by this sad event. This became a sort of turning point in the life of Anandi and inspired her to make all out efforts to study medicine and health care. Her husband also started exploring avenues to find out ways and means of Anandi studying medicine when she was in a position to do so.

As Anandi was too small to start an independent living, the newly married stayed with the Joshis at Kalyan. During his leisure hours Gopalrao started teaching Anandi how to read and write Marathi, right from the alphabets. Gradually he inculcated a desire in his wife to learn more and more. In course of time, he taught her English, Sanskrit, several of the scriptures, Geography etc. Within a few years, Anandi got transformed into a well-read intellectual girl to such an extent that it became difficult even for the family and the immediate neighborhood to believe the metamorphosis in Anandi. All this change took place in the face of stiff opposition by her parents and frequent bickering in the family and the stubborn and capricious attitude of her husband. During this period Gopalrao got himself transferred to places like Alibag, Kolhapur, and Calcutta to avoid direct interference by Anandi's parents in her learning.

While at Kolhapur, Gopalrao came into contact with a foreign Christian lady missionary whose influence on him became so much that many times he thought of

converting himself a Christian. The zeal with which the Christian missionaries took up the cause of women's education had a terrific impact on the young Gopal Rao. He was convinced that that the education of women was extremely important if any nation was to prosper. He therefore thought that he should first set an example by giving the highest education to his own wife. One day a sudden impulse ran through his body—why not send Anandi to America for higher education with the help of these Christian missionaries?

In 1880 he sent a letter to a well-known American missionary Royal Wilder in America, stating his wife's keenness to study medicine in America and if he would be able to help them. Wilder agreed to help the couple to come to America on condition that they converted themselves into Christianity. The proposition was not acceptable to the Joshi couple. However, Wilder was gracious enough to give publicity to the request of the Joshi couple for assistance in America for Anandi to study. This appeal caught the eye of another Christian missionary in America by name Mrs. Carpenter who was carried away by the earnestness and keenness of Anandi. She got in touch with the Joshi couple and after some correspondence, she volunteered to help Anandi to come to America and study medicine.

Mrs. Carpenter arranged for a medical seat for Anandi in the Medical College at Philadelphia, U.S.A. On the 17th of April 1883, Anandi sailed alone to America from Calcutta. This was at a time when she was just 17 years old, coming from a poor orthodox Brahmin family and traveling alone to a distant foreign country when crossing the sea was considered a sin in traditional Hindu families. When Anandi joined the Medical College, the Dean was all praise for the courage and conviction of this young Indian girl and her great desire to secure higher knowledge against all odds. The college offered her a scholarship of 600 dollars a month for three years. The subject which she chose for specialization was "Obstetrics among the Hindu Aryans". Even in America, Anandi's life style did not change and she remained austere and simple. She continued to wear the typical 9-yard Maharshtrian saree. She was well received by the Carpenter family who not only welcomed her but treated her as a member of the family all through her stay in America.

After Anandi's departure, Gopalrao became dejected and depressed, frequently quarrelled with his boss and finally resigned his job as a postal clerk. Ultimately he

(Cont'd. on page 38)

Maha Kumbh: Time to Come Clean

Sunita Narain

We mercilessly take clean water from our rivers and return sewage and industrial waste.

Maha Kumbh in Allahabad has perhaps no parallel in terms of the sheer size of the congregation. In less than two months over 100 million people are expected to come to this city, which sees the confluence of two rivers of India – the Ganga and the Yamuna. People come to worship on the banks of the Ganga. Even as they celebrate the river it seems they don't see the river, but only the ritual.

The fact is that this “mela” is about how the Hindu religion – and I believe all religions – is based on a deep understanding of and respect for nature's strength. But we now worship without reason. So, people can take a dip in the polluted river but still believe that the dirt, the filth and the plastic that swims around them, will not defile the river's properties. Our strength has become our weakness.

