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### FRONTLINE

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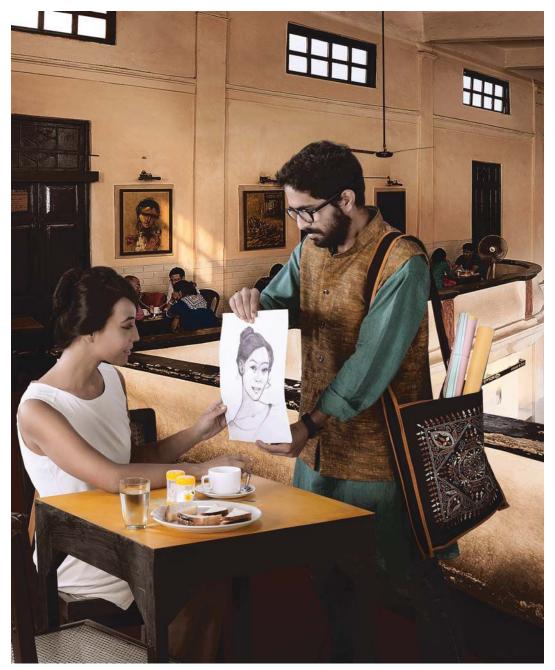
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# Message from The Marina

The unprecedented youth protest in Tamil Nadu demanding revocation of the ban on jallikattu proved to be a rallying point for various sections of people affected in different ways by the policies and actions of the governments at the Centre and in the State





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A section of the protesters on the Marina in Chennai on January 23.

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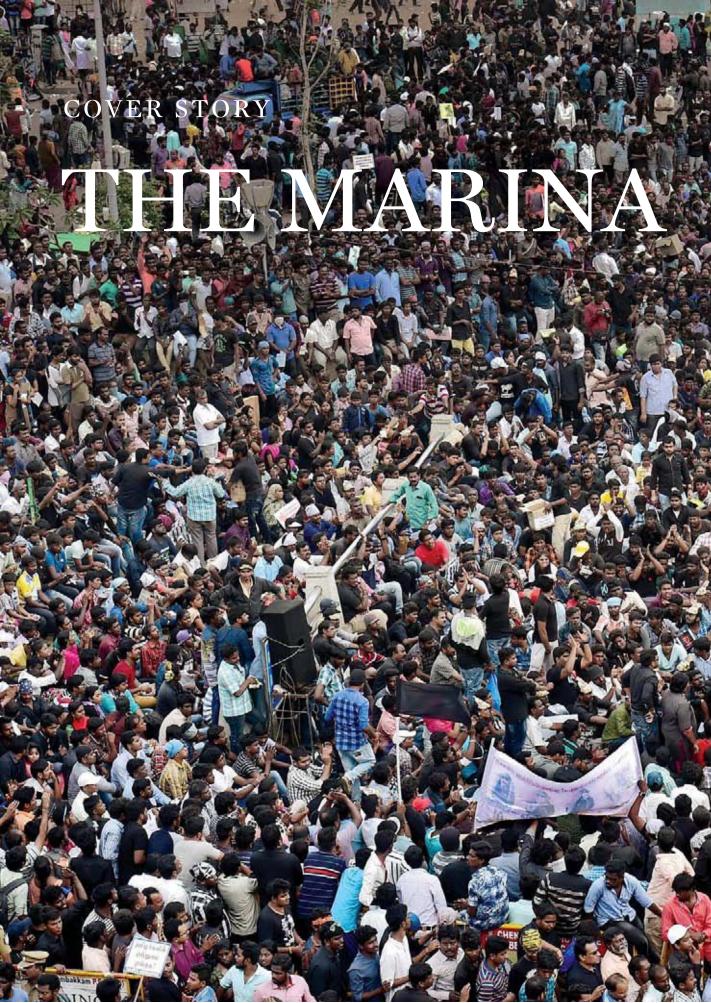
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The jallikattu ban was only a trigger for the protest around Pongal on Chennai's Marina beach. Lakhs of people, most of them youths, gathered spontaneously on the sands in a carnival atmosphere as a collective response to the anti-people policies of the state.

BY ILANGOVAN RAJASEKARAN AND R. VIJAYA SANKAR

IN AN UNPRECEDENTED SHOW OF UNITY, strength and non-violence, several lakh students and youths of Chennai gathered on the Marina beach and elsewhere across the State for a week to reclaim for the people of Tamil Nadu jallikattu (bull-taming), a sport that was part of the Tamil tradition for centuries but had been banned by the Supreme Court a few years ago.

They came together against what they believed was insincere attempts by the Central and State governments to take on legally animal rights activist groups (mainly PETA, or People for the Ethical Treatment of Animals) and the Animal Welfare Board of India (AWBI, a statutory advisory body set up in 1962 by the government of India under Section 4 of the Prevention of Cruelty to Animals Act, 1960 (No.59 of 1960)), who have taken up

the cudgels on behalf of the bull, and have the more than five-year-old ban overturned. As it turned out, the scope of the protest went beyond jallikattu and encompassed issues arising out of what the protesters perceived as injustice to Tamils, the failure of governments to address the livelihood and other concerns of people, major political parties' obsession with capturing power and sharing its spoils, the attempts at cultural homogenisation, and multinational companies' operations that went against the interests of the country. And the protesters refused to be swayed by "outsiders", including political parties.

However, the extraordinarily peaceful, in fact carnival-like, protest ended on a violent note when the police swooped down on the protesters in the early hours of January 23 on the grounds that a few "anti-social ele-



**A FACE-OFF** between the police and the protesters who resisted attempts to remove them by moving close to the sea, on January 23.

ments" had infiltrated their ranks with a sinister agenda. While the burden of proving this claim lies with the law and order establishment, the fact remains that in the week-long mass protest that kept out politicians and celebrities alike, the new generation protest on the Marina, largely with the participation of the middle and lower classes, struck a chord in the people of Chennai who thronged the beach expressing their solidarity with the protesters in novel ways. "It is much more significant than the 'Occupy Wall Street' movement of 2011 in the United States, a manifestation of a long wait with frustration against social and economic inequality worldwide," said Ramu Manivannan, Professor and Head of the Department of Political Science and Public Administration, University of Madras.

Ironically, the violent climax of the protest occurred at a time when a solution seemed to be in sight. Here is the sequence of events leading up to it:

In the face of the protest gathering momentum and drawing widespread support, Chief Minister O. Panneerselvam rushed to New Delhi and met Prime Minister

Narendra Modi apparently to explore the options before the governments. Modi reportedly told him that the Centre could not pass a special ordinance to allow jallikattu as the matter was sub judice and suggested that the State government, within its powers, could promulgate an ordinance. However, he assured the Chief Minister of the Centre's support in having a State ordinance passed. On his return to Chennai, the Panneerselvam government quickly passed an ordinance on January 20, with the concurrence of the Centre and "after obtaining the necessary prior instructions of the Honourable President as envisaged under Article 213 of the Constitution", to facilitate the conduct of jallikattu this year. The message was clear: the Chief Minister and Prime Minister made extraordinary efforts to satisfy Tamils' demand on jallikattu.

The protesters did not budge and demanded a "permanent solution", that is, a law that could not be challenged legally.

Sensing their mood and on instructions from the Governor-In-Charge, Ch. Vidyasagar Rao, the State government convened a special session of the Legislative Assembly on January 23 evening to pass a Bill seeking to exempt conduct of jallikattu from the provisions of the PCA Act of 1960.

The Assembly unanimously passed the "Jallikattu Bill" (The Prevention of Cruelty to Animals (Tamil Nadu Amendment) Bill, 2017), which it believes has cleared the legal hurdles to conducting the sport. Tabled by the Chief Minister and passed within a few minutes of its introduction, the Bill sought to amend certain provisions of



**PROTESTERS** pleading with the police after the crackdown began on the Marina on January 23.



AT THE VOC GROUNDS in Coimbatore, support from students and the public for jallikattu.

the PCA Act by defining jallikattu as a traditional sport which would be allowed to be conducted in Tamil Nadu between January and May every year. It carefully removed the word "taming"—a word the Supreme Court frowned upon, while banning the sport in 2014.

The Centre also informed the Supreme Court that it would withdraw the January 7, 2016, notification of the Union Environment Ministry, which was issued to allow conduct of jallikattu but subsequently stayed by the Supreme Court. With this the Centre has indicated that it would have no objections to Tamil Nadu removing the bull from the list of animals that "shall not be exhibited or trained as performing animals" under Section 22 of the PCA Act.

A section of the youth on the Marina, fearing a legal challenge to the Bill from PETA and the AWBI, continued with the protest despite the Chief Minister's assurance that jallikattu would henceforth be held without a break. (A day after the forcible eviction of the remaining protesters on the Marina, media reports about the AWBI filing a petition in the Supreme Court challenging the Tamil Nadu Bill and the AWBI's advice that any petition filed on behalf of the Board may be withdrawn indicated some conflict among its members.) A section of legal experts claims that the State's amendment to the Central law was a "fraud on the Constitution" and ultra vires of the parent Act and that it runs against the spirit of the Supreme Court's 2014 judgment banning the sport.

It was left to the good offices of the retired Madras High Court judge Justice D. Hariparanthaman and a host of others on January 23 to convince the remaining protesters that the State's ordinance had the concurrence of the Centre, that the State Assembly had passed the Bill unanimously, and that it would be made into a law. P. Rajasekhar, president of the Jallikattu Pathukaapu Peravai (Jallikattu Protection Federation), the film director V. Gouthaman and a few others who had been active in

the jallikattu struggle for a few years urged the youth to call off the stir. The protesters demanded a ban on PETA, which they claimed was "interfering in their cultural right".

The Chennai City police issued an advisory in the wee hours of January 23 asking the protesters to disperse from the Marina and elsewhere. Claiming that a group of miscreants had infiltrated the ranks of the protesters, the police attempted to evict them forcibly. That was the trigger for the violence that followed. A section of the protesters entered the sea and continued the protest. The police went after some protesters and their supporters who were rushing towards the beach on hearing about the crackdown. Violence spilled onto the nearby streets and lanes. The whole area wore the look of a battle-ground.

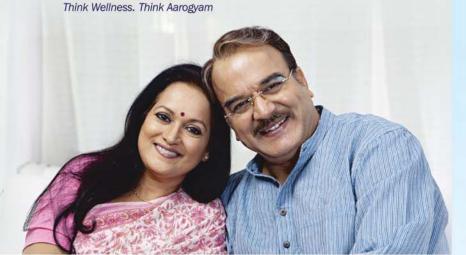
A police station was torched and scores of vehicles were gutted in arson, leaving 70 students and youths injured, many of them seriously. Police personnel too were injured. Protesters were caned and tear-gassed. There were allegations that police personnel themselves set fire to vehicles and huts. (Video clippings showing policemen and policewomen indulging in arson started doing the rounds, and a prominent TV channel telecast them.)

In Madurai and Coimbatore too, youths were forcefully evicted from their protest sites. Alanganallur, where jallikattu is held annually, had emerged as a nerve centre of protests, with villagers extending cooperation to them since Pongal day (January 14).

In Chennai, the police's fury turned against fishermen and Dalits living in colonies near the Marina. Their crime: they helped students who took refugee in their huts after the police started attacking them (story on page 17). A fact-finding team led by the human rights activist A. Marx visited Nadukuppam, one of the colonies, and recorded the police excesses. It said the fisher-



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Folic Acid

• Arthritis Profile (2)

Anti Cyclic Citrullinated Peptide Antibody Antinuclear Antibodies [ANA]

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HbA1c

Average Blood Glucose

• Pancreas Profile (2)

Serum Amylase Serum Lipase

• Thyroid Profile (3)

Total Triiodothyronine [T3]

Total Thyroxine [T4]

Thyroid Stimulating Hormone [TSH]

• Iron Deficiency Profile (4)

**Total Iron Binding Capacity** Serum Iron

% Transferrin Saturation Serum Ferritin

• Kidney Profile (5)

Calcium

Uric Acid

Blood Urea Nitrogen [BUN]

Serum Creatinine

**BUN/Serum Creatinine Ratio** 

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men, Dalits and poor labourers were subjected to inhuman brutality. The National Human Rights Commission (NHRC) and the State Human Rights Commission (SHRC) have suo motu taken up the issue. Political parties and other organisations have demanded a judicial inquiry into what they described as police excesses.

"The youths and students courageously defied the odds to achieve their objective in a peaceful way. But the state and its police had a different opinion. They did not want it to happen that way," said the Tamil scholar and former University of Madras Professor Arasu. Scholars and activists like him criticised the state for its brutal suppression of the spontaneous agitation.

Said Ramu Manivannan: "The abject failure of the political class is the main issue that led to this mass agitation that sprang up from nowhere. Again, the sport jallikattu, though mired in social issues of caste and patriarchy [as Dalit activists and feminists have rightly pointed out], had emerged as the focal point for the agitators to rally around." The negligence of the state on

various fronts, institutionalisation of corruption, degradation of waterbodies, exploitation of the meek, and the helplessness of civil society were the main reasons for the uprising.

A few observers inappropriately equated the youths' struggle with the 1965 anti-Hindi agitation in Tamil Nadu. But it should not be forgotten that the language stir was fuelled by a fledgling party (the Dravida Munnetra Kazhagam, or the DMK) struggling to get a foothold in the State by constructing a movement around Tamil identity against the "Delhi regime" of the Congress party. The agitation against the Centre's imposition of Hindi on Tamil Nadu saw the participation of an overwhelming number of students and ended in violence.

Many leaders of the present-day DMK were the products of the agitation, which was one of the main reasons for its rise as a political force that captured power. Arasu said that the political narrative of the North exploiting the South, which was in play during the days of Dravidian leaders E.V. Ramasamy Periyar and C.N. Annadurai, was



A GROUP OF STUDENTS shield a couple and their child from the police on the Marina beach.

L. SRINI

very much in operation in Tamil Nadu even today. "The feeling of neglect Tamil Nadu experienced then continues to surface time and again. The present struggle is an example of that, though an elitist group opposes it," he said.

A series of developments in the past few years—the Centre's unhelpful attitude in Tamil Nadu's dispute over the sharing of Cauvery waters, the Gas Authority of India Limited (GAIL) projects which have the potential to destroy agricultural land in parts of the State, and so on-strengthened this feeling of discontent. But the mass protest, Arasu said, was "non-violent, apolitical, peaceful and disciplined". "Jallikattu" was just a rallying point and remained incident-free until the police intervened on the seventh day of the protest (January 23) under the ruse of flushing out "anti-social elements" who were said to have infiltrated the crowd of protesters. "Jallikattu was a signage. Though the protest realised its objective of drawing global attention to the State's issues, and should have ended in a dignified manner, the State and its police wished it the other way," said Arasu.

The agitation was multifaceted, indigenous and technology-driven. The mobilisation of this unique gathering through social media under a common banner "We do Jallikattu" was a refreshingly new phenomenon in Tamil Nadu, and perhaps in the country. They used their individual social media accounts (Facebook, Twitter and WhatsApp) and created exclusive apps and hashtags to connect with youths across the State and coordinate the protests.

### TECH-SAVVY AND POLITICALLY AWARE

It was clear that the youths, a considerable number of them IT professionals, were not only tech-savvy but also sensitive to the political and social developments around them. The slogans, speeches, banners and handmade posters at the venue gave expression to resentments of different types caused by government policies and actions and the political parties' failures to address real issues that affected people's everyday lives. These issues—drought, farmer suicides, the Cauvery dispute, demonetisation, prohibition of liquor, sand mining, corruption, freebies, and so on—all converged on the theme of jallikattu, which was seen as a symbol of Tamil pride that was sought to be obliterated by attempts at cultural homogenisation.

There was this dominant feeling that the Dravidian political parties, which have together ruled the State for half a century, had failed them. Political observers say that this disillusionment with the DMK and the All India Dravida Munnetra Kazhagam (AIADMK) was the result of the impression that they had patronised a clichéd politics marked by empty rhetoric. The political class is seen as one that ignores contemptuously the people, their aspirations and their needs, they say.

The protesters expressed their disillusionment with the rulers and their policies through skits, songs, dances and speeches besides banners and bunting. Black was the colour of the protest as almost all participants wore black T-shirts and held aloft black flags, while a few could be spotted wearing red. The gathering had space for varying political ideologies. The youths also rose in unison against the communal forces which they saw as trying to homogenise culture and erase the secular character of the State. No discerning political observer would have missed one significant underpinning of this entire struggle--channelling Tamil sentiment against the forces of Hindutva. "It is this overwhelming feeling of neglect by the present BJP [Bharatiya Janata Party] government at the Centre that haunts the people of Tamil Nadu. They have identified their adversaries and are also well aware of how they are attempting to disturb the secular fabric of the State and the country through the imposition of one language and one culture," said Arasu. Many protesters who spoke to Frontline explained how demonetisation had ruined the lives of industrial workers, peasants and agricultural labourers.

Narendra Modi and the BJP were targeted by the protesters for "betraying Tamils on issues such as the attacks on fishermen by the Sri Lankan Navy, the demand for the retrieval of Katchatheevu, the oppression of anti-nuclear power activists at Kudankulam, and the stalling of the Sethu Samudram project". These issues had endeared the youth to the local fishermen, resulting in their spontaneous support to the agitation. The attempt to saffronise education was criticised strongly.

Senior BJP leader Subramanian Swamy added fuel to the fire with his repeated tweets calling the protesters "porkis" (a corrupt form of the colloquial Tamil word porukki, which roughly translates as a thug). This derogatory reference to the peaceful protesters in a way prompted other sections of people to rally in support of the youths.

Former Attorney General Soli Sorabjee says that emotions should not be allowed to override the rule of law. But former Supreme Court judge Markandeya Katju has a different take on it. In a tweet, he said that the "victory shows people could rise unitedly like a typhoon or tornado, it becomes a force so powerful and so swift that no power on earth can resist it". He said it showed that Indians "could unite, as we must, if we are to solve our massive problems".

The leadership vacuum in Tamil Nadu and the subsequent power play in the ruling dispensation too disturbed the protesters. They disapproved of Panneerselvam's servility and AIADMK general secretary V.K. Sasikala's sudden prominence through what they see as back-room manoeuvres. All these issues reverberated through the Marina, but well within the margins of decency. "Perhaps this could have prompted the state and its police to attempt to discredit the students' stir," pointed out Raju Manivannan.

These issues, the professor observed, had been directly affecting the youths in one way or the other. "The gathering accepted multiple narratives. The protesters, besides speaking in detail on the Cauvery dispute, farmers' suicides and the GAIL and methane projects, also expressed their anguish over the loot of natural re-



A PROTEST IN ALANGANALLUR near Madurai on January 15 by organisers of jallikattu and residents against the ban on the sport.

sources, corruption, unemployment, commercialisation of education and also the sudden introduction of the National Eligibility cum Entrance Test [NEET]," he pointed out.

At a time when the state has been pursuing ruthless free market reforms and undermining social welfare, such bouts of disenchantment were bound to surface. In any democracy the voice of dissent, Arasu said, should not be smothered. "Yes, it is pent-up anger that found a vent in the protest. How could you define the state violence unleashed against students protesting against a TASMAC outlet in Chennai last year? The youngsters were courageous but polite in questioning the rulers and had the entire public lined up behind them," said Arasu.

Even sympathisers of the protest pointed to its nature of being leaderless. "All are leaders here. We share our decisions and go by the majority," said Samson, a second year engineering student of a private college, who was there with his friends on the second day of the agitation. A silent, invisible leadership coordinating it was evident across the State. There were striking similarities in the way in which the protests had been organised from Chennai to Kanyakumari, though the police claimed that "some separatist elements" had found place among them and operated from behind.

"They should have allowed a leader like Kanhaiya Kumar to emerge from among them," said Prof. G. Palanithurai, academic activist and a coordinator of the Rajiv Gandhi Chair for Panchayati Raj Studies in the Department of Political Science and Development Administration, Gandhigram Rural Institute, Dindigul. "Without

this, the gains accrued from the manifestation of spontaneous public disenchantment against a state and nation would be lost," he said.

Another notable feature of the protests was the organising capacity of these youths at the protest sites. The more level-headed among them had taken effective command and kept in check the adventurists. It was a tightrope walk. "We could not stop anyone from joining us since it was for a public cause. However, we saw to it that no untoward and unpleasant incidents took place. It turned into a sort of carnival with the heavy influx of the general public. Women and children too joined us, sang and danced with us and ate with us. Nowhere an agitation of such a magnitude could have ever worn a festive atmosphere, till the police, armed with a vicious motive, entered the scene," said Deenadayalan, a student at the protest.

"Yes. In many European and African countries such people's protests would be marked by dance and song. It is a soft but powerful way to counter state oppression. But, unfortunately, in Tamil Nadu we are programmed to listen to stereotyped political rhetoric and agitations. The youths have ushered in a new culture today," said Arasu. This protest was an expression of the youths' simmering anger against a state's feudalistic administration and the shrinking space for dissent.

The youths have increasingly come to believe that leaders of personality-driven politics have all along kept their attention away from important issues that have a direct bearing on their lives. They have cultivated a sort of distrust of the system itself. Thiagarajan from Karur, who

had been on the Marina since the second day of the protest, told *Frontline* that a strong feeling of being let down by the political and ruling class had been gnawing at their minds. Indeed, the victim mindset was overwhelmingly present among them. "We find ourselves voiceless," he claimed.

The paradox of this jallikattu-centric movement was that it could attract people from all walks of life, the haves and the have-nots, the working class and white-collar workers, including those who had never seen the sport. Numerous sponsors sprouted overnight to help the protesters. Muslim women and men came in droves to join the youths, while fisherfolk from far-off places ferried water sachets and food packets in boats. "They are representing us. They are sitting under the scorching sun and in the biting cold for us. We join them with our tiny contributions," said Ramasamy, a fisherman from Kasimedu in Chennai.

Volunteers from the Tamil Nadu Tauheed Jamaat, which earned encomiums from the Chennai public for its rescue and relief efforts at the time of the Chennai floods in December 2015, chipped in to keep the youths adequately hydrated and fed. Even blankets were provided to girls among the protesters who slept on the beach. Migrant labourers from States such as Assam and Manipur, besides a number of them from Rajasthan, too lent their support to the youths. Reports from Coimbatore said that a group of visually handicapped children joined the protest. "Hence to discredit any such humane act is unwarranted and in bad taste," said an activist.

### POLITICAL PARTIES KEPT AWAY

The participants politely turned down the offers of support from political parties. Advocates of Tamil nationalism were present at the site but could not take the stage. During the police action, one could see some students holding aloft a poster of former President A.P.J. Abdul Kalam. Also, when the police tried to evict them forcibly, protesters shouted "Vande Mataram". Protesters had repeatedly underscored one specific point from the outset, that their movement was apolitical and well beyond caste and religious affiliations.

"Thus we did not welcome Seeman of the Naam Thamizhar Katchi; we also told the DMK people the same thing politely when they said that their working president and Opposition Leader M.K. Stalin wished to see us at the Marina," said Ravi, an MBA graduate, who was one among the last to leave Marina, just before the police evacuation.

In the entire episode the Left was not totally isolated. Members of the Democratic Youth Federation of India (DYFI) and the Students Federation of India (SFI), youth and students wing respectively of the Communist Party of India (Marxist), who have been in the forefront of various struggles, were present but without their banners.

Arasu, however, pointed out that any politically conscious view and act would be treated as "radical" in Tamil Nadu. "The singer Kovan was a radical when he protested last year against TASMAC shops; the protest was forcefully suppressed by the police. He became an anti-national after singing a song against Modi and demonetisation. The state would not have treated these students like anti-socials had they confined their struggle to jallikattu, which is an issue the BJP is trying to appropriate," said yet another activist.

But what explained the brutal police action on the last day? "Violence was brought in to discredit the youth agitation as the political class had lost its relevance here. None of the leaders and senior bureaucrats came to convince the protesters with reasonable facts. The state and the police had resorted to mindless violence when people were protesting for their rights. It is to traumatise the people, youths and students who took part in it, and to tell them that there is no space in this State for any dissent," said Ramu Manivannan. The state's character, not to be surprised, would always be oppressive, said Arasu. A Centre that does not hesitate to encroach into the State's rights and a distant and disconnected New Delhi, which uses its power to interfere in the culture and traditional practices of various ethnic groups, lead to such disenchantment among youths and others.

Noting that there was a disconnect between civil society and the government in Tamil Nadu today, A. Narayanan, an anti-jallikattu activist and director of a non-governmental organisation Change India, said that though he disapproved of the sport because of its casteist and patriarchal character, he would not justify the police action on the students and the youths. In any crowd, he said, some miscreants would be present. "The issue here was not jallikattu. As I am entitled to oppose jallikattu, they, the youths, have their right to dissent. The police could have initiated talks with the protesters in a more mature and constructive manner and waited for some more time for their dispersal," he said.

Narayanan had sent a petition to the State Human Rights Commission demanding an inquiry into the police violence that left many people injured. He said nearly 20 protesters had been admitted to the Department of Facio-Maxillary Surgery in the Rajiv Gandhi Government Hospital in Chennai with broken jaws, lost teeth, and injured face and head. Many suffered fractures and sustained head injuries. The police, it is evident, had used their long batons on the youths indiscriminately," he said.

### DISSENTING VOICES

A prominent political leader with a strong anti-jallikattu stance is Dr K. Krishnaswamy, the founder leader of the Dalit political party Puthiya Thamizhagam. He said that the State should have enacted a law against "honour killings" as it was more important and essential than the ban on jallikattu. He said "honour killing" was an instrument in the hands of a few casteist forces that practise discrimination against Dalits in many places in the southern districts.

Krishnaswamy said that jallikattu was held in very few villages in the southern districts. "It is not the Tamils'

### The bull and the ban

THE surge of support for jallikattu this January was mind-boggling. The youths and students who gathered on the Marina beach in Chennai did so spontaneously. Protests have been held in Tamil Nadu every year since the Supreme Court banned the rural sport totally in 2014.

On January 13, on the eve of the Tamil harvest festival, Pongal, a series of protests were held in several villages across the State demanding permission to hold jallikattu. The protesters, mainly village residents, soon found support from other people. They were not convinced by the assurances from Chief Minister O. Panneerselvam and others that necessary legal measures would be taken to get the ban on jallikattu lifted. At Palamedu in Madurai district, a tussle ensued between the law-enforcing authorities and the local people when the latter attempted to conduct jallikattu.

The event ended in a fiasco with the police resorting to a lathi-charge and arresting a few tamers and owners of bulls. On the day of Pongal, the electronic media repeatedly beamed visuals showing people either attempting to conduct or conducting jallikattu in several villages across the southern and western districts, as a "symbolic protest". The police were seen intervening and arresting or detaining hundreds of people. People hoisted black flags atop their houses in Palamedu and shops remained closed.

Then came Alanganallur's date with jallikattu on Kanum Pongal day (January 16), the third and final day of the Pongal festivities, when jallikattu is traditionally performed. Poojas were performed to the village deity and bulls from near and far were readied for the event. The Madurai district police, led by Superintendent of Police Vijayendar S. Bidari, threw a strong security ring around the village to thwart the event. All roads leading to the village, famous for its jallikattu event, were sealed.

Bidri told the media that the police had successfully thwarted jallikattu at several places in the district and taken several supporters of it into preventive custody. The police, however, could not prevent a group of people from releasing a couple of bulls saying that it was "their symbolic defiance" of the court's ban order.

Such "symbolic defiance" took place in a small way in Thammampatti and Attur blocks in Salem district and certain other parts of the State. "Manju virattu", another form of jallikattu, was conducted at Singampunari in Sivaganga district.

The protests gained momentum as college students and youths began to gather on the Marina beach. They refused any conciliatory package offered by a team of officials and later by a couple of State Ministers. They, however, welcomed the support of a few film artistes

and activists, including the directors V. Gouthaman, Amir, G.V. Prakash and Samudhrakani and the singer Adhi. Organisations of traders, film artistes, workers and trade unions, among others, extended total support to the agitation on the Marina. In the process, an apology from the Union Minister of State, Pon Radhakrishnan, for not keeping his promise to the Tamil people on the conduct of jallikattu went unnoticed. The entire State virtually remained shut down from January 13.

These developments forced the Chief Minister to rush to New Delhi. He met Prime Minister Narendra Modi on January 19 and briefed him about the situation in the State and demanded a Central ordinance to remove bulls from the list of animals that should not be trained as performing animals so that jallikattu could be held. Modi told him that the matter was sub judice but promised all help in the matter. The Chief Minister stayed in New Delhi for two days and consulted the Ministries of Law, Environment and Home to draft a special State ordinance to conduct jallikattu.

The President of India concurred with the ordinance on January 20. Panneerselvam explained later that the ordinance issued by his All India Anna Dravida Munnetra Kazhagam (AIADMK) government, although similar to the one passed by the previous Dravida Munnetra Kazhagam (DMK) regime but was negated by the Supreme Court, had adequate safeguards against any legal bottlenecks to conduct jallikattu this year. He thanked Modi for "understanding the Tamil culture and taking special interest in the issue". He announced that he would throw open the "vaadivasal" (the entry point from where bulls emerge into the arena during jallikattu) at Alanganallur on January 22.

### **DEMAND FOR LEGISLATION**

But the protesting youths in Chennai refused to accept his offer by saying that the AIADMK's ordinance would also be stayed by the court if challenged. They demanded permanent legislation to remove the bulls from the list of animals that should not be tamed as performing animals in the Prevention of Cruelty to Animals Act, 1960 (PCA Act). They continued with their agitations at several places causing an embarrassment to the State

"Manju virattu", another form of jallikattu, was conducted in Sivaganga district.



**A BULL COMING THROUGH** the "vaadivasal" at a jallikattu event organised at Alanganallur in Madurai district. A file photograph.

government. The villagers and protesters in Alanganallur prevented the Chief Minister from inaugurating the event on January 22. At its special session on January 23, the State Assembly passed a Bill facilitating the conduct of jallikattu.

Animal welfare activists and organisations, including the People for the Ethical Treatment of Animals (PETA), had been demanding a ban on the ancient sport for several years. In 2006, the Madurai bench of the Madras High Court, hearing a private petition, banned jallikattu. But the DMK government passed the Tamil Nadu Regulation of Jallikattu Act, 2009, to circumvent the ban. This was challenged in the Supreme Court, which in 2010, on an appeal from the State government, allowed the event to be conducted with stringent safety conditions and under the supervision of animal welfare activists and the Animal Welfare Board of India (AWBI).

In 2011, the Minister for Environment Jairam Ramesh issued a notification banning the use of bulls as "performing animals". The PCA Act was then amended to include the bull in the list of performing animals. The AWBI told the court that cruelty to animals was continuing and that regulations were followed more in the breach.

On May 7, 2014, the Supreme Court banned the event totally (*Frontline*, May 30, 2014). A two-member bench of Justices K.S. Radhakrishnan and Pinaki Chan-

dra Misra pointed out that harming the bull was against Section 3 of the PCA Act.

It observed: "Forcing a bull and keeping it in the waiting area for hours and subjecting it to the scorching sun is not for the animal's well-being. Forcing and pulling the bull by a nose rope into the narrow, closed enclosure called 'vaadivasal', subjecting it to all forms of torture, fear, pain and suffering by forcing it to go into the arena and overpowering it in the arena by bull tamers, are not for the well-being of the animal."

The bench struck down the State ordinance saying that it was "constitutionally void, being violative of Article 254 (1) of the Constitution" and ruled that the Central law in this regard would prevail. The bench hoped that Parliament would elevate the rights of animals to that of constitutional rights, as had been done by several countries.

The verdict led to widespread protests in Tamil Nadu. The State submitted a review petition, which was dismissed immediately. The event could not be held since then. The Bharatiya Janata Party (BJP) came under extreme pressure to make its stand clear on the issue as the State was preparing for the Assembly elections in 2016. Succumbing to pressure from its State unit and its sole Lok Sabha member from Tamil Nadu, Pon. Radhakrishnan, who represents Kanyakumari constituency, the BJP government at the Centre issued a notification through the Ministry of Environment, Forest and Climate Change on January 7, 2016, lifting the ban on jallikattu with certain restrictions.

The executive notification stated that bulls "may continue to be exhibited or trained as a performing animal at events such as jallikattu in Tamil Nadu and bullock cart races in Maharashtra, Karnataka, Kerala and Gujarat in the manner [specified] by the customs of any community or practised traditionally under the customs as a part of culture in any part of the country".

Unfortunately for the BJP, the extraordinary gazette notification turned out to be an exercise in futility. On January 12, 2016, the bench of Justices Dipak Misra and R.F. Nariman stayed the notification, saying it ran counter to the court's 2014 judgment banning all forms of bull-related sports events across the country.

Animal rights activists had filed 13 petitions in 24 hours against the notification. This perseverance of animal rights activists in demanding a ban on the "inhuman sport" was mainly instrumental in saving the animals from any cruelty, a Chennai-based animal rights activist had said then.

The present agitation began when the Supreme Court refused to entertain a petition from a group of Tamil Nadu lawyers who sought the lifting of the ban on jallikattu. On January 13, the court said it "cannot deliver its verdict on jallikattu before the harvest festival of Pongal" and that it was "unfair" to seek a verdict in two days.

Ilangovan Rajasekaran



**STUDENTS** from a city college perform a skit that highlighted corporate takeover of farmers' lands, the servility of the political leadership and other issues.

identity. The sport is not inclusive and is feudalistic and has been in practice for the past 200 to 300 years, perpetuating caste inequality," he said. Another Dalit political leader Thol. Thirumavalavan of the Viduthalai Chiruthaigal Katchi (VCK), though he supported the jallikattu struggle simply for the reason that the youths represent all vital issues, said that the sport should not be identified with casteist elements.

The claims that the sport is not inclusive are true. At a manju virattu event (another form of jallikattu), held at Kalapur village in Sivaganga district on January 15, a few Dalit youths took part in it. Angered over this, a group of caste Hindus attacked their colony, injuring four Dalits. The police have registered a case in this connection.

S. Karuppiah, joint general secretary of the Dalit Liberation Movement, who worked extensively in Madurai and surrounding villages on Dalit and other social issues, said: "Many rural households who kept bulls for the event are losing interest. The number of bulls in and around Madurai where the sport was held predominantly is coming down drastically. But for the ban, the sport would have been forgotten in another decade or so. Now thanks to animal rights activists, the sport has been revived with vigour." He, however, took part in the agitation at Alanganallur with his family for three days "mainly being a Tamil and also to support the students' movement". It is true that the majority of those who took part in the protest would not have even witnessed the event on the field, but they participated in it because the jallikattu struggle has become a symbol of Tamil culture

and went beyond it. Another section of people do not approve of the irrational, unscientific, illiterate arguments put forward by some people in support of the sport. One of the arguments is that the ban on jallikattu was part of a conspiracy of multinational corporations involved in milk production to eliminate the native breeds of the bull because the milk from these breeds (A2) is far superior to their products and that the milk marketed by these corporations (A1) causes cancer and diabetes in consumers. Veterinarians and scientists have dismissed these theories as hollow and without a scientific basis. (Milk from breeds of cows that originated in northern Europe is high in A1 beta-casein. A1 milk comes from breeds like the Holstein, Friesian, Avrshire and British Shorthorn. Milk that is high in A2 beta-casein is mainly found in breeds that originated in the Channel Islands and Southern France such as the Guernsey, Jersey, Charolais and Limousin.)

The protest is a new phenomenon. It is so baffling that interpretations range from romanticising it as a revolution to condescendingly discrediting it as an instance of mobocracy to reducing it to a law and order issue. A look at the nature of protests in the age of neoliberalism offers some understanding of its nature. For instance, in the Latin American protests in the 1990s, the Internet played a major role in mobilising different sections of people, especially the youths affected in various ways by neoliberalism. It is too early in the day to say whether this pro-jallikattu protest will eventually lead to protests of such proportions. What is clear, however, is that the struggle has heightened the political consciousness of its participants. They have started asking difficult questions which governments and other establishments can no longer ignore. 

### Brutal crackdown

The violent and unprovoked police action of January 23 has left the fisherfolk near the Marina beach traumatised and angry. BY T.S. SUBRAMANIAN

NOBODY WOULD HAVE EXPECTED THE situation to sour so quickly, let alone come to such a violent and bloody pass. The cheerfulness and geniality that was evident among the thousands of students and other young people who had gathered on Chennai's Marina beach from January 17, seeking revocation of the ban on the traditional sport of jallikattu, evaporated with the brutal police action on January 23. The young protesters and activists were sleeping on the pavement adjoining the beach sands of the Marina when a large police contingent arrived around 4:15 a.m. on January 23.

The police had instructions to clear the Marina promenade on Kamarajar Salai for the Republic Day parade. They woke up the sleeping students and asked them to disperse. As the tired protesters resisted, the police kicked them. When the students sat bunched up together and knitted each other's arms in a chain, the police pulled them apart and tossed them around. Then the police beat them up with lathis and drove them away.

S. Rajesh, a student of BSc (Electronic Media) in a Chennai college, who was one of the 50 students who first gathered on the Marina on January 17, opposite Vivekananda House, said: "Up to 3 a.m. on January 23, everything was all right. Around 5 a.m., the police arrived and began their action. They told us: 'Anti-national and antisocial elements have infiltrated your agitation. You disperse now.' The previous night the police had praised us no end for the peaceful manner in which we were protesting for a week. Now they told us that anti-social elements had hijacked our movement. When we resisted, they beat us up. The police claimed that stones were thrown at them from the beach. Where can you find stones on the beach? There is only sand."

A few hundred protesters ran into the sea, where the police could not follow them. V. Dhanalakshmi, another student, was sure that the police action was pre-planned. "It was a conspiracy by the police to break the unity of the students. Our agitation was peaceful for seven days. There was no violence whatsoever. Our struggle will continue until there is a permanent solution to the jallikattu issue," she said.