It is a fact today that the Ganga and the Yamuna are polluted beyond acceptable levels. But why should we be surprised. We mercilessly take clean water from our rivers and return sewage and industrial waste. In the upper reaches, the Ganga does not even flow in many stretches because we take water for generating hydropower. The tunnels for run-of-the-river projects divert the rivers and as soon as they are released, they are diverted again. The engineer-designers have no concept of ecological flow to ensure they take water for power only after the river has enough to fulfil its environmental, social and livelihood needs. Then as the Ganga and the Yamuna reach the plains, we take every drop of water for irrigation and drinking needs. We suck our rivers dry. Then as worshippers, we put plastic into the river and everything else that should not be there. We do all this and then still believe we have rivers to worship. Or we pray to a dead and dying river but pretend otherwise.

It is clear that for the occasion of Maha Kumbh the government has made huge efforts to clean the two rivers, with a little success. These steps tell us that it is possible to reduce pollution in the Ganga and all other rivers of the country. We just have to learn the art of innovative pollution management.

This is what the government has done to contain

pollution, albeit temporarily. First, more water is allowed to flow in the river. This is critical because without dilution there will be no assimilative capacity in the river. Rivers without water are drains. We should remember this.

It is also a fact that this “release” of additional water deprives farmers upstream of irrigation; cities and industries of water. But it is also a fact that we cannot continue to plan for rivers without water. All users must be forced to plan for water needs based on what the river can spare, not what they can snatch.

Secondly, Allahabad has built sewage treatment plants. But then it is not as if it was desperate to clean the river. Let me explain.

In all cities of India, without exception, there is a mad rush to build sewage treatment plants. But we forget that cities do not have underground sewerage systems to intercept the sewage and transport it to plants for treatment. In this way, the built plants are white elephants – call them temples of modern India – which are built but not used. In all cities built sewage treatment capacity is underutilised. But engineers and planners have the uncanny ability to make us forget these details and be happy. They assure governments that the underground network will be built and pollution will vanish.

But the network is not built. Some sewage is treated and the bulk flows into drains and into the Ganga and the Yamuna. Worse, the little sewage that is treated (at considerable expense) is then released into the same drains that carry untreated effluents. The end result is pollution. It was in mid-1980s that the government of India launched an ambitious programme to clean the Ganga. Under this programme, sewage treatment plants were built. City engineers are still catching up with building the sewerage network for the plants to work. For the Kumbh, the government has done something smart. It intercepts the untreated sewage from the open drain and conveys it to the treatment plant. Simple.

Thirdly, the city is trying to experiment with “affordable” ways of treating sewage – by using bio-remediation techniques. The preliminary reports suggest

that this system is working. The key is to measure its effectiveness carefully and deliberately.

Fourthly, the government has come down hard on the polluting industries – mainly tanneries and distilleries—on the banks of the river.

The question is why enforcement against pollution happens only when there is a crisis; it should be happening in ordinary times.

The end result is that there is a temporary relief against pollution. Now the challenge is to keep the river clean. This will need more than government's will. This will need a collective wish. This will not happen till Indians join the dots – faith is connected to the river not by accident or by ritual but by reason and rationale.

COURTESY: Down to Earth

To post your comments on this editorial online, please visit <http://www.downtoearth.org.in/content/kumbh-time-come-clean>

Anandi Gopal Joshi (Cont'd. from page 36)

made up his mind to go to America to join Anandi but did not have enough money to purchase a ticket to America. He therefore purchased a ticket up to Rangoon, worked there for sometime as a porter in the docks, earned enough money to finally reach America. When he reached Philadelphia and joined his wife after about three years, Anandi was overjoyed. By that time she had completed her medical course in First Class. In the Convocation held on 11th March 1886, Anandi received tremendous ovation when the President of the College cited:

"I am proud to say that today should be recorded in golden letters in the annals of this college. We have the first Indian woman who is honoring this college by acquiring a degree in medicine. Mrs. Anandi Joshi has the honor to be the very first woman doctor of India".

On her graduation, Queen Victoria sent her a congratulatory message.

It was rather unfortunate that during the latter part of her stay in America, Anandi frequently suffered from severe cough and quite often fell sick. She decided to return to India in 1886. When her ship reached Bombay a tremendous reception was arranged in honor of Anandi. The princely State of Kolhapur appointed her as the physician-in-charge of the female ward of the local Albert Edward Hospital.