Many of the protesters, fleeing from the police, ran



**THE BURNING OF** the fish market at Nadukuppam has left the vendors, mostly women, inconsolable.

into fishermen's settlements in Nadukuppam, Ayodhi Kuppam, Mattankuppam, Canal Bank Street and Pazhandi Amman Kovil Street, all situated opposite the Marina beach. This caused hordes of police personnel to descend on these localities in order to flush them out. The police apparently kicked open the doors of fishermen's homes to check whether any protesters were hiding inside. The fisherfolk, who had provided water and biscuits



ARSON NEAR MARINA on January 23.

to protesters and allowed them to use their toilets, had in any case made themselves unpopular with the police when the protest was going on at the Marina.

### **ARSON AT NADUKUPPAM**

What happened at Nadukuppam, a fishermen's settlement a few hundred metres from the protest site, was particularly horrifying. It is a working-class locality well known for its fish market. Most of the residents are fishermen who go out to sea in their fibreglass boats with outboard motors. Around 8 a.m. that day, a contingent of women police personnel descended on the neighbourhood. It burnt down the fish market, allegedly after looting all the choice fish. The fisherwomen this reporter spoke to said that the policewomen went about setting fire to autorickshaws, cars and vans and smashing the windshields and headlamps of cars and two-wheelers. The acrid stench from the burnt stalls, charred fish and gutted vehicles hung in the air even around 10 a.m. on January 26 after a nominal Republic Day parade had just concluded on the Marina. The police had "secured" the area for three days to enable Chief Minister O. Panneerselvam to hoist the national flag and watch the parade. There were other signs of violence: a Maruti Omni car with its front and rear windshields smashed, twowheelers with headlamps and mirrors broken, and toppled fish carts.

A tall arch, named after M. Singaravelar, a trade unionist and one of the pioneers of the communist movement in India, leads into Nadukuppam. There is a network of lanes and bylanes, where people live in tiny homes. The other areas that saw police action—Ice

House, Ayodhi Kuppam, Mattankuppam, Pazhandi Amman Kovil Streets of Triplicane and Chepauk—are all adjacent to Nadukuppam. The Buckingham Canal slices through these localities. Fear stalked the area on January 26, and all local residents gave a wide berth to the Republic Day parade and celebrations on the Marina, which lacked elan and enthusiasm this time and ended quickly. Most of the men, who were sullen and unwilling to talk, claimed they were somewhere else when the police unleashed the violence. But the women were bold. Not only did they speak about how the police went berserk, they also gave their names to be quoted and were willing to be photographed.

Rajeswari Kumaresan, 30, who lives on First Street, Nadukuppam, said: "My husband and I had locked our house on January 23 and gone to work when the policemen arrived and broke into our house. They pushed the fridge around, tapped the top of the television set with their lathis, rummaged around here and there. In their hurry, they left behind a lathi. We are unable to sleep at night because one of our two doors is broken. My schoolgoing daughter is not able to sleep."

Everywhere, the residents were willing to show how the policemen had broken into their homes when they were out working. Clearly, the police were looking for student protesters whom they suspected of hiding in the fisherfolk's homes.

Rajeswari's 11-year-old daughter, Mithuna, found the house had been broken into and vandalised when she returned from school in the afternoon. "When I returned home, I found the policemen firing tear-gas bombs," she said. Like other women in the area, she insisted that women police had set fire to the thatched roofs of the fish stalls by "throwing a powdery substance", and damaged vehicles. Rajeswari's next-door neighbours, Pavithra and her sister Vani, said they were assaulted by the police in their home. Pavithra showed lathi marks on her hands, and Vani said: "They swung the lathis against my legs. I could not get up for two days." She, too, said that the women police were responsible for the arson,

Their grandfather Balan's Maruti Omni car was parked opposite their home, covered with tarpaulin. Balan, who works as a driver, removed the tarpaulin and showed the windshields that had been smashed. He was too angry to talk. Vani said: "All the children in Nadukuppam are frightened. They are always looking scared." Another woman, said: "When we asked the policemen why they were breaking open our doors, they yelled at us 'Veliye Vaadi' [an offensive way of saying 'come out']".

The police did not spare even elderly women. Seetha, 85, was sitting on the road next to a vandalised car. She said: "The policemen kicked me. I folded my hands and begged them not to beat me, but they kicked me." She showed this reporter her swollen hands and legs. Other women, who gathered around Seetha, said the policemen rained blows on them and demanded an explanation on why they gave "asylum" to the protesters and provided drinking water to them during the week-long agitation. "You are all extremists," the police told the middle-aged and elderly fisherwomen and kicked them repeatedly. Some of the women spoke of how students had come running to Nadukuppam and asked residents to save them.

R. Thesamma said she was on the beach when policemen beat her with lathis. Her left hand got fractured.

P. Anand, 28, watched a policeman break his scooter's mirror with his lathi. "The students came here weeping. About 50 policemen surrounded us and hit us. They

did not spare even 12-year-old boys. The women police set fire to cars," he

Nothing remained of the fish market. Three women fish sellers sat around what remained of their pavement stalls opposite the market. Ranjitham, Nayagam and Omiya, all in their seventies, showed their legs swollen from the blows they had received from policemen. "However, it was the women police who set fire to autos," they chorused. "They set fire to the fish market. They looted all the big fish."

### MORE OF THE SAME

In the lanes and bylanes of Ayodhi Kuppam and Mattankuppam, the police in riot gear and youngsters threw stones at each other. But soon the police got the upper hand and unleashed mayhem in Mattankuppam, the nearby Sunkuvar Street, Canal Road near

Palani Amman Temple Street, and parts of Triplicane. When this reporter visited these areas on January 25, signs of arson and destruction by policemen were everywhere: the shell of a burnt-out car near a bridge across the Buckingham Canal, an upturned water tank, smashed headlights of the scooter of a physically handicapped man, a destroyed roadside idli shop, smashed doors of houses and toppled Coca-Cola vending machines. People were especially agitated about how the police barged into homes and beat up women. All of them called the police action "arrajagam", meaning "atrocity". Many young people had fled their homes to stay with their relatives in other parts of Chennai because they feared that the police would return.

Gajalakshmi, her husband, G. Sampath, and their sons Prabakaran and Bhuvanesh, of Sunkuvar Street, Mattankuppam, were watching television on the morning of January 23 when the police came in and beat up all of them with lathis. Gajalakshmi and Prabakaran received head injuries. Bhuvanesh, a student of BCA in D.B. Jain College, Thorappakkam, had his right shoulder and arm fractured from the blows and had to have six stitches on his head. Gajalakshmi said: "The police dragged Bhuvanesh over a distance on the road and beat him up horribly." Like many other youngsters, he left home after the attack and stayed with his aunt in another part of the city.

Sampath showed this reporter the lathi left behind by a policeman. Prabakaran, who brought out the "CT scan brain (plain)" reports of the head injuries that he, his mother and brother received, said the police entered more than 100 houses, all tiny dwellings packed in minilanes branching off from lanes, and beat up everybody who was at home.

Saraswathi, who lives a few feet away from this family, was another victim. She made a living by cooking

idlis, which she sold on the pavement outside her tiny two-room house. The police smashed her gas stove and turned on the tap in the cylinder, shouting: "Let your house go up in flames." Sarawathi said: "They smashed everything, pots, pans, stoves. They pulled down the cloth awning over the door, under which I used to sell idlis. The policemen used vulgar language."

Everyone in the neighbourhood wanted to show this reporter the destruction that the policemen had wrought in their homes. At Punitha's home, the police broke all the doors, and just one horizontal bar of one door remains. They vandalised her house and beat up her son Karthick. Just outside her house was a shop with a Coca-Cola vending machine. The policemen toppled it and went away.

On Canal Street and Palani Amman Kovil Street, young men and el-



**R. THESAMMA**, a resident of Nadukuppam, whose left hand was fractured when the police beat her.

derly women told the same story of police violence. "The policemen came home last night and took away my younger brother," said one youngster who at first gave his name but later did not want his name to be mentioned. There are fears of reprisal by the police. "They descend on our homes at night and take away the youngsters after identifying them with the help of videographs they have already taken," said another young person who also did not want to be identified.

Resentment ran so high that one man said the settlement would fly black flags from their homes on Republic Day. "We will not attend the Republic Day parade. No crowd will gather there," he asserted. (There were eventually no black flags, but the parade did not draw any crowds.) Shakila, who standing nearby, broke down. Policemen had beaten up her son and taken him away. "I do not know where he is. People tell me that he is in the Puzhal prison Tthe Central Prison at Puzabout 30 km from Chennai]," she kept wailing.

S. Sampath Kumar, 54, a ragpicker, could not contain himself when he described the violence. He called the students "good boys" who had "behaved well" all through their protests.

"For seven days, the students never took to violence. Did they misbehave?" he asked. "The fault lay with the police." M. Murugan, another ragpicker, agreed. "They were all children from good families. They committed no crime when they protested on the Marina for bringing back jallikattu," he said. Sampath Kumar, who alleged that the policemen set fire to the car that had been parked near the bridge, however, said that the students did make a "small mistake". "They should not have protested for the restoration of jallikattu," he said. "The villagers concerned should have done that. After all, the students are only spectators."

### **PUBLIC OUTRAGE**

There was public outrage when some videos showing police brutality went viral: a policewoman setting fire to a hut in a fishermen's locality, a lone police constable repeatedly striking at the windshield of a parked autorickshaw with his lathi, and groups of policemen beating,



**G. SAMPATH,** a resident of Mattankuppam, shows the lathi that the police left behind at his home after assaulting his family. (Below) His wife, Gajalakshmi, suffered a head injury.

with their lathis, motorbikes parked by student protesters on Kamarajar Salai. News 18 Channel aired a video showing policemen setting fire to vehicles parked on Radhakrishnan Salai, which leads to the Marina.

As news spread of police using violence to evict protesters from the Marina, demonstrations erupted across Tamil Nadu. Young people sat in protest on Old Mamallapuram Road, Chennai's information technology hub. Riots broke out in parts of Chennai and brought the city to a halt. The situation was so serious that government buses suspended services. There were traffic snarls everywhere. To block youngsters from other parts of the city from joining the protesters who were being evicted from the Marina, the police barricaded all roads leading to the Marina-Cutchery Road, Karaneeswarar Kovil Street, Dr

Radhakrishnan Salai, Dr Besant Road, Bharathiyar Road and Wallajah Road. In the afternoon, schools started declaring a holiday, which caused more traffic snarls.

### **POLICE VERSION**

The decision to remove the protesters from the Marina was reportedly taken at a meeting of top police officers on the evening of January 22, which was presided over by Chennai Police Commissioner S. George. On January 21, Governor Ch. Vidyasagar Rao had signed the Tamil Nadu government's ordinance proposing amendments to the Prevention of Cruelty to Animals Act, 1960. Named the Prevention of Cruelty to Animals (Tamil Nadu Amendment Ordinance), 2017, it would have enabled the conduct of jallikattu in the State. But the protesters insisted on a "permanent solution".

The Police Commissioner claimed on January 23 that the violence had been instigated by "vested interest groups acting through anti-social elements". He said: "We could see that anti-social and anti-national elements had infiltrated the congregation [on the Marina]. So we acted upon the intelligence outputs." But he declined to name the "anti-national" groups. Anti-social elements, in big numbers, threw stones at police personnel near the Ice House police station, he said.

Answering a question on the video clips that showed policemen damaging automobiles, setting fire to them and using violence, George claimed that the visuals were all morphed and that the City Crime Branch would investigate them. Later, he said: "There are videos and pictures [that portray] as if police personnel indulged in

violence. We will investigate this, and if true, we will take action against such personnel. Our system will not allow that kind of excess." (The Hindu, Chennai edition, January 26.) Political parties roundly condemned George's claim of "anti-social and anti-national elements" having "infiltrated" the peaceful gathering of protesters. M.K. Stalin, working president of the Dravida Munnetra Kazhagam (DMK), demanded that he should be transferred for describing those fighting for Tamil culture as "antinationals and anti-socials". He said there was no need to evict the protesters in a hurry when a special session of the Assembly was being convened in the evening. He demanded an inquiry commission headed by a Madras High Court judge to investigate the police brutality on the Marina and nearby areas. He added that the State Intelligence chief and other police officers should also be transferred. Stalin petitioned President Pranab Mukherjee for a judicial probe into the police violence and sent him a video of the police brutality.

Communist Party of India (Marxist) general secretary Prakash Karat visited Nadukuppam with G. Ramakrishnan, State secretary of the party, on January 26. He said there should be an independent and impartial probe into the violence. Ramakrishnan demanded the suspension of George, Coimbatore Police Commissioner Amalraj and Madurai Police Commissioner Sailesh Kumar.

G.K. Vasan, president, Tamil Maanila Congress, said it was unacceptable that the police had arrested fishermen from Ambedkar Bridge, Mylapore, Nadukuppam and Ayodhi Kuppam, destroyed their shops, and filed false cases against them for helping students who were protesting in a non-violent manner.

### FACT-FINDING TEAM

A fact-finding team headed by Professor A. Marx and comprising eight other members (Professor Sivakumar, Dr J. Gangatharan, Ahmad Rizwan and the human rights activists V. Srinivasan, Professor M. Thirumavalavan, Professor G. Karthik, Natraj and Perivar Sitthan) demanded a judicial inquiry into the police action. The team, which visited these areas, prepared a report on the incidents on January 23. At Nadukuppam, the team found that the police had beaten up women and youngsters, ransacked their houses and damaged television sets and doors. It found that the fish market was burnt down by policewomen and that prawns worth lakhs of rupees were destroyed. Motorbikes and cars were damaged, and an SUV was completely gutted as the police allegedly threw "a flammable substance in powder form [phosphorus] on the parked vehicles", the report said. The residents told the team that they were punished because "the injured students from the Marina ran and sought protection, water and first aid at Nadukuppam for the injuries they sustained during their forcible eviction from the Marina by the police".

At Ruther Puram, a Dalit settlement near Ambedkar Bridge, residents told the team that the police had set ablaze vehicles parked at the entrance of their settlement—six autorickshaws, eight motorbikes and two cy-

cles. One resident, Gnanammal, told the team that a large group of policemen drove up when hundred-odd people sat near the Citi Centre and raised the slogan: "Don't beat up our students." The policemen had stones and bottles with them and they set fire to the vehicles, Gnanammal said.

At Meenambalpuram, also near Ambedkar Bridge, Porkudi, 35, was assaulted by a woman constable when she went out in search of her son. At Hanumanthapuram, Canal Street, Thanigavel, 33, a construction labourer,



**PROFESSOR A. MARX,** who headed a fact-finding team that produced the first report on the police action.

showed the bruises all over his body to the team members. After the police beat up 10 residents, they bundled them into a police van and took them to Lady Willingdon School where they were beaten again. From there, they were taken to another place and beaten. Finally, at night, the police dumped them in a burial ground. At Rotary Nagar, a big group of women told the team members that policewomen abused them in foul language and twisted their hands. Two women

got their hands fractured. The team members said that all the women residents they met reported large-scale violence and terror indulged in by women police personnel. They asked why the Chief Minister failed to talk to the protesters and dispel their concerns.

The team recommended that the State government should provide a minimum compensation of Rs.25,000 each to all the fish vendors of Nadukuppam. It also recommended that cases against those who were arrested and remanded in judicial custody should be withdrawn and they should be released unconditionally. The police personnel responsible for the violence should be suspended until the judicial inquiry was completed, it said.

### MISCREANTS SEIZE THEIR CHANCE

While the police went berserk, miscreants had a field day in neighbouring Ice House. A mob lobbed petrol bombs on the Ice House police station, which had its facade charred. As flames engulfed the main entrance, police personnel trapped inside were rescued through a rear door. The miscreants also torched impounded motorbikes parked in front of the police station. They set fire to tyres and rolled them towards the police personnel. Some miscreants set fire to a police booth near Ambedkar Bridge, Mylapore. Police vehicles and fire tenders were set on fire by roaming mobs at Arumbakkam and Vadapalani. The car of a Joint Commissioner of Police was set on fire near Dasaprakash in Purasawalkam. Miscreants broke the windowpanes of about 60 buses in different parts of Chennai.

### Lessons for parties

The jallikattu protests exposed how the political parties of Tamil Nadu gravely miscalculated the people's anger and sense of alienation.

BY R.K. RADHAKRISHNAN

POLITICAL PARTIES SEEMED TO BE CLUELESS when the first wave of protests for conducting jallikattu hit the streets of Chennai and some 70 towns in Tamil Nadu. Caught unawares, and in the rush to gain political mileage, the ruling and opposition parties vied with one another to reach out to the youth. The students turned them down firmly. Top leaders were asked not to come to the venue: those who did were asked to leave. That did not stop the ruling All India Anna Dravida Munnetra Kazhagam (AIADMK) from blaming the main opposition party, the Dravida Munnetra Kazhagam (DMK), for the "fiasco". The DMK was working to create an illusion that this was a struggle against the AIADMK. On several days, both parties separately attacked the Bharatiya Janata Party (BJP)-led National Democratic Alliance for not doing enough to ensure that jallikattu was held during Pongal. The BJP leaders, in turn, blamed the DMK and the AIADMK for the "mess".

The stage was set in November for the political slugfest when the BJP's only Minister from Tamil Nadu, Pon. Radhakrishnan, repeatedly assured the people that jallikattu would be held. In fact, the BJP raised the issue consistently and sought to make the sport a symbol of Tamil culture. Not to be left out, the DMK issued a series of statements that culminated in its working president, M.K. Stalin, holding a demonstration in the heart of jallikattu territory, Alanganallur.

### CHARGES AND COUNTERCHARGES

Stalin faulted everyone else but his own party, which was immediately contested by the AIADMK and the BJP. In fact, it was during the second United Progressive Alliance regime at the Centre that the bull was included, in 2011, in the list of animals not to be exhibited or trained as performing animals, which ultimately led to the ban on the sport.

In January, a virtual war of statements broke out among the political parties in their bid to paint the others as mischief-makers.

The BJP's stated objective was to become a force to reckon with in the post-Jayalalithaa phase. M. Venkaiah Naidu, the BJP leader who has watched Tamil Nadu closely for over three decades, told the media on January 2 that Jayalalithaa's absence presented a political opportunity for the BJP. Naidu was back in Chennai on January 10, this time stating that the Centre was examining all options to enact an ordinance on jallikattu.

As for the AIADMK, after party general secretary and Chief Minister Jayalalithaa passed away on December 5, 2016, without naming a successor or having a clear second in command, the party



**CHIEF MINISTER**O. Panneerselvam.

had to come up with an asymmetric solution to hold itself and the government together.

Tamil Nadu Chief Minister O. Panneerselvam wasted no time in catering to the AIADMK's core constituency, the Thevar community. "The State will not take one step back," he declared on January 11, and added that the government would ensure the sport was conducted. He did not fail to mention that the two representations he had sent to the Centre in under a month had not elicited a response from the Narendra Modi government. Not to be left out, AIADMK general secretary V.K. Sasikala also wrote to the Prime Minister seeking an ordinance. AIADMK members of Parliament, who were unsuccessful in meeting Modi, finally met Anil Madhav Dave, Union Minister of State for Environment, Forest and Climate Change, to press the demand.

As mass protests began enveloping the State, on January 18, the Chief Minister hurried to New Delhi to meet the Prime Minister. The Prime Minister, while pointing to the fact that the case was sub judice, told the Chief Minister that he would support the Tamil Nadu government in any move it might make. This was the last straw for the agitating youth. Even as Panneerselvam promised a "good outcome" soon, the youth began creating an array of memes against him and Modi. For the

first time since he took over as Prime Minister in 2014, a non-partisan crowd of youth was vociferously making its displeasure clear to him. Every day, slogans were raised against politicians by the crowds gathered in the State. Topping the list were Panneerselvam, Modi and V.K. Sasikala.

The DMK pointed out on January 3 that it was the non-adherence to the Supreme Court guidelines that led to the ban on jallikattu in 2014, when the AIADMK was in power. It was the AIADMK's lack of interest that led to the current situation, the party said. The DMK claimed that it had given up an announced hunger strike last year after Pon. Radhakrishnan promised that the ban would be lifted. Stalin even went to the extent of accusing the Chief Minister of favouring PETA, the animal welfare group that was in the forefront of the ban. On January 13,



V.K. SASIKALA, AIADMK general secretary.

Stalin led party members in a protest in front of the Chennai Collectorate demanding the conduct of jallikattu. On January 16, he demanded that PETA be banned. In all, the DMK had made the right noises, echoing the demands of the protesters.

Other political parties, too, either issued statements or organised protests. The Pattali Makkal Katchi (PMK), a party restricted to northern Tamil Nadu and which has its support base among the

Vanniyar community, said on January 6 that although the review petition against the Supreme Court order banning jallikattu was filed within 12 days, on May 19, 2014, the government did not do anything for the next 18 months. On January 11, with just two working days left ahead for Pongal, the party said only a miracle could make jallikattu happen. A resolution adopted at the Communist Party of India (Marxist) State committee meet on January 11 asked the Centre to enact an ordinance.

### THE FIRST PROTEST

Amid all this, the political parties failed to realise that the ground was shifting beneath their feet. The first indication of this came on January 8 when more than 5,000 people turned up at the Marina beach for a protest. There were no press releases or media publicity to bring them there: they marched from Gandhi statue to the MGR memorial, a distance of 2 kilometres.

The event was organised completely through social media. No political party took note of it or was at the Marina to express solidarity with the protesters. On January 12, soon after the Supreme Court refused to be hurried into pronouncing a judgment in the case, several youth from Chennai's business hub, T. Nagar, converged

on the road leading to the BJP's State headquarters. They raised slogans against the BJP and the Central government. They were chased away, and the BJP blamed the "Dravidian parties" for the protests and the ban on jallikattu.

Although the protest was gaining momentum across the State, opposition political parties still saw it only as an opportunity to score points as they had done in the past in several contentious issues such as the Cauvery row. The DMK called for a rail roko on January 20, unmindful of the fact that this had drawn derisive comments from the protesters and other youth not affiliated to political parties. The next day, the party thought fit to hold a hunger strike. The DMK seemed to continue with the template of modern-day protests of political parties, though no one, barring some sections of the media either owned by or affiliated to the party, took note.

The protesters made it clear that they were united in their distrust of politicians. They also made it clear that they did not want film stars to prop up their cause. This was new in a State where political parties have traditionally exploited the charisma of film personalities to boost their popularity.

In the initial days of the agitation, the youth wanted Panneerselvam to address them, a request that went unheeded. It was a historic opportunity lost to take the youth on board. "He could have come and explained to the students what the government was doing. He chose not to and lost a huge deal of mileage for his party and the government," said a bureaucrat. Panneerselvam's reluctance was the reason the students turned on him and the AIADMK with a vengeance.

A set of new leaders tried to squeeze into the space that the politicians were forced to vacate. There were many: a radio jockey, an actor, a rap singer and a jallikattu activist, among others. One tried to tell a crowd of youth in the textile city of Coimbatore that the youth should negotiate with no one but Modi. He was not given another chance to speak at any protest in the city. Communally sensitive Coimbatore was witnessing a protest cutting across all divides after a long time and the protesters did not want politicians or divisive figures in the equation.

All the self-styled "new age" leaders agreed with the youth when they refused to give up their agitation even after the ordinance was promulgated. After the police action of January 23, they claimed that they had advised the students against continuing the agitation.

When the police began the crackdown on the Marina, the "new age" leaders suddenly changed tack and began appealing to the youth to give up their agitation. They proclaimed victory and wanted the students to do so too. But the students were quick to call their bluff and sought to know the reason for their change of heart.

Leaders of almost all political parties appreciated the students for what they had managed to achieve—the coming together of students, the fact that there was no untoward incident, the orderly nature of the protest, and their steadfast resolve, even though most of them had not even witnessed a jallikattu. "The protest brought out the fact that the people of the State will fight for their rights," DMK's parliamentary party leader Kanimozhi told *Frontline*. "It's a wake-up call that no political party can afford to ignore," she added.

The CPI(M) organ, *Theekathir*, said the entire Tamil society had joined the cause because of the zeal exhibited by the youth.

Viduthalai Chiruthaigal Katchi (VCK) president Thol. Thirumavalavan welcomed the fact that the students had come together for a cause.

In another instance, which spoke of State Congress chief Thirunavukkarasar's clout with the party high command, senior lawyer and Rajya Sabha member Abhishek Singhvi withdrew from the petition challenging the new Tamil Nadu legislation legalising jallikattu. Thirunavukkarasar said the Congress would stand with Tamil Nadu to regain its rights.

### A MOVEMENT & ITS PROBLEMS

The fact that a youth movement had gathered steam in Tamil Nadu despite several handicaps is noteworthy. In other States, political parties treat student, youth, women and trade union movements as fertile ground to locate new political talent. Not so in Tamil Nadu. The State has seen very few student/youth movements. The first was during the anti-Hindi agitation of 1965. It was a pan-Tamil Nadu movement cutting across all sections, and youth were a critical part of it. The second big student-youth protest came in 1972 after the ouster of M.G. Ramachandran from the DMK. The third, but short-lived, agitation was in 1983 following the massacre of Tamil prisoners in Sri Lanka's Welikada prison.

The Dravidian parties were founded on the basis, among other things, of fighting an overarching Central

government at various levels. While rebelling against the establishment applied to the Dravidian parties, the student union wings of both the AIADMK and the DMK did not encourage deviation from the established norms. In fact, for the most part, both the student and youth wings of these parties have been headed by leaders not so young.

The AIADMK, over time, had two different wings that were strange in their very conception itself: a MGR Peravai and a Jayalalithaa Peravai. Both had cadre who dressed up in uniform and took part in parades and marches. It is almost as if the only reason for these wings to exist was to put up a synchronised show ahead of a party conference and to march to a beat.

Personalities are central to both the DMK and the AIADMK; the philosophies that guide the parties ceased to be relevant at the turn of the 1980s. The reason to ally with the party in power at the Centre for both the Dravidian parties was the same: a share of the pie of political power. The DMK justified its decision to ally or break ties with the BJP or the Congress at different times, but the explanations reeked of political expediency.

In Tamil Nadu, the DMK is considered to have an ideological base slightly more sophisticated than the AIADMK has, but with its leader, M. Karunanidhi, blatantly justifying the son-replacing-the-father syndrome at all levels of the party, and the repeated jump from the BJP to the Congress, the party has lost a lot of its ideological high ground. Also, Jayalalithaa's AIADMK was fundamentally different from MGR's AIADMK in many ways, to the extent that but for the name, it appeared completely different in its approach to issues and in its style of functioning.

Although both the Left parties have a presence in Tamil Nadu, the fact remains that they are weak and confined to small pockets in the State. Their student and youth wings (Students' Federation of India [SFI] and Democratic Youth Federation of India [DYFI]), which have been fighting for students' democratic rights and against privatisation, commercialisation of education and demonetisation, could have provided an alternative to the situation prevailing in the State, but they were not able to exploit the vacuum.

This dearth of political space for a large section of the population and the refusal of political parties to even acknowledge the existence of the problem of zero representation for this large section proved a heady combination.

It is in this context that the agitation has to be viewed. Most of the agitators spoke of the "betrayal" of the politi-

cal parties. They were even more infuriated by the comments of some BJP leaders. Subramanian Swamy described the agitators as "porukkis" (rogues), while another leader, H. Raja, tried to add a communal angle to the struggle in his tweets. If there was any political capital that the BJP could have derived from the struggle it was undone by Swamy and Raja, apart from Modi, who said his government was not in a position to promulgate an ordinance.

The long conversations with politicians of various hues make it clear that the political parties gravely miscalculated the anger and sense of alienation of the people of the State. The movement was leaderless, and some political party leaders heaved a sigh of relief at this: since there was no leader, their turf was safe.



M.K. STALIN, DMK working president, at a demonstration at Alanganallur village in Madurai on January 3.

### The legal tangle

The twists and turns the legal understanding of jallikattu has undergone in the past decade bring out its complexity. By V. VENKATESAN

THE PREVENTION OF CRUELTY TO ANIMALS (Tamil Nadu Amendment) Act, 2017, that the Tamil Nadu Assembly passed on January 24 in the wake of widespread protests in the State against the ban on jallikattu is the latest in a series of attempts by the legislature, the judiciary and the executive to tweak the law either to include or to exclude the controversial sport from the rigours of the Prevention of Cruelty to Animals Act, which Parliament enacted in 1960.

Section 2(d) of this Act defines "domestic animal" as any animal which is tamed or which has been or is being sufficiently tamed to serve some purpose for the use of man or which although it neither has been nor is intended to be so tamed is or has become in fact wholly or partly tamed. The Tamil Nadu Amendment Act adds to Section 2 subsection (dd), which defines jallikattu as an event involving bulls conducted with a view to follow tradition and culture on such days from the months of January to May of a calendar year and in such places, as

may be notified by the State government, and includes the events "manju viratu", "vadamadu" and "erudhuvidumvizha".

Section 3 of the Central Act says that it shall be the duty of every person having the care or charge of any animal to take all reasonable measures to ensure the well-being of such animal and to prevent the infliction upon such animal of unnecessary pain or suffering. The Amendment Act renumbers the above clause as subsection (1) and adds subsection (2) of Section 3 as follows: "Notwithstanding anything contained in subsection (1), conduct of 'jallikattu', subject to such rules and regulations as may be framed by the State government, shall be permitted."

Section 11 (1) of the Central Act enumerates 16 kinds of cruel behaviour towards animals and prescribes very mild punishment for a person found guilty of such behaviour: a fine of Rs.10 to Rs.100

and imprisonment for a term that may extend to three months, or both. Section 11(2) says an owner shall be deemed to have committed an offence if he has failed to exercise reasonable care and supervision with a view to prevent such offence.

Section 11(3) lists five exceptions to this (from a to e), which include the dehorning of cattle, destruction of stray dogs in lethal chambers, extermination of any animal under the authority of any law, or the commission or omission of any act in the course of destruction of any animal as food for mankind without the infliction of unnecessary pain or suffering. The Tamil Nadu Amendment Act adds subclause f to Section 11 (3) exceptions as follows: "the conduct of 'jallikattu' with a view to follow and promote tradition and culture and ensure preservation of native breed of bulls as also their safety, security, and well-being".

Section 22 of the Central Act deals with the restriction on the exhibition and training of performing ani-

mals. The two subclauses under this section make it clear that a person who exhibits or trains any performing animal must be registered and that animals the Central government may notify as nonperforming animals cannot be exhibited or trained as performing animals. To this, the Tamil Nadu Amendment Act adds a proviso saying that "nothing contained in this section shall apply to conduct of 'jallikattu'".

Section 27 of the Central Act deals with the two exemptions to the chapter "Performing Animals": (a) the training of animals for bona fide military or police purpose or the exhibition of any animals so trained and (b) any animals kept in any zoological garden or by any society or association which has for its principal object the exhibition of animals for educational or scientific purposes. To this, the Amendment Act adds subclause (c), which provides for "the conduct of jallikattu with a view to follow and promote



ON MARCH 29, 2006,

Justice R. Banumathi, then of the Madras High Court, directed the State to take immediate steps to ban jallikattu, rekla race, bull race or any other entertainment involving cruelty to animals. tradition and culture and ensure survival and continuance of native breeds of bulls".

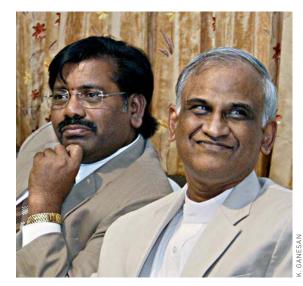
Lastly, Section 28 of the Central Act says nothing contained in the Act shall render it an offence to kill any animal in a manner required by the religion of any community. The Tamil Nadu Amendment Act adds Section 28-A to this, which says that nothing contained in this Act shall apply to jallikattu conducted to follow and promote tradition and culture and such conduct of jallikattu shall not be an offence under this Act.

The Tamil Nadu Amendment Act includes, as did the Ordinance that it replaced, an Explanatory Statement stating that the Supreme Court found in its judgment in Animal Welfare Board of India [AWBI] vs A. Nagaraja ど Ors (Civil Appeal No.5387 of 2014) that the conduct of jallikattu was violative of Sections 3, 11 and 22 of the Central Act—the very provisions the Amendment Act sought to amend. The reasons for so amending it are that jallikattu plays a vital role in ensuring the survival and continuance of native breeds of bulls and in preserving and promoting tradition and culture among people in large parts of Tamil Nadu. On the face of it, the Tamil Nadu Amendment Act may withstand judicial scrutiny as it is not unusual for a legislature or Parliament to neutralise the effect of a judgment by making necessary changes in laws. But there are serious legal challenges that remain unaddressed.

### MADRAS HIGH COURT DECISIONS

In K. Muniasamythevar vs Deputy Superintendent of Police, which Justice R. Banumathi of the Madras High Court (now a judge of the Supreme Court) decided on March 29, 2006, permission was sought for the conduct of a rekla race at a temple festival in a village in Ramanathapuram district. The district police issued a circular stating that permission could not be granted because the Bombay High Court had prohibited bullock cart races and bullfights. The Madras High Court's order clearly mentions that the then government advocate resisted the petition seeking permission. Justice Banumathi directed the State to take immediate steps to ban jallikattu, rekla race, bull race or any other entertainment involving cruelty to animals. Her order did not deal with the question of jallikattu's role in promoting native breeds of bulls, or tradition and culture. Muniasamythevar went in appeal against Justice Banumathi's order before the Division Bench of the Madras High Court, which decided it on March 9, 2007. The bench, comprising Justices Elipe Dharma Rao and P.P.S. Janardhana Raja, set aside Justice Banumathi's order and held that trained animals performing before spectators could be categorised as performing animals, but the State should take steps to ensure that the animals were not subjected to any kind of violence or cruelty and to ensure safety of participants and spectators.

The State government counsel took a pro-jallikattu stand before the Division Bench and argued in favour of its role in advancing tradition and culture. But the bench, like Justice Banumathi, was not willing to be drawn into



**JUSTICES** Elipe Dharma Rao and P.P.S. Janardhana Raj, who constituted the Madras High Court Division Bench that in 2007 set aside Justice Banumathi's order banning jallikattu.

questions of tradition and culture and instead took the core issue to be whether the treatment of the animals during such sports events would amount to "cruelty" within the meaning of Section 11 of the Central Act. But the bench did observe: "When our traditional and cultural lifestyle of India, more particularly the lifestyle of the villagers, is being rabidly effaced by the influence of the Western culture, it is imperative that our village traditional and cultural events are preserved and maintained."

The bench, by strictly confining itself to the provisions of the Central Act, held that there was no provision in the Act for imposing a total ban on the conduct of jallikattu and that it only provided for criminal prosecution and punishment with a fine and/or imprisonment of the persons causing violence or cruelty to bulls. The bench also opined that a proper balance safeguarding the interests of everyone, including the animals, could be struck by regulating the conduct of jallikattu through appropriate legislation by the State and its strict implementation by the district administration and the police. The bench also held that the sports events should be permitted to be conducted only during the harvest season, that is, during January and February, and not as part of village temple festivals according to the convenience of the villagers.

### **SUPREME COURT 2014 JUDGMENT**

The Supreme Court bench comprising Justices K.S. Radhakrishnan and Pinaki Chandra Ghose set aside the Madras High Court's Division Bench judgment on May 7, 2014, and imposed a total ban on the conduct of jallikattu. Even while the case was being heard, the Central government told the Supreme Court that it proposed to exempt bulls participating in jallikattu in Tamil Nadu from the purview of the notification dated July 11, 2011,





**ON MAY 7, 2014,** a Supreme Court bench set aside the Madras High Court's verdict and imposed a total ban on jallikattu. Justices K.S. Radhakrishnan and Pinaki Chandra Ghose, who were on the bench.

which included the bull in the list of animals not to be exhibited or trained as performing animals. But the exclusion did not take place until January 7, 2016, when the Central government issued a fresh notification. This led to a fresh challenge to it before the Supreme Court. On January 23, the Central government informed the Supreme Court that it would withdraw this notification in view of the Amendment Act passed by the Tamil Nadu Assembly. The Centre's decision means that the Supreme Court's pending judgment in the case, after hearing the challenges to the 2016 notification, will become infructuous.

But what would be of interest is how the 2014 judgment of the Supreme Court considered the various contentions in the jallikattu debate that have now resurfaced as it is very likely that the latest Amendment Act of Tamil Nadu will also be challenged before the Supreme Court.

### **DOCTRINE OF NECESSITY**

The 2014 judgment justified the exceptions under Section 11(3) of the Central Act on the doctrine of necessity. It clearly held that entertainment, exhibition or amusement do not fall under the existing exempted categories and cannot be claimed as a matter of right under the doctrine of necessity. But the Supreme Court has not considered the question whether jallikattu's role in promoting tradition and culture or the survival and continuance of native breeds of bulls could be claimed under the doctrine of necessity. The court did not consider this

The Tamil Nadu Amendment Act seems to ignore the Performing Animals (Registration) Rules, 2001.

because the State government did not raise this issue then. The 2014 judgment referred to Section 11 (1)(m), according to which it is punishable under the Act if any person, solely with a view to providing entertainment, confines any animal so as to make it an object of prey for any other animal or incites any animal to fight or bait any other animal. The Supreme Court held that in jallikattu the bull is expected to fight with various bull tamers, for which it is incited solely to provide entertainment for the spectators by sale of tickets or otherwise. "Inciting the bull to fight with another animal or human being matters little, so far as the bull is concerned, it is a fight, hence, cruelty," the court held. By not mentioning Section 11 (1)(m) of the Central Act, the Tamil Nadu Amendment Act probably has a loophole that would enable the Supreme Court to strike it down.

### THE 'NATURAL INSTINCT' ARGUMENT

The Amendment Act also seems to ignore the Performing Animals (Registration) Rules, 2001. Rule 8 (vii), as reproduced in the 2014 Supreme Court judgment, specifically cautions that the owner shall train the animal as a performing animal to perform an act in accordance with the animal's natural instinct. A bull is not trained in accordance with its natural instinct for jallikattu or bullock cart races, the Supreme Court held in the judgment. The court reasoned that bulls in those events were observed to carry out a "flight response", running away from the crowd and from the bull tamers since they were in fear and distress, and that this natural instinct was being exploited. Thus, even if Tamil Nadu succeeds in convincing the Supreme Court that bulls can be categorised as a performing animal, it will still have to explain how bulls can perform consistent with their "natural instinct".

The Tamil Nadu Regulation of Jallikattu Act, 2009, invoked the contention that jallikattu promoted the tradition and culture of the people. But the Supreme Court rejected this contention saying that even if it was true it was repugnant to the Prevention of Cruelty to Animals Act, which is a piece of welfare legislation, and hence constitutionally void. It is a moot question how the new Tamil Nadu Act, by seeking to amend the parent Act with the Centre's agreement beforehand, can be reconciled with this perceived repugnancy, which is inherent to it.

The stand of the AWBI, which had challenged the 2016 notification in the Supreme Court, is as yet unclear. M. Ravi Kumar, the AWBI's Secretary, wrote to Anjali Sharma, an advocate and a member of the AWBI, asking her to withdraw the petition filed on behalf of AWBI, if any, against the Tamil Nadu Amendment Act. Anjali Sharma, in a statement, has described this letter as lacking any legal force as the AWBI had duly authorised her earlier to file any additional applications, if required, in connection with the pending petition against the Centre's 2016 notification. She has clarified that she has not filed any fresh petition but only an application in the pending case and that she is competent to intervene in her individual capacity even if the AWBI wants to disassociate itself from the fresh challenge.

# Question of ethics

PETA is perceived as a "foreign" organisation that has little regard for cultural plurality or local practices. Its ad campaigns only reinforce such perceptions.

BY ZIYA US SALAM

THE YESTERYEAR ACTOR RAVEENA TANDON, she of "Tu cheez badi hai mast mast" fame, is redefining passion. She is lending her voice and body—muted and voluptuous, respectively—to a PETA (People for the Ethical Treatment of Animals) campaign against wearing exotic skins. Dressed in what appears like an exotic skin, she lies on her chest, her shoulders carefully fully uncovered, her back suggestively so. If anything, the picture is more likely to evoke base instincts rather than feelings of kindness, peace and non-violence. The posture and the wardrobe defeat the message. Animal rights can take a back seat. Now is the time to grab eyeballs.

Raveena Tandon, for all her attempts to bring glamour to wildlife preservation, is not the first actor of limited ability and fleeting popularity to attempt to raise awareness about animal rights. Earlier, PETA had Sherlyn Chopra, who had threatened to do the unmentionable if the Indian cricket team won the World Cup, bringing alive sadistic instincts in a campaign designed to keep animals away from the cruelties of the circus. Rather suggestively dressed, she says in the advertisement: "Whips and chains belong in the bedroom, not in the circus." The advertisement, though, was less questionable than the one that featured the Khan sisters, Nigar and Gauhar, in jumpsuits inside a cage. All to raise a voice against zoos! If Sherlyn Chopra's advertisement was not a campaign for sadistic pleasures, there was another bizarre case where the attempt was clearly a different ball game altogether. Lending her name and body to a campaign against leather was Liza Malik. She held out a suggestively placed placard, saying: "The best way to fix cricket is to stop using the leather ball." And years before



**PETA ACTIVISTS CAMPAIGNING** against the slaughtering of goats ahead of Bakrid. A file picture.

Liza Malik, beauty queen Lara Dutta had raised eyebrows by appearing in a dress made of lettuce leaves for a PETA campaign to encourage vegetarianism. Keeping such wise bodies company was Pooja Mishra of Bigg Boss and no fame. In a campaign to promote freedom for birds, all she had to offer, besides her scantily clad body in the name of freedom, was a non-punchline "Spare me", a poor recall of her oft-heard remark on the show.

While the celebrities came and disappeared after their 15 seconds of fame, their constant involvement with PETA activities strengthened a lurking suspicion: the campaign to highlight the plight of animals is actually a battle for eyeballs. The more the number of celebrities posing seductively, the higher the chances of brand recall. It all smacked of Bollywood C-grade flicks, which are often guilty of commodification of women. Incidentally, in all the campaigns, the starlets came to address members of the media, posed in a certain manner for the cameras, mouthed a few homilies, and disappeared. Never was an attempt made at a cerebral discussion or an intellectual debate. An issue which was better dissected in seminar rooms was sought to be pushed through five-star corridors. The idea, apparently, was to get



Page-3 coverage. And the presence of head-turners like Shilpa Shetty, Celina Jaitley and others guaranteed that; the issue seemed but an excuse to cater to male fantasies. Pray, what can be the parallel between a starlet crying for freedom and a bird flying out of the cage? Or another with whips, lashes and all, lying on her couch with bare arms and legs showing? Does it not take us ever closer to



RAVEENA TANDON THADANI advertising for PETA India.

sadistic fantasies than to animal welfare? Yes, "spare" us indeed. Understandably, when PETA decided to speak about animal torture in the annual jallikattu event, there were sneers and derision in many quarters. Thanks to the so-called star endorsement, the seriousness of the whole issue began to be questioned. Of course, it did not help that some animal welfare activists questioned the intention of those who had gathered to protest at the Marina beach against the jallikattu ban. Among them was the noted animal welfare activist Radha Rajan, who was quoted as saying that "youngsters will gather on Marina beach if you offer free sex". The remark unleashed an uproar on social media, with many celebrities joining youngsters to denounce the remark. Radha Rajan was quick to apologise, though arguing that her statement on free sex was not a "factual statement". "I know this statement has hurt Tamil people for which I tender an unqualified apology," she said in a statement. However, the damage was done.

### DISTANCED FROM REALITY

And one could not help recall Pooia Mishra's choicest two words: "Spare me." The words came to mind when PETA decided to counter Kamal Hassan on the jallikattu ban. The veteran star, not attempting to be politically correct, had earlier stated his priorities clearly, saying: "I am a big fan of jallikattu." "It is about taming the bull and not creating any physical harm by breaking its horns," he had said. In a tweet soon after, he dared PETA "to go ban bull riding rodeos in Mr Trump's U.S. You're not qualified to tackle our bulls. Empires have been made to quit India." What he stated was obvious: he wanted the age-old bull-taming fest to go on unimpeded. What he left unsaid was critical: PETA had little Indian connect. It was largely a foreign concern with little to recommend it by way of cultural identification. It saw everything through the same lens without allowing for regional variations of reality. PETA, after a vociferous campaign against jallikattu, which coincides with the festival Pongal in the southern State, chose to be more cautious in response to Hassan. "People for the Ethical Treatment of Animals (PETA) India, as is indicated by its name, helps animals in India only and is an Indian entity. PETA US, on the other hand, has been working to stop animal abuse in the United States since 1980, where bullfighting is illegal and cruel activities associated with the rodeo, which Hassan refers to, are also against the law in many states."

Hassan's seething anger is understandable. There are references to *Eru Thazhuvuthal* (embracing the bull) in ancient Tamil poetry dating back to the Sangam era. It is often said that the feat of embracing the hump to slow the bull down showcases a man's dexterity, agility and physical prowess. In years gone by, kings and emperors used to patronise the sport. The Nayak kings were known to wrap gold coins around the horns of the bull—*jalli* means coin and *kattu* means tied. It was a brave man's job to untie the knot around the horns and claim the prize. It was more about the achievements of an alpha male than

about an animal being tortured; after all, the bulls were all reared at home with love and a healthy diet throughout the year. The CEO of PETA, Poorva Joshipura, however, dismisses the argument, claiming: "Jallikattu celebrates bullying of animals and machismo though there is nothing manly about hurting bulls. Bullying is what the animals endure when they are chased by men who pounce on them."

Poorva Joshipura has little time for history. "History is never a good excuse for continuing abuse." Turning over a new leaf, she says: "All religions call for compassion, and *ahimsa* is an important spiritual doctrine shared by Hinduism and other religions. There is nothing compassionate or non-violent about what has led to human and bull deaths during the jallikattu events held in the last several weeks."

That, incidentally, brings us to another campaign by

PETA where people's sensitivities were not taken into account and an agenda of vegetarianism was sought to be pushed. Around six months ago, during the Eid ul Azha, or Bakrid festivities, the festival that celebrates the sacrifice of Prophet Abraham, PETA advised people to shun goat sacrifice and cut melons and apples instead! And, maybe, give vegetables and lentils to the poor. At an event in Hyderabad, goats were the guests of honour. In Bhopal, an attempt to promote vegetarianism around Bakrid resulted in a physical assault on some activists near Tajul Masajid. The police had to intervene to protect the activists from the mob. A case was

registered against the activists under Section 295 for outraging religious feelings.

### **SWIFT RESPONSE**

The response of the Muslim community was swift, though much more restrained in comparison with the jallikattu events. "Stay away from religion," advised various Muslim bodies, dismissing the attempt to introduce new elements to traditional celebration.

The *imam* of the Bhopal masjid termed it "a *nau-tanki*, a drama. These are all baseless things. They do not know about Bakrid, its significance. This [vegetarianism] is just a fad. You cannot decide what people will eat,

PETA saw everything through the same lens without allowing for regional variations of the reality. how they will celebrate, what they will wear."

That is also the line taken by the jallikattu activists, who have been saying rather vociferously that any attempt to ban the event in the name of animal rights smacks of a simple agenda: turning the country vegetarian through the back door.

The movement for the ethical treatment of animals has also been criticised for following the one-size-fits-all policy where cultural plurality is seldom taken into consideration. And Tamil pride, unlike the much-hailed Gujarati *asmita*, has been ignored altogether. Says Poorva Joshipura: "First do no harm should be everybody's policy. Hurting someone else, whether that individual is an animal, a child, an elderly person, a woman, and so on, is never okay. India's culture is one of kindness, not cruelty. Article 51 A (g) makes it the mandate of every Indian citizen to have compassion for animals. We do not

use words like culture and tradition to justify cruelty to humans anymore. We must stop using it to justify cruelty to animals," she says, and then takes recourse to religion! "Hindus commonly worship bulls by gently touching the forehead of Nandi's idol. Why not support real life bulls of Lord Siva?"

But is not PETA India's opposition to jallikattu divorced from the social reality of Tamil Nadu where millions take pride in it? "Many Tamils take pride in their compassion for animals. Groups like PETA India do not make the law. The law is made by the Indian government," Poorva Joshipura says. And are not film stars used in PETA campaigns to grab more eyeballs?

"There may be stars who are unaware of just how much animals suffer during such spectacles, but jallikattu supporters have also been bullying celebrities, especially on social media," she says. With Poorva Joshipura avoiding to comment on celebrities' involvement, a Tamil musician based in New Delhi came up with a clincher: "Being pro-jallikattu does not mean being anti-animal. If jallikattu should be banned, as PETA wants it, why not ban horse racing too. After all, horses are flogged while they are trained. Jallikattu is all about the supremacy of the man in a man-animal combat. Any day, it is better to have a real-life hero drinking from the fount of history than shallow celebrities striking suggestive postures in the name of animal welfare." As for the celebrities, if there is one cause that is helped by their seductive poses, it is theirs. Animal welfare is another story.

All said and done, PETA's campaign for a ban on jallikattu cannot be countered with a polemical countercampaign for a ban on PETA, as sections of jallikattu campaigners have been doing. For a government raring to ban all NGO activities, this will be a godsend. What needs to be countered, with arguments, is the principles that drive organisations like PETA rather than the organisations themselves.

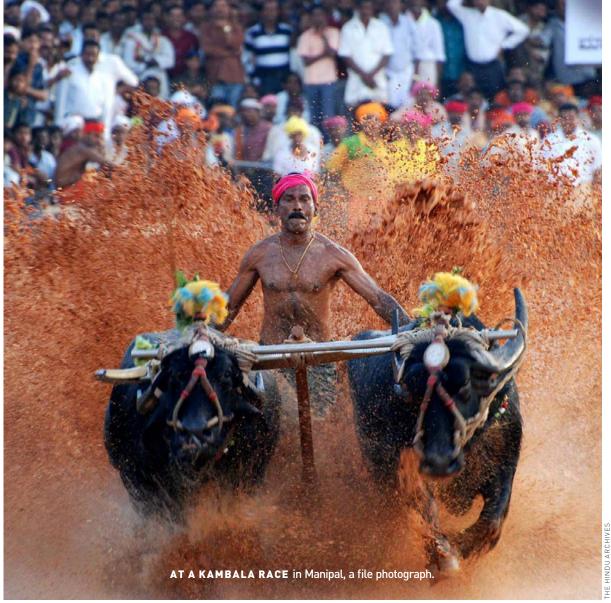


POORVA JOSHIPURA, CEO, PETA India.

### Cry for kambala

Following the jallikattu protests, people in the coastal districts of Karnataka take up the cause of kambala, a buffalo racing event that is going through a difficult phase of transition.

BY VIKHAR AHMED SAYEED IN MANGALURU



HE HINDO



THE MASS PROTESTS IN TAMIL NADU against the ban on jallikattu have galvanised people in Karnataka, particularly in the two coastal districts of Dakshina Kannada and Udupi, to demand the revocation of the ban on kambala, the popular buffalo racing sport. The move has received support from popular Kannada film actors, Kannada activists and politicians cutting across party lines, with many of them agitating for kambala under the rubric of Kannada pride. Several mass protests have been planned in the coming days, and some politicians have also called for a Karnataka bandh.

Some time after the Supreme Court's order on May 7, 2014, that bulls cannot be used as performing animals—a ruling that also proscribed jallikattu and bullock cart races—the Department of Animal Husbandry of Karnataka sent out a directive to the Deputy Commissioners of Udupi and Dakshina Kannada. According to this directive, all events relating to kambala were to be stopped immediately. Coming as it did sometime towards the end of 2014 when local kambala committees were gearing up to host these festivities in all their splendour, it severely affected the social calendar of the region.

In the legal wrangling that ensued at the Karnataka High Court towards the end of 2014, kambala was allowed to be conducted, only to be banned again after members of the Animal Welfare Board of India (AWBI) observed three kambala events and filed close to 60 objections, which were non-cognisable offences based on violations of the Prevention of Cruelty to Animals Act, 1960. Among the objections that the AWBI raised were that violent acts were committed against the bulls, including hitting them, pulling their tails, hitting them on the face, and yanking their nose ropes. The buffaloes also had two or three tight-fitting nose ropes, each two to 2.5

**MEMBERS** of a student organisation demanding that the ban on kambala be revoked, in Bengaluru on January 25.

centimetres thick, inserted through their nasal septums, causing distress and pain. There were also objections raised because of the way in which the animals were unloaded.

### OPPOSING STANDS

At the time, Dr Manilal Valliyate, Director of Veterinary Affairs, People for Ethical Treatment of Animals (PETA) India, had stated: "In kambala events buffalo bulls are subjected to fear, pain, discomfort and distress when they are forced to run. The findings of the inspection teams during the last three kambala events prove beyond doubt that cruelty is inherent in such events and no regulation can protect animals from abuse." Kambala-organising committees from coastal Karnataka have challenged the High Court order, but kambala remains banned for the time being.

K. Gunapala Kadamba, a founding member of the Dakshina Kannada-Udupi Kambala Organising Committee and the main force behind the professional five-year-old Kambala Academy in Miyar village near Karkala town, cautiously dismissed these observations. He said: "While I accept that there may be exceptions, and we have brought in strict regulations to deal with such cases, kambala does not involve cruelty to buffaloes." He also repeatedly emphasised that it was wrong to restrict the definition of kambala to "buffalo racing". "Kambala is the name given to the marshy land where the buffaloes run. This ritual is an intrinsic part of the religious and social culture of undivided Dakshina Kannada district and extends across all communities and classes. It is

linked to the economy and leisure and is an important component of our lifestyle," he said. (Udupi district was carved out of Dakshina Kannada district in 1997.)

In coastal Karnataka, kambala has a hoary tradition, and proponents of the ritual cite evidence from medieval rulers as well as British-era writers. As paddy is widely grown across the region, the traditional kambala was conducted in water-laden paddy fields after the second crop was harvested. The race coincides with the festival of Makar Sankranthi. The ritual is sacred to the people and is believed to be accompanied by bhutas, local deities who inhabit humans during certain periods and visit the "kambala", as the area is known, to sanctify the marshy quagmire. This traditional kambala is still practised in the region at varying levels and has links to the temples in the area. Like many religious rituals that demanded the patronage of large landholders, it is clear that feudal and casteist elements were a part of traditional kambalas. With only rich landowners able to afford the buffaloes and own the land required to organise an event where buffaloes sprinted across water-laden stretches, obviously power equations were involved. Naveen Soorinje, a journalist from Mangaluru who currently lives and works in Bengaluru, writes: "Kambala racing was evolved as a tradition to establish the supremacy of the Bunt caste and



A KAMBALA BUFFALO BULL being given an oil massage before a bath at a farm in Manipal.



**A FARMER** with his buffalo bulls at a kambala in Mangaluru on January 26.

to provide it cultural legitimacy over the plebeians."

In 1969, this ritual became professionalised and emerged as a "sport" when a twin track was prepared in Bajagoli village near Karkala. It has evolved over the past few decades and has been recognised by the State government, which doles out considerable amounts of money every year. When Sadananda Gowda, who is from Dakshina Kannada district, was the Chief Minister of Karnataka between 2011 and 2012, he sanctioned Rs.1 crore for the development of kambala. There are 26 recognised kambala events that happen every year across Dakshina Kannada and Udupi districts starting in the last week of November and going on until the end of March. Some of the larger competitive events, like the ones that take place annually in the towns of Miyar, Moodabidri and Puttur, attract 50,000 to one lakh visitors, with up to 250 pairs of buffaloes competing in the day-and-night events. The prize money runs to several lakhs of rupees.

"There are four categories of races that take place in kambala: plough, rope, cross-plank and pin-point," said Vidyananda Jain, a postmaster in Ranjala village in Udupi district who doubles up as a referee at kambala events. "The track is 145 metres long with about six inches [15 cm] of water. We even have electronic time boards now that measure the time taken by the buffaloes accurately. The current record stands at 13.5 seconds for the distance." Sridhar Achar, a trainer at the Kambala Academy, proudly stated that prizes given to the winning buffalo owners ranged from two sovereigns of gold to a few lakh rupees.

The "sport" continues to have vestiges of its feudal origins. Naveen Soorinje writes that in all Kambala events, "...it is either the Bunts or the Jains who are the organisers. But the person who runs along the buffaloes and drives them, the caretakers of those buffaloes and other volunteers generally belong to the Billava and other lower castes." While it is hard to verify this accurately without spending a considerable amount of time at kambala events, a cursory look at the members of the Udupi Kambala Samiti shows that almost 30 of its 36 members belong to the Bunt caste.

In a press release on January 25, 2017, PETA India stated: "Now, not content with being permitted to deliberately terrify bulls during jallikattu, protesters are also calling for legalisation of bull and buffalo races.... All of these cruelties have long been illegal, just as are the cruelties inherent in jallikattu under the Prevention of Cruelty to Animals (PCA) Act, 1960. If this trend toward cruelty is allowed to continue, it may not be long before agitators start demanding the overturning of laws that protect vulnerable humans too."

While the large-scale professional kambala racing events have been discontinued over the past couple of years after the ban, local residents report that smaller, traditional kambalas have continued to be held unchecked. Karnataka Chief Minister Siddaramaiah made it clear in a statement that his government would take all steps to legalise kambala. The matter is listed for hearing in the High Court.

## Taste of her own medicine

Mamata Banerjee's administration faces an agitation against land acquisition that has disturbing parallels with the Nandigram and Singur agitations which turned around her plummeting political fortunes

10 years ago. BY SUHRID SANKAR CHATTOPADHYAY

THE spectre of violent agitation against land acquisition, of the kind that was instrumental in removing the Left Front from power in 2011, has now come to haunt Chief Minister Mamata Banerjee and her Trinamool Congress in West Bengal. Bhangar in South 24 Parganas district turned into a battle zone when angry villagers clashed with the police as an agitation against the establishment of a power substation spiralled out of control. Two villagers were killed, allegedly in police firing,

30 policemen were injured, and more than 40 police vehicles were destroyed by a mob.

The simmering discontent over the setting up of the substation by Power Grid Corporation of India Ltd (PGCIL) erupted onto the surface on January 17 as thousands of village residents took to the streets following the arrest of some of the leaders of the protest movement and alleged harassment by the police in several villages the previous night. Armed with sticks and bricks, they took on a large deployment of police and forced it to beat a retreat. Bringing back memories of the violent and prolonged land agitations of Nandigram and Singur that Mamata Banerjee herself spearheaded in 2007 against the then Left Front government's land acquisition drive for industries, the people of Bhangar set up roadblocks using uprooted trees to keep the police and the administration out. Despite the State government giving its assurance that work on the power grid would be stalled



RESIDENTS OF BHANGAR in South 24 Parganas district refused to remove the uprooted trees that they used to block roads.

PHOTOGRAPHS: SUHRID SANKAR CHATTOPADHYAY



FOR DAYS AFTER the January 17 violence at Bhangar, the women of Tona village hid in the fields after nightfall.

with immediate effect, the situation was tense for over a week. This was the Trinamool government's first taste of a mass protest in rural Bengal after assuming power in 2011.

The PGCIL acquired around 13 acres (one acre is 0.4 hectare) of three-crop land in Bhangar in 2013 to set up a Rs.300-crore power project. Village residents in and around the project site claim that they have been protesting right from the beginning and that some of them were forced to give up their land. They say that their voices were stifled by the ruling party under the leadership of the controversial local Trinamool heavyweight Arabul Islam. "He [Arabul] threatened us with violence if we protested," said Mamin Ali, a resident of Bhangar.

### **CASUALTIES**

Two bystanders, Alamgir Molla and Mofizul Khan, got caught in the January 17 violence and were killed. Alamgir, a 22-year-old student, was not a local resident; he was visiting relatives and was merely watching the agitation when he was gunned down. The other victim, Mofizul Khan of Munshipara, Bhangar, worked as a car mechanic and driver. When violence began to escalate on January 17, his employer called him to put his car away in a safe place. He



and his aged mother were the only two people who remained in their

two people who remained in their homes at Madrasa Para village on the night of January 17. All the rest had left home fearing attacks.

was on his way home after completing the job, when, according to witnesses, a policeman driving past him shot him down.

Bhangar remained tense until January 23 as people refused to end the agitation and said that the roadblocks would be removed only if Mamata Banerjee herself came to assure them that the PGCIL project would be moved out of the area. Speaking to Frontline, Sheikh Kalu of Gajipur village, one of the chief leaders of the protest, said: "We are all Trinamool supporters. All that Didi needs to do is come here and tell us that the project will be scrapped. But she is not doing that. Rather, the local small-time leaders of the party are threatening us with violence if we do not lift the agitation." Local residents made it clear that they had no faith in the local administration and the police.

Finally, in the late afternoon of January 24, the ruling party made some headway when Sabyasachi Dutta, the Mayor of Bidhannagar Municipal Corporation and Trinamool MLA, led a peace rally in the area. In the night, however, residents of some of the villages dug up roads to keep away the police and hoodlums. On the morning of January 25, Kalu told Frontline: "The socalled peace rally was nothing but a procession of Trinamool goons. Seeing them, the people feared an attack in the night, so they dug up roads in such a manner as to not allow the passage of big vehicles. Bikes and small cars can ply." In the afternoon, the police and the Rapid Action Force (RAF) entered Bhangar and staged a flag march.

Until the RAF moved in, Bhan-



BHANGAR VIRTUALLY SHUT DOWN for days as shops remained closed and children stayed away from schools.

gar, following the January 17 violence, was practically outside the influence of the administration, with uprooted trees blocking roads, shops remaining closed and parents too nervous to send their children to school. At nightfall, people left home to hide in the fields or sought shelter in neighbouring villages for fear of retaliation by either the police or the Trinamool section supporting the project.

Sheik Lutfor Rahaman, 60, recalled how on the night of January 17 his nonagenarian mother and he were the only ones in Madrasa Para village who remained in their home. "The entire village was empty as people left their homes in fear. My mother's age prevented us from going with them. It was a night of terror," he said. Najma Bibi of Tona village said: "The moment evening sets in, we hear the sound of bombs being hurled, and we take our children and escape to the fields where we spend the night in the cold."

### ECHOES OF NANDIGRAM AND SINGUR

There are chilling parallels between what is happening in Bhangar and the violent land agitations that took place in Nandigram and Singur 10 years ago. In Nandigram, the agitation was precipitated by rumours of land acquisition for a chemical hub. In Singur, the protracted protest led by Mamata Banerjee, who was then in the opposition, led to Tata Motors shifting its small car (Nano) factory project out of the State. When 14 people were killed in police firing in Nandigram on March 14, 2007, the opposition alleged that cadres of the ruling Communist Party of India (Marxist) were among the police contingent. Local residents raised similar allegations in Bhangar. A faction of the Trinamool had joined forces with the police and attacked local residents, they said. "Half of the policemen who attacked us were actually goons owing allegiance to a faction of the Trinamool. They were locals dressed in police uniform," said Qutubuddin Khan, a local resident. The police have denied that they fired at local residents, and put the blame on "outsiders". But witnesses insist that the gunshots had come from within a police van. "After they shot Mofizul, they tried to drag the body into the vehicle but were not able to," said Munshi Abdul Ghani, a resident of Munshipara village, who claimed that he had witnessed the incident.

As in the case of Singur and Nandigram, in Bhangar too there are indications that certain extreme left-wing elements have been active for some time and have been exerting influence over the villagers. Rumours of supposed health and environment hazards posed by the project accounted for much of the local resistance to it. The gist of what the residents of Gajipur, Bhangar, said was: Scientists have come and told us that if this power project comes through, with power lines going over our houses, then for 10 km around there will be no trees, no fish in the ponds, no crops in the fields; human hormones will be changed, and the children born subsequently will be deformed. Police sources have confirmed that certain extreme leftwing organisations have been quietly staging a whispering campaign against the power grid, posing as "scientists", to play on the fears of the local people. The social scientist Biswanath Chakraborty pointed out that for the first time extreme left political parties have used non-scientific reasons and downright superstitions to mobilise rural masses. "This is a departure from their usual practice and ideology," Chakraborty told Frontline.

Alik Chakraborty, member of the Communist Party of India (Marxist-Leninist) Red Star, which is among the groups active in the region, pointed out that that risks to human health and environment posed by a power grid in a populated area could not be overlooked.

In another development, the party's general secretary, K.N. Ramachandran, who had come down to Kolkata on January 22 to visit Bhangar, mysteriously disappeared upon arrival. He resurfaced two days later in New Delhi, where he said he had been detained for 26 hours by people claiming to be from Central intelligence. In a press statement, he said: "I am not sure whether these criminals who detained and caused such mental harassment to me are from Central Intelligence, WB State intelligence or the goondas of the ex MLA of TMC and the present MLA and minister in the TMC cabinet, or a combination of all these...."

Fears of health hazard apart, the flippant attitude adopted by some senior Trinamool leaders incensed the residents of Bhangar. Abdur Rezzak Mollah, State Minister of Food Procurement and Horticulture who represents Bhangar in the Assembly, ridiculed people's fears at a recent public rally in the area. "You will be provided with hybrid babies from other countries as a substitute," he said. The cynical joke cut the people to the quick.

### NOT JUST LAND GRAB

On the surface, the Bhangar unrest looks like a protest against land acquisition. But there are other factors at work which have added greater intensity to the mass outbreak. Other grievances have surfaced, the foremost being the growing resentment over the conduct of the local Trinamool leadership. Residents claim that many people were forced to part with their land at throwaway prices, and not only for the power grid project. Some Trinamool leaders have apparently been purchasing land to build private housing projects. "Many of us were even forced to stare down the barrel of a gun to finally part with our land," a resident told



MOTHER OF MOFIZUL KHAN, who was killed on January 17. Like most residents of Bhangar, hers is a family of Trinamool Congress supporters so loyal that they use pillow covers sporting the party symbol.

Frontline. One name that keeps coming up in connection with the land mafia is Arabul Islam. The current agitation has brought to the fore a movement against Arabul's so-far unchallenged rule in the area. When contacted, the former Trinamool honcho was dismissive of the allegations and did not even bother to counter them. "Many people are saying many things, but those are not true," he told Frontline brusquely. According to Trinamool sources, the violent outbreak is a result of vicious inner-party feuds and a struggle for area domination. "The opposition does not exist there, so they cannot be blamed for fomenting trouble. This is entirely a power struggle within our party in the region," said a Trinamool source.

### MAMATA'S PERCEIVED INDIFFERENCE

The residents of Bhangar, most of whom are Trinamool supporters, find the Chief Minister's perceived indifference to their tragedy baffling. These are people so devoted to Mamata Banerjee and so loyal to the Trinamool that they even make their pillow covers with Trinamool symbols. "Earlier, when she came to us, it was like she was a part of our family. Why is she ignoring us now?" asked a villager from Tona-Munshipara, the village of the slain Mofizul Khan. Another resident provided the answer: "Because she does not need our votes anymore." Their bitterness and feeling of betrayal was apparent.

Mofizul's mother sat outside her house, clutching a pillow with the Trinamool symbol on it. Her voice had grown hoarse from crying. "Not one single Trinamool leader has come to our house, and my whole family has given its life in supporting the Trinamool," she said. The State government, while maintaining that it had nothing to do with the two deaths in Bhangar, offered a compensation of Rs.2 lakh each to those killed in the violence on "humanitarian grounds". Mofizul's family, in spite of their desperate poverty, refused to take it.

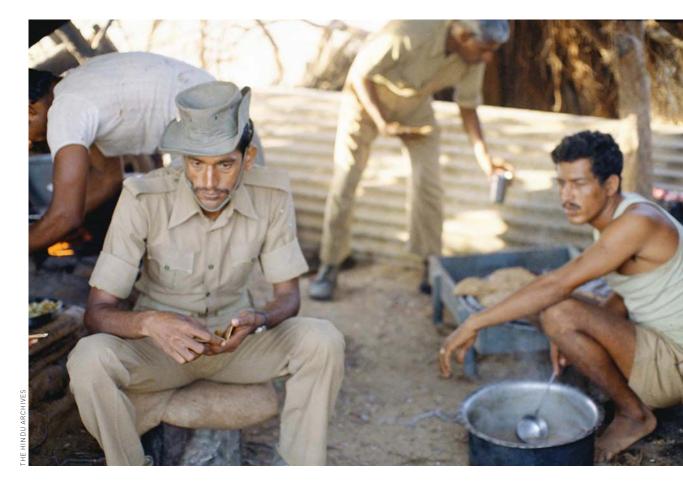
### SIGN OF THINGS TO COME?

Many feel that the situation in Bhangar is a result of Mamata Banerjee's own policy regarding land and her party's high-handed style of functioning. In an investment-starved State like West Bengal, where the figure officially unemployment stands at a staggering 70 lakh, the State government, for all its tall claims, is finding it increasingly difficult to attract and retain major investments. Even small projects like the expansion of roads and local investment plans are seen foundering in the face of mass resistance.

The Bhangar project, which would have strengthened the State's power situation, will also perhaps be eventually abandoned, although it is 75 per cent complete. Ironically, even as the Chief Minister addressed industrialists at the Bengal Global Business Summit, appealing to them to invest in the State, protesters claiming to be Trinamool supporters continued to agitate for the scrapping of a project of undeniable importance to the State.

### Food for thought

A video on social media showing substandard food being served to BSF jawans draws national attention to discrimination the non-officer cadre faces in the armed forces. BY PURNIMA S. TRIPATHI



THE British left India 69 years ago, but Indians continue to grapple with a colonial mindset. They set up hierarchical structures, draw a clear boundary between the ruler and the ruled, treat subordinates as personal minions, and install systems that perpetuate the colonial legacy. This mindset is best exemplified in the armed forces where the non-officer

**BSF JAWANS** having food at the border outpost in the Rann of Kutch area in Rajasthan. A file picture.

cadre continues to be treated like slaves while officers live a good life. The subhuman treatment of jawans, sailors and other non-officer cadre of the armed forces and paramilitary services is a long suppressed story of security establishments, which ev-

eryone has shied away from discussing. The controversy raging around the video uploaded by a Border Security Force (BSF) jawan, Taj Bahadur Yadav, in which he describes how jawans are served substandard food and how at times they go to sleep on

empty stomach, has served to highlight not only the quality of life of the non-officer cadre of the armed forces but also the larger malaise of discrimination and deprivation afflicting the services. The video also served to highlight the colonial and feudal mindset prevailing in the forces with a clear divide existing between the officer and non-officer cadres.

Taj Bahadur's video shows jawans as being served only paratha with tea for breakfast, without any side dish, and plain dal (lentil) with roti for lunch. The Union Home Ministry, shocked at the contents of the video, sprang into action and ordered a probe. But the larger issue that should be probed is whether there exists a serious discrimination between the officer and non-officer cadres in the services, and if yes to what extent.

Taj Bahadur was posted at the Line of Control (LoC) and his battalion was under the operational command of the Army. So, the Defence Ministry, too, should have ordered a probe into whether there indeed was some irregularity in the supply of rations to the personnel, as alleged by the jawan.

A recently retired sailor said the food shown on Taj Bahadur's video was much better than what he had been served in the Navy. "We were out in the ocean for months. There is a limited supply of ration on the ship, but officers like to have their parties, with the result that sailors' ration would get reduced. We would be only given bread with tea for breakfast and again bread with dal for lunch. The bread would be cold and soggy because of exposure to the moisture in the air. I dread the sight of bread even now," he said. He retired after 15 years of service, and declined the Navy's offer of re-employment. He is still looking for a job.

"The Navy looks glamorous from the outside, but all that glamour is only for officers. For the non-officer cadre, it is hell," he said. He recounted instances to suggest the extent of humiliation suffered by non-officer cadre personnel. He said sailors were barred from the vicinity of the place where officers held parties. "Board with the words 'dogs and sailors not allowed' are put up outside their officers' clubs/mess. There is segregation of officers and non-officers at canteens, hospitals, living quarters, playgrounds, everywhere, making non-officer cadre personnel feel humiliated at every step," he said.

In fact, there is discrimination in every aspect of life in the forces. For example, even in mundane matters such as grocery shopping, there are restrictions on the amount of purchase the non-officer cadre can make; there is limit to the amount of liquor he can buy, the number of times he can buy a new car, and the size of the car he can opt for. The rules are pre-decided to put the soldiers below the rank of officers at all times. The discrimination has actually been so well institutionalised that it appears like part of the rules and regulations. (Frontline has in its possession two notifications prescribing the limits for canteen purchase and vehicles for officers and non-officers.)

"The continued discrimination makes us feel like lesser human beings; it lowers our self-esteem to such an extent that even if we try, we will never be able to think ourselves on a par with officers, even after retirement. The dehumanising attitude of officers cannot be described in words. We are not saying that we should be kept on a par with officers in all aspects, but at least we should be treated with the dignity due to a human being," a retired Indian Air Force technical employee said.

### SAHAYAK SYSTEM

The Navy and the IAF, however, are much better placed compared with the Army where jawans have a really tough life. Unlike their IAF and Navy counterparts, the Army jawans are mostly not technically qualified and hence end up doing menial jobs for their officers. The system of Army officers being allowed to keep *sahayaks* has drawn wide criticism, yet the practice continues even today. Sahayaks, who are supposed to be personal orderlies for the officer to assist in their routine official jobs,

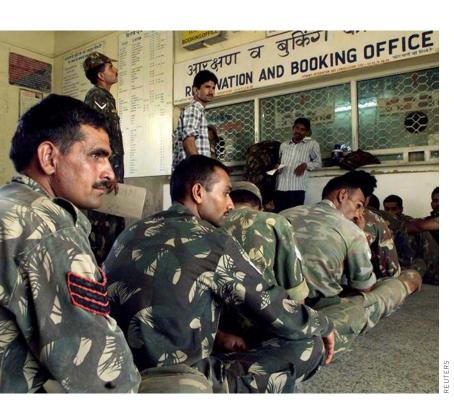
end up polishing their shoes, walking their dogs, minding their children, and doing sundry household works. "The sahayak system is the most humiliating for jawans, who are otherwise trained for combat operations. This is the worst feature of the colonial legacy that we are still carrying forward despite a Parliamentary Standing Committee having recommended its abolition," said Vir Bahadur Singh, a retired jawan, who is spearheading a movement to end discrimination against jawans under the aegis of the Voice of Ex-Servicemen Society.

The society organised a padayatra from the Wagah border near Amritsar to Delhi from August 9-22, 2016, and submitted a memorandum to the Defence Minister demanding equality, respect and dignity, among other things. According to Vir Bahadur Singh, the discrimination continues lifelong, even after retirement: in pension, in disability pension, in family pension, in rehabilitation, in all matters. For example, jawans are not given a licence to run petrol pumps or security agencies post retirement as these are reserved for officers. Similarly, in the Army Welfare Housing Organisation (AWHO), there are separate enclaves for officers and non-officers, although everyone makes the same payment. In the ECHS (medical facilities post retirement), there are separate lines for officers.

"At least after retirement they should treat us with some respect," he said.

In fact, the resentment is so deep-rooted that jawans pitched separate tents at Jantar Mantar in Delhi last year to press for One Rank One Pension as they did not trust the officers, who have been protesting under the aegis of the Indian Ex-Servicemen's Movement (IESM) at the same venue.

Coming back to substandard food, according to Army insiders, there definitely is some truth in the allegation because the pictures could not have been faked. "But it cannot be generalised. This must have been a local problem, which should be identified and accountability must



**SOLDIERS WAITING** at a railway reservation counter in Jaisalmer, Rajasthan, to book tickets. A file picture.

be fixed," a senior Army officer said.

According to Prakash Singh, former Director General of Police of Uttar Pradesh, who had served as Director General of the BSF, the pictures do tell a sorry tale and the government must order a thorough probe. "The BSF normally takes good care of its personnel, but it is very obvious that the video has an iota of truth in it and the government should find out whether this was a local problem or a general problem, whether it was corruption or sheer carelessness or negligence." According to him, besides specifics like food quality, the government should also ponder over the larger issue of service conditions because of late the number of people seeking premature retirement in the paramilitary forces has gone up substantially.