In course of time the disease worsened with no prospects of recovery. Anandi, though a qualified doctor from America, insisted on her being examined by the then well-known Ayurvedic doctor Dr. Mehendele staying in Poona. She was taken to Poona but Dr. Mehendele refused even to see Anandi even though he was told that the patient was on the throes of death. Adding insult to injury, he was cruel enough to say "This woman went to America. She lived alone with strangers, ate food forbidden to

Brahmins by religion and brought shame on Brahmins". Anandi returned home dejected and disappointed with profuse tears in her eyes.

Members of the elite in Poona came to see Anandi; flattered her achievements but no one came forward with any financial help to the family, which was in extreme penury. One fine day Anandi received a letter from Lokmanya Tilak, Editor "Kesari", saying, *inter alia*:

"I know how in the face of all the difficulties you went to a foreign country and acquired knowledge with such diligence. **You are one of the greatest women of our modern era.** It came to my knowledge that you need money desperately. I am a newspaper editor. I do not have a large income. Even then I wish to give you one hundred rupees".

When Anandi saw Tilak's letter, and with tears in her eyes, she said "This penury, this begging for charity, no, no, I can't bear it any more. What was I and what has become of me? I am not a beggar's daughter. None of my family was ever a beggar. I am a landlord's daughter. That people should take pity on me and offer me money for my bare existence, how can I live with all this? God is so cruel, why does he not relieve me of all this?"

Within a few days after uttering these sad words, Anandi Gopal passed away on 26th February 1887, a month short of her 22nd birthday. Her death was mourned throughout India. Her ashes were sent to Mrs. Carpenter, her host in America who placed them in her family cemetery near New York.

Mr. B. M. N. Murthy is a retired Chief Engineer, Life Insurance Corporation of India. After his retirement Mr. Murthy has devoted his time to inform "the younger generation of the spiritual wisdom of India, reminding them of the great traditional lineage to which we all belong". Email: bmmurthy@gmail.com.

Stalin: A Vindication

MARCH 5, the anniversary of Stalin's death, passed without official notice in Russia.

When, a few days after Stalin's death three years back, the Indian Committee for Cultural Freedom attempted to hold a public meeting in North Bombay to discuss the situation opening up after Stalin's death, communist hooligans broke up the meeting by violence on the ground that the attempt to discuss Stalin's role otherwise than in terms of the hero worship current then was an insult to the dear departed demi-god's pious memory.

But now, how are the mighty fallen! We wonder whether, if in the next few weeks anyone were to attempt to hold another public meeting to protest against the current debunking of the departed Vozd and to evaluate objectively, his role in history, the same communist hoodlums would attempt to disturb such a meeting in a similar manner? For now that the man to whom these stooges of the Kremlin used to offer the most venal flatteries and adulation has been denounced by their new Fuehrer of being "a mass murderer and torturer." Lesser lights abroad, like jackals attacking a dead lion, have chimed in. Sgr. Togliatti, the Italian *gauleiter*, accuses Stalin of "certain attitudes which turn out to be unjust, unacceptable and incomplete." Herr Ulbricht, his German counterpart, joins with charges of "increasing tendencies of personal despotism" and denies that Stalin was "the man who defeated German fascism." The latest to add his own little hiss is R. Palme Dutt, who has been the servile mouthpiece of the Kremlin for three decades for interpreting the ways of Moscow to India. Palme Dutt bravely adds his little kick to the dead dictator for "mistakes in judgment" and for "concentrating personal power in his own hands," and for "unjustly condemning many loyal comrades."

So far, so good. Those who have always made these criticisms of Stalin, even when he was in the heyday of his glory and power, will rejoice that at last the truth about this biggest tyrant of modern times is being admitted to the unfortunate people of the U.S.S.R. *Freedom First* has been amongst the small circle of journals which have expressed these views at a time when our Parliament and Assemblies adjourned in Stalin's honour and the Prime Minister allowed himself to be led away so far as to describe Stalin as the beloved father of his people and a great lover of peace.