### POOR SUPPLY CHAIN Management

It is not as if the government is not aware of the problem, but there has been no political will to set things right. So much so that even the Comptroller and Auditor General (CAG) of India's reports have failed to achieve much. The CAG pointed out in its 2016 report that food items that were supplied to troops deployed in operational areas of Jamand Kashmir and north-eastern region were past their expiration date. According to PTI, the report, which was tabled in Parliament, pointed to the poor supply chain management of rations in the Army and highlighted the very low level of troop satisfaction regarding the quantity, quality and taste of rations, including meat and fresh vegetables. "The Army continues to consume ration, even after the expiry of original shelf life," the CAG revealed. According to the report, the Army spends over Rs.1,500 crore annually for the procurement of dry and fresh rations, including rice, wheat, dal, sugar, tea, oil, tinned items, vegetables, fruits, meat and milk, to feed its 1.3 million personnel. The CAG pointed out that despite the fact that the Parliament Accounts Committee submitted its detailed report in 2011 to improve and streamline the supply chain

management of ration in the Indian Army, it implemented only two of the 12 recommendations. The CAG also pointed out that the process of procurement of fresh rations was noncompetitive in Northern, Western and Southern Commands, resulting in poor quality and high rates. The full requirement of rations was not met by the Army Purchase Organisation, leading to local purchase by supply depots at higher rates, and "a single vendor situation created the risk of cartels taking advantage of the lacunae in the system of purchases", the report stated.

The lack of competition was visible as abnormal variations in the local market rate and the rates accepted by the Army persisted, the report added. The CAG noticed wide variations in the receipt of fruits and vegetables in the prescribed proportion in the Western and Eastern Commands. During a field audit of selected units and scrutiny of documents relating to the receipt and consumption of fruits and vegetables, it was observed that units did not receive fruits and vegetables according to the prescribed mix. The CAG also noted that lack of coordination between the Ministry and the Army headquarters led to overpurchase of certain items.

In fact, in 2010, the CAG submitted an identical report, but the government did not pay heed or take any corrective steps suggested in the report.

In this context, the Army chief's directive to the troops to refrain from voicing grievances on social media has met with derision from service personnel. "What can one do other than take to social media? This is not for personal gain, it is for the larger good of all. We submitted memorandums to the Prime Minister and the Defence Minister, but nothing has ever happened," said Vir Bahadur Singh.

The defence establishment might choose to brush the issue under the carpet and pretend that all is well, but it is high time the government took corrective steps as the malaise is corroding the armed forces from within.

# The show limps on

The Vibrant Gujarat summit, now in its eighth edition, has had little to show in terms of actual investments by or investment intentions of international players. BY DIVYA TRIVEDI

ON January 7 morning, Mehul walked down the road to his regular cha ni laari (tea shop on cart) in Gandhinagar to find that it was not there. There was no sign of it in the evening as well. The next day, missing his daily fix, he made some enquiries and found it many miles away from its usual spot. "What happened?" he asked. "Vibrant Gujarat" said the owner in anguish, explaining how all the laari walas (hand-cart vendors) on the route from Ahmedabad to Gandhinagar had been asked to leave their "spots" because of the business summit. "Kahe ka Vibrant Gujarat, mere business ki toh vaat laga dali [It is called Vibrant Gujarat, but it has affected my business l," he said, and others who had by now gathered around Mehul agreed with him.

The highway from Ahmedabad to Gandhinagar indeed looked cleaner and greener than ever before. The route had been sanitised by removing everything that did not project the "vibrant" image of Gujarat that Prime Minister Narendra Modi wanted to present to foreign dignitaries attending the summit.

Lights were hung on trees and roundabouts, with fog lights directing traffic at night. "These were set up six days ago and you can see that it is a temporary contraption, meant to be removed once the summit is over," said a local resident. The State government pegged the cost of the summit at Rs.7 crore, but trade pundits say it is an underestimate.



PRIME MINISTER Narendra Modi addressing the summit.

Mahatma Mandir, the summit venue, stood in stark contrast to the world outside its periphery. Built on 34 acres (one acre is 0.4 hectare) in 2011 at a staggering cost of Rs.215 crore, it is one of the largest convention centres in the country. A concrete bridge with escalators and supported by iron rods gave one the feeling of being in a "foreign land", a television journalist exclaimed.

The State has also perfected the art of curbing dissent. Unlike in West Bengal, where violence in Bhangar nearly disrupted the investment summit this year and sent the State police into a tizzy, the silencing of protesters in Gujarat was swift and quick. Jignesh Mevani, convener of the Rashtriya Dalit Adhikar Manch, Sagar Rabari, general secretary of the Gujarat Khedut Samaj, and many others were detained without

anybody so much as raising an eyebrow. "I was arrested by the Gujarat police for announcing that we will boycott the Vibrant Gujarat summit, which we think is a fraud on the country. Farmers' leaders, Patidar leaders and Dalits were all arrested. There is no scope to conduct a peaceful demonstration. If we ask Modiji how many jobs would be created through these Vibrant Gujarat summits, there is no answer. If we ask why fertile land of farmers is handed over to industries, then they dub us anti-development. Land is available for business groups and corporate giants but not for Dalits, the landless and the tribal people," said Mevani.

He was picked up from his home after a first information report (FIR) was lodged against him. He was arrested under Section 144 of the Code of Criminal Procedure (CrPC), which

prohibits gathering of more than four people in a public place. Mevani and the others have been demanding possession of 5,68,73 acres of land across Gujarat that has been allotted to the Scheduled Castes and the Scheduled Tribes on paper but remains under the wrongful possession of upper castes. In 2006, 115 landless Dalit families of Saroda village were allotted 222 bighas of land under the Agriculture Land Ceiling Act. But even after nine years, they have not got possession of it. In 2010, the lawyer and activist Mukul Sinha filed a public interest litigation (PIL) petition in the Gujarat High Court over such non-allotment of land in Ahmedabad and Surendranagar districts.

In 2015, Mevani, a lawyer, merged the cases involving the 5,68,73 acres of land with this petition. After the movement for redistribution of land picked up steam, mapping of land was begun in just one village, Saroda, in September 2016. Otherwise, there has been no progress except more promises by the government. Gujarat finds it easy to allot land for business projects and convention centres but refuses to give possession to landless Dalits to whom the land belongs lawfully. Mevani and others are now demanding that five acres of land be given to each Dalit family in the State.

The biennial summit is now in its eighth edition. Earlier, marathon signing sessions of memorandums of understanding (MoUs) between the State government and corporate houses used to take place, with the sessions conducted in front of cameras and figures announced faster than reporters could note them down. Newspapers would splash the news and it became a key strategy that went into creating the brand image of "development" around Modi and Gujarat. But as questions began to be raised on the actual investments, and some estimates pegged them at as low as 10 per cent of the promised investments, since 2013 the government has refrained from announcing figures. From 2003 to date, 81,153 MoUs have been signed with investment intentions increasing at an exponential rate every year: Rs.66,068 crore (2003), Rs.1,06,160 crore (2005), Rs.4,65,309 crore (2007), Rs.12,34,898 crore (2009), Rs.20,83,182 crore (2011), Rs.12 lakh crore (2013) and Rs.25 lakh crore (2015). Figures for 2017 have not been announced.

### **CLAIMS AND REALITY**

Despite tall claims of attracting massive investments in the State after every summit, the government's own data belie such assertions. In 2011, Socio-Economic Review of the Guiarat government showed that only about 1 per cent of the promised investments had come to fruition. The rest of the projects were "under various stages of implementation". According to data from the Ministry of Statistics and Programme Implementation, Gujarat's contribution to India's GDP in 2013-14 was only 7.3 per cent. With a gross State domestic product of Rs.15,10,132 crore, Maharashtra contributed the lion's share of 14.42 per cent to India's gross domestic product (GDP), followed by Uttar Pradesh at 8.24 per cent and Tamil Nadu at 8.16 per cent. Gujarat was just one notch above West Bengal, which contributed 6.75 per cent. Data from the State Industries Commissioner until September 2016 showed that nearly half the industrial entrepreneurs memorandums promised were also "under implementation", without actually spellout which stage ing implementation they were in.

Besides, the government revealed that 14,165 projects had been shelved, including some big ones such as NRI businessman Prasoon Mukherjee's projects worth over Rs.80,000 crore in sectors such as shipping, infrastructure (ports) and power, and in the special investment region; Hindustan Construction Company's Rs. 40,000-crore waterfront city project; and the Sabeer Bhatia-promoted Nano Works Developer's "Nano City" which would have brought in an investment of Rs.30,000 crore.

With little to show in terms of actual investments, and investment intentions by international players nearly drying up, the summit tried to keep up the hype generated by organising side events such as the Nobel laureates function. It laid extra emphasis on Modi's speech and a grand inauguration of the Bombay Stock Exchange's internationl stock exchange at GIFT City (Gujarat International Finance Tec). While Central Ministers were brought to the summit in large numbers, the fact that Finance Minister Arun Jaitley was not allowed to speak at the summit's main event while seated on stage did not go unnoticed. "Modi surely knows how to snub. While Mukesh Ambani was the second speaker after Ratan Tata, Anil Ambani was also left out this year despite being present on stage," said an observer.

Vibrant Gujarat, considered the biggest public relations exercise of all time, sadly, failed to live up to the hype. Local newspapers wrote about how farmers from nearby villages were brought to the event wearing suits to fill up the seats. Nobel laureates had to fend for their own seats. with Venkatraman Ramakrishnan walking out in frustration. Reporters' movements were controlled and they were not provided access to the events they wanted to attend. "This is Modi showing us our place in his grand scheme of things. As he and his cronies control most of our owners, he can seat or unseat us as he pleases," said an exasperated reporter who was prevented from entering a tent serving tea while waiting for more than an hour for Modi's arrival. There was even an ATM inside the venue and several attendees flocked to it but got scared when it debited the money from their accounts without dispensing cash. "Waah re Modi's digital India!" quipped a victim.

MS&L, the public relations company that won the contract for the event this year, was handling part of the planning and it brought in Aakhya Media, another PR company, to manage the events just three days before the summit started.

Meanwhile, as trade pundits tried to wrap their heads around real investment figures, the  $laari\ walas$  were back and the fog lights were gone.

### COLUMN

### ECONOMIC PERSPECTIVES



C.P. CHANDRASEKHAR

### UDAY fails to rise

Caught in a peculiar web of debt, Jharkhand defaults on payments for power purchased from DVC and this comes as a blow to the Central government's Ujwal Discom Assurance Yojana.

HE State of Jharkhand has reportedly stopped payments to Damodar Valley Corporation (DVC) for the 700 megawatts of power the latter supplies it every day. The evident reason is that it has not been able to cover payments for the power it acquires from the generators and supplies to its customers, resulting in deficits that are covered with debt it is no longer able to service. A consequence of this is an inability to purchase power from the generators, increasing their losses and affecting the debt that they, in turn, owe banks. This debt accounts for a significant share of the incremental advances of banks in the recent period, which will also have to be recapitalised by the State, based on its own borrowing, resulting in a peculiar web of debt.

This conundrum arises in a context where, as a result of the "reform" of the power sector, the generation, transmission and distribution activities undertaken by the State Electricity Boards (SEBs) were unbundled as a prelude to privatisation, which, it was claimed, would do away with unsustainable inefficiency and high costs and losses in the power sector.

In practice, the private sector was interested mainly in generation, where price-setting was liberalised to accommodate the interests of the debt-financed investment of major players. As of 2016, State government-owned generation capacity was around a third of the total, while the private sector accounted for 42 per cent. Transmission has remained with the States not least because of poor private interest, and distribution might be handed over to private players, particularly Reliance, only in Odisha and Delhi, where low agricultural consumers are absent or unreached.

The consequence of this division of labour between the public and private sectors is that the payments due for acquisition of power by the distribution companies from the generation companies under power purchase agreements (PPAs) fall short of the net revenues generated from distribution. While transmission and distribution losses are part of the problem, such losses have fallen to around 18 per cent of output from 28 per cent since 2001. The principal issue is that the prices at

which power is sold to different sections, to make it affordable, are far too low to cover unit costs, in the form of prices paid to generators, and costs incurred in transmission and distribution.

This requires the State or Central governments to cover the implicit subsidy using resources mobilised through taxes, which they have failed to do. The net result has been a pile-up of debt that is transferred periodically to the government, and, in the case of Jharkhand, has resulted in default.

This is significant because a little more than a year ago, in an effort to wipe out the debt of around Rs.4.3 lakh crore accumulated by power distribution companies (discoms), the National Democratic Alliance (NDA) government launched a new programme called Ujwal Discom Assurance Yojana (UDAY). Involving a tripartite agreement between the Central Power Ministry, the State governments and discoms, the scheme was aimed at relieving the distribution companies of the interest burden due on their accumulated debt and creating an environment

where they could restructure themselves to do away with losses and make their operations sustainable.

### **FOUR COMPONENTS**

The Central government scheme, which was announced with much fanfare, had four principal components. It allowed State governments to exceed the borrowing limits set on them and issue bonds either in the market or to banks and financial institutions holding discom debt to mobilise resources to take over 75 per cent of that debt accumulated as on September 30, 2015. This was to be done in two phases over as many years: with 50 per cent of discom debt absorbed in 2015-16 and another 25 per cent in 2016-17. Since the interest rates on these bonds were much lower than the 14-15 per cent applicable to discom debt, the burden on the States was less than what it would have been if they chose to service that debt themselves. Second, discom debt not taken over by State governments was to be replaced by State-guaranteed public sector bank loans bearing an interest rate not more than the bank's base rate plus 0.1 per cent. Third, States were required to fund future losses of discoms in a graded manner, starting from 5 per cent in 2017-18 and going on to 10, 25 and 50 per cent over the three years ending 2020-21, so that they did not quickly accumulate additional debt that was unsustainable. And, finally, through efficiency improvements and tariff adjustments to cover reasonable costs, discoms were to reduce and do away with losses so that their dependence on debt and State bailouts was reduced.

The beneficiaries of the restructuring were not just the distribution companies and the States. They included the power generation companies, the ownership of many of which had, at the margin, shifted in favour of the private sector either through the companies' own investments or through public-private partnership projects.

These projects were given relative freedom (subject to ceilings set by newly established regulatory authorities) to price their power to cov-

er costs and provide for a margin and were mandated to enter into PPAs with distribution companies, which required the latter to lift a specified quantum of power at a pre-specified price. As long as the discoms entered into these agreements and paid their dues, the power generation companies were in the black and could service the loans they had obtained from commercial banks (largely public and occasionally private), which had been encouraged to finance part of their investments.

The whole scheme was based on one important premise: that the power distribution companies, or the SEBs, would become profitable within a year or two on the back of improved efficiencies in transmission and distribution realised through modernisation, reduced leakages and theft and adjusted tariffs. That assumption has been belied, not least because discoms have not been able to significantly raise tariffs, particularly on households and agricultural consumers. On the other hand, they have had to pay high prices to the generation companies, which are now independent providers. Losses were inevitable. The ambition of UDAY remains unrealised.

### FOURTEEN PARAMETERS

Jharkhand is only one example. The success of UDAY is measured using 14 operational and financial parameters, including reduction in technical and commercial losses, reduction in the gap between per unit cost of power supply and revenue, household electrification, smart

Sale prices are far too low to cover unit costs in the form of prices paid to generators.

metering, and the distribution of LED lights, besides profit and loss. In October last year, *Economic Times* reported that "Haryana, Gujarat, Bihar, Punjab and Rajasthan have fulfilled (only) 30-45 per cent of the commitments made under UDAY. Uttar Pradesh, Bihar, and Jharkhand need(ed) improvement with below 30 per cent progress". Jammu and Kashmir lagged far behind with a score of just 15 per cent.

The net result is that distribution companies began reporting losses. The problem is not really the inefficiency of the SEBs, as illustrated by the experience in Odisha and Delhi, where distribution has been privatised. In Odisha, the Electricity Regulatory Commission, faced with the failure of the three distribution companies owned by Anil Ambani's Reliance to meet agreed commitments and their refusal to comply with orders, chose to cancel their licences. In Delhi, the Anil Ambani-controlled BSES Rajdhani Power Limited (BRPL) and BSES Yamuna Power Limited and the Tata-owned New Delhi Power Limited, all PPP projects in which the State has a 49 per cent stake, have been found to have engaged in financial irregularities to the tune of Rs.8,000 crore. They inflated power purchase costs and under-reported revenues overcharged consumers. They have been able to survive but at the expense of their clients.

The SEBs that have not been able to do this have notched up losses and debt, resulting in a situation where they are unable to buy as much power as is available from the generation companies. With new PPAs not being signed, utilisation has fallen; according to reports, as much as 25,000 MW of capacity is lying idle. That affects the profits of the generation companies and their ability to service their debt to banks, which have accumulated large volumes of non-performing assets. Clearing them would have increased the debt of the Central government, so it sought to transfer the debt of the SEBs on to the State governments. That seems to be closing a peculiar circle of debt. 

### COLUMN

### **PREOCCUPATIONS**



JAYATI GHOSH

# A universal basic income in India?

Globally, the concept of a universal basic income, or UBI, is seen as a non-targeted provision in addition to existing services in health, nutrition, education and so on, but in India much of the talk around it is also directed at attacking "wasteful subsidies" and even the food security programme and the employment guarantee programme.

HERE is a lot of buzz globally around the idea of a Universal Basic Income (UBI). It is perceived as one way of coping with technology-induced unemployment that is projected to grow significantly in the near future as well as reducing inequalities and increasing consumption demand in stagnant economies. Certainly there is much to be said for the idea, especially if it is to be achieved by taxing the rich and particularly those activities that are either socially less desirable or are generating large surpluses because of technological changes.

### IDEA POPULAR

Indeed, that is precisely the proposal of the French Socialist candidate Benoit Hamon, who sprang a surprise by topping the first round of the primary race of his party for the presidential election. Obviously, this idea is picking up more supporters across Europe. It has proved to be more popular, even among the young, than his other proposal of legalising marijuana. Elsewhere in the developed world, there have already been pilot projects experimenting with the idea, for instance, in Finland (but only to around 2,000 persons there). The idea has also found expression in several developing countries. In China, there is already a dibao, or minimum livelihood guarantee, set at different levels in urban and rural areas, that adds to the incomes of those categorised as poor so that they reach a certain minimum.

Proponents of the UBI see it as a broader, non-targeted provision: a "periodic cash payment unconditionally delivered to all on an individual basis, without means-test or work requirement". The idea is to ensure that every person in society has the means to live with a modicum of freedom and dignity, independent of capacity to earn or availability of employment. It is certainly attractive in that it would, if implemented according to this norm, reduce both poverty and inequality.

In India, we have become adept at picking up on global policy fashions, but sadly we tend to implement them in our own peculiar ways that often end up distorting both the practice and even the very vision of the idea. For example, an earlier Indian government was very taken with the idea of conditional cash transfers, which were seen to have delivered some success in poverty reduction in Latin American countries. But the successful examples of such

policies in those countries treated these as money delivered in addition to the expansion of the quality and coverage of essential public services in health, education, nutrition and so on. By contrast, the Indian attempt has been to use them to replace such essential public spending, which is already far too low.

### **EXCUSE TO END SUBSIDIES**

A similar process seems to be under way with respect to the idea of the UBI. Most advocates of basic income do not see this as in any way a substitute for the public provision of services, such as transport, health, education, sanitation and so on-indeed they would be horrified if this were to be the case. Because the idea of the UBI is obviously to improve the material conditions of citizens, not to force them to confront reduced access to worse quality public services. But already much of the talk around the UBI in India is also directed at attacking not just what are classified as "wasteful subsidies" but even the food security programme and the employment guarantee programme. The idea seems to be that money saved by reducing or even giving up on these programmes can instead be used to put a bit of money into individual accounts, using the JAM (Jan Dhan accounts, Aadhaar and Mobile-the government's holy trinity) interface.

This is why a scheme that normally does not find the approval of fiscal hawks and those who want to control government spending has suddenly become popular with many of them. The idea seems to be that the government can cut not just subsidies but also a significant amount of spending that such analysts find to be unproductive, and simply replace it with direct transfers into bank accounts. Paradoxically, therefore, this shift to providing direct cash transfers in the guise of "basic income" will actually reduce public spending, not increase it.

This clearly promises to be the flavour of the season for India's economic policymakers. The government's Chief Economic Adviser Arvind Subramanian, who has been



**IN GUMLA, JHARKHAND,** tribal people attending the public hearing on the Food Security Act on June 14, 2016. The highly gendered access to food in most poor Indian families makes a targeted cash transfer system especially troubling.

conspicuously silent on the enormous policy decision of demonetisation and its aftermath, has already promised several months ago that the idea of basic income would be one of the "big issues" taken up in this year's Economic Survey. It is only to be expected that even the government, callous as it has been with regard to the sufferings of the people caused by its hasty and ill-executed demonetisation, would still recognise the need for some recompense—and the provision of some cash transfers could seem like an attractive idea at least politically.

### THREE CONCERNS

At the recent World Economic Forum in Davos, the CEO of NITI Aayog, Amitabh Kant, apparently said the government was seriously considering a plan to provide cash transfers to around 20 million citizens. According to the report, "the plan he supports would offer about Rs.1,000 a month, and only to families below the poverty line. What's more, the money would be structured as an interest free loan that would have to be paid back within three years." This is, of course, a complete travesty of the idea of basic income supported by its proponents: it is targeted, and it even would come as a loan requiring repayment, which is absurd in the case of those who

would be unable to earn these

But even if a slightly less jarring version is chosen by the government, it is unlikely to come close to the ideal. Three concerns arise immediately. First, it is most likely that whatever basic income is provided would be targeted rather than universal. This would give rise to the usual problems with targeting, such as unfair exclusion of the deserving and unwarranted inclusion of the undeserving. Also, targeting based on static indicators is a poor indicator of the material status of families, which keeps changing over time, especially among those near the socalled poverty line. In addition, the problem with making such a transfer dependent upon the poverty of the recipient is that it creates a disincentive to work if the wages would lead to the individual rising above the threshold level of income (a problem that has been identified in China, for example). Given that all poverty estimates are household based, this also does not allow for unequal economic situations of individual household members, a real problem in India where gender inequalities within families are so stark.

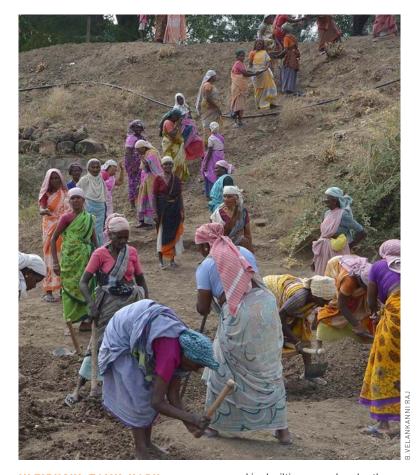
Second, even if so targeted, the costs associated with providing even this amount to a significant propor-

tion of the population are likely to be very high relative to current government expenditures. A rough estimate by former Finance Minister P. Chidambaram has suggested that, if every person were to be assured a basic income of Rs.14,000 a year (or Rs.1,200 a month) with a quarter of the population therefore receiving the full amount and another quarter receiving half that amount, the total spending on this would come to Rs.6,93,000 crore a year, or as much as 35 per cent of the expenditure budget for 2016-17! Obviously, such an amount would not be possible for the government.

Indeed, even half that amount seems unlikely. Therefore, the chances are that the amount provided would be much smaller, that it would be even more targeted, and it would therefore not live up to the essential idea of the basic income at all. It could well be that the amounts involved are so small as to be negligible in terms of affecting real incomes, or are directed to such a tiny group that it has little impact on the bulk of the population.

What is worse, it is more than likely that the government would seek to provide this by cutting down on other crucial expenditures like that on employment guarantee and on food security. This could even end up reducing the real incomes of the supposed beneficiaries, depending on how prices of food and other necessities change. And it gives rise to the third important concern: that the government is viewing cash transfers as a means of moving out of essential public service delivery, essentially reneging on its constitutional obligation to ensure the social and economic rights of citizens.

In the case of food security, the



IN TIRUCHI, TAMIL NADU, women engaged in desilting a pond under the Mahatma Gandhi National Rural Employment Guarantee Scheme.

matter is especially troubling because of the highly gendered access to food in most poor Indian families. It is surely no accident that across India, women workers in MGNRE-GA sites are the ones asking for at least part wage payment in food because of the problem that money wages often get directed to other areas that men prioritise and so leave women and girls disproportionately underfed. Shifting to small amounts of cash payments by depriving people of both access to wages from public works (and the dignity that comes from work) and basic affordable food would be both damaging and disempowering.

This is not to say that the idea of basic income is wrong in essence—far from it. It is very much part of the idea of a universal social protection floor, which is something all societies must take seriously. But it cannot be seen as a substitute for public provision of basic goods and services; rather it must be an addition to it.

If the government is truly serious about this, it should begin first of all with a universal pension scheme, something that it has been resisting. At present, despite the demands of the Pension Parishad and others, access to a non-contributory pension scheme is only available to Below Poverty Line families and specially identified marginal groups such as widows. And the Central government provides only the entirely derisory amount of Rs.200 a month as pension—so that it often costs more even for the pensioner to be able to collect the money! Despite repeated demands, this government has refused to raise the amount at all, much less provide half of the minimum wage, which is the norm even in much poorer countries such as Nepal. If this government has not been willing to provide even minor amounts of universal pension to the now-elderly men and women who have worked in paid and unpaid ways to create the base of economic activity in the country, it is only reasonable to be sceptical of its intent and likely implementation with respect to universal basic income.



### 'CARNAGE' & RESIS

President Donald Trump's inauguration speech was bleak and dominated by descriptions of "American carnage" and many of the stands remained empty. But the protests that followed the day after were animated by the spirit of resistance. BY VIJAY PRASHAD

Diary from Trumpland



on politicians—not his breed, the financial barons. It was politicians who were to blame. The rich can be satisfied that they will not be held to account. Trump shielded the wealthy from criticism. His enemy is the political class. He puts himself forward as the people's champion against politics. "Believe me," is his favourite expression. He is the only one who speaks the truth, he claims, and the only person who can fix it. Blame the poor for their poverty. It is an old axiom.

Despair filled his inauguration. The crowds did not come to anoint him President. The stands sat empty, the streets lined with a smattering of people. This was also a kind of carnage. The mood was sombre. Trump supporters did come onto the streets, but they were less enthused than they had been during his campaign rallies. Something is wrong in the Trump coalition. Perhaps his supporters have begun to digest that he will do little for them. Trump's turn to the world of private equity and the military speaks softly to the populism he evoked. His bankers and his generals have a tin ear for the people's anger.

Desolation in Washington, D.C., was only for inauguration day. The next day, hundreds of thousands of people came here—as well as across the country—on a "Women's March" against the Trump ascension. They did not come to praise him. They came to say that he is "Not My President".

Many of these people—from the anarchist Black Bloc to the Code Pink activists in pink knitted hats—would not disagree with the description of "American carnage". It is certainly true that in large parts of the United States the social landscape is dreary. Jobs are hard to find and empty factories define the horizon. Both the Occupy Wall Street and the Black Lives Matter movements as well as all the other less well-known segments of dissent in America agree with the idea of American carnage. It is what they have been fighting against. But they know that Trump is not their champion. His is a much narrower politics, to speak like a populist but to govern like a plutocrat. That is why they fear him.

Evidence came immediately of Trump's sensibility.

### TANCE

"WASHINGTON FLOURISHED," PRESIDENT Donald Trump said in his inaugural address, "but the people did not share the wealth. Politicians prospered, but the jobs left and the factories closed." His was a bleak speech, with descriptions of "American carnage" at the forefront. "Mothers and children trapped in poverty in our inner cities," Trump said, "rusted out factories scattered like tombstones across the landscape of our nation."

Trump was crafty. He laid the blame for this carnage



**AT A DEMONSTRATION** in Washington, D.C., before the inauguration.





SCREAMS OF PROTEST at the National Mall in Washington as Trump finishes his inaugural address.

Within hours of taking the oath of office, the Trump White House scrubbed its web pages. Important pages on climate change, health care and LGBTQ rights vanished. The climate change page was replaced with the "An American First Energy Plan", which called for an end to "burdensome regulations on our energy industry". A new page appeared with the title "Standing Up For Our Law Enforcement Community". This was a jeremiad against "the dangerous anti-police atmosphere in America". This page appeared during the same hour when protesters in Washington, D.C., burned a limousine and punched the neo-Nazi leader Richard Seymour. It says, "Our job is not to make life more comfortable for the rioter, the looter, or the violent disrupter."

This is a declaration of war against the Black Lives Matter movement, which has been dogged in pursuing justice for people killed by the police. Black Americans are more than twice as likely to be shot and killed by the police than white Americans. Protests led by Black Lives Matter against this epidemic will now find no mercy from either local police departments or the Department of Justice.

Reaction to the over a million people who marched against Trump the day after the inauguration was not so severe. It is difficult to beat such a large number of people. It is not as if the police in the Obama years felt any constraint in acting against protesters. The harsh use of

military methods from Ferguson to Standing Rock is testimony to the free hand given to the police. But there was some sympathy in sections of the Justice Department to the idea of police brutality. That sympathy is no longer going to be in evidence. Now the police will have a freer hand and even when the cameras are rolling there will likely be no embarrassment in the violence. This will be a major characteristic of Trumpland.

### LARGE CROWDS

Massive crowds filled the cities and towns of the U.S. Chicago's organisers of the anti-Trump protests expected 50,000 people, but upwards of 1,50,000 came out on the streets on January 21, the day after the inauguration. The police said that they could not guarantee the safety of the march, so it had to be officially cancelled. But the people remained—eager to show with their bodies that they would not accept the Trump presidency.

The largest crowds came to Washington, D.C. The police expected 2,00,000 people, but the estimates now range from half a million to a million people. They were refused permission to march at the Mall. This meant that the marchers were boxed into narrower spaces, navigating the blocked streets with their great enthusiasm. The mood was not desolation. It was resistance. "We are women—hear us roar," said one sign.

The web pages that disappeared—on climate change and LGBT rights—defined the mood of the marchers, many of whom came in dismay at Trump's agenda on women's rights, minority rights and climate change. Cre-



**THE WOMEN'S MARCH** in Washington on January 21. Massive crowds joined women's marches across the U.S.

ative signs were in evidence, but so too was the mood of defiance. Trump, they said, did not speak for them, and they would fight his agenda. The radical activist and philosopher Angela Davis said at the march: "History cannot be deleted like web pages." It was the long and difficult history within the U.S. to make society less harsh that defined the march and its various components. But Angela Davis, with her wide imagination, could not stay within the U.S. alone. She pointed her finger at the width of the struggle—to "save our flora and fauna, to save the air", to resist attacks on Muslims and on the disabled, on women's bodies and black bodies, to fight to protect water from Standing Rock to Flint, Michigan, to Palestine.

Many people who had not been to a protest before were out on the streets. Most of them had not voted for Trump, but some had. It was impossible to find people who would not agree with Angela Davis that this was not a single event but the opening up of a long process. "The next 1,459 days of the Trump administration," Angela Davis said as she closed her remarks, "will be 1,459 days of resistance. Resistance on the ground, resistance in the classrooms, resistance on the job, resistance in our art and in our music."

One of the co-chairs of the Washington march, Tamika Mallory, asked marchers to take their spirit back home. "When you go back home, remember how you felt, what made you—that instinct, that gut that said, 'I'm gonna get on a bus, a plane, a train, no matter what, to protect my children.' That feeling, take it back with you to wherever it is that you came from today. You have awoken a new and renewed spirit." Her speech echoed the chant to President Trump: "Welcome to your first day, we will not go away."

### **PAY A BIG PRICE**

Trump avoided the march. He left the White House and zipped off to the Central Intelligence Agency (CIA) head-quarters in Langley, Virginia. There he gave a sharp speech against the press. He accused the press of down-playing the numbers at his inauguration and said reporters were "among the most dishonest human beings on earth". For their reporting, he warned chillingly, "they're going to pay a big price".

On the eve of Trump's inauguration, five States in the U.S. that have seen protests against police brutality and environmental degradation decided to move to criminalise dissent. Each of these Bills suggests a great hatred of protesters. In North Dakota, where water protectors continue to block an oil pipeline at Standing Rock, Republicans put forward a Bill in the legislature that would allow drivers to run over and kill any protester who tried to block a road. Minnesota and Iowa followed suit with Bills to stop highway protests, while Michigan's Republicans sought to stop any picketing outside businesses. Washington State's Republicans, meanwhile, want to reclassify any civil disobedience protests as "economic terrorism". They are angry that environmentalists have been blocking the movement of trains that carry oil. If any of these Bills succeeds in becoming law, there is a possibility that other States will try to mimic them. Protests, even of the most peaceful kind, will be reclassified as terrorism.

Trump's pen would itch to sign some sort of federal law that criminalises dissent. He will have before him, in quick succession, laws to repeal his predecessor Barack Obama's health insurance scheme and protections for LGBTQ people, laws to restrict abortion rights, and laws to open up energy exploration. During the confirmation hearings, his nominees for important Cabinet positions refused to offer specific policies that would reveal their political stance. They stuck to generalities, hiding their social bigotry and class bias behind bureaucratic pabulum. The Democrats, weakened by their defeat and conscripted by their own allegiances to the wealthy, went through the charade but could not expose the nominees. Much of what Trump proposes to do had been part of the Democratic Party's agenda-including breaking teachers' unions and extending the War on Terror.

Even if the Trump nominees had been revealed as being ghastly, little could be done. During the presidential campaign in Sioux Centre (Iowa), Trump said: "I could stand in the middle of 5th Avenue and shoot somebody and I wouldn't lose voters." He meant that his voters were diehard loyalists. He was right. They admire him like a leech admires a bloody wound.

### Trail of blood

Barack Obama's legacy as a votary of global peace will remain tainted as targeting of civilians in war zones registered a significant increase during his presidency. BY JOHN CHERIAN



**BARACK OBAMA** leaving the White House press briefing room after making a statement that the U.S. was committed to disrupting Al Qaeda in the Arabian Peninsula, a terrorist group based in Yemen, on October 29, 2010. In September 2011, the U.S.-born radical cleric Anwar al-Awlaki, his son, and other Al Qaeda operatives were killed in a drone attack in Yemen.

THE PARDON THE OUTGOING PRESIDENT of the United States, Barack Obama, has given to the whistle-blower Chelsea Manning has come as a welcome surprise to human rights activists and millions of ordinary Americans who had demanded Manning's release. Obama has not extended the same gesture to the other whistle-blower, Edward Snowden, who exposed the widespread state surveillance by U.S. intelligence agencies. The Obama administration has arrested more whistle-blowers on charges of espionage than any previous administration in the U.S. Chelsea Manning's leak had brought to light serious war crimes committed by the U.S. occupation forces in countries such as Iraq and Afghanistan, including the targeting of civilians during the eight years of the George W. Bush presidency. During his two terms in office, Obama did not deliver on most of the promises he had made as an anti-war candidate. He did withdraw the bulk of the 200,000 U.S. troops stationed in Iraq and Afghanistan, but his legacy as a votary for global peace will remain a tainted one.

The unfortunate fact, however, is that the U.S. continued to be at war during Obama's two terms. Libya and Syria became two more states where the U.S. got deeply involved. The U.S. military continues to be bogged down in Afghanistan. The former President's military pivot to East Asia has raised military tensions in the Asia-Pacific region. In the last days of his presidency, Obama deliberately escalated tensions with Russia by deploying North Atlantic Treaty Organisation (NATO) troops in Poland and the Baltic states. Under Obama, the targeting of civilians in war zones registered a significant increase. He initially turned to drone warfare in a big way to combat groups—from Pakistan to Somalia—hostile to U.S. interests.

### **DEFENCE SPENDING**

The Nobel Peace Prize winner also increased the U.S.' defence spending to a record high and was an avid salesman of American weapons in the international arms bazaar. The Obama administration approved

more than \$278 billion in foreign arms sales, mainly to West Asian countries. Saudi Arabia headed the list with deals worth more than \$128 billion. Many of the deals were signed in the last two years of his presidency when the Saudi army was butchering the people of Yemen. Among the weapons sold to the Saudi kingdom were F-16 planes, Apache attack helicopters, tanks and missiles. According to military analysts, Obama brokered more arms deal than any previous U.S. President had since the Second World War. The previous Bush administration had only approved arms deals worth \$128 billion in its eight years in office.

Although under his watch the U.S. officially never invaded any country, Obama's military budget exceeded that of the Bush administration by many billions of dollars. In real terms, according to figures released by the Pentagon, U.S. military spending during the Obama presidency was 42 per cent more than what was spent during the peak of the Cold War. During the Cold War, the U.S. at least had a serious rival in the shape of the Soviet Union. Russia and China, which are now being portrayed as a serious threat to America's status as the world's only superpower, spend considerably less on their defence budgets. The Russian military budget is currently only one-tenth of that of the U.S.

### SPECIAL OPERATIONS FORCES

Under Obama, the U.S. Special Operations Forces expanded their operations to 138 countries, many of them

on the African continent. Under the Bush administration, the Special Forces were used only in 60 countries. Today, the Special Forces are active in the Horn of Africa helping Kenyan, Ugandan and Ethiopian forces to fight Al Shabab insurgents in Somalia and protect the central government in Mogadishu. In Libya, the U.S.' Special Forces and Air Force played a role in the overthrow of Muammar Gaddafi in 2011. The Obama administration intervened militarily in Libya invoking the bogus "responsibility to protect" doctrine. It was argued at the time that the civilian population was under dire threat from the Gaddafi government.

Since the overthrow of Gaddafi, the peace and stability enjoyed by the Libyan people for more than 50 years has been shattered. The Obama administration had backed a long-time Central Intelligence Agency (CIA) asset, Khalifa Haftar, to run the country. But the former Libyan officer, who had defected to the U.S. in the 1980s, failed to get the support of key tribal militias and the populace. The U.S.' covert and overt military intervention in Libya was one of the factors that led to the killing of Christopher Stevens, the U.S. envoy to Libya, in the port city of Benghazi.

The Special Forces have also been active in parts of sub-Saharan Africa, battling forces such as the Boko Haram; the U.S. Air Force, too, was busy under the Obama administration. According to a report published by the American Council of Foreign Relations, a record number of bombs were dropped by U.S. planes in the last



**THE WRECKAGE** of a car destroyed by a U.S. drone strike that targeted suspected Al Qaeda militants in August 2012 in the south-eastern Yemeni province of Hadhramout.

RFUTER

eight years. In 2016 alone, U.S. planes and drones dropped more than 26,000 bombs, that is, more than 72 bombs every single day. Most of the bombs targeted civilian areas in Iraq, Syria and Afghanistan. The people in Libya, Somalia, Yemen and the tribal areas of Pakistan were also subjected to air attacks.

The Obama administration did not see fit to sign the Convention on Cluster Munitions or the Mine Ban Treaty. Only 35 countries, including India, have not signed the 1997 Ottawa accord banning the use of conventional mines. Until a couple of months ago, the U.S. was selling cluster munitions to Saudi Arabia for its bombing campaign in Yemen. The death toll among civilians in Yemen has already exceeded 10,000.



**A U.S. DRONE** aircraft lands at Afghanistan's Jalalabad airport on October 2, 2015. The same year, Obama cleared the sales of armed drones to foreign countries.

But what really stood out in the past eight years was the Obama administration's extensive reliance on drone warfare. There was a 10-fold expansion of drone warfare during the eight years of the Obama presidency. Under the Bush administration, U.S. drone warfare was mainly confined to Afghanistan and Iraq. Obama embraced the concept and authorised its use on an almost worldwide scale. According to reports, Obama took personal responsibility for the individuals to be targeted in drone attacks. Among those killed in the drone attack in Yemen was Anwar al-Awlaki, a U.S. citizen who had joined Al Qaeda, and his son. Al-Awaki was once an imam in a mosque in the U.S.

The Obama administration claimed that it had the legal authorisation to sanction the use of drones without geographic restrictions under laws passed by the U.S. Congress following Al Qaeda's 9/11 attacks. According to official figures, Obama had authorised 506 drone strikes by the beginning of 2016. Many more covert attacks may not have been officially recorded. The Bush presidency had ordered only 50 drone strikes.

Obama had consistently claimed that drone strikes were less expensive and more effective than raids by fighter aircraft. It was also claimed that drones were more clinical in the elimination of terrorists and helped reduce civilian casualties. Available evidence, however, shows that collateral civilian damage due to drone strikes has been grossly underestimated. A study showed that only 2 per cent of high-level fighters had been killed in drone attacks. According to estimates by human rights groups, U.S. drone strikes in Afghanistan, Pakistan, Somalia, Yemen and other countries have caused at least 3,000 civilian deaths.

Drone attacks have alienated the local populace in countries such as Afghanistan and Pakistan, with many of them joining terror groups to avenge the killings of close relatives. A study by the American Centre of Naval Analysis came to the conclusion that drone attacks were 10 times more deadly for civilians than attacks by conventional military aircraft. Another report said that 90 per cent of those killed in drone attacks were not the "intended targets". Some of the drones used in combat, such as the "Golden Hawk", cost around \$200 million a piece, twice as much as an F-35 fighter jet. In 2015, Obama cleared the sales of armed drones to foreign countries.

### **OPENNESS ON DRONE OPERATIONS**

In July 2016, seven months before he left his presidency, Obama issued an executive order making protection of civilians a priority during air strikes by drones and other weapons. The order makes it mandatory for future U.S. governments to report deaths caused by such operations every year. Obama wanted to ensure more openness on drone operations, realising the potential for their misuse. But his successor, Donald Trump, would very well prefer to draw back the cloak of secrecy that marked drone warfare during most of the Obama presidency. The executive order also legitimises the use of military drones outside conventional war zones as part of the U.S.' national security policy.

The executive order declared that "civilian casualties are a tragic and sometimes unavoidable consequence of the use of force in situations of armed conflict or in the exercise of the state's inherent right to self defence". The order at least officially recognised that there were unavoidable civilian casualties as a result of drone attacks. In a speech in 2013, Obama acknowledged the "hard fact that U.S. strikes have resulted in civilian casualties" and said that "these deaths will haunt us for a long time". Before that, the Obama administration's tendency was to presume that all civilian casualties, who were adults, were enemy combatants.

The President's 2013 statement was a tacit admission that most of those killed in U.S. drone attacks were civilians whose names were unknown to his government. In a speech to U.S. soldiers in December, Obama denounced the "false promise" that "we can eliminate terrorism by dropping more bombs". He then went on to proclaim that "democracies should not operate in a permanent state of war". One of his last acts as President was to despatch U.S. troops to Norway, opening up another Cold War front with Russia.

# The Russia bogey

A U.S. intelligence report accuses Russia of interfering in its election process but provides no evidence to back up the claims. By John Cherian



**NATIONAL INTELLIGENCE** Director James Clapper (centre), FBI Director James Comey (left) and Central Intelligence Agency Director (CIA) John Brennan testify before the Senate (Select) Intelligence Committee on January 10.

MOST OF THE AMERICAN POLITICAL establishment and the mainstream media seem to be convinced that a hidden Russian hand was responsible for the electoral victory of President Donald Trump. Accusations of Russian hacking of emails of key Democratic operatives, coupled with the spilling of unsavoury party secrets into the public domain, are cited as major factors for the defeat of Hillary Clinton.

"Russian efforts to influence the 2016 U.S. presidential elections represent the most recent expression of Moscow's long-standing desire to undermine the U.S.-led liberal-democratic order," declared James Clapper, director of National Intelligence under President Barack Obama. He was releasing a declassified report in the first week of January which concluded that Russian President Vladimir Putin had ordered a campaign "to

undermine faith in the American democratic process".

It blamed Putin for ordering "an elaborate campaign" aimed at influencing the outcome of the 2016 presidential elections. "Russia, like its Soviet predecessor, has a history of conducting covert influence campaigns focussed on U.S. presidential elections that have used intelligence officers and agents and press placements to disparage candidates perceived to be hostile to the Kremlin," the report stated. It was also alleged that Russian military intelligence passed on material to WikiLeaks. Julian Assange, the founder of WikiLeaks, has denied this. Assange had said during the election campaign that he sided with neither Hillary Clinton nor Trump and had added that the choice was between "cholera and gonorrhoea".

The Russian broadcaster Russia Today (RT) and the

or or

website Sputnik were also named in the report. Their "crime" was to "consistently cast President-elect Trump as a target of unfair coverage from the traditional U.S. media outlets that they claimed were subservient to a corrupt political establishment". On the basis of the report, Obama ordered the expulsion of 35 Russian diplomats from the U.S. Putin said his government had "all the grounds for a comparable response but would not stoop to the level of irresponsible diplomacy". Alexey Pushkov, a Russian parliamentarian and member of that country's defence and security committee, compared the American accusations to the Central Intelligence Agency's (CIA) assertions of weapons of mass destruction

(WMDs) in Iraq. "Mountains gave birth to a mouse: all accusations against Russia are based on 'confidence' and assumptions. U.S. was sure of Hussein possessing WMD in the same way," Pushkov tweeted.

America's security establishment conceded that it had no clinching or concrete evidence to back up its claims of Russian interference in the U.S. election process. Days before Trump was sworn in as President, lurid stories surfaced on how Russian intelligence had collected an incriminating dossier against Trump. The new President of the U.S. had earlier characterised the investigation methods of his intelligence agencies as similar to the tactics adopted by the Nazis. Trump later changed tack and said that Russian agencies may have been involved in the hacking of the Democratic Party headquarters but vehemently denied allegations that he or his associates acted in league with the Russian intelligence agencies.

Putin, replying to a question during a media interaction in the second week of January, said the latest allegations of Russia meddling in America's elections "had no moral scruples". He said that he had no reasons to either protect or attack Trump, "I have never met Trump and don't know what he will do on the international arena. So I have no grounds to attack him or criticise him for anything or protect him or whatever," Putin said. He also said the campaign to implicate Russia was part of the game plan of certain forces in the U.S. "to undermine the legitimacy of the President-elect". Those making allegations about the Russian intelligence agencies having material to blackmail Trump "were worse than prostitutes", Putin said.



WIKILEAKS founder Julian Assange.

A dossier prepared on behalf of another presidential hopeful, Jeb Bush, by former MI6 agent Christopher Steele, had alleged that Trump had cavorted with prostitutes during a business visit to Moscow many years ago and that the Russian intelligence agencies had tapes of the alleged encounter. Senator John McCain demanded that the Federal Bureau of Investigation (FBI) look into the allegations urgently. The allegations were leaked to the media and were headline news in the days preceding the Trump inauguration. Sections of the American media did not think twice before publishing the scurrilous story. "When Trump visited Moscow several years ago he wasn't a political figure. We didn't

even know about his political ambitions. He was just a businessman, one of America's richest people. So, does someone think that our intelligence services go after each American billionaire?" Putin asked.

The Russian President would no doubt have been surprised by the electoral upset witnessed in the 2016 U.S. presidential election. With the American political and security establishment solidly behind Hillary Clinton and the Democratic candidate consistently showing a healthy lead in the opinion polls, no world leader would have bet on a Trump victory. Besides, the Kremlin has reasons to be wary of Trump's "Make America Great Again" talk and American "exceptionalism". Trump has also been openly dismissive of the United Nations and multilateralism.

In the aftermath of the Trump victory, the American intelligence community tried to spread another canard

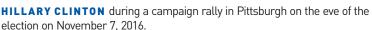
about Russian hacking. The U.S. Department of Homeland Security (DHS) and the FBI in a statement released on December 29 accused Russian hackers of trying to penetrate and compromise the country's critical power utilities. The report claimed that the same hackers who were accused of playing a role in the presidential elections were involved. The Washington Post promptly ran a story saying that the "penetration of the nation's grid is significant because it represents a potential serious vulnerability". But when the Burlington Electric Company that was supposedly the victim of the hack issued a strong denial, the newspaper was forced to retract and acknowledge that no evidence of Russian hacking existed.

Many commentators pointed out



**THE INTELLIGENCE REPORT** on the role of Russia in the U.S. election that was ordered by President Obama.







**RUSSIAN** President Vladimir Putin.

that it is the U.S. that started cyberwarfare in a big way and patented the art of influencing election outcomes in other countries. Edward Snowden's leaks revealed that America's hacking of rivals as well as competitors has been going on for many years. It was the U.S. and its all-weather ally Israel that developed the malevolent Stuxnet virus, which caused extensive damage to Iran's nuclear, industrial and petroleum sectors. The mobile phones of German Chancellor Angela Merkel, former Brazilian President Dilma Rousseff and the U.N. Secretary-General were hacked by the National Security Agency (NSA). The NSA's hacking of Chinese targets has been going on for many years.

American interference in the electoral process in countries all over the world is too numerous to enumerate. For most of the 20th century, the U.S. has either fomented military coups or lent a helping hand in the rigging of elections in Latin America and the Caribbean. America's role in overthrowing popularly elected governments in Guatemala and other Central American countries is well chronicled. In the 1970s, the U.S.-supported coup against Salvadore Allende was a defining movement in the continent's history. The CIA-sponsored coup against Prime Minister Mohammad Mossadegh of Iran in 1953 was also a momentous event for the people of West Asia. In South-East Asia, American involvement in local politics led to devastating consequences. In Indonesia, more than a million people were massacred after the CIA-supported military coup in 1965.

After the Second World War, it was American interference that stopped Communist parties from winning power through the ballot box in European countries such as Italy, France and Greece. It was the Bill Clinton administration that helped rig the 1996 presidential elec-

tion in Russia in favour of Boris Yeltsin. Gennady Zyuganov, the Communist Party candidate, was leading in the election until the eleventh hour. With the help of top American pollsters like Richard Dresner and the backing of the American intelligence community, a deeply unpopular Yeltsin was re-elected despite his popularity rating being 7 per cent a few months before the election. (Dresner, along with Bill Morris, had played a big role in Bill Clinton's political career.) Skulduggery and voterigging were rampant in that election. On the eve of the election, the Clinton administration got the International Monetary Fund to provide an emergency \$10 billion loan to Russia so that Yeltsin could pay back wage arrears to government workers, pensioners and welfare recipients. It is another matter that Yeltsin himself paved the way for the rise of Putin, the current bete noire of the West.

The U.S. has been trying for a regime change in Venezuela since the election of Hugo Chavez in 1997. The Obama administration supported the ouster of democratically elected Presidents in Honduras and Paraguay. And it is not to be forgotten that the current political crisis between the U.S. and Russia has its genesis in the regime change that took place in Ukraine in 2014 and Washington's game plan to do the same in Syria. A democratically elected government in Kiev was overthrown with the tacit support for the "Euro-Maidan" demonstrators by the Obama administration. In 2011-12, Russian officials and politicians blamed the Obama administration for bankrolling and supporting the opposition in the election held at the time. Both the U.S. and Russia are signatories to the Helsinki Final Act, which forbids both countries from interfering in each other's internal affairs.

UNITED KINGDOM

### Health care crisis

The causes of the current plight of the U.K.'s National Health Service are complex and interwoven, with funding certainly at the centre of it.

BY VIDYA RAM IN LONDON

P.S., A SISTER IN A SOUTH LONDON PAEDIATRIC accident and emergency (A&E) department, has worked for the National Health Service (NHS) for the past three decades, and though she loves her job, she has on occasion contemplated a shift to the private sector. While she knows she will probably remain with the NHS for the rest of her working life, her willingness to consider alternatives is a testament to the times.

While pressure is always high on those working in A&E departments, it has increased over the years, and this winter has been particularly difficult. Young children have had to wait several hours to be seen, and P.S. and her colleagues have faced immensely difficult decisions about whom to prioritise. "You constantly worry whether you are missing something, and a child could die as a consequence of your decision," she says. The situation has been even tougher in the hospital's adult A&E ward. At times this winter, people have had to queue to get in, ambulances have been unable to offload patients, and many patients have waited for hours at a stretch, often exceeding the government stipulation that patients have to be seen at A&E departments within four hours. The hospital's experience is far from isolated, or the worst this winter, as two patients died while waiting on trolleys to be seen at an A&E in central England, and several hospitals declared "black alerts", meaning they were unable to provide life-saving care. The Red Cross warned of a "humanitarian crisis" in the hospital and ambulance services of the country. That description of the situation in the NHS, while quickly rejected by Prime Minister Theresa May, has continued to haunt the country, sparking a new debate on the future of the public health service revered by many across the world.

"We've always seen pressures when winter comes, but now they are much worse and the problems continue through the year.... We are in a perpetual winter crisis," says Dr Kailash Chand, deputy chair of the British Med-

### OUTSIDE THE ACCIDENT AND EMERGENCY

Department at St Thomas' Hospital in London on January 13. The Red Cross has warned of a "humanitarian crisis" in the hospital and ambulance services of the country.

ical Association (BMA), who has been an outspoken campaigner for the NHS for over three decades. "Our NHS is in crisis, but our Prime Minister is in denial," declared Labour leader Jeremy Corbyn at a recent Prime Minister's Question Time.

Like most crises, the causes of the NHS' current plight are complex and interwoven. Funding is certainly at the centre of it. Spending has failed to keep pace with the needs of the system as an expanding and aging population and advances in medical technology raise what is



expected of it. While the government has attempted to paint a picture of a health system being given more and more money, senior figures within the NHS have fought back. At a parliamentary select committee hearing earlier this year on the financial sustainability of the NHS, Simon Stevens, the head of NHS England, was particularly frank. He said that it would be "stretching it" to say that the NHS had got more than it had asked for as the government claimed and that compared with other Western nations such as France, Germany, the Netherlands and Sweden the country spent "substantially less" on a per capita basis, with spending per person for England actually set to fall in the year 2018-19. In its contribution to the committee inquiry, the NHS Confederation estimated that while increased demand required spending to increase by 3 to 6 per cent a year in real terms, funding had in actual fact increased by less than 1 per cent a year over the past six years. In a report late last year, Britain's National Audit Office warned that with over two-thirds of NHS trusts in deficit for the year 2015 to 2016, financial problems for the NHS were "endemic", impacting access to services and the quality of care. "This is not sustainable," the auditor warned.

NHS funding came into the spotlight last year as the pro-Brexit camp put funding at the heart of its campaign, pledging an additional £350 million a year for the NHS should Britain leave the European Union (E.U.). Less



than three months after the vote, the Change Britain campaign removed the pledge from its website, and Cabinet Ministers who campaigned for Brexit have distanced themselves from that pledge to much public anger.

### **CUT IN THE SOCIAL CARE BUDGET**

Critics of government policy have also increasingly pointed to the spending cuts outside the NHS that are having a severe impact, in particular the cut in the social care budget. With Britain's elderly population far more dependent on state or institutional support than on family unlike in countries such as India, social care provision matters immensely. The government has cut social welfare spending as part of the austerity regime many European nations brought in in the wake of the eurozone crisis, and this has had a knock-on effect on the health care system. Hospitals are loathe to discharge patients who would have little support at home. "The cuts to the social welfare budget have been to the tune of £5 billion over the past five years," says Chand.

"The end result [of a lack of investment in care services for adults] is people stuck in hospital beds that are needed for new patients or they are discharged without support," the Red Cross warned earlier this year. "No one chooses to stay in hospital unless they have to, but we see first hand what happens when people are sent home without appropriate and adequate care... if people don't receive the care they need and deserve, they will simply end up returning to A&E and the cycle begins again." A similar situation is plaguing paediatric A&E, says Sister P.S. Under the British system, much of the health care for young children is delivered by "health visitors" rather than paediatricians, and with their numbers in decline as a result of cuts to local government public health care budgets, parents often use A&E as their first point of reference. There have also been questions around the NHS' advice line: a lack of medically trained staff to advise people means that cases that general practice can easily deal with are referred to A&E, and in other instances severe illnesses have been missed, with devastating consequences.

Financial pressures have also meant that there is little focus on community health. "Fifty to 70 per cent of cases coming to the G.P. [general practitioner] or hospital are essentially diet related, yet just 2.5 per cent of NHS money is spent on public health. It's meant to be a national health service but we are a disease service. We need to move to a preventative model. People may call it the nanny state, but they said that about the introduction of seat belts and the ban on smoking [in public places]," says Chand. The struggles of the NHS have haunted past governments, including Labour governments, but Chand believes there is a fundamental problem with this administration's approach: "The trouble is that this government is not ideologically committed to publicly delivered health care," he says pointing to a publication, Direct Democracy: An Agenda for a New Model Party, that a group of senior Conservatives, including current Health Secretary Jeremy Hunt, brought out in 2005. It ad-



**DOCTORS** from the organisation British Association of Physicians of Indian Origin demonstrating in London on April 21, 2006, against the new immigration rules they said would discriminate against those from outside the E.U.

vocates a shift to an insurance system. "The problem with the NHS is not one of resources. Rather, it is that the system remains a centrally run, state monopoly, designed over half a century ago. We should fund patients either through the tax system or by way of universal insurance, to purchase health care from the provider of their choice. Those without means would have their contributions supplemented or paid for by the state," reads the chapter on the NHS.

### 24-HOUR SEVEN-DAY-A-WEEK SERVICE

This fundamental ideological opposition to the NHS has driven a number of government initiatives on health care, including its focus on providing a 24-hour seven-day-aweek service, which has put it at odds with medical unions, says Chand. The NHS already provides 24-hour emergency care, but questions have been asked about the provision of health care and the availability of medical staff, doctors particularly, on weekends. "When the system can't cope with a five-day-a-week service and we have seven-day cover already, when you don't have the manpower and resources, it's a hugely irresponsible move," says Chand. "Ultimately, they want to give the impression that the NHS can't deal with things, and the only way to improve the situation is to bring in the private sector."

While privatisation of the NHS had commenced under Labour, it has accelerated under the Conservative government through the Health and Social Care Act, 2012, which enables NHS hospitals to make up to 49 per cent of their money from private patients. "The Health and Social Care Act, 2012, did not begin the involvement of the private sector providers in the NHS; both the [Tony] Blair and the [Gordon] Brown Labour governments used private providers to increase patient choice and competition as part of their reform programme. However, the 2012 Act did extend a market-based approach to the NHS, emphasising a diverse provider market, competition and patient choice as ways of improving health care," explains a report by the health care charity the King's Fund in 2015. There has been a steady stream of privatisation since, including the part privatisation of NHS Professionals, one of the government's main NHS recruitment agencies, late last year. Parliamentarians over the years have raised their concerns to little avail.

"The 2012 Act forces NHS contracts out to competitive tender in the marketplace, allowing private companies to cherry-pick NHS services from which they can make money. Since 2012, we have seen the effect of NHS contracts going to private companies; it undermines NHS services and the pay and conditions of staff and fragments the service. The sums of money involved are eye-watering," said Labour MP Margaret Greenwood last year as she attempted (unsuccessfully) to bring a Private Member's Bill to reverse the changes.

"They say that private is better than public, but the

truth is that private companies look after shareholders first and foremost. There has been a lot of unnecessary contract tendering, which is not right for the health care sector. Administration costs have gone up tremendously: in the early 1980s, when privatisation wasn't so ingrained, the administration cost was around 6 to 7 per cent, but that has gone up to 14 to 15 per cent thanks to bureaucracy, unnecessary tendering," says Chand. "We have to take the marketisation out of health care. It's a huge, huge usage of taxpayers' money."

The problems have been compounded by toughening the immigration rules governing doctors, in particular since 2007, when the government introduced rules requiring that preference be given in training programmes to medics from the E.U. The British Association of Physi-

cians of Indian Origin (BAPIO) blocked in the courts an attempt to introduce it retrospectively, but the overall approach has meant a sharp decline in the number of non-E.U. doctors. It has had a particularly dramatic impact on the number of Indian medics. Indian doctors have been able to work in the United Kingdom since the 19th century, and their numbers accelerated in the 1960s following an aggressive recruitment drive thanks to shortages of skilled personnel in the U.K.

It is not just the rules that have made it harder for doctors to work in the U.K. A hostile environment has made it less attractive to do so. The domestic media

constantly question the value and skills of foreign doctors and a number of studies have identified the difficulties that non-white medical staff have had in climbing to the top of the NHS and in key examinations and disciplinary procedures. In a 2014 court case the BAPIO brought alleging racial discrimination in a crucial G.P. skills test, the judge did not uphold the charges but said the BAPIO had scored a "moral victory" and called for the Royal College of General Practitioners to revamp its assessment procedures.

"The modernising medical initiative in 2007 came out when there was the perception that we are now generating enough doctors to increase uptake—there were anecdotal press reports about local doctors not getting jobs and that led to a review of the recruitment process," explains Dr Govindan Raghuraman, divisional director of emergency care at the Heart of England Foundation Trust. It has proved a disastrous strategy: what the system and in particular the A&E services lacked was generalists able to deal with an aging population often presenting with a host of problems, including multiple organ failure, rather than the specialists being churned out by the British system, he says.

"There is a need for holistic generalist doctors to see this group of patients, but the training system is not geared for this. We produced a lot of specialists and increasingly microspecialisms arose, but if we are going to use that model of health care, we need much larger volumes of doctors." The loss of middle-grade and senior house doctors to India amid the tightening of rules, therefore, hit the services that hospitals were able to provide hard. "Some of the doctors who remained in the system were under so much pressure they couldn't cope; they moved to agencies and worked as locums, covering the gaps wherever they rose at high rates of pay," he says. He adds that the use of temporary staff has had a significant impact on the quality of health care that hospitals have been able to deliver because the kind of overall career development and supervision systems that permanent employees have are lacking.

Over the past few years, the news has hit the headlines that some health trusts are recruiting doctors from

India temporarily, particularly for A&E and G.P. services, but such recruitment has little appeal, given that it entails limited support systems and visas that restrict the ability to work for the longer term.

The BAPIO launched a scheme last year to help recruit Indian doctors for A&E, making it more attractive for them to come by offering them support, training and recognition from examination boards back in India. It will also offer support services for Indian nurses already in the U.K. The scheme will broaden to cover doctors in other shortage areas such as psychiatry, paediatrics and internal medicine, says BAPIO founder

Dr Ramesh Mehta, and hopes to include several hundred in the longer term. "We want to ensure these doctors are not used simply as a pair of hands for times of shortage and should gain training while they are here which they can take back with them. We feel this will be very beneficial to both countries as emergency medicine in India is still in its nascent stage."

Still the future of such schemes will depend on government policy and any changes made as Britain begins the long process of extracting itself from the E.U., which —with the government's stated aim of ending free movement—is likely to result in a reduction of E.U. personnel within the health service. The government has given little sign of wanting to change its overall approach, though. "There will be staff here from overseas in that interim period—until the further number of British doctors are able to be trained and come on board in terms of being able to work in our hospitals," Prime Minster Theresa May told the BBC last year, a position that the BMA has warned puts the NHS at risk. "Self-reliance should be the way to develop a strong and sustainable health care system, but do you have the right system to achieve it?" asks Raghuraman. "Do you appoint, do you train, can you get and keep the right kind of people?" With the relentless pressures on the system and even deeply committed people like Sister P.S. considering their future, however briefly, it is an increasingly pertinent question.



PRIME MINISTER

Theresa May during the weekly Prime Minister's Questions in Parliament on January 18.

### HYPOCRISY ON KASHMIR

Seventy years after the Kashmir issue erupted, it is time to go beyond the deliberately untenable positions that the governments of India and Pakistan have adopted and find a way out that involves the Kashmiris too. BY A.G. NOORANI

N October 26, 2017, it will be exactly 70 years since the dispute between India and Pakistan on the State of Jammu and Kashmir erupted. It remains unresolved to this day. But there is a solid agreement between the two states to maintain positions which each knows to be untenable and, while doing so, to deceive their respective peoples, especially the people of

Jammu and Kashmir. It is an accord on hypocrisy which bids fair to last long. Neither country cares one bit for the people of Jammu and Kashmir. Both covet its beautiful territory.

Now nuclear-weapon states, both India and Pakistan know that the status quo cannot be altered by force. But the status quo is inherently unstable and oppressive. The revolt in Kashmir, which lasted most of 2016, provides additional proof of that. Time has proved that it cannot provide a solution as India fondly imagines. India calculates that use of force and recourse to bribery, and the services of the likes of Faroog and Omar Abdullah and Mehbooba Mufti, an appropriate successor to the arch stooge Mufti Mohammed Saveed, will help in crushing the people. They are unlikely to succeed where Bakshi Ghulam Mohammad, G.M. Sadiq and Mir Qasim failed.

One of India's biggest assets is the division in the ranks of the separatists and the incubus that is the extremist and ambitious Syed Ali Shah Geelani with his demand for "All or nothing". If neither India nor Pakistan can evict the other by force, the separatists cannot overthrow Indian rule either.

The Kashmir dispute cannot possibly be resolved except by an honest acceptance of four stark realities: (a) there does exist a dispute on the "disposition of the State of Jammu and Kashmir", to use the words in the proviso to Article 253 of the Constitution of India which implicitly recognises its disputed status; (b) there are three parties to the dispute—India, Pakistan and the people of the State; (c) the dispute can be resolved only by a compromise which necessarily means concession by all parties; and (d) there are, however, clear limits to any compromise which the three parties can make: 1. India cannot allow the State to secede from the Indian Union; 2. Pakistan cannot accept the Line of Control as an in-

ternational border; 3. The people of Kashmir cannot accept its partition, or denial of democracy and human rights.

Any compromise must reckon with these realities if it is to be acceptable to all the three parties and be workable. It will have to be endorsed by the parliaments of the two countries and the legislature of Jammu and Kashmir, elected after the parties agree on the rules of an honest and free election. There are politicians in all three sides who play on their people's emotions; Geelani being the foremost among them in his bid for the supreme leadership of the secessionist movement. He revealed his ambitions to be the sole leader openly in 2008 at a public meeting but was forced to retract it in the face of the ensuing outcry.

It is Kashmiris who should devise a realistic via media and press India and Pakistan for its accept-





JULY 1950: Liaquat Ali Khan (left), Prime Minister of Pakistan; with Sir Owen Dixon, United Nations Mediator on Kashmir; and Jawaharlal Nehru in New Delhi.

ance. Geelani's demagogy has ensured that such an exercise cannot even begin. The hope lies in the Joint Resistance League's plea on December 14, 2016, for the formulation of a sustainable campaign of peaceful agitation. That done, it must proceed further and reflect on a viable final solution as well.

Meanwhile, the least India and Pakistan can do is shed their vituperative references to the lands in Jammu and Kashmir which each administers. Pakistan speaks of India-held Kashmir; India talks of Pakistan-occupied Kashmir. The BBC opts for Indian or Pakistan "administered" Kashmir. Why not settle on East and West Kashmir? Both states practise hypocrisy on Kashmir on an industrial scale. This is not merely a matter of nomenclature; it is reflective of a certain diplomatic stance which denies totally any legitimacy to the other side's position.

To begin with Pakistan, it swears by the two resolutions of the United Nations Commission for India and Pakistan (UNCIP), which both sides had accepted; the ones of August 13, 1948 (or a ceasefire and a truce agreement), and of January 5, 1949 (containing a detailed procedure for a plebiscite in Kashmir). The ceasefire resolution (1948) envisages total withdrawal of Pakistan's troops but only "the bulk" of Indian troops. Under the plebiscite resolution (January 5, 1949), the Plebiscite Administrator was to "be formally appointed to office by the Government of Jammu & Kashmir. The Plebiscite Administrator shall derive from the State of Jammu & Kashmir the powers he considers necessary for organising and conducting the plebiscite and for ensuring the freedom and impartiality of the plebiscite" [Paragraph 3 (b)]. Nor is that all. Paragraph 9 says: "At the conclusion of the plebiscite, the Plebiscite Administrator shall report the result thereof to the Commission and to the Government of Jammu and Kashmir. The Commission shall then certify to the Security Council whether the plebiscite has or has not been free and impartial" (emphasis added throughout). Having accepted these resolutions, with what face does Pakistan talk about Indian-held Kashmir?

On India's part, its route to Pakistan-occupied Kashmir has been as dishonest but far more tortuous. For over a decade, India's Prime Minister, Jawaharlal Nehru, the Secretary-General of the Ministry of External Affairs, Sir Girija Shankar Bajpai, and others had no inhibitions about speaking of the Azad Kashmir government and "the Azad territory". To be sure, neither accorded legitimacy to its regime. India made that clear consistently, adding, sometimes, by way of caution the caveat "so-called". When and how did the expression "Pakistan-occupied Kashmir" crop up? Obviously by an official fiat. On Kashmir and some other issues, the media as well as the academia faithfully abide by New Delhi's wishes and hints. As will be pointed out, the UNCIP unfailingly referred to Azad Kashmir.

What is conveniently overlooked is the historical truth that the regime there came into existence with *Indian acquiesce*, *if not approval*. This is fully established by the official history of the war in Kashmir in 1947-48. *Operations in Jammu Kashmir 1947-1948* was published in 1987 by the History Division of the Ministry of Defence, Government of India. It was written by Dr S.N. Prasad and Dr Dharam Pal.

### THE AZAD KASHMIR QUESTION

They squarely answer the question, often asked later, as to why Indian forces did not clear the entire state of Pakistan's troops right up to its borders with Pakistan. Had they done so, there would have been no Azad Kashmir. The question is answered in the last chapter, "Conclusion and Review". Pakistan had organised the tribal

raid into Kashmir on October 22, 1947. In May 1948, three brigades of its regular forces joined them. A cease-fire was declared by both sides on January 1, 1949. A ceasefire line was drawn up at Karachi on July 27, 1949.

The two authors, writing around 30 years after the events, respond to the criticism voiced by some with hindsight. Their views are set out in extenso. "There is a feeling among some service officers, as well as a section of the civilian population, that India should not have accepted the Cease Fire or any Cease Fire Line, and should have pressed on to liberate the rest of the territories of J&K State. It is argued that the liberation of the remaining areas of J&K was only a matter of a few weeks, and the political decision to have a Cease Fire robbed the Indian Army and the Royal Indian Air Force of a quick and decisive victory in J&K. These opinions are widespread enough to demand notice, and some senior army officers who took part in these operations have also urged a discussion of this matter in this detailed history of the operations in J&K. The question being essentially hypothetical, no definitive answer is possible. However, the facts brought out in the following paragraphs might throw some light on the answer.

"As already described, the Indian Army, supported by the Air Force, won several major victories in the last few months of operations before the Cease Fire.... These defeats, however, did not break the back of enemy resistance. The enemy suffered casualties, as did the Indian forces, but there were no—there could not be any—large enveloping movements, leading to considerable bodies of enemy troops being captured and enemy strength decimated....

"The enemy had in December 1948 two infantry divisions of the regular Pakistan Army, and one infantry division of the so-called 'Azad Kashmir Army' fighting in the theatre. These comprised 14 infantry brigades; or 23 infantry battalions of the Pakistan Army and 40 infantry battalions of 'Azad Kashmir', besides 19,000 scouts and irregulars. Against this, the Indian Army had in J&K only two infantry divisions, comprising 12 infantry brigades; a total of some 50 infantry battalions of the regular army and the Indian States Forces, plus 12 battalions of the J&K Militia (some with only two companies) and two battalions of the East Punjab Militia....

"Indian forces were definitely outnumbered by the enemy in J&K, and only the superior valour and skill, and perhaps fire-power, together with the invaluable help from the tiny Air Force, enabled the Indian Army to maintain its superiority on the battlefields. There can be no doubt, however, that any major offensive required more Indian troops in J&K.

"The position regarding further Indian reinforcement for J&K was none too comfortable. Infantry was the basic requirement in the mountainous terrain, and infantry units of the Indian Army were fairly fully occupied elsewhere. About the end of 1948, there were 127 infantry battalions of the Indian Army, including Parachute and Gorkha battalions and State Forces units serving with the Indian Army, but excluding Garrison battalions and

companies. Of these 127, some fifty battalions were already in J&K. Twenty-nine battalions were in the East Punjab, guarding the vital sector of the Indo-Pakistan frontier. Nineteen battalions were stationed in the Hyderabad area, where the Razakars still posed a potential threat to law and order and the Military Governor required strong forces at hand to complete his task of pacifying the area. There were thus only 29 battalions available for internal security, to guard the thousands of kilometres of frontier, and to act as the general reserve.

"By scrapping the barrel, more forces could certainly be despatched to J&K. But this would have accentuated the supply problem, as the entire force in J&K had to be maintained by a single railhead, and a single road. This road was long and weak, and had numerous narrow bridges with which few liberties could be taken.

"While logistics put a definite limit to the size of the forces that India could maintain in J&K, Pakistan suffered from no such limitation. There were numerous roads from Pakistan bases to the J&K border, and from there the actual frontline was generally accessible by short tracks or roads. So there was no maintenance problem for whatever reinforcements Pakistan could send to her forces in J&K to block any Indian advance.

"For decisive victory, it was necessary to bring Pakistan to battle on the broad plains of the Punjab itself; the battle of J&K, in the last analysis, had to be fought and won at Lahore and Sialkot, as events brought home in 1965. So, if the whole of J&K had to be liberated from the enemy, a general war against Pakistan was necessary. There can be hardly any doubt that Pakistan could be decisively defeated in a general war in 1948-49, although both the Indian and the Pakistan armies were in the throes of partition and reorganisation then. But that was a much wider question, and rightly or wrongly, the government did not decide to have a general war with Pakistan" (pages 372-375). What they omit to mention is that India had already secured "the prize" as Nehru called it—the Valley. A wider war would have invited great power intervention in the name of the United Nations.

### NEHRU'S PARTITION OFFER

The UNCIP's two resolutions, accepted by both sides, treated the two parts of the State separately. By 1948, India had written off Azad Kashmir. Nehru offered partition of the State to Pakistan's Prime Minister Liaquat Ali Khan in Paris in October 1948. Nehru went public at a rally in New Delhi on April 13, 1956: "I am willing to accept that the question of the part of Kashmir which is under you should be settled by demarcating the border on the basis of the present ceasefire line. We have no desire to take it by fighting" (*The Times of India*, April 14, 1956).

On July 2, 1972, the Simla Agreement put a seal of approval on the status quo. Paragraph 1(ii) says: "Pending the final settlement of any *problems* (sic) between the two countries, neither side shall unilaterally alter the situation." India flagrantly violated this in February 1984 by its Operation Meghdoot in Siachen; Pakistan, by its



**JULY 1972:** Prime Minister Indira Gandhi and Pakistan President Zulfikar Ali Bhutto signing the Simla Agreement in Shimla. The agreement helped preserve the status quo on Jammu and Kashmir.

misadventure in Kargil in 1999. Paragraph 4 (ii) binds the parties to respect "the Line of Control resulting from the ceasefire of 17 December 1971... neither side shall seek to alter it unilaterally". The words "final settlement of any of the problems between the two countries" find an echo in paragraph 6. It envisages "a final settlement of Jammu and Kashmir". How can you settle a *State*, pray? All this because India would not admit the existence of a dispute on the status of Jammu and Kashmir although it was used in the Nehru-Mohammed Ali Joint Communiqué on August 21, 1953, and the Rajiv Gandhi-Benazir Bhutto joint statement in Islamabad in 1989. Such quibbles are a regular feature of the discourse of Indian diplomacy on all matters.

The net result of the ceasefire of 1949 and the Simla Agreement of 1972 is that Pakistan does not administer the western part of Jammu and Kashmir as India's licensee or tenant. Its presence was established by its armed forces, in which India acquiesced in its own self-interest—and received formal acceptance in the Simla Agreement of 1972. India cannot serve a quit notice to Pakistan to "vacate its aggression". How a legal concept ("aggression") can be vacated Krishna Menon, who coined the expression, alone could have explained. He never did. The Ministry of External Affairs loves those words.

### **UNCIP REPORTS**

The absurdity of the belated use of the words, "Pakistanoccupied Kashmir" emerges from the record (Pakistan uses the same puerile lingo in the Urdu phrase "makbooza Kashmir"). The UNCIP submitted three reports; the U.N.'s mediators submitted eight, of which the two later ones (in 1957 and 1958) were perfunctory. They contain minutes of talks with Jawaharlal Nehru and Girija Shankar Bajpai, which *The Hindu* published in full. I respect *The Hindu* of today. I miss *The Hindu* of old which provided me, a schoolboy, with the prized texts.