Now, in order to throw dust in the eyes of the world and to save their own skins from the hatred of the Russian people – and the riots in Georgia are only the first faint rumblings of the storm – these men are trying, in true

Stalinist fashion, to make Stalin the big scapegoat for their own hated regime. Those who fall victims to this obvious dodge and see in these contemptible antics a return to normalcy are making yet another mistake of the same jejune kind they made in 1953 about Stalin's role.

These men in the Kremlin, with whom some are so ready to fraternise, are guilty men – with the blood of Soviet citizens and subject peoples in Europe and Asia on their hands. These are not the men through whom and under whom the suffering peoples of the Soviet Union will be liberated. Let us by all means rejoice in the disintegration of the Stalinist creed and the signs of its approaching doom. Truth is on the march. *Freedom First* is vindicated in its estimation of Stalin's role. History and the Russian people will in time prove us equally right in our abhorrence of what Bulganin and Khrushchev represent.

N O T E S

Tut, Tut!

Many in India admire Britain for its sturdy tradition of free speech and robust respect for non-conformism. To these, the news that Mr. Malcolm Muggeridge, Editor of *Punch*, and his co-sponsors of a move to hold a public meeting to protest against the invitation extended to Bulganin and Khrushchev to visit the U.K. have been denied facilities for the hiring of a big public hall for the purpose, will come as a disappointment.

A big popular demonstration had been planned at the Albert Hall, which had been booked, when – somewhat mysteriously – the management cancelled the booking. Attempts to secure the Stoll Theatre and the Empress Hall have also failed. Mr. Muggeridge and his committee have now announced that the meeting will take place in the open air of Britain which is still free.

The merits of the stand taken by the sponsors of the meeting are not here in issue, but the right in a democracy for those holding a point of view to join publicly in expressing it without let or hindrance. In that context, the action of those controlling public halls in London who denied the usual facilities has hardly been in the best traditions of British democracy. But while there is *Punch*, there is still hope for Britain!

What you have just read are excerpts from the lead article by V. B. Karnik the then editor of *Freedom First* in its issue No.47 of April 1956. You will find the full text of this article and more in our archives – www.freedomfirst.in

Water Thievery – Cause of Droughts in Maharashtra

Sharad Joshi

Famines and droughts have a long history in Maharashtra. Environmentalists have been predicting wars over water for decades. Maharashtra is, for various reasons, ideally situated for the commencement of these wars.

Maharashtra is shaped like a triangle with the Western Ghats as its base and Vidarbha as its apex. Most of the rainfall happens in the Western Ghats. The British constructed a large number of dams and river-valley projects to turn Maharashtra into a food granary of the nation. Unfortunately, the reservoirs of the dams remain empty when agricultural crops needed water and got filled up when nobody wanted water. Looking for crops that demanded perennial supply of water, the bounty was picked up by sugarcane growers. This resulted in Maharashtra becoming the main producer of sugar rather than the granary of the nation. The barrages are on top of the Sahyadri range while the drought affected areas are more on the eastern and northern sides. The distance has to be covered by long concrete walled canals. This provides an ideal situation for the rain-starved farmers to lift water from the canals in rainy days and fill up their small tanks and wells. This is tolerated because of the strong political lobbies for political considerations.



Sugarcane is a water-guzzling crop. Few sugar factories are equipped to recover 90% of the water contained in the sugarcane.

In all the countries of the world sugarcane is a rain-fed crop. In India alone it is exclusively canal-irrigated. The situation in Marathwada is largely self-inflicted. Latur district alone has some 12 sugar factories. The districts of Osmanabad and Beed do not lag much behind. Regions of Jat, Atpadi, Jalna, Paranda, Osmanabad are literally surviving on whatever water is supplied in tankers.

If political and petty thievery of Western Ghats waters can be effectively stopped and effective measures taken to reclaim water from the sugarcane in the factories the drought situation can be easily met.

Famines have a largely economic remedy. If the farmers could get remunerative prices during the years of good crops they will not be forced to look for EGS camps for themselves and fodder camps for their cattle. The city people have become aware of the basic issues involved only now when hoards of hungry and thirsty people have started flowing into cities like Pune and Mumbai where they expect to get employment and a cupful of water.