The UNCIP's first interim report was submitted on November 9, 1948. India made it plain that its acceptance of the UNCIP's resolutions did not imply recognition of the Azad Kashmir regime. The UNCIP accepted that and reminded Pakistan that it had itself not recognised its protégé while admitting that the Azad Kashmir forces were under the control of Pakistan's army. None of this clear position affected nomenclature. Nehru met members of the UNCIP on December 20, 1948. He explicitly referred to "the Azad Kashmir forces which had been armed and equipped by Pakistan". He repeatedly spoke of "the Azad Kashmir forces", the minutes reveal.

In the U.N. Security Council on November 25, 1948, Bajpai also mentioned "the forces of Azad Kashmir which are under the operational control of the Pakistan High Command". This was factually true as Pakistan's Foreign Minister Sir M. Zafrullah Khan admitted on August 4, 1948: "The Pakistan Army is at present responsible for the over-all command... of Azad Kashmir forces." On August 9, 1948, Pakistan further recognised that they (Azad Kashmir forces) "were operationally controlled by the Pakistan Army".

The UNCIP's first report mentions that its members informally met "representatives of the Azad Kashmir Movement Chaudhri Ghulam Abbas and Sardar Mohammed Ibrahim" (Paragraph 96). It opined that the movement "controls a considerable part" of the State, especially in Poonch, Muzaffarabad and Mirpur (Paragraph 125). It cited "temporary administration by local authorities (Azad Kashmir) of territory evacuated by Pakistan" as one of the principles underlying its resolution of August 13, 1948.

The third report of December 9, 1949, had a section on "The 'Azad' Kashmir Forces". It includes a memorandum by India dated March 29, 1949, which repeatedly referred to "the so-called *Azad* Kashmir territory" (italics here as in the original). On March 23, 1949, Bajpai reminded the UNCIP: "We have not asked, at any time, that a representative of ours should go to the territory held by 'Azad Kashmir'."

The minutes of the conference of the commandersin-chief, held at Army Headquarters in New Delhi on February 11, 1949, mention "the *Azad* Kashmir Forces" and record that "the Indian Army agreed to permit the maintenance of the *Azad* element in the Kishenganga Valley (Gur's sector) by air because of the detachments being cut off by snow" (page 172).

It is unnecessary to carry this narrative tediously any further. In sum, even formal proposals by U.N. mediators—Canada's General A.G.L. McNaughton (December 17, 1949, paragraph 2(a)); Sir Owen Dixon's report; and Dr. Frank P. Graham's five reports—used the same words in the most explicit terms ("Azad Kashmir territory"). India's proposal of December 14, 1951, mentioned "the Azad Kashmir Armed Forces". Graham's approach was fair. "Without recognition of the Azad Kashmir Government and without prejudice to the sovereignty of the State, it also appears obvious, by the nature of the cease-

fire line and the temporary exercise of the necessary and useful functions of the local authorities, that (with the withdrawal of the tribesmen and of the Pakistani nationals not normally resident therein who entered the State for the purpose of fighting, and with the withdrawal of the Pakistan army and authority and the large-scale disarming and disbanding of the Azad Kashmir forces) there should be in the evacuated territory effective local authorities and effective armed forces. In the 'Azad Kashmir' territory these armed forces would be organised out of the remainder of the Azad Kashmir forces without armour or artillery, and thereafter would be commanded by local officers under the local authorities, under the surveillance of the United Nations."

### **FALSE CLAIM**

Pakistan enacted the Azad Jammu and Kashmir Interim Constitution Act, 1974, to replace the one of 1970, avowedly "in the discharge of its responsibilities under the UNCIP resolutions". The claim is false. It makes Azad Kashmir a virtual colony of Pakistan. It set up an "Azad J&K Council" consisting of the Prime Minister of Pakistan as its Chairman and the territory's "President" as its Vice Chairman. It has legislative as well as executive powers over 52 matters. The Assembly can legislate only on the remainder, such as it may be. Azad Kashmir has less autonomy than the State of Jammu and Kashmir has even under the fraudulently hollowed out Article 370. More, the cry of plebiscite is effectively barred because all-from "the President", the Prime Minister, down to the legislators-have to take an oath of office which pledges them to "remain loyal to the country and the cause of accession of the State of Jammu and Kashmir to Pakistan". The "country" clearly refers to Pakistan.

There is another piece of fraud. Pakistan broke up the part of Jammu and Kashmir under its administration, dishonestly severed the erstwhile Northern Areas (Gilgit and Baltistan), and annexed them. On March 8, 1993, the High Court of Azad Kashmir ruled unanimously in a 228-page judgment that Northern Areas were part of the erstwhile State of Jammu and Kashmir as on August 15, 1947. On May 3, 1949, M.A. Gummani, Pakistan's Minister for Kashmir Affairs, told the UNCIP that Northern Areas did form a part of Azad Kashmir. He suppressed from it the fact that he had, only a few days earlier on April 28, 1949, pressured its leaders to cede to Pakistan "all affairs of the Gilgit and Ladakh areas under the control of the Political Agent at Gilgit".

How does it help India to pretend that it is Indian territory? Calling it Azad no more implies acceptance of its azadi (independence), of which there is no pretence, than calling an authoritarian state "democratic" or a "people's republic" implies acceptance of its claims to democratic governance. In fact, nothing turns on the nomenclature. It only warps thinking, and Indian thinking on Azad Kashmir is unrealistic and warped, which is why New Delhi gets into high dudgeon because the China-Pakistan Economic Corridor passes through it, a territory we very well know will never be ours. In fact, that

territory was never ours. There was a revolt in Poonch even before the tribal raid. Sheikh Abdullah was a leader of the Valley. In Jammu and the present West Kashmir, the Muslim Conference held sway. Overruling the three Service Chiefs, Lord Mountbatten strongly supported the despatch of Indian troops to Kashmir to beat back the raiders so that the plebiscite could be held, a proviso Jawaharlal Nehru accepted only in name. A letter he wrote to Nehru on December 28, 1947, set out their positions. He had returned from London only to discover Nehru's plans, which disturbed him. He wrote: "During my absence in London this object changed. It then evidently became the purpose of the Government of India to attempt to impose their military will on the Poonch and Mirpur areas. No one can say for certain what proportion of the hostile element in the Poonch areas consists of persons who have come in from outside the state, and what proportion represents the local inhabitants. But I think that none will deny that the latter are in a large majority. I agree with you that it would be morally unjustifiable to try by force of arms to inflict our will on a predominantly Muslim population and I know that you feel that the plebiscite will ultimately settle the issue. But in the meanwhile how can we escape the charge of using military force against the people who do not want to link their fortune with India?"

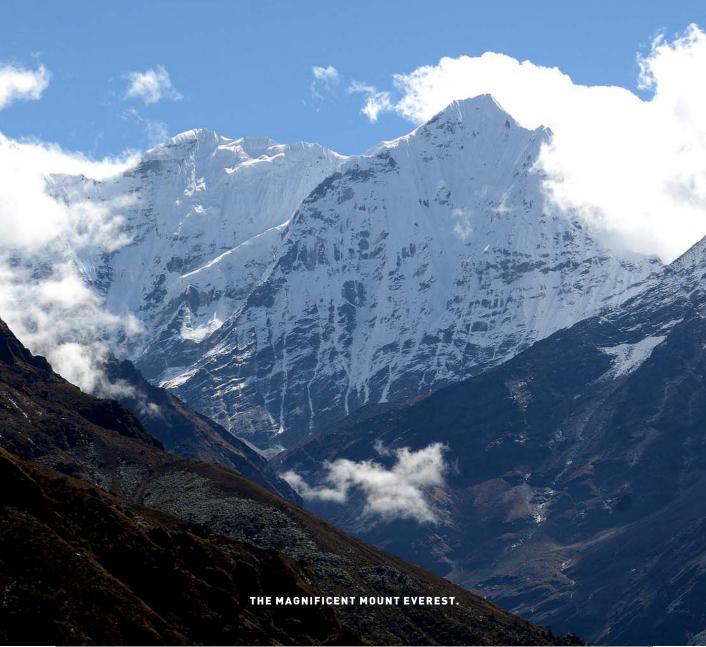
By October 26, 1947, when Kashmir acceded to India, the Maharajah had fled from Kashmir; more so in the west before the accession. No Indian official has ever set foot in Azad Kashmir. It is preposterous to call it Indian territory and ask China to "consult" us about it and then make it one more issue in Sino-Indian relations as one of India's "core concerns". This, after the Pakistan-China boundary agreement of March 2, 1963, which pertained to that region. Scholars the world over agree that Pakistan, far from ceding, acquired territory—750 square miles of administered territory. Thinking Pakistanis, diplomats included, are as realistic about East Kashmir.

The time has come to hearken to the repeated references to "alternatives" to plebiscite in the UNCIP's First Interim Report (S/1100). It left "open the possibility for the consideration of alternative solutions mutually agreeable to both parties with the provision that the will of the people should be assured" (Paragraph 113, page 57).

This is more relevant now in 2017 than it was in 1948; with one difference. In 2006-07, India and Pakistan had virtually concluded an accord on the famous Four Points. It was in the Kashmiris' interest to press for its finalisation and for its clarification; especially on points like reducing the LoC to irrelevance. Mirwaiz Maulvi Umar Farooq endorsed it initially. Syed Ali Shah Geelani's propaganda gave the formula a bad name. Never has this man put forth a viable alternative. That responsibility devolves not only on the political leaders of Kashmir but also on its intellectuals and civil society. India will not vacate Kashmir, but it can be persuaded to an accord which brings self rule, *azadi*, as the Four Points envisaged.

### ADVENTURE

## ATREKTO EVEREST



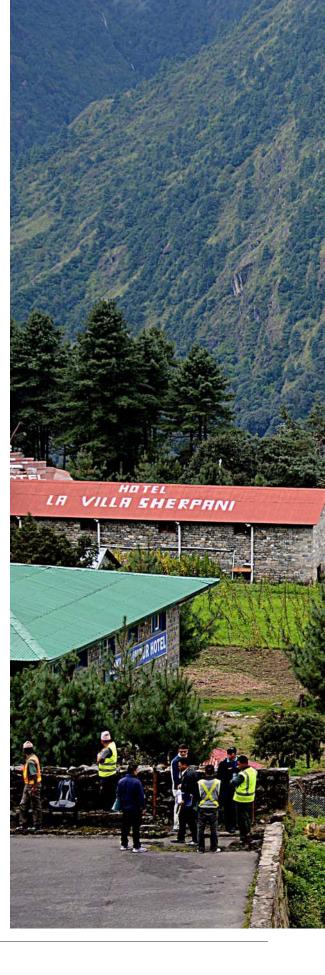
The Everest Base Camp is the ultimate dream destination for trekkers who cannot attempt the summit and is a feat for even the fit and able.

Text & photographs by SUDHA MAHALINGAM

AUTHENTIC Italian cappuccino, draft beer, German bakes, Swiss confectionary and a Finnish sauna at 3,300 metres above sea level? No, I am not in the Swiss or Austrian Alps where these can be hoisted up on aerial ropeways or cable cars. I am at a village in Nepal, and the only mode of access to it is an arduous eight-hour climb through treacherous boulder-strewn slopes. The nearest city—Kathmandu—is at least a week's trek away. That is Namche Bazaar for you, a jewel of a village nestling in a depression in the high ranges of the Himalaya, watched over by a string of snow-clad eminences, not excluding the grandest of all, Mount Everest.

Namche Bazaar is a pit stop en route to Everest Base Camp (EBC, 5,380 metres), the launch pad from which intrepid mountaineers attempt to reach the summit. At 8,848 m, Mt Everest, named after George Everest, a Director of the Survey of India, was identified as the tallest peak in the world in 1865. In the early 20th century, seven attempts were made to scale this peak from the Tibetan side, but all ended in failure. After the Second World War, Nepal opened up the southern route. The first few to attempt the feat through this route failed. Ultimately, New Zealander Edmund Hillary and Sherpa









A METAL SUSPENSION bridge across the Dudh Kosi river, one of many such bridges on the route.

Tenzing Norgay succeeded in reaching the summit in 1953. Since then, Mt Everest has been trampled over by thousands of human feet, and its crevasses have been stuffed with abandoned mountaineering debris, not to mention the frozen bodies of those who did not make it back safely. Periodically, the Sherpa community organises "cleanup" expeditions to bring back some of the trash, but the bodies are left alone.

All those attempting the Everest summit first camp at its base to prepare for the most challenging adventure of their lives. There is no permanent structure at the EBC, only a tented camp when there is an expedition. But the EBC has become the ultimate dream destination of all trekkers who, for whatever reasons, cannot attempt the summit.

My trip to the EBC in October 2016 was 18 months after the devastating Nepal earthquake and the ensuing avalanche in the Khumbu icefall that claimed nearly 9,000 lives and wiped out entire villages. During my fortnight-long trip, I did not see much of this devastation except a mangled bridge across the Imu Khola river in the upper slopes. The resilient Nepalis have since cleared the debris and restored the trail. For the far-flung Sherpa communities, revenue from the thousands of "tea houses" (homestay lodges) is often the only source of income in this remote and rugged roof of the world. Trekkers and mountaineers also provide employment to

thousands of porters and guides. In fact, the most enduring and often haunting image of these deadly slopes is the procession of Sherpa boys and men balancing oversized sacks and bags on their backs and sprinting up or down in tattered clothing and local footwear. But for the support of these gallant porters, trekking in these mountains would be impossible for the likes of me.

### NAMCHE BAZAAR

Whether you are headed for the summit or for the base camp, you will have to pass through the picturesque Namche Bazaar, where you will rest and acclimatise, refuel and restock before further ascent. It is also the last shopping stop before venturing into true wilderness. Yet, Namche is not connected by road, nor is there an airport to fly you in. There is a helipad where cargo planes fly in supplies for the Khunde Hospital built by the Himalayan Trust established by Sir Edmund Hillary. The hospital provides medical care for 10,000 sherpas within the Solu Khumbu region of Nepal. There is a school, also built by the Himalayan Trust, in nearby Khumjung. It started off as a two-room school in 1961 but now has over 350 students and goes up to the secondary level. In fact, the trust has built over 25 schools in the Solu Khumbu region, in which both Namche Bazaar and the EBC are located. Currently, these schools are run by the Nepal government. Namche also has the highest luxury hotel in



PORTERS AND YAKS, lifelines for trekking and tourism in Nepal.

the world, Everest View Hotel, built by the Japanese to cater to those craving to be pampered after a hard day's trek.

At dusk, Namche dazzles like a diamond with its dense sprinkling of neon. The bazaar does roaring business in the world's best-known brands of climbing gear, trekking boots and clothing. You can also pick up local products made of yak wool, sheep horn and assorted Tibetan stuff. For a village tucked away in the mountain wilderness, Namche has an active nightlife, which owes not a little to the Khumbu Bijuli Company built with Austrian support to harness the waters of the Thame Khola river. Commissioned in 2000, the 600 kWh hydel plant is located within the Sagarmatha National Park and illuminates a few other villages in the vicinity as well.

Reaching Namche is a feat even for the fit and able and truly a challenge for me. I had not done any serious trekking for nearly two decades. Originally, I had planned this trek with my friend Kothanda Srinivasan, a veteran trekker familiar with this region. But as luck would have it, he had to opt out on account of a family emergency. Not wanting to abandon my plans, I decided to join a group trek organised by Cox & Kings, the travel company. We were a group of seven chaperoned by the able Sherpa guide Mingma.

After a couple of days in Kathmandu to stock up on down jackets, climbing poles and other equipment, we made our way to Kathmandu airport early in the morning to board a plane to Lukla, a mountain hamlet situated at 2,850 m. Lukla has an airstrip so tiny that only small planes like the Dornier, operated by a multitude of aviation companies, can land there. In fact, the National Geographic Channel places Lukla airport at the top of its list of 10 most dangerous airports in the world. Hemmed in by mountains, the taxiing distance is so short that pilots can ill afford to make an error of assessment.

Lukla airport is notorious for its temperamental weather, which puts it out of commission for days on end if the mist does not lift. Everyone who flies into this airport allows for some slack in the travel schedule in anticipation of delays. The flight itself is just about 30 minutes, but on clear days, Lukla sees 40-odd sorties, a remarkable feat for such a small airport. But our 30-minute flight to Lukla was uneventful with all the snow peaks playing hide and seek behind a misty veil.

After a sumptuous lunch at Lukla, we left immediately for Phakding, five hours away on foot. Our guide had assured us that we would be descending to Phakding, located at 2,652 m, and we had blithely assumed an easy day of trekking. It turned out to be our first lesson in Himalayan topography where the distances claimed by our guides are as the crow flies. From Lukla we descended on a wide trail north-west to the village of Choblung in the Dudh Kosi Valley. The villages were picturesque and







**GATEWAY** to the Sagarmatha National Park.

the people, friendly. Of course, the promised views of pine forests and rhododendrons were behind a veil of mist and in any case we were plodding along in pouring rain.

#### **CLIMB UP TO NAMCHE**

After a night halt at a tea house in Phakding, we began the steep ascent towards Namche the next day. This was the most difficult part of the entire journey since it entailed too many ups and downs and trekking for 10 hours with a brief lunch stop. Nevertheless, it was a spectacular route all the way, winding its way up alongside a playful Dudh Kosi hurtling down the slopes in a hurry to reach the plains. It was also a very crowded trail with hundreds of trekkers making their way up or down the path. You came across the most fashionable mountain gear, heard a babel of tongues ranging from Spanish to Lebanese, Russian, Korean, Chinese, French and, of course, Hindi, Gujarati, Nepali and Tamil. Every now and then, we had to stop to make way for a yak train—a dozen or so yaks laden with trekkers' luggage as well as supplies for villages en route. Every time one heard yak bells, one rushed to flatten oneself on the hillside like a lizard to let the yaks pass. Otherwise, there was every danger of your being pushed into the foaming Dudh Kosi below.

The climb up to Namche took us across several metal-

lic suspension bridges, and the river alternated to our left and right every few hundred metres. The bridges were narrow, allowing passage for two persons or one yak at a time, so if a yak stepped on the bridge from the other side, you had to beat a hasty retreat and exit the bridge before the beast caught up with you. Not an easy task when the bridge sways with your weight and the Dudh Kosi tantalises you through the metallic latticework underfoot. The Hillary Bridge, built over an earlier disused bridge, is the most photographed one on this trail.

Our lunch stop was in a quaint village called Monju, which happened to be the home of Mingma. His mother runs a tea house with many rooms. In between taking care of her guests, she finds time to tend to a large garden where she grows a variety of vegetables and fruits in the organic way. She fed us sumptuous Nepali fare. We would have gladly halted there for the night, but our group was on a tight schedule and Mingma constantly reminded us of the need to reach Namche before sunset. The path got progressively steeper from here, and every few steps I had to stop to catch my breath. Progress was very slow. Eventually, we reached the gates of Sagarmatha National Park, where all visitors must pay an entrance fee. Citizens of SAARC (South Asian Association for Regional Cooperation) countries pay considerably less than others. The guard manning the gate told









me that at least a thousand people crossed the gate every day in the peak trekking season. The EBC is a huge revenue earner for Nepal tourism.

Unlike the high mountains in Ladakh or Lahaul-Spiti, the EBC trek route is green most of the way. There were frequent mountain springs, some big enough to be called waterfalls. Junipers, pygmy rhododendrons and conifers populate the slopes. When tender, the leaves are red and waxy; this protects them from the intense ultraviolet rays at these altitudes. The forests are well-adapted

to extremes of temperature. On some slopes, the forests are covered in cobweb-like fungus, which looks like a misty veil. These mountains are home to a variety of wildlife—musk deer, pika, marmot, snow leopard, clouded leopard—although we did not spot anything other than a few Himalayan Tahrs. I was not surprised, considering the huge crowds that throng the EBC trail during the trekking season.

The villages en route were piled high with mani stones and every village sported a colourful prayer wheel.



Stalls laid out in the sun sold trinkets, mostly chunky silver jewellery and miniature prayer wheels. Some villages sported terraced barley fields, and virtually every village was watched over by an assortment of snow deities. The village of Pangboche was watched over by the matronly Ama Dablam. Then one encountered a series of peaks like Cho Oyu, Nuptse, Lhotse, Tukuche, Lobuche and many more, all revered sentinels to that tantalising giant, Mt Everest.

On our rest day in Namche we visited the informative

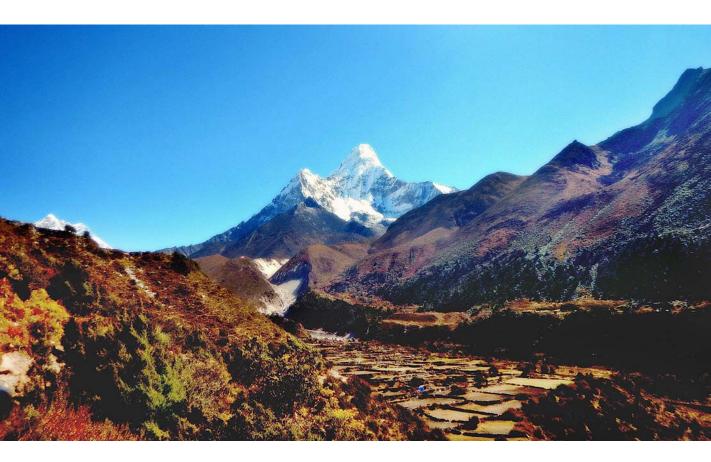
museum and an impressive memorial dedicated to Tenzing Norgay. We admired the sun glinting off the metallic rooftops of Namche's houses, spotted soaring eagles and nimble mountain goats and treated ourselves to delectable brownies in the bazaar. During the entire trek to the next camp at Tengboche, we were treated to the glorious sight of Mt Everest flanked by all the other peaks, illuminated by the golden rays of the sun. But at this height, the weather can be fickle. One moment, the peaks were lit up by the sun, and then in a few minutes, one was plodding













**VIEW FROM PANGBOCHE VILLAGE,** which is watched over by the Ama Dablam. (Left) A colourful prayer wheel in a village square on the way to the EBC.

through a steady drizzle. But the drizzle brought a wonderful reward—a rainbow that danced just in front of the snow-covered peaks.

Before we reached our tea house for the night, we made a brief halt at Tengboche monastery sitting at a height of 3,870 m. Built around 1900, it is perhaps the world's most isolated monastery. Its precious old scriptures, statues, murals and wood carvings were destroyed in a devastating fire caused by an electrical short circuit on January 19, 1989. It was rebuilt in 1994 and stands proud and colourful against a breathtaking backdrop of the snow-covered ranges. Tengboche village also boasts the world's highest bakery. A very steep descent through a dense coniferous forest brought us to our night halt. The night temperature here was—8 degrees Celsius, and there was no heating. We were carrying our own sleeping bags, but the tea house provided comfortable wooden cabins with a view.

#### **ASCENT TO DINGBOCHE**

As you ascend, things become more and more expensive. If you wanted to charge your phone, it cost 500 Nepali rupees per device. A hot shower was available for 600 Nepali rupees. Surprisingly, in most tea houses, we were







**TENGBOCHE MONASTERY.** It sits at a height of 3,870 m and is perhaps the world's most isolated monastery.

greeted with steamy hot towels. Meals were usually soup and Nepali *dal bhat*—a plate of rice, lentils and vegetables, standard fare in these parts.

Our next destination was Dingboche. We left early in the morning, when the sun was bright and the slopes were ablaze and warm. This route was less taxing, winding along a not-so-steep gradient full of tamarisk bushes and other typical alpine vegetation, including edelweiss. This was probably the most picturesque part of the climb, but altitude sickness seemed to be catching up with me. I decided to halt in a village en route and informed Mingma accordingly. The rest of the group proceeded to Dingboche. I lounged in the sunshine, watching village life go by. The last of the stragglers going up to Dingboche passed through the village, and the sun was now down near the horizon. And then came an Indian family from Bengaluru, a couple and their 13-year-old son, puffing their way up the slope. They encouraged me not to give up and to accompany them to Dingboche, although it was rather late. Thanks to their encouragement, I reached Dingboche after dusk and was reunited with my group. However, the night was bitterly cold and my altitude sickness returned. I was short of Everest Base Camp by just eight kilometres, but it seemed like an eternity, worsened by nausea and headache. It could pass or it could lead to pulmonary or cerebral oedema, a potentially fatal condition

Miraculously, throughout the trek, in almost all the villages, telecom towers ensured signal and even Wi-Fi. The next morning, I requested Mingma to requisition a chopper evacuation. The chopper arrived in an hour and transported me to Lukla in just 25 minutes, a journey that took me five days of arduous climb.

The trek to the  $\overline{EBC}$  is an unfinished journey for me, but I comfort myself that this is one trip where the journey matters, not the destination!

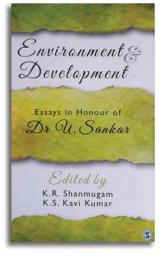
# For sustainable development

This book, a tribute to the environment economist U. Sankar, elaborates on a range of environmental and development concerns that are specific to India. By S. GOPIKRISHNA WARRIER

If environment sustains life, economics runs it. The ever-continuing environment-and-development debate and discussion centre around the question of what the economic value of nature and its environmental services are.

This is the area that the discipline of environmental economics looks at, providing answers questions on how much of goods and services can be extracted from nature without affecting its sustainability. Dr U. Sankar, the former director of the Madras School of Economics, is considered a pioneer in the field. At the age of 82, he still contributes to expanding the frontiers of this discipline and has mentored and guided many active environmental economists of the country over the years.

Introducing Sankar, the volume's editors, K.R. Shanmugam and K.S. Kavi Kumar, write: "Prof. Sankar over the past two decades has contributed significantly towards the operationalisation of sustainable development objectives in India. His



Environment and Development Essays in Honour of Dr U. Sankar

Edited by K.R. Shanmugam and K.S. Kavi Kumar Sage Publications

Pages: 516 Price: Rs.1,295

contribution ranged from designing economic instruments for addressing pollution problems leather and textile units, analysing trade and environment inter-linkages, identifying appropriate eco-taxes on polluting inputs and outputs, and prilow-carbon oritising growth strategies for fostering green economic growth. He has also contributed extensively to [the] fields of development economics, applied economics and public finance."

Environment and Development: Essays in Honour of Dr U. Sankar is a

celebration of his teachings by a group of environmental economists. These environmental economists have specialised in different areas within the discipline. As a result, the essays focus on diverse topics. Together, they construct a mosaic of concerns specific to India that straddle environmental and economic considerations.

Broadly, the essays are classified under two heads—environment and development. Those related to environment look at the economics of resource use, environmental degradation, conservation, and climate-change mitigation.

The essays on development cover public works, health, education, and the growth of software industry clusters.

V.N. Balasubramanyam and Ahalya Balasubramanyam compare the development of the software industry in Bengaluru and Hyderabad. While Bengaluru has been more conducive to the growth of the industry, it is Hyderabad that has fared better in using information technology (I.T.) for the development of rural areas.

The way in which an industry cluster grows at a location is "primarily conditioned by resource endowments of the region and the initial structure of the economy of the region. Both the resource endowments and the structure of the economy are dictated by the history and geography of the region," note the authors. Bengaluru had a long history of developing of human capital through educational institutions. Well-educated professionals from Bengaluru migrated to the Silicon Valley in the United States and contributed to its growth. Many returned to Bengaluru to start the software companies in the city.

Hyderabad, on the other hand, did not have the same history as Bengaluru, since the Nizam, who ruled the region before Independence, did not take the same interest in promoting education. Access to educated, efficient and trainable human capital gave Bengaluru a natural advantage over Hyderabad. However, Hyderabad showed a greater alacrity in using software products for rural development programmes run by the State government of the undivided Andhra Pradesh.

Writing about carbon intensity and its linkage with labour intensity, Brinda Viswanathan and Ishwarya Balasubramanian state that for a developing country like India, there is no need to mimic developed countries in creating low-carbon jobs through green industries. Instead, it should focus on creating more "green" jobs for the growing workforce.

"In other words, developing countries need to create decent employment that could address environment problems also. This is in contrast to developed countries where lowcarbon jobs are created in the process of undertaking mitigation activities," they note. Thus, through careful planning, the "Make in India" programme can ensure that it promotes manufacturing facilities that have a lighter carbon footprint, even while generating jobs.

This is an interesting observation, which, to a certain extent, summarises some of the developments in the international environment and climate



**A VENDOR** carrying water cans in Chennai. For residents of Chennai, water is a valuable resource and they are willing to pay a premium for it.

change negotiations. Twenty years after the Earth Summit of 1992, when the Rio+20 Conference was held again at Rio de Janeiro in Brazil in 2012, one of the guiding themes was "green jobs". In the two decades between the two Rio meetings, the world order had changed. Having not yet recovered from the 2008 meltdown, the developed countries were the ones looking for ways to generate employment in 2012, whereas jobs and livelihood were the primary concerns of developing countries such as India and China in 1992.

The rise in employment opportunities in India came with economic growth in the manufacturing sector and the services sector, in I.T.-based industries and financial services. While the services sector emits less greenhouse gases, judicious growth of the manufacturing sector can ensure that the growth sto-

ry can continue even while the carbon burden is kept relatively low.

Kaliappa Kalirajan and others bring an international dimension to this argument. They write that effective intra- and interregional cooperation is needed to promote and sustain low carbon green growth across countries. The cooperation need not necessarily be limited to official development assistance and can take the form of private-sector partnership and investment. Establishing new and innovative regional financing mechanisms, especially for risk transfer and insurance cover, can help support private-sector initiatives.

Anubhab Pattanayak and K.S. Kavi Kumar look further into the equity debate relating to the climate-change negotiations. They unveil a framework for burden sharing (of action and cost required for mitigation) by adopting a four-criteria classification of countries—per capita income, per capita cumulative historical emission, total population and climate change impact.

"The study's analysis shows that taking crosscountry climate change impacts along with other factors into a burden sharing framework significantly increases the emission allocation going to poor country groups, which are little responsible for the problem, and have large population and least capability to bear the brunt of climate change impacts in the future," explain Pattanayak and Kumar.

How do you ascribe an economic value to a natural resource such as water? Interestingly, the study by Haripriya Gundimeda and Vinish Kathuria looks at people's willingness to pay and hedonic pricing (multiple characteristics that relate to the price) for water in a water-scarce city such as Chen-



**STUDENTS** of the Social Welfare Residential School in Gowlidoddi, Hyderabad, with the tablets distributed to them as part of an e-learning programme, on October 18, 2016. Hyderabad has fared better than Bengaluru in using information technology for social development.

nai. This is a city without a perennial source of water, with only 78 litres per capita per day (lpcd) being available in normal years, which goes down to 32 lpcd in drought years.

"The aggregate willingness to pay for an increase in water supply situation from the existing state of fetching water through different sources (like groundwater, private tankers, metro tanker, public taps, etc.) to getting water through piped water and improved water quality in their houses was estimated at approximately Rs.904 million Rs.45.39 million respectively," they conclude. In other words, the residents of Chennai consider water flowing in the pipe as a valuable resource, and are willing to pay a good price to make it happen.

Tribal communities in

the Kolli Hills of Tamil Nadu show similar willingness to grow diverse millet varieties, which are under threat due to several factors, state Sukanya Das and others. These farmers are willing to accept lower level of compensation for the most preferred varieties and higher for the least preferred varieties. "Given the farmers' willingness to participate in a millet compensation programme, it is clear that direct compensation mechanism will be able to supplement returns so as to encourage the conservation of minor millets in a given year," they state.

Kausik Chaudhuri and Debanjali Dasgupta compare the impact of subsidised credit through the Integrated Rural Development Programme (IRDP) with rural work programmes such as the Mahatma Gandhi National Rural Employment Guarantee Act across 15 States in the country. Their results point favourably to the reach and impact of the public work programmes compared with the IRDP. The study tries to set right the image of the employment guarantee schemes, which had come in for much political criticism in recent years.

Taking a different track, Zareena Begum and Amanat Gill look at improving tiger conservation in India. They make two suggestions to improve the current "fences and fines" conservation strategy. They suggest permitting sales from captive-bred tiger farms for curbing illegal trade of tiger body parts.

They argue for a community-based wildlife management practice, where the local communities could get a share of income from tourism in return for their active participation in anti-poaching activities.

While the idea of captive-bred tiger farms may not find any takers among environmentalists, policymakers and forest department personnel, the idea of community-based wildlife management is being tried out in different protected areas.

These programmes can be further fine-tuned to improve the community's earnings and thereby strengthen their incentive to resist poachers.

Environment and Development also packs in interesting studies on the efficacy of health and education programmes of the governments in different States. The only fault with the volume is that its essays point in multiple directions. Perhaps that is a reflection of the diverse scholarship that Prof. U. Sankar encouraged.

Summarising the essays, the editors Shanmugam and Kavi Kumar write: "A general view is that the growth is necessary but not sufficient for promoting development objectives." Sankar's legacy is in teasing out and adding nuance to the linkages between economic growth, development and environment conservation through "theoretical and empirical rigour, along with policy focus".

The essays succeed in doing justice to Sankar's academic interests. They also help in strengthening the scope of environmental economics in India. □ S. Gopikrishna Warrier is an environment journalist and blogger.

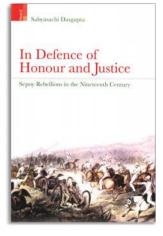
# Behind the mutinees

The volume explores how 19th century mutinies were connected to the issues of honour and justice, paternalistic relations, structures of deference, and the overarching issue of identity formation.

BY VIKHAR AHMED SAYEED

he events of 1857 when sepoys of the East India Company rebelled against their superior officers are an important part of India's modern history. Historians frequently revisit that period in search of the reasons for the revolt. This has led to a significant body of literature on the uprising. Among the popular works, William Dalrymple's *The Last Mughal:* The Fall of a Dynasty (2006) restricts the narrative to Delhi, locating the motivation for the events in the "clash of rival fundamentalisms". In 2010, Mahmood Farooqui sought to add some valuable primary material to the literature with his book Besieged: Voices from Delhi 1857 containing the English translation of the Mutiny Papers.

Other well-known books on 1857 include *The Great Mutiny: India 1857* by Christopher Hibbert (1978) and *The Indian Mutiny: 1857* by Saul David (2003). Academics still revisit Eric Stokes' *The Peasant Armed: The Indian Revolt of 1857* (1986),



In Defence of Honour and Justice Sepoy Rebellions in the Nineteenth Century

By Sabyasachi Dasgupta Primus Books, New Delhi, 2015.

Pages: x + 143 Price: Rs.795

which argues that the rebellion of 1857 was in a significant sense a peasant revolt. Rudrangshu Mukherjee's Awadh in Revolt, 1857-1858: A Study of Popular Resistance (1984) also looks at the agrarian background of the revolt in the region of Awadh.

Some of the factors that led to rebellions and mutinies among sepoys in the 19th century can be discerned from the work of historians such as Seema Alavi whose work *The Sepoys and the Company: Tradition and Transition in Northern India, 1770-1830* (1995) links the pre-

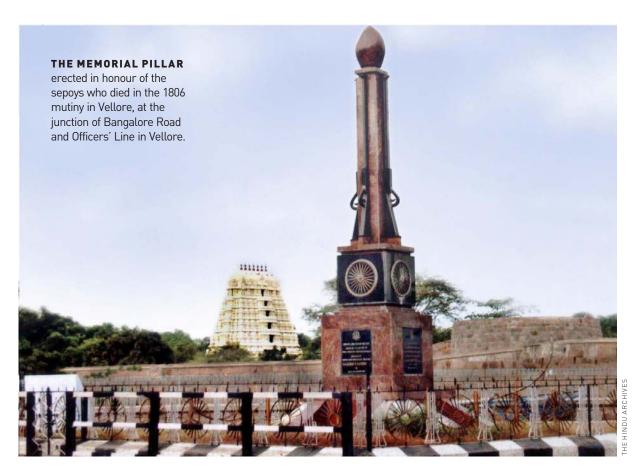
and post-East India Company militaries in Bengal. The dated work of Amiya Barat, The Bengal Native Infantry: Its Organisation and Discipline, 1796-1852 (1962), is also relevant in this discussion for its comprehensive account of the Bengal Army being in an incipient state of revolt for half a century before the mutiny of 1857. More recently, military historians such as Kaushik Roy and David Omissi have looked at many of these aspects in the 19th and 20th centuries. This brief survey of the past literature allows us an entry point to discuss Sabyasachi Dasgupta's useful work on the sepoy rebellions in 19th century India.

The monograph under review is based on Dasgupta's PhD dissertation from the Centre for Historical Studies at Jawaharlal Nehru University, Delhi. The volume focusses on "the sepoy rebellions of the nineteenth century and uses them as an entry point into the wider social world of the sepoys. It explores how the mutinies were connected to the issues of honour and justice, paternalistic relations, structures of deference, and the overarching issue of identity formation. It seeks to investigate the ways in which the pre-mutiny colonial armies sought to construct a sepoy identity and the problems that characterised this process."

Unlike many historians before him, Dasgupta does not read pre-1857 rebellions in the Presidency armies as logically building up to the mutiny of 1857. In his examination of the three armies of Bengal, Bombay and Madras, Dasgupta tries to dwell into the nature of the identity of the sepoy. The Bengal sepoy, for instance, developed a "hybrid identity" as his separation from his parent peasant society was imperfect. Dasgupta also tries to give agency to the sepoy's actions in his work and argues that the 1857 mutiny cannot be "termed as a revolt of the people of which the sepoys were simply the flag bearers".

#### **EARLY MUTINEES**

Minor mutinies that did not threaten the dom-



inance of the East India Company in the cataclysmic way that 1857 did were frequent in the first half of the 19th century. The earliest mutiny occurred in Vellore in 1806 when sepoys resisted the order to wear leather turbans. It was always issues of honour and a strong sense of justice that formed the basis for sepoys' grievances and threatened to erupt into violence. Dasgupta uses the historian E.P. Thompson's notion of the "moral economy" to demonstrate the relation between the Indian sepoy and the Company. In this unstated agreement, the "Indian soldier would accord deference to the Company, and in return the army would recognise and respect his customs, traditions and norms". Any violation of this could give the

sepoy (in his perception) the right to revolt.

The notion of honour for the Indian solider was linked to his position in civilian society. Thus Dasgupta brings in discussions on the caste composition of the three armies showing how they differed in the notions of honour held by sepoys. The Bengal Army, for instance, mainly consisted of "upper"-caste recruits, whereas the Madras and Bombay Armies had a significant number of recruits from "lower" castes.

Dasgupta also examin-



**UNIFORMS** worn by sepoys of Vellore in the early 19th century, at an exhibition at Vellore Fort in July 2006.

es the manner in which the Company strove to develop a corporate identity among the Presidency armies by bringing in notions of discipline and uniform. Disciplining the soldiers meant bringing in modes of punishment such as court martial, flogging, dismissal and the death sentence. Their efforts were not entirely successful as the soldiers' cultural mores and disciplining did not often lead to unquestioned obedience.

In terms of sources, Dasgupta relies on archival material as well as first-hand accounts from the 19th century. His survey of secondary literature is thorough as well. The work adds to the vast corpus of work on the events of 1857 as well as the military history of India.

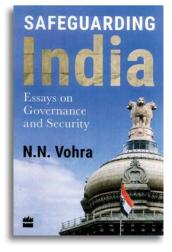
# An upright civil servant

In the civil service, N.N. Vohra had no parallel in terms of the knowledge and consistency with which he spoke on the country's governance and security.

BY A.G. NOORANI

T long last, after B.K. Nehru, the State of Jammu and Kashmir acquired a Governor of high administrative experience, diplomatic skill and stern rectitude. B.K. Nehru gave evidence before the Chagla Commission on the Life Corporation Insurance (LIC) scandal, which he knew Prime Minister Jawaharlal Nehru would dislike. N.N. Vohra told The Hindu, of June 10, 2012, how in 1992 Prime Minister P.V. Narasimha Rao aborted a done deal on the Siachen dispute with Pakistan. "We had finalised the text of an agreement at Hyderabad House around 10 p.m. on the last day. Signing was set for 10 a.m. But later that night instructions were given to me not to go ahead the next day but to conclude matters in our next round of talks in Islamabad in January 1993. That day never came. That's the way these things go."

Who is responsible for the human lives lost in the 25 years since; not to forget the bitterness the dispute arouses? It gave a handle to army chiefs to meddle in



Safeguarding India Essays on Governance and Security

By N.N. Vohra HarperCollins

Pages: 197 Price: Rs.499

diplomacy; the worst of the lot was General (Retd.) J.J. Singh, now trying his luck in Punjab politics. He would denounce any compromise on the eve of talks with Pakistan.

The parallel goes further. No civil servant of B.K. Nehru's time spoke more on the lot of the civil service and on corruption. No civil servant of N.N. Vohra's time has spoken more knowledgeably and consistently on the country's governance and security. His lectures prestigious fora are published in this book. The range is impressive, but

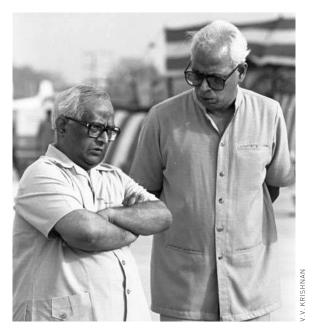
not surprising. Vohra has served as Home Secretary as well as Defence Secretary, besides holding other high positions.

He points out: "The I.B. [Intelligence Bureau] has still to be provided a charter of duties and responsibilities. including manner in which its work should interface with RAW. The Joint Intelligence Committee (JIC) —set up as the apex agency to collect, collate and analyse intelligence inputs from all appropriate agencies and draw up threat assessments-has become virtually defunct. The various concerned agencies are reluctant to share available intelligence with the JIC, and little attention is paid to whatever reports and analyses the latter is able to generate. Today, we have a situation where no single authority can be held accountable for major security lapses."

Vice President Muhammad Hamid Ansari has publicly spoken of the need for such a charter.

The reports of the National Police Commission were ignored by Indira Gandhi because it had been set up by the Janata Party government. "Despite the passage of five decades since we gained Independence, the state police organisations continue to function under a colonial statute, the Police Act of 1861. Enacted by our imperial masters nearly a century and a half ago, this legislation is altogether incompatible with the repolicing quirement of within a democratic framework. This serious constraint is compounded by the continued neglect and. worse still, the systematic erosion of discipline and professionalism, which is the result of sustained politicisation of the State police forces and interference in their day-to-day functioning. ...the most urgent requirement is to depoliticise the functioning of the police departments...."

But how can you depoliticise the police force when the entire polity is highly politicised and ridden with corruption? Where do you begin? The author has helpfully appended to the book the



**NEW DELHI, MAY 1993:** Home Secretary N.N. Vohra (right) with Foreign Secretary J.N. Dixit.

Vohra Committee's Report, on the links between the mafia and politicians and "government functionaries" (pages 173-192), which he signed as Home Secretary on October 5,

1993. The article "Autonomously Default" recalls: "Till the time of Home Minister Y.B. Chavan, it was an integral part of the Ministry of Home Affairs (MHA) and functioned

under the control and direction of the Home Minister (H.M.). However, when Indira Gandhi, impelled by power politics, weakened the H.M.'s role, the Director of the I.B. (DIB) was asked to report directly to the Prime Minister on certain matters. From when on, successive DIBs did not find it obligatory to look to the H.M. for direction and control. The continuing decline of the MHA's role in governance provided further impetus to DIBs taking their own decisions about who had to be informed about what. and to what extent. The appointment, from time to time, of Ministers of State with independent charge of internal security further weakened the H.M.'s authority and virtually legalised the DIBs ignoring him. The short tenures of H.Ms, some of whom did not have the background needed to effectively oversee and direct the I.B., caused further deterioration."

## COMPILING HISTORIES

He relates the problems of internal security to those of defence and urges greater attention to the need for compiling histories of the wars the country faced. The obstacles were many. "We succeeded in finalising the histories of the 1962, 1965 and 1971 wars despite hesitation in the service headquarters, and the External Affairs Ministry's traditional view that the sensitive material sought to be published would create problems on various fronts. We resolved the problem by securing the government's approval to remove all footnotes and references to the original sources and bringing out numbered copies of the three histories for restricted internal circulation. The defence-planning structures and all those involved with security management will benefit if these histories are made public without further delav. Histories of the IPKF (Indian Peace-Keeping Force) operations in Sri Lanka and the Kargil war should also be prepared and published early."

In this reviewer's opinion, the piece de resistance is the lecture which the author delivered on "Civil-Military Relations" on December 6, 2013 (pages 91-107). It might have been delivered yesterday, so relevant it is. Read this: "The time has perhaps come to review the entire existing basis of promotions and appointments to the higher echelons in the three services."  $\Box$ 



**GOVERNOR N.N. VOHRA** addressing the joint session of the Jammu and Kashmir Legislature on the first day of the Budget Session in Jammu on January 2, 2017.

# The making of India

An Indian nation in which all classes of people could feel that they had a share was created not only in opposition to the British rulers but also in the face of hostility from within, especially from the advocates of the "two-nation" theory. Today a wind hostile to everything that went into the construction of India is blowing. BY SHIREEN MOOSVI

IT may be held to be axiomatic that some similarities in cultural traits and some notion of territory in geographical terms are essential preconditions for the emergence of the concept of a country. The present state of languages in the world shows that among primitive people living in isolated communities the number of languages spoken tends to be very large and these too tend to belong to numerous independent languagefamilies.1 As human interaction grew in several regions through exchanges of goods or by assimilation of various communities under a single dominant power, the number of languages tended to become smaller. Some developments might have ensued as an outcome of the neolithic revolution that made surplus production possible owing to the emergence of agriculture. But agricultural communities tended to remain separate until, after gradual evolution, towns and states emerged almost together, resting partly on the surplus extracted from the countryside. Then the regions of spoken or literary languages also tended to expand, often through state patronage, as one can see from the use of Aramaic all over West Asia, including Afghanistan by the third century B.C.

In the Indian subcontinent, the

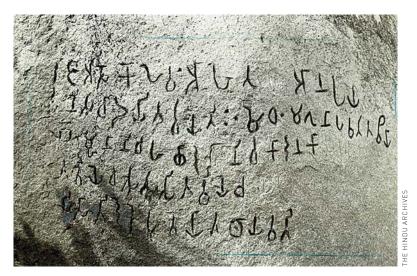
1. Cf. Fischer, Steven Roger (1999): *A History of Language*, London, pp. 57-58.

"Urban Revolution" can be dated to the middle third millennium B.C. when the Indus Civilisation emerged with well-marked towns and a set of common features found over a large territory. These included not only identical patterns of town building (straight streets, drainage, citadels, etc.) but also uniform measures of weight and length, standardised baked bricks, uniform script (suggesting the use of a single language at least by the elite), seals, similar zoomorphic deities and the archaeologists' favourite marker, viz. similar pottery. What is astonishing is the extent over which the uniformities occur: much of the Punjab, the whole of Sindh, Gujarat, northern Rajasthan, and Haryana, a matter of perhaps 70,000 square kilometres as against 4,14,770 sq km, the extent of undivided India.

It is difficult to imagine how these features could have been attained over such a large zone except under the aegis of a powerful state, especially in its initial phase. The



**ONE CAN LEGITIMATELY SPECULATE** whether the inhabitants of the Indus Civilisation actually thought of themselves as one people distinct from those who belonged to other areas and cultures. Here, the excavated Indus Civilisation site at Bhirrana, Haryana.



BY ASOKA'S REIGN, the boundaries of the Mauryan empire extended from the Hindu Kush mountains to deltaic Bengal and Karnataka. It may not be held to be over-speculative to argue that the concept for a country designated "Jambudiva" in Asoka's Minor Rock Edict I corresponded to the empire that had now been created. Here, Asokan edicts in Nittur village, Karnataka.

prevalence of similar religious beliefs and rituals is also to be deduced from the ideographs and figures on the Indus seals. Unfortunately, we cannot decipher the script let alone understand the language. But one can legitimately speculate whether, given so many shared features, the inhabitants of the territory of the Indus Civilisation actually thought of themselves as one people distinct from those who belonged to other areas and other cultures. At least the name "Meluhha" given to their territory by Mesopotamians<sup>2</sup> suggests that such a recognition did exist at least among outsiders.

The collapse of the Indus Civilisation, c. 1900 B.C., was followed by the spread of different regional cultures, in which archaeologists see few common features except in negative terms, such as absence of towns, baked bricks, writing, etc. So far it has proved impossible to identify the culture in which Rgvedic hymns

were composed with any particular archaeological culture of the second millennium B.C.

The Reveda, the earliest text (conveyed through memory and spoken word) of the Indian subconticontains nent. mainly hvmns connected with sacrificial rituals, but for this very purpose, it deals with mundane human wishes and desires that are sought to be attained through rituals. It reveals little concern with territory beyond the domains (rashtra) of tribes or tribal rulers (rajan) (RV IV, 42.1).3 The "people" (vis) within the tribe are only distinguished from the ruler-warriors (rajanyas, kshatriyas) and priests (Brahmanas). A sharp distinction is drawn between the Arya ("noble") and the dasyu, a hostile people apparently living alongside the Aryas. It is only the mentions of rivers by name that offer some indication of the geographical locations of the authors of the hymns. In

the 10th mandala, the river Hymn  $(Nadi\ Sukta)\ (RV\ X,\ 75)\ accurately$ lists the rivers of the Indus basin besides the Ganga and Yamuna.4 This constituted the zone of Sapta Sindhavah (seven rivers), a name that stands for rivers only (RV I, 32.12) not for land through which the rivers flow (RV III, 74.27). It is clear that Sapta Sindhavah hardly represented as yet a country, contrary to the Vendidad in the Avestan Corpus where "Hapta Hindu" appears as one of the 16 regions created by Ahuramazda.5 What is remarkable is that while confined to such a tribal or parochial environment the Creation Hymn (RVX, 129) offers us not only a perception of the universe but also a query about the puzzle of its "creation". There was just the One (Ekam) and chaotic waters which through tapas (warmth) and desire (kama) transformed itself into the universe. But the uncertainty of it all is proclaimed in the last admission that no one (not even the One) can know how the universe has come into being!

The much maligned Purusha Sukta(RVX, 90) is important in that it seeks to answer the same question by invoking the ritual of sacrifice. Out of the corpse of the Purusha (Divine Man), who was sacrificed as an offering by the gods, arose the Sky, the Earth, the Air, the Moon and the Sun as well as all living beings, including humanity forming the four classes (the designation varna is not used). It is remarkable again that such philosophical speculation should take place in what was yet a tribal society, where even the concept of a region was not present.

Yet despite such concern about the universe, one fails to find any idea of a country in the *Rgveda*. Even the concept of a favoured land seems to emerge only in later Vedic texts:

<sup>2.</sup> Ratnagar, Shereen (2005): "The Earliest Notions of India: 'Meluhha' in Mesopotamian Records", in Irfan Habib (ed.), *India: Studies in the History of an Idea*, Delhi, pp. 1-18.

<sup>3.</sup> For the *Rgveda* the following English translation has been used: Griffith, Ralph T.H. (1973): *The Hymns of the Rgveda*, translated with a popular commentary, Indian reprint, J.L. Shastri (ed.), Delhi.

<sup>4.</sup> Griffith's translation, op. cit., pp. 587-588, is inaccurate in the rendering of this hymn as far as the positioning of the rivers is concerned, for which lapse, see Possehl, G.L. (1999): *Indus Age: The Beginnings*, New Delhi, pp. 8-9.

<sup>5.</sup> Cf. Gnoli, Gherardo (1989): The Idea of Iran: An Essay on its Origin, Rome, p. 55.

<sup>6.</sup> Griffith, R.T.H., tr, (1962): The Hymns of the Atharvaveda, 3rd edn, M.L. Abhimanyu (ed.), Varanasi.

When the Atharvaveda prays for fever to be banished to Anga and Magadha (AV V, 22.14),6 on the one hand, and to Gandhara, Mujavan and Balhikas (Bactrians) (AVV, 22.5, 7, 9, 14), on the other, we can infer that these are treated as hostile borderlands of a heartland zone, stretching from the Sutlej to the Ghaghara, beyond which the condemned territories lay. But by such reduction, we cannot assume that the Atharvaved*ic* seers had any positive sentiments of affiliation with the remaining territory. They might have been banishing fever to hostile areas simply because they were known to be distant, and fevers needed to be kept away as far as possible!

### FIRST INDICATION OF TERRITORY

The first positive indication of a large tract of territory defined in political terms comes only with the listing of 16 Mahajanapadas (Sola mahajanapadas) in the sixth century B.C.7 At first sight these seem to represent only an enlargement of the "favoured zone" of the Atharvaveda, now extending from Kamboja (Kabul valley) to Anga, beyond Magadha. The obvious change is that the statement becomes explicit and positive, the 16 regions being specified and considered to constitute what may for the first time be called a primitive concept of a country, which could be deemed later to grow into India. But two curious features cling to it that demand some reflection. First, the list also reminds us of the late Avestan "16 good lands and countries", centred on Afghanistan, but including surrounding regions such as the Punjab.8 A parallel process of country formation was thus going on in the area of the Iranian civilisation as well-and, curiously enough, the number 16 was shared.

The second curiosity is the fact



YUAN CHWANG, the Chinese Buddhist pilgrim who came to India in the first half of the seventh century. His grasp of India as a geographical entity was remarkable.

that the names of the regions are in plural as if they refer not to the regions but to their inhabitants-a practice that is maintained in Asoka's edicts in its territorial references. I am not a linguist, but it seems to me that this is a manifestation of the practice of associating a territory inescapably with a tribe. Yet how by now the distinction between tribe and region had taken place in practice is shown by a reference in the Pali Canon to the Pasenadi ruler of Kosala, claiming that "The Master (Buddha) is a Kosalan, I too am a Kosalan" (Majjhima Nikaya),9 although the Buddha belonged to the Sakya *jati*, or tribe.

Some of the regions now were, however, shedding their tribal garb, with kingship turning into a despotic institution. Some of them, therefore, came to be identified no longer by their tribal but by their territorial designations, such as the kingdoms of Kosala, Magadha and Avanti. It has been argued that the emergence of these kingdoms became possible by a series of developments emanating from the use of iron which besides providing better weaponry to rulers also helped extending and intensifying agriculture and thus contributing to the growth of commerce and making larger surplus available for the states, which took more and more the form of strong monarchies. The economic significance of this new form of state was marked by the issuance of coinage in the form of punch-marked coins, called karshapana or kahapana, suggesting their link with tax on agriculture, the first two syllables, karsha or kaha, meaning agriculture.10

The grouping of these territorial states in the form of 16 Mahajanapadas thus marked only the first stage in the evolution of the perception of larger territorial entities in the age of Mahavira and Buddha (c. 500 B.C.). Even if some of these states fought with each other, this in itself was a sign of structural affinities and cultural relationships between them. Thus arose an area curiously defined by Kautilya (IX. 1. 17-20) as Chakravarti-kshetra, constituting the region between the Himalayas and the sea where kings were expected to fight with each other for dominance.11

Seizing Magadha and other kingdoms, Chandragupta Maurya (c. 322-298 B.C.) founded the Mauryan empire, whose boundaries by Asoka's reign (c. 270-234 B.C.) extended from the Hindu Kush mountains to deltaic Bengal and Karnataka. It may not be held to be over-speculative to argue that the concept for a country designated *Jambudvipa* ("Rose-apple island") in Asoka's Minor Rock

<sup>7.</sup> For a detailed discussion on the 16 Mahajanapadas, see Raychaudhuri, Hemchandra (1997): *Political History of Ancient India*, with commentary by B.N. Mukherjee, New Delhi, pp. 85-136.

<sup>8.</sup> See for discussion, Gnoli, op. cit., esp. pp. 53ff.

<sup>9.</sup> Wagle, N. (1966): Society at the Time of the Buddha, Bombay, p. 39.

<sup>10.</sup> I here draw on the conclusions of Kosambi, D.D. (1956): An Introduction to the Study of Indian History, Bombay, Chapters 4 and 5; Sharma, R.S. (1958): Sudras in Ancient India, Delhi, Chapters II & III.

<sup>11.</sup> Kangle, R.P., ed. & tr, (1972, 1986): The Kautilya Arthashastra, , Part 2, Bombay, 1972, Delhi, 1986, p. 407.

Edict I,<sup>12</sup> which is found inscribed at seven places within Karnataka and southern Andhra besides 10 [places] in the north,<sup>13</sup> corresponded to the empire that had now been created.<sup>14</sup> Indeed, the extensive spread of the inscriptions carrying the reference to Jambudvipa shows that by Jambudvipa was now meant the whole of India and not simply northern India, the *Chakravarti-kshetra* of Kautilyan tradition.

In the first century B.C., Kharavela, the famous Jain ruler of Kalin his Hathi-gumpha inscription in Prakrit refers to "Bharadvasa" (Bharata-varsha) as the territory where his campaigns and conquests had taken place.15 Since Kharavela's own claims to superiority or supremacy extended from the Pandya kingdom to Mathura, his "Bharata-varsha" like Asoka's Jambudvipa must be deemed to have embraced the whole of India. By his further use of the name "Uttarapatha" for the part of the country containing Magadha, Kharavela implies that the broad division of India, or Bharata, into Uttarapatha (north India) and Dakshinapatha (Deccan and south India) was already coming into use.

The territorial expanse was, indeed, not the only defining factor for the emerging concept of India. The cultural aspects, too, were at play in demarcating Asoka's "Jambudvipa". In Rock Edict XIII, Asoka noted that among the Yonas (Greeks) there were no Brahmanas or Sramanas<sup>16</sup> giving a defining role to the coexist-

ing religions of Brahmanism, Buddhism, Jainism and Ajivikas (all grouped together in his Pillar Edict VII)<sup>17</sup> for what constituted India of his time. (Buddhism was yet to cross the borders of its country of origin.) This also implies that a massive religious "diffusion" had taken place in the Indian subcontinent, with the Brahmans and Sramanas, that is, Brahmanism, Buddhism and Jainism, being found everywhere in the country.

#### **EVOLUTION OF CASTE SYSTEM**

In tandem with religion, there also took place the gradual evolution of what we now know as the caste system. The evolution of this system has

been traced by scholars through the late Vedic texts such as *Brahmanas* and early *Sutras*.

In Aitareya Brahmana (VII, 29.4) Sudras though still accepted as part of Aryan society were deemed fit to be only "the servants of another" with no rights so that they could even be killed at will. The status of Sudra was unalterable whatever his circumstances (Panchavimsa Brahmana, VI, 1.11). The Satapatha Brahmana not only bars the Sudra from sacrificial rites but even prohibits the consecrated person from directly speaking to him (III, 1.

19.10) and a "holy teacher" was not to touch him or look at him (xiv, 1.31). From here the next step was to establish a structure of fixed hierarchy of *varnas* and *jatis*, the latter as endogamous communities within the *varnas*, constituting a social system, based on what Suvira Jaiswal aptly calls "caste ideology". It was not only an empire and the spread of Indic religions but also the remarkable diffusion of the caste system that, whether we today like it or not, gave India a decisive cultural unity.

It has been held also that the belief in karma based on the transmigration of soul had been one great instrument of legitimising the caste system.<sup>19</sup> It can, of course, be debated

whether this concept came first in Jainism and Buddhism or in the Upanishads. In Brihadaranyaka Upanishad, III, 2, VI, 2.13-15, and Chhandogya Upanishad, V, 3-10, its knowledge has been claimed as being a secret held among the Kshatriyas that was being revealed to a Brahman priest for the first time.20 And we know that both Lord Mahivira and Gautama Buddha were Kshatrivas.

The Buddha's "dialogues" as contained in the Pali Canon show the use of both banna or vanna (varna) and jati



A DEPICTION of the poet Amir Khusrau (d. 1325), who was of Turkic descent. In 1318, he wrote in Persian what is perhaps the first patriotic poem for India in any language.

<sup>12.</sup> The edict has, of course, been often translated, but see, for an especially annotated one, Barua, B.M. (1943): *Inscriptions of Asoka*, Calcutta, p. 199-202.

<sup>13.</sup> For the latest and most detailed survey of these sites, see Falk, Harry (2006): *Asokan Sites and Artefacts*, Mainz, pp. 55-103. Since his survey, another copy of the Minor Rock Edict I has been discovered at Ratanpurwa/Basaha, Bihar. (See *Epigraphia Indica*, XLIII (2011-12), pp. 1-4.)

<sup>14.</sup> I should hasten to explain that my argument would remain unaffected by whatever answers one might offer to the important questions raised on the character of the Mauryan Empire in Thapar, Romila (1987): *The Mauryas Revisited*, Calcutta, pp. 1-31. It is only the fact of the extent of that empire, as testified by the spread of the actual sites of Asokan inscriptions, that is at issue here.

<sup>15.</sup> Krishnan, K.G. (1989): Prakrit and Sanskrit Epigraphs, 257 B.C. to 320 A.D., Mysore, pp. 151-58.

<sup>16.</sup> Barua, Inscriptions of Asoka, op. cit., p. 192.

<sup>17.</sup> Ibid., pp. 214-15.

<sup>18.</sup> Jaiswal, Suvira (1998): Caste: Origin, Function and Dimensions of Change, New Delhi, pp. 17 ff.

<sup>19.</sup> Ibid., p. 18.

<sup>20.</sup> For references in the *Brihadarangayaka Upanishad*, see ibid, pp. 29-30, n. 99. The *Chhandogya Upanishad* was translated by Max Muller in *The Upanishads*, part 1, London, 1890/reprint, Delhi, 1995, pp. 76-84. The claim that the secret belonged to "the Kshatra class" alone and not to Brahmans occurs in this Upanishad in V 3.7 (Max Muller's translation, p. 78).

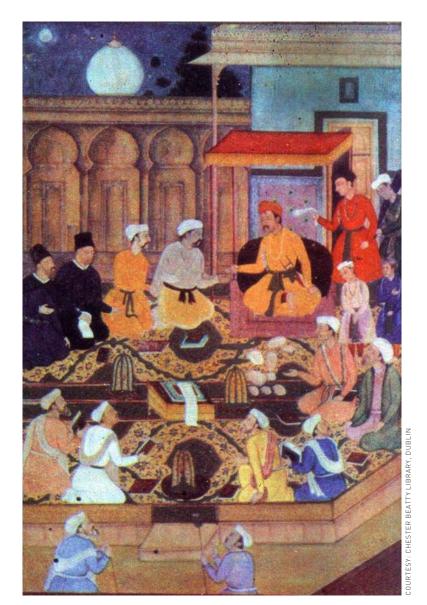
in their well-known senses. Here, for the first time, the Indian identity by the existence of caste finds a clear expression. The *Majjhima Nikaya* represents the Buddha as remarking: "In Yona-Kambuja and adjacent regions (*janapadas*) there are only two *varnas* (*vanna*), masters (*ayya*) and slaves (*dasa*)", <sup>21</sup> thus in effect defining the indigenous by the institution of the four *varnas*.

But what was indigenous yet had to take time to spread all over India. This surely explains the limited extent of the "Aryavarta", lying between the Himalayas and Vindhyas, as defined by the Manusmriti (II, 21-22). Referring to foreigners as Mlechhas, it says (II, 23-24) theirs are the lands where Brahmans do not perform sacrifices nor should the twice-born dwell.22 The Aryavarta thus might be "sacred land" but was not vet India since it remained confined to north India. To Manu, quite obviously, the Deccan and south India were still outside the pale of the caste system as well as Brahmanical ritual. When they came within that pale, they would come within India.

## THE CHINESE AND PERSIAN EVIDENCE

I have examined up till now how within India unifying factors at the level of political integration, caste diffusion and Brahmanic and Sramanic religions were creating the basis for the recognition of India as a country by its own inhabitants. Now I would turn to how a Chinese scholar in the seventh century and a Central Asian scholar in the 11th perceived the civilisation and extent of this country.

Yuan Chwang (Pinyin: Xuan Zhuang), the most learned of all Chinese Buddhist pilgrims, came to India in the first half of the seventh century. Yuan Chwang's grasp of India as a geographical entity is remarkable. He inserts a general chapter on India immediately after he closes his account of Kapisa (the



A PAINTING BY NARSING—reproduced from the book "Episodes in the Life of Akbar"—for the Akbarnama depicting Akbar holding a discussion in the Ibadat Khana with spiritual representatives of various faiths, including Jesuits. India as a political unit played a large part in the theory of the nature of sovereignty that Akbar and Abu'l Fazl espoused.

Kabul territory, coming after Central Asian states).<sup>23</sup> It almost seems as if he had in mind the future Durand Line in order to set the frontier of India towards the north-west! He next wonders about the country's name. The Chinese name then current for India was "Indu" (In-tu), ob-

viously a variant of the designation "Hindu" (which the Iranians had given to all trans-Indus territory, from their own form of the name for the river Indus + Sanskrit = Sindhu, the Iranian "h" replacing the Indic "s"). Yuan Chwang's successor among Chinese travellers, I-tsing (Ye-jing),

<sup>21.</sup> Quoted in Habib, I. and V. Jha (2004): Mauryan India, New Delhi, pp. 124-35.

<sup>22.</sup> Buhler, G., tr., (1886): The Laws of Manu, Oxford, p. 33.

<sup>23.</sup> Watters, Thomas, tr, (2004): On Yuan Chwang's Travels in India (AD. 629-645), Vol. I, T.W. Rhys Davis and S.W. Bushell (eds), reprint, Delhi, p. 131.

c. 695, knew that "Indu" was a name given to India by the "Hu" or Central Asian and Iranian people,24 but Yuan Chwang wondered why Indians, among whom indu meant the moon, did not use it for their own country. Here too I-tsing recognised that the Indians themselves called their country Arya-desa, "noble land" or "Madhya-desa" (Middle Land; compare "Middle Kingdom" for China!). Yuan Chwang himself says elsewhere that the "Brahmans' country", obviously "Brahma-varta", was a favourite name for the country among Indians. By this interpretation of the name, the identification of the domain of caste hierarchy with India becomes manifest. But Yuan Chwang makes still another statement which [Thomas] Watters interprets to mean that "the natives of India had only designations of their own states such as Magadha and Kausambi, and that they were without a general name [for India] under which these could be included". For common people, then, it was the region in which they lived, rather than the country, that usually mattered. Yet Yuan Chwang's own chapter on India is important in that he unconsciously provides us with a view of the common factors that then defined India to a foreigner: many common features of ordinary life: the two main religions, Brahmanism and Buddhism; the caste system; and some important social customs.25

It is possible to argue that while the Chinese evidence is good enough for what it tells us about the Indians' own perception of their country at the time, what the Chinese themselves thought about India would not have had any effect on the Indians' own perceptions. This was not however the case with the Perso-Arab tradition about India, of which Alberuni (c. 1035) was the great representative. It not only gave a new nomenclature—of which Hindustan for the country and "Hindu" for its major religion are outstanding examples—but added a new substance, as I hope to show, to the idea of India.

#### ACHAEMENID INSCRIPTIONS

Linguistically, the Achaemenid inscriptions from the fifth century B.C. speak of a province of the Iranian empire called "Hindu" and "Hindush" which being the equivalent of Sanskrit "Sindhu", as we have seen, represented probably no more than the territory of Sind.26 But the name taking the form of "India" among the Greeks and "Indu" among the Chinese applied to a much vaster trans-Indus territory embracing the whole of the country. The names "Hindu" and Hindustan (with the Iranian territorial suffix -stan added) appear in Sassanid inscriptions, e.g., Shahpur I's Kaba-i Zardusht inscription in the third century A.D.<sup>27</sup> From the Iranians, the name "Hind" passed to the Arabs. When they conquered Sind in 712-15, they clearly distinguished between the indigenous regional name "Sindh" (Arabicised "Sind") and "Hind" or "Hindustan", which they applied to all territory beyond Sind. This is well shown by the use of these geographical names in the Chachnama.28 The Arab geographers of the 10th century clearly use "Hind" for the whole of India. But by the time Alberuni compiled his celebrated Kitab-al-Hind, c.1035, the nomenclature was well established in Arabic. For the people of India, the earliest territorial Achaemenid name, "Hindu", now came to be used with the last vowel being elongated. Alberuni follows this usage.

It would be superfluous here to dilate on the immense achievement that Alberuni's critical survey of Indian civilisation undoubtedly represents. For my present purpose, it is important to stress that "Hind" to him represented all land that lav between the Himalayas and the sea. And in his Chapter XVIII, which is devoted to details of its geography, these limits are faithfully observed. What marked this area as separate from the rest of the world was its religion, which to Alberuni was Brahmanism. He notes that the Samaniyya sect or Buddhism had practically disappeared from India so that Brahmanism which had earlier shared the stage with it was now solely dominant. The Brahman priestly language, Sanskrit, was the language of science as well. The caste system, Alberuni recognised, was a mode of class hierarchy that in general was recognisable in other civilisations as well, but in Chapter IX he describes the features of the Indian caste system that were unique to hierarchy here. Thus, to Alberuni, India's (Hind's) identity rested on the prevalence of Brahmanism, Sanskrit and the caste system, and "Hindus" were the inhabitants of India who lived under this religious, cultural and social order. To them or rather to their intellectual classes he attributed a fierce insularity. "The Hindus believe that there is no country but theirs, no nation like theirs, no kings like theirs, no religion like theirs, no science like theirs."29

Some may feel that such insularity has almost a contemporary ring about it. Four hundred years earlier,

<sup>24.</sup> I-tsing (1896): A Record of Buddhist Religion as Practised in India and the Malay Archipelago (AD 671-695), J. Takakusu (tr), London, p. 118

<sup>25.</sup> There is a lucid discussion of Yuan Chwang's account of India by Grewal, J.S. (2005): "Hiuen Tsiang's India", in I. Habib (ed.), *India: Studies in the History of an Idea*, New Delhi, pp. 60-81.

<sup>26.</sup> See the following for one such inscription: Herzfeld, E. (1998): A New Inscription of Darius from Hamadan, Memoir of the ASI, No. 34, Delhi, reprint, first published in 1928.

<sup>27.</sup> Yarshater, Ehsan, ed., (1983): The Cambridge History of Iran, Vol. 3, Part I, Cambridge, p. 84.

<sup>28.</sup> The *Chachnama* has been edited by Umar bin Muhammad Daudpota Delhi, 1939. In this Hind occurs on p. 45 and Hindustan on p. 11, cf. Habib, Irfan (2011): "Linguistic Materials from Eighth-Century Sind: An Exploration of the Chachnama" in S.Z. H. Jafri (ed.), *Recording the Progress of Indian History: Symposia Papers of the Indian History Congress, 1992-2010*, New Delhi, p. 80. 29. Sachau, E.C., tr, (1910): *Alberuni's India*, Vol. I, London, p. 22.

Yuan Chwang had no such impression: Chinese pilgrims penniless as they might have been were apparently welcome at all Buddhist monasteries in India. The decline of Buddhism in the next four centuries by removing a rival to Brahmanism made India look even to an insightful outsider like Alberuni a Brahmandominated society, which also now provided it with yet another distinctive mark of identity.

The Ghorian conquest and the establishment of the Delhi Sultanate (1206-1526) brought with them all the violence and misery that military conquests always bring. On the other side of the medal was the fact that it brought into India a divergent cultural stream, which by faith might go back to seventh century Arabia but which also had its roots in Greek thought and science and what is now called the Persian Renaissance.30 The influence of this stream on Indian culture has been deep and diverse, as Tara Chand's classic work Influence of Islam on Indian Culture, Allahabad, 1928, illustrated in such detail nearly 90 years ago.

The word "Hindu" so far adopted by Iranians and Arabs for Indians now assumed a religious character, and began to be used for all Indians who were not Muslims. What is significant is its adoption by those to whom foreigners now applied it. It indeed replaced no previous word, for there was none doing service for it earlier. The word "Hindu" included everyone from Brahman to Chandala, and thus tended to suggest a single community, whereas previously only different castes or jatis and darsanas or religious sects or schools existed. By the mid 14th century even the Vijayanagara emperors were calling themselves *Hindu-raya su-*



RAJA RAM MOHAN ROY. In a letter of 1828, he argued that "the distinction of castes, introducing innumerable divisions and subdivisions among them (Indians) entirely deprived them of patriotic feeling".

ratrana.<sup>31</sup> It is a strange play of history that those who till the other day shouted "Hindu-Hindi-Hindustan" did so without realising that every word of their slogan was *Perso-Arabic* in origin, received from the very cultural tradition that they were denouncing and desired to exclude from India.

There was the other side of the medal too. Despite much invective against Hindus for being polytheists (which fact Alberuni had incidentally refuted) and idol-worshippers, the Muslim immigrants were soon attracted to Indian languages, music, dance and other cultural traits. A pride in being Indian also grew, along with an admiration for the country. The celebrated poet Amir

Khusrau (d. 1325) of Turkic descent claimed to be "a Hindustani Turk"32 who would speak Hindwi (the Indian dialect) not Arabic. In 1318, he wrote in Persian what is perhaps the first patriotic poem for India in any language and included this long piece in his work Nuh Sipihr. In this long poem, which begins with the praise of India's natural beauty and climate, the significant portion comes when it speaks of India's achievements in philosophy and science, for which he gives the credit entirely to Brahmans. He goes on to claim that Hindus are monotheists. He praises Indians' capacity to speak foreign languages while foreigners are unable to speak theirs. He commends the Brahmans for giving the world three gifts: the decimal-positioned numerals, the Panchatantra and the game of chess. After listing India's major spoken languages, he highly praises Sanskrit, with its literature, which too he attributes to the Brahmans.33 Such patriotism could blind him even to the rite of sati, or widow-burning, when he exults in the fact that "there is no more manly a lover than the Hindu woman, for where is the insect that can burn itself on a dead candle".34 The remarkable feature of such unalloyed Indian patriotism here is the glorification of a composite culture, created by the acceptance of an earlier tradition, along with an openness to foreign influences transmitted through proficiency in languages like Arabic, Persian, and Turki, specifically named. Even the knowledge of India's three great gifts to the world had come to Amir Khusrau from the Iranian tradition. We see here the beginning of a new perception of India, where not a particular system of social organisation or religion sup-

<sup>30.</sup> For a descriptive account of the "Iranian Renaissance", see Yarshater, Ehsan (2000): Chapter 17.3, *History of Humanity*, Vol. IV, UNESCO: Paris, pp. 281-285. Somehow the account misses the spirit of scepticism and defiance nurtured by the Renaissance, so well represented in the apocryphal verses of Omar Khayyam.

<sup>31.</sup> The earliest use of this title by the Vijayanagara emperors I have been able to trace is by Bukka I in his Penukonda inscription of 1354, which is in Kannada (see *Epigraphia Indica*, VI, p. 327 & n).

<sup>32.</sup> Quoted in Mirza, M. Wahid (1974): The Life and Works of Amir Khusrau, Delhi, p. 22 & n, reprint, first published in 1935.

<sup>33.</sup> Mirza, M. Wahid, ed., (1950): *Nuh Sipihr*, text, London, pp. 147–195. On p. 150 he says of India that this is "my birthplace, my asylum, my native land" and further that "love of the native land is surely part of one's faith". For details see Rezavi, S. Ali Nadeem, "The Idea of India in Amir Khusrau", in *India: Studies in the History of an Idea*, op. cit., pp. 121-28.

<sup>34.</sup> This is a famous couplet of Khusrau; I am unable to locate the work of his that it comes from.

plied the unifying features, but the sharing of knowledge and wisdom.

#### AKBAR'S THEORY

The next step was taken in the momentous reign of Akbar (1556-1605). On the perception of India held by Akbar and Abu'l Fazl, we have the benefit already of a detailed essay from the pen of the late M. Athar Ali,35 which dispenses with the need for me to present the evidence again. Here, only the principal facts relevant to our present concern need be emphasised. First, India emerges, for perhaps the first time, very clearly as a political and not simply as a cultural entity. This is borne out by Abu'l Fazl's well-known dictum that "Kabul and Qandahar are the twin gates of Hindustan" after which he adds that "by the possession [by Akbar] of these two spacious passages, Hindustan is made secure from foreigners"36. The implicit identification of Hindustan with the Mughal Empire here is also made explicit in the A'in-i Akbari where the account of the administration and provinces of the empire is followed by a long concluding section titled "Conditions of Hindustan", which contains a long account of the culture of India. (It is unfortunate that the translator, H.S. Jarrett characteristically turns Abu'l Fazl's reference to "Indians" into one to "Hindus" only.37)

India as a political unit loomed large in the theory of the nature of sovereignty that Akbar and Abu'l Fazl espoused. In it the sovereign as a direct representative of God was not bound by any one religion since just as God's bounty in this world falls on all irrespective of their faith, so should all people be recipients of royal benevolence without discrimination, under the principle of *Sulh-i Kul*, Absolute Peace. Clearly, this

theory was framed to justify a mode of government suited to the needs of a religiously diverse population that India contained.<sup>38</sup>

Though none of Akbar's successors repeated his claim to a suprareligious status, the identification of the Mughal Empire with India, or rather "Paradise-like India" (Hindustan-i Jannat Nishan), became an official commonplace. Even when the empire declined in the 18th century, independent powers, including the Maratha Confederacy led by the Peshwa, sought the Mughal emperor's diploma for high office or local governorships. Without actual power, they still remained nominally the emperors of Hindustan. Having the Delhi Sultanate and the Mughal Empire in mind, Tara Chand had said that they served "to create a political uniformity and a sense of larger allegiance".39 It is possible that such "larger allegiance" could be accompanied by an evolving aspiration for the political unity of the country.

As historians it is important for us to recall that the first history of India was produced by Akbar's official Nizamu'ddin Ahmad, Tabagati-Akbari, in 1592. In 1609-10, Qasim Firishta wrote a still more comprehensive history of the country, Gulshan-i Ibrahimi, attempting to present even its pre-Muslim history and extending its geographical coverage to all parts of India. Many such histories then followed such as Sujan Rai Bhandari's Khulasatu-t Tawarikh (1695) and Khafi Khan's Muntakhahu'l Lubab (1731). Since all these histories were in the nature, more or less, of political annals, it is clear that beyond being a mere "geographical expression" India was now being seen also as a political unit. So, when the Mughal Empire remained only in name and British



conquests had begun, the historian Ghulam Husain Tabatabai observed in 1781 that "the British statesmen are determined to carry out the conquest of the country of Hindustan".<sup>40</sup> India now received yet a new political garb—as the object of colonial conquest.

When in early hours of 11 May 1857, the Meerut mutineers crossed the Yamuna to set the phantom Mughal emperor on the throne, as they thought, of Hindustan, they did not just ignite the greatest armed challenge to colonialism in the 19th century. They also proved that the notion of India as a political entity was not just confined to "elites" but one that could also excite the ordinary soldier, for it was he, and not any prince or landed magnate, who made Bahadur Shah accept, almost fearfully and unwillingly, the proffered sceptre. In almost all rebel proclamations, as much as in the last, their reply to Queen Victoria's proclamation of 1858, they spoke of Hin-

<sup>35.</sup> Athar Ali, M. (2006): "The Evolution of the Perception of India: Akbar and Abu'l Fazl", in *Mughal India: Studies in Polity, Ideas, Society, and Culture*, New Delhi, pp. 109-118.

<sup>36.</sup> Fazl, Abu'l (1892): A'in-i Akbari, Vol. II, Nawal Kishore: Lucknow, p. 192.

<sup>37.</sup> Cf. Athar Ali, M., op. cit., p. 114.

<sup>38.</sup> The theoretical bases of Abu'l Fazl's theory of sovereignty and its relevance to the situation in India is brought out in Habib, Irfan (2009): "Two Indian Theorists of the State: Barani and Abu'l Fazl", in D.N. Jha and E. Vanina (eds), *Mind over Matter: Essays on Mentalities in Medieval India*, New Delhi, pp. 29-38.

<sup>39.</sup> Chand, Tara (1928): Influence of Islam on Indian Culture, 2nd edn, p. 141.

<sup>40.</sup> Tabatabai, Ghulam Husain (1866/1897): Siyaru'l Mutakhirin, Nawal Kishore: Lucknow, p. 826.



THE HINDU ARCHIVES

INDIA GREW INTO A NATION in the course of its struggle for independence. Here, Mahatma Gandhi, accompanied by Jawaharlal Nehru, Khan Abdul Ghaffar Khan and other party members, walking from a wayside railway station near Delhi to a "Harijan" colony where the All India Congress Committee Meeting was to be held.

dustan, from Mysore to Punjab, that has suffered from British rule and needed to be freed, not just any particular region of it.<sup>41</sup> One can wonder how much this was the gift of the Mughal Empire, its universal currency and its claim to the loyalty of both Hindus and Muslims, which were all still a living memory.

Though India had thus assumed not only a cultural but also a political existence, I would still argue that India was still far from being a nation. This is not the occasion to enter into a discussion of divergent definitions of the term "nation" as it has come into use in political terminology since the French Revolution of 1789. I would argue that it requires not only a territory with population wishing to be governed by "persons from amongst themselves" but much more. The French Revolution which for the first time raised the call for independence of nations also inscribed on its banner the slogans of "Liberty, Equality, Fraternity". A country becomes a nation only when it aspires to have, at some level, a degree of equality for its citizens and so a universal brotherhood among them. This aspiration was non-existent in 1857. The India that the rebels were loyal to was that of a casteordered, hierarchically structured and religiously oriented country. Their heroism must not let us close our eyes to this central fact.

Raja Ram Mohan Roy, in a letter of 1828, argued that "the distinction of castes, introducing innumerable divisions and subdivisions among them (Indians) entirely deprived them of patriotic feeling" 42. He was speaking here of Hindus, but the same could be said with some modification of all communities, and my point will be met if one reads "national" instead of "patriotic" in his text. It is here that the message of social reform that accompanied the Bengal Renaissance and subse-

quently spread to all parts of the country assumes so much importance when we consider how the Indian nation has come to be constructed.

#### **BENGAL RENAISSANCE**

So let us turn to the central message of the Bengal Renaissance. Irked by the crowds who went to listen to Keshav Chandra Sen's lectures in London in 1870, *Punch* published two lines in derision.

"Who in this world of living men Is Mr Keshub Chander Sen?"

It seems that in India today we need to ask the same question because he and his vigorous work for social reform in almost all its aspects, such as women's rights, abolition of untouchability, modern education, inter-religious conciliation, which engaged him from almost 1858 to his death in 1884, stand almost forgotten when great names in the sphere of social reform are invoked today. Despite Keshav Chandra Sen's increasing mysticism of later years, it is best to remember the tribute paid to him by Bipin Chandra Pal, which is also relevant to our purpose: "The Brahmo Samaj, under Keshab Chan-

<sup>41.</sup> Only an official British translation into English of the Awadh rebels' reply to Queen Victoria's proclamation of 1858 has survived, which may be read in Rizvi, S.A.A. and M.L. Bhargava, eds, (2011): *Freedom Struggle in Uttar Pradesh: Source Material*, Vol. I, New Delhi, reprint, pp. 465-68.

<sup>42. (1982):</sup> The English Works of Raja Rammohun Roy, J.C. Ghose (ed.), Vol. IV, Delhi, p. 929.

dra Sen had proclaimed a new gospel of personal freedom and *social equality*, which reacted very powerfully upon the infant *national consciousness* and the new political life and aspiration of Young Bengal."<sup>43</sup> The social reform movement took strong roots also in Maharashtra and the Madras Presidency, besides Bengal, and helped to create throughout the country the basis for the "national consciousness" that Pal so explicitly recognised.

When the Indian National Congress met in Bombay in 1885 for its first session, the president, W.C. Bonnerji, spoke strongly in favour of social reform, but the Congress decided to restrict itself to political matters only. In the *Hind Swaraj*, written in 1909, Gandhiji is remarkably cautious in respect of the disabilities imposed on lower castes and on women in India's traditional society. Yet as the National Movement grew, the struggle for equitable society became a part of Gandhiji's own Constructive Programme of 1920s and, at a fairly radical level, was reflected in the Congress' Karachi Resolution on Fundamental Rights. 1931, drafted by Jawaharlal Nehru and moved formally by Gandhiji.

India thus becomes and remains a nation to the degree that the very traditional inequities that had in the past provided the marks of identity for it as a country are now restrained and eliminated. It is a veritable paradox. But if we wish to stand up as a nation, we have to break loose from our millennia-old history of social oppression.

In one respect, however, we can appeal to our past. If India has had a history, unfortunately, of religious dogma and intolerance, it has also a contrary tradition of religious coexistence. Asoka's Rock Edict XII of over 2,250 years ago can still resonate with us just as Akbar's religious tolerance seems to have a contemporary ring [to it]. In his *Hind Swaraj*, Gandhiji declared with absolute

clarity that the nation had nothing to do with religion, and so he called on people of all religions in India "to live in unity". Secularism is therefore an irremovable pillar of our nationhood. Any weakening of secularism by divisive forces, which have grown so strong today, will endanger the very bonds that tie our nation together.

### NATION EMERGES FROM FREEDOM STRUGGLE

Finally, it is always necessary to remember that India grew into a nation in the course of its struggle for independence. Contrary to the idea promoted by the communalists of the day that India suffered 800 years of "foreign rule", the fact is that the rule of one country over another whereby part of the wealth and income of the subject territory is transferred forcibly to the ruling one, and its markets are similarly seized by the other, is a modern phenomenon linked to the rise of colonialism-beginning with Columbus and Vasco da Gama at the end of the 15th century. In India it began recognisably with Plassey (1757). Resistance in the governed country remains local or regional, as it was in India even in 1857, when more than half the country continued to be unaffected. Here it was mainly the increasing realisation of the consciousness of being exploited that played a radical role in the making of a subject country into a nation, emerging as a radical counterpart of what Benedict Anderson calls the "official nationalism" of the imperialist countries.44

In this we in India owe a deep debt to the "Grand Old Man" of our national movement Dadabhai Naoroji, and the other "economic nationalists", such as R.C. Dutt, G.V. Joshi, G. Subramaniya Iyer, and others who rendered undying service to the Indian people by exposing the scale and mechanism of colonial exploitation. They made possible the linking of the people's economic interests with the

freedom movement—as Jawaharlal Nehru so well recognised in his Autobiography, and as the late Bipan Chandra brought out in his masterly survey Rise and Growth of Economic Nationalism in India 1880-1905 (1966). Even Gandhiji in his Hind Swaraj gives considerable space to Britain's economic exploitation of India, based on his reading of Naoroji and R.C. Dutt.

The exposure of imperial Britain's exploitation naturally raised the question of an alternative economic model for India. It was this that the early nationalists largely failed to provide. But for the Indian nation to embrace all its components, it was essential to define their position towards questions of land and labour. Ultimately, despite Gandhiji's anti-industrialism, the Karachi Resolution of the Congress in 1931 promised land reform, state control of industries and labour rights.

An Indian nation was thus created, in which all classes of people could feel that they had a share. It was created not only in opposition to the British rulers but also in face of hostility from within, especially from the advocates of the "two-nation" theory, based on religious identities, headed by "Vir" Savarkar and M.A. Jinnah. Partition was the price paid. But in what remained of India, a dream was widely shared, one that moved Jawaharlal Nehru as well as his critics, a dream that India would stand forth as a secular, democratic and socialist republic. Today a different wind seems to be blowing, a wind hostile to everything that went into the construction of our nation. It is the duty of Indian historians not to let go unopposed a rabid misreading of our past that may well destroy the essence of what we have inherited and the humanistic values we wish to add to that inheritance. Shireen Moosvi is Professor of History (retd), Aligarh Muslim University. From the text of the presidential address by Prof. Shireen Moovsi at the 77th session of the Indian History Congress, which was held in  $Thiruvan anthapuram\ on\ December$ 28-30, 2016.

<sup>43.</sup> Quoted in Chand, Tara (1967): *History of Freedom Movement in India*, Vol. II, Delhi, p. 398. Emphasis added.

<sup>44.</sup> Anderson, Benedict (1983): *Imagined Communities: Reflections on the Origin and Spread of Nationalism*, London, Chapter 6.



## Death in a mine

The mining disaster in the Rajmahal opencast mine in Jharkhand raises questions about the safety standards adopted by coalfields and adherence to mining laws. BY T.K. RAJALAKSHMI

IN the second week of February, Jharkhand will host a global investors summit, preparations for which began last year in the form of a road show held in August. Several important personalities, including former Indian cricket captain M.S. Dhoni, advertise it regularly. However, even as the State government was immersed in showcasing its rich mineral resources for future investment, 23 young miners were killed in the worst mining disaster in an opencast mine in the State.

On the evening of December 29, it was work as usual for the largely migrant worker contingent employed by a contractor at the Bhorai site of the Rajmahal opencast mines expansion project in Goda district of Jharkhand. The miners, mostly in their twenties and thirties, were asphyxiated after they got trapped underneath following the sliding of the dump and overburden. The management, the principal employer Eastern Coalfields Limited (ECL), and the operating contractor, considered

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an old hand in the business, had ignored warnings from individuals and workers that cracks had developed in the dump around the mine and that it was dangerous to work.

Thirty-one workers were at the mine site at the time of the mishap. Photographs showing faces of miners frozen in a terrified rictus are clear proof that the young miners had no clue of the disaster that was going to hit them. According to a statement issued by ECL: "prima facie, it is observed that the incident is

PTI



**BODIES OF MINERS** near the site. Many more were trapped under the debris.

unprecedented, since an area of 300 metres by 110 m solid floor of the overburden dump area has slid down by about 35 m involving around 9.5 million cubic metres of earth material. This could be due to the failure of the bench edge along the hidden fault line/slip." The initial death toll was seven; it later went up to 18. An inquiry was ordered by the Directorate General of Mines Safety (DGMS), and a high-level committee of experts was constituted by Coal India Limited (CIL). The committee's reports have not yet appeared, but Frontline has access to a factfinding report prepared by the All India Coal Workers' Federation (AICWF).

The overburden, in classic geological terms, refers to large volumes of material, including soil and rock, that is removed to gain access to deposits. It is usually piled on the surface at mine sites so that it does not impede the further expansion of the mining operation.

The Rajmahal opencast project is regarded as a prestigious mine of ECL and the main source of coal supply to NTPC, Farakka, At the Bhorai site, where mining was under way, the overburden dump was around 150 m high without a "bench" and it encircled the work below in a Ushape. According to the AICWF factfinding committee, which visited the accident site and met miners, local people and members of the management, the disaster was waiting to happen. The committee included two AICWF members, who were also members on the CIL Safety Board and the Standing Committee on Safety in Coal Mines. One of the prime reasons for such disasters, they said, was the rampant outsourcing of coal extraction.

#### **WARNINGS IGNORED**

The contract was awarded in 2015 to extract seven million tonnes of coal and to "handle" an overburden of 20 million cubic metres to Mahalakshmi Infrastructure Private Limited-NKAS, a private contractor. According to a ground report prepared by G.K. Srivastav, member of the CIL Safety Board, and Manas Kumar Mukherjee, a member in the Standing Committee on Safety in Coal Mines, in January 2016 some instability was observed in the overburden. A well-known social worker wrote an email letter to the DGMS, with a copy to the Secretary in the Ministry of Labour and Employment, about the violation of safety norms in the Rajmahal opencast project. In May 2016, he also complained about the contravention of mining laws in deep mining. The Director of Mines Safety (S) at Dhanbad did an inspection and dismissed the complaint as false. On December 1, 2016, the DGMS (Safety) wrote to the social worker: "After detailed inquiry on your complaint, the allegations made by you against the management of Rajmahal opencast mine were found incorrect/false,





TRUCKS AND OTHER vehicles were damaged in the overburden collapse.



**THE FISSURE** that was noticed and reported by the miners.

which comes under the purview of Mines Act, 1952."

The social worker had also pointed out that dumping in the vicinity of the mine was illegal. The "dump" is usually at a distance of 500 m from the actual work area. In the case of this particular mine, the dump was close to the overburden area. According to the fact-finding committee, it actually encircled it. In addition, the foundation of the "dump" was not strong enough. Although these aspects were brought to the notice of the DGMS, it gave the go-ahead for mining. "The word of the department is final. The inspectors do not conduct proper inspections. Whether their reports are based on authentic data and information is not cross-checked. It is declared as a fact," said Srivastav.

In August, the "benches" in the overburden collapsed following heavy rains. A bench in mining terminology refers to a ledge, which forms a single level of operation above which mineral or waste materials are mined. In order to distribute pressure, benching has to be done properly. On the day of the mishap, workers had told the management that the crack in the dump had widened and they were afraid of continuing to work. On December 27, two days before the accident, workers in the morning shift noticed a slide of dump. A subsidence was noticed once again the next day during the night shift.

Twenty minutes before the accident, the miners alerted the manager about the slide, but he forced them to stay on. Someone even sent a radio message to the control room of the DGMS about the widening crack. Between 7 and 8 p.m., the dump could not hold. The 650 m wide and 110 m high overburden dump collapsed on the workers standing below, taking down with it 23 men. But the other workers were compelled to stay on and dig up the base of the overburden and continue blasting.

Srivastav told Frontline that the AICWF team spoke to the workers who managed to escape. They said workers who were in the "coal bench" area managed to come out but those on the overburden benches could not get out in time. The majority of casualties took place at the overburden bench. Questions as to why the overburden dump was allowed to be taken to such heights or why fault lines were allowed to go undetected or why the overburden was dumped over the edge of the quarry in violation of the safety norms need answers.

"Casualties in underground mining are much higher. It is rare for such accidents to occur in opencast mining. But outsourcing of work has given rise to a steady increase in casualties," Srivastav said. According to an official estimate, fatalities among contract miners had doubled in recent years.

The accident record of the Rajmahal opencast project is alarming. On September 29, 2001, seven workers died because of the collapse of the haul road. Two years before that, three workers drowned after water inundated the working area. In 2016, three workers were injured following

a puncture in the water sump in a deep mining site. It was learnt by the inquiry committee that no regular meetings of safety committees were held and that the area safety and project safety departments were totally defunct. The committee noted that a standing decision to provide slope stability radar at the mine, given its dimensions, was not made available even after the development of a huge vertical crack in the dump. The decision was ignored by the management and the contractor, who apparently wasted precious time measuring the crack.

Coal unions and their federations have often pointed out that accidents occur frequently at overburden dumps in CIL and ECL but there was no separate infrastructure and manpower for disaster management. That was the reason why there was a delay of almost 16 hours before the rescue operation could begin. According to an official note, the National Disaster Response Force (NDRF) was deployed for rescue and relief operations.

#### **WORKING CONDITIONS**

Before nationalisation of coal mines in 1972, migrant workers were employed in mines; they were compelled to camp near the site and not allowed to bring their families. More than three decades hence, the situation of miners has not changed much

Migrant labourers are subjected to very much the same working and living conditions that existed in coal mines before nationalisation. Easy to hire and fire, miners are modern-day slaves; they must continue to work in the face of danger as the incident in the Rajmahal opencast project showed.

"Those workers who survived the accident broke down when they narrated their working conditions. They were threatened with dismissal if they spoke or complained to anyone," Srivastav said.

The camps where the workers stayed were set up in the mining area and on top of the overburden, which was in danger of collapsing any time. Workmen were debarred from venturing out of the camps and forbidden to mingle with the local people.

There was no system of attendance, and the attendance sheet of that particular day was not available, said Manas Mukherjee, who jointly authored the fact-finding report with Srivastav. The AICWF demanded the same, but it was not made available.

The unions and the AICWF have sought a court inquiry as they want specific recommendations for the safety of workers and to fix accountability on contractors who employ the miners. As principal employers, CIL and ECL, were also liable in this case. The federation has demanded the scrapping of private contracts. It has also demanded a complete stop to outsourcing. The inquiry reports set up by the DGMS and CIL are awaited, but they are unlikely to penalise the contractor.

Jharkhand accounts for some 29 per cent of the coal deposits in India. A mineral-rich State, it is no surprise that it will be hosting the global investors summit. It is doubtful that the summit is going to focus on the mining mishap, but the government cannot afford to turn a blind eye to the disaster at its doorstep.



**A TEAM** of the National Disaster Response Force at the mine site.

#### COLUMN

#### UNMEDIATED



SASHI KUMAR

## The tyranny of populism

The way the jallikkattu imbroglio has been handled may lead to different, perhaps undesirable, outcomes in similar situations where the judiciary, the people and the government are involved in a face-off.

HOMAS PAINE in his Common Sense put it so presciently that it belongs as much here and now as it did in the context in which it was written in the 18th century, that of the struggle for independence and Bill of Rights and constitution-making in the American colonies. "Along habit of not thinking a thing wrong," Paine wrote, "gives it a superficial appearance of being right and raises at first a formidable outcry in defence of custom. But the tumult soon subsides. Time makes more converts than reason."

Those of us nonplussed and upset by the public upsurge this Pongal season in Tamil Nadu in defiance of the May 2014 ruling by the Supreme Court, which effectively banned jallikkattu, and provided the state with a handle, which it eagerly seized, to undo the court order, can only seek solace in the hope that it is a long habit of not thinking the thing wrong that gave this cruel sport the false prestige or gravitas of tradition and fomented the widespread public resentment against its ban, and that with time its inhumane, cruel and lethal manifestation and consequences will speak to

the Tamil collective conscience and change hearts. That, though, would be an excruciatingly gradualist move towards a modern, rational and progressive social order, towards realising the scientific temper and humaneness enshrined in the Constitution. Excruciating, because many more bulls will be tortured and maimed and killed, and many more people will be injured and lose their lives before we consensually let go of this primitive practice.

There is, of course, the slim, very slim, chance that the chastening effect of the public awareness of the manner of this sport generated in the course of this mass melee may play a deterrent role on the continuing conduct of it; that there will be self-regulation or oversight by the bodies organising jallikkattu events in the few districts where they are held, to ensure that the bulls are not tortured or traumatised. But given the nature of the sport, where the excitement and adrenalin levels are determined by the extent to which the bull is goaded and roused to become uncontrollably panic-stricken and volaand given the

commercialisation of the sport through betting, and the stakes involved in generally making it a highrisk spectacle, it is unlikely to transform into just a playful trial of strength between a frisky bull and its keepers and well-wishers.

The romanticised portrayal of the organic, earthy, almost filial, as is made out, relationship between the bull and its keeper or master on the one hand, and the grim evidence produced before the court by the Animal Welfare Board of India and animal rights NGOs like PETA, of what the bulls are forced to go through in the cramped stalls (known as the vaadivasal) where they are primed before they are unleashed into the jallikkattu arena, on the other, seem like two divergent narratives. It could well be that both are true, but it is small comfort to know that there are some bulls that work in the fields and which are tended with care by the households they are owned by and others that are reared specifically for jallikkattu and treated the way they are to provide sporting adventure and excitement and to fulfil male machismo. That Dalits are by and

large not allowed to participate in jallikkattu makes the hoary tradition complete—feudal, casteist and patriarchal. While only the Dalit political parties kept away from the agitation, it was not clear whether they were against the regressive sport per se or against Dalits not being allowed to participate in it.

And then there was the romanticisation of the agitation itself by the media. True, it did initially look like, and was for a good part throughout, a spontaneous mobilisation, although when journalists let the scales fall from their eyes they saw sophisticated coordination and management of the crowds by a large group of technology-savvy social media activists. There were, more potentially dangerously, anonymous agents provocateur using social media, in the later phase in Chennai when the police intervened and things turned violent and confusing, to insinuate rumours of deaths in the clashes and to run what sounded like an ad hoc guerilla operation against the police by exhorting city dwellers to come out of their homes and block the roads in the vicinity they lived in to save, as the message conveyed with alarmist urgency, unspecified youth who were in unspecified trouble.

The congregation on the sands of the Marina was a miscellany of causes. The right to jallikkattu had partly transformed into an emotive assertion of Tamil identity and Tamil nationalism and an expression of a cumulative indignation of the way Tamil Nadu and Tamilians had been treated by the Centre. Such a sublimation was only to be expected and was, to a good extent, legitimate. But the media, particularly television channels, were not so much reporting with a view to providing an understanding  $\alpha f$ the mass demonstration and action as feeding the frenzy. They seemed impatient for the revolution on the street to happen and, all too predictably and blithely, let their impatience become their agenda and declared that the revolution was here.

In the process, if one did not, outside of and in spite of this tendentious media, get to read the detailed

reasoning provided in the Supreme Court judgment of May 7, 2014, by Justices K.S. Radhakrishnan and Pinaki Chandra Ghose, one might wonder what on earth was wrong with the honourable judges; how could the court get it so wrong? At least as far as the TV channels were concerned it was a no-brainer. The bull games must go on. The reason why was simple and self-evident and had emotional immediacy and attracted eyeballs. The reasons why not were complicated and had to do with evidence and rule of law and statutes and the Constitution and were unlikely to fetch TRP ratings.

There was a convergence between the emotion-driven populism on the street and the ratings-driven populism in the media, which created a disquieting sense, especially for the silent dissenters, of a tyranny of populism. There may have been no physical violence at least in the initial phase, but the visceral intolerance of the opposite view was palpable. Those, including from or associated with PETA, who were against jallikkattu on the grounds of cruelty to the animals, instantly and ipso facto became enemies of Tamil culture and tradition and were liable to be ostracised. There was intimidation and verbal haranguing and trolling of targeted individuals, both male and female, in downright obscene language. Traffic and travel were disrupted, becoming a source of harassment to commuters, and trains from and to Chennai were held up on open tracks en route for days. All of this hardly merits the badge of a convivial, non-violent agitation.

There was the compounding populism, more peculiar to Tamil Nadu than other parts of the country, of film stars. Thus spake the stars in tinsel town on the issue and the media all too eagerly took up the refrain. Going by the media representation (in this as in most issues now), one would think a few film stars and godmen comprise the public sphere in Tamil Nadu. Their flaky, uninformed or ill-informed views were touted by the media as if they had the definitive, authoritative say on the matter. There was Kamal Hassan

trying to sound childish or funny or both by saying something to the effect that those against jallikkattu should also ban biriyani (get the connection?). There was Kamal Hassan again, pointing out that more people died in road accidents than in the traditional bull sport, which is hardly startling, apart from the rudimentary incompatibility of the statistics of fatal road accidents in traffic plying round the clock round the year and the toll taken by this sport which happens once a year in specific pockets of the State. And again, taunting PETA to go back to Trump's U.S. and get rid of rodeos there, to which the PETA India chief responded separately saving the organisation's counterparts in the U.S. were indeed at it. And yet again, and this was the only time he made a semblance of sense, saying if there was something wrong with the sport regulate it, don't ban it, to which the counsel for the Animal Welfare Board, Abhishek Manu Singhvi, responded elsewhere that in practice the sport hinged on the incitement of the bulls, which was cruel, and therefore a ban, not regulation, was the only effective solution.

Rajinikanth, as always, didn't have to say much to be made much of. In what must have been a mumble, he expressed his sadness about the violence involving the police and the protesters and left it at that. Kamal Hassan was more articulate on that one and demanded accountability for excesses by the police when they set about clearing the Marina of the agitators. Film-maker Bharathiraja's interventions were as strong as they were wrong. When the agitation got going, he asserted that there were no instances of deaths in jallikkattu, and towards the end, flush with victory, declared that the people had rewritten the verdict written by the courts. Not to be left behind, Sri Sri Ravi Shankar weighed in early on on the whole affair on television with a sylvan evocation of maattu pongal as representative of the bovine-human bond in Tamil tradition, meaning no doubt to suggest that jallikkattu was no less benign or kindly a practice. He even seemed to offer his services

as an interlocutor to settle the agitation, but there were no takers. Sadhguru Jaggi Vasudev made an odd comparison between cricket and jallikkattu, between the batsman facing the cricket ball hurtling down at him at about 125 km an hour and, ostensibly, the bull tamers in the ring facing the charge of the bull (actually the tamers chase and clamber after the bull which is trying desperately to get away from them and the pain they inflict on it). Try and ban cricket, he challenged ominously.

None of them-and one wonders whether this includes chess maestro Viswanathan Anand, who too jumped into the "fight the bull" fray-had apparently read the judgment of May 2014 meticulously detailing the systematic and deliberate pain and suffering inflicted on the bulls in the process of the jallikkattu bout. That, to any sentient being with a heart that feels, even without a mind that thinks, would have made painful reading and realisation of what actually goes on. Cattle killed for human consumption in abattoirs are not systematically tortured. True, the cramped and stifling conditions in which they are transported in vehicles or even the way they are killed are often inhumanly inefficient or ritually painful. But surely the answer is to oppose and campaign against these practices too and not justify one act of cruelty with anoth-

The media abnegated their responsibility to reflect the diversity of opinion on the issue and turned themselves into echo chambers, force multipliers of the chant and chorus for revoking the ban on jallikkattu. In a State where the government has had a chilling effect on the media through a spate of defamation cases filed against anyone critical of it, the media itself became complicit in engineering a dominant narrative in support of the sport and revocation of the ban (without exploring the nature of the actual practice on the ground or investigating the sundry mythologies that were circulated to make it seem a sacrosanct belief system that was inalienably constitutive of Tamil identity); a narrative

which implicitly demanded support and allegiance, forcing those who had a counter view, including many artistes, legal luminaries, scholars, public intellectuals and creative writers of Tamil Nadu, into a temporary self-imposed exile of silence. Faced with the prospect of being dubbed anti-Tamil if they opposed iallikkattu for what it did to the animals and humans involved, and to what should be our common concern for humaneness and the dignity of mute animals, they thought it more prudent not to express what they really thought about it. In this atmosphere, when some people died in the jallikkattu performed after the ordinance setting aside the ban was passed, there was no one to say "I told you so"; the victims became mere statistics, collateral damage to be glossed over, in the media treatment.

The judiciary has been put on the back foot and the implications of the street dictating to the court are likely to be counterproductive to democracy, rule of law and the principle of separation of powers as envisaged in our Constitution. Legal imperatives are no doubt a function of effective demand, and justice, as we have been told by justices themselves, is not a cloistered virtue. Judges of the higher courts factor in the expectation of the collective conscience of society even in the awarding of capital punishment. Judges, as Kamal Hassan pointed out in one of his series of comments on the jallikkattu issue, are not infallible, and we are alive to the dire possibility of miscarriage of justice even in the case of death sentences. It is not as if judges and trials are totally insulated from public sentiment and aspirations. But evidence and the need to interpret the law in keeping with the letter and spirit of the Constitution and the demands of justice must add up to something. Also, the judiciary would be redundant if it merely catered to or reflected majority opinion. It becomes its mandate, perhaps more than that of the executive or the legislature, to ensure that the minority can exercise its legally and constitutionally endowed rights; and in the instant case to see that the rights of mute animals

are protected in keeping with the

On the other hand, it isn't as if the public or the popular are always right either. Makkal theerpu, magesan theerpu (the people's verdict is god's verdict), as former Chief Minister Jayalalithaa was fond of saying, may be good rhetoric and may apply, the Election Commission willing, to elections. But the same people, through the same elections, through the same principle of majoritarian choice, can give us a range of results from fascism, through the authoritarianisms of the current Russian or Turkish variety, to the aberration of Trump. History tells us how many of the seminal advancements or discoveries in science, math, and philosophy have been achieved against the grain of the popular, against the belief systems of the time. When people believed the earth was flat or that the sun moved round the earth, those who thought otherwise were likely candidates to be burnt at the stake, until the Copernican revolution took hold.

As a stark reminder of how populism interfering with the judicial process can be dangerous, let us rewind just a few months to the September 2016 Supreme Court directive to Karnataka to release Cauvery waters to Tamil Nadu and the, no doubt orchestrated plus spontaneous, public furore in Karnataka against the decision. The government there stood its ground against the agitators and implemented the Supreme Court directive, no doubt at considerable cost to its own popularity. Imagine if the court had adopted a hands-off policy, swayed not by the merits of the case and the evidence before it but by the antagonistic and volatile public mood in Karnataka? Or if the government had pleaded helplessness before the wrath of the people?

The way closure, at least for now, has been applied on the jallikkattu imbroglio may lead to different, perhaps undesirable, outcomes in similar situations where the judiciary, a section of the people and the government are involved in a three-way face-off.

# Tall claims, latent fears

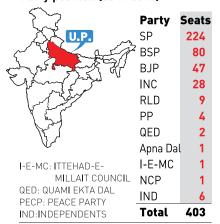
As Uttar Pradesh goes into campaign mode, confusion prevails on the ground even as leaders of all major parties exude confidence.

BY VENKITESH RAMAKRISHNAN AND DIVYA TRIVEDI

A PATTERN of tall claims from the pulpit in combination with organisational confusion on the ground seems to be the hallmark of campaigning in the 2017 Assembly elections in Uttar Pradesh. Even before the formal announcement of the elections, this was evident in the con-

Phase	Date	Constituencies	Dist.
1	Feb. 11	73	15
2	Feb. 15	67	11
3	Feb. 19	69	12
4	Feb. 23	53	12
5	Feb. 27	52	11
6	Mar. 4	49	7
7	Mar. 8	40	7

Party position [as in 2012]



duct of all the three major contestants—the ruling Samajwadi Party (S.P.), which recently aligned with the Congress; the Bahujan Samaj Party (BSP), which was the principal opposition in the Assembly; and the Bharatiya Janata Party (BJP), which made an impressive showing in the 2014 Lok Sabha elections. The singular absence of an overpowering election factor or issue adds to this unique political situation.

The leaders of the major parties had expressed confidence that this state of disconsonancy would be set right once the candidates were finalised and their organisational machinery was pressed into serious campaigning. However, the situation remains the same, and in some cases has been made worse, after the filing of nominations. Campaigns are under way for the elections scheduled for the first two phases of polling on February 11 and 15. The elections in the State will be held in seven phases concluding on March 8.

## S.P.: HOPES AND FEARS

The S.P.'s manifestation of confidence and confusion has been striking. Chief Minister Akhilesh Yadav presented a picture of supreme confidence in his first election rally, at



Sultanpur on January 24, following the formal announcement of the party's alliance with the Congress. He claimed that the party on its own would win 250 of the 403 seats and that the combined tally of the S.P. and the Congress would cross 300. He also said that the alliance with the Congress was initiated only to ensure that secular votes did not get split and thus benefit the "communal" BJP and its associates. The alliance. however, was struck after much turbulence in the negotiations between the two parties. Even after the alliance was formalised, there were intermittent eruptions of rebellion within the two parties on different aspects of the political understand-

The alliance had been anticipated for a good three months, but the



CHIEF MINISTER Akhilesh Yadav addressing a Samajwadi Party election rally in Sultanpur on January 24.

discussions actually got rolling only in the third week of January after Akhilesh Yadav's faction was notified as the real S.P. by the Election Commission of India (ECI) and granted the party's cycle symbol. Until then, the S.P. was in a state of continuous tumult with Akhilesh Yadav and his father, Mulayam Singh Yadav, waging a battle for supremacy. Akhilesh had shown his strength even before the ECI order as the majority of the party's legislators and office-bearers across the State rallied round him. The formal presentation of this domination through affidavits and other legal documents led the ECI to give its verdict in the Chief Minister's favour.

The talks between the Congress

and the S.P. were not smooth also because right from the beginning there was the impression that the grand old party of India was bargaining beyond its real worth. They almost collapsed on January 21 when the Congress asserted that it would not accept anything fewer than 125 seats, whereas the S.P. was ready to give only 99. The Congress also wanted to fight all the 10 seats in its traditional strongholds of Amethi and Rae Bareli, though the S.P. had won seven of them in the last Assembly elections. The S.P. apparently offered half of those 10 seats. Finally, negotiations at the highest levels late into that night led to a compromise that gave 105 seats to the Congress.

But the confusion did not end there, for the S.P. had already fielded its own candidates in 28 of the seats allotted to the Congress. Many of these candidates have refused to withdraw from the race. The Mulayam-Shivpal Yadav faction, which was squarely defeated in the innerparty tussle, are apparently backing these "dissidents". By all indications, the Amethi-Rae Bareli seat-sharing imbroglio has not been resolved and could ultimately lead to what is euphemistically called "friendly fights" in political parlance. It is against this background that the S.P. is preparing to face the first two phases of polling in western Uttar Pradesh. It is a region where the party is traditionally not strong because of the numerical weakness of the Yadavs, an Other Backward Class (OBC) community, unlike in other regions of the State where the Muslim-Yadav combination provides a strong base.

The S.P. allied itself with the Congress to overcome this weakness in western Uttar Pradesh, political activists and observers feel. The alliance is expected to get a section of the

upper castes, especially Brahmins, to vote for it. This, in turn, is expected to consolidate the Muslim vote because the minority community has a history of tactically shifting towards whichever political formation is capable of defeating the BJP. In the past, minority voters of western Uttar Pradesh preferred the BSP with its strong base among Dalits, espe-

cially the Jatav community among the Scheduled Castes. The S.P. hopes that this time the alliance with the Congress and Akhilesh Yadav's positive image will turn the minority votes in its favour. Some voices from the ground also reflect this expectation. But there is also the apprehension that if the combine is not able to draw a significant segment of the mi-

# Not a one-man show

"IT is as though our elections have come back to normal. Unlike the 2014 Lok Sabha elections and the elections in 2012 to the Assembly, this time it is not dictated by a single overwhelming factor. In 2014 it was a Modi aandhi [storm] where no other factor mattered. In 2012, it was a popular surge to defeat the then incumbent Bahujan Samaj Party [BSP] and its Chief Minister, Mayawati. But this time around there are multiple issues and factors with national, State-wide, regional and even micro-local import playing out in different parts of Uttar Pradesh and across different constituencies. And once again, caste and community alignments have become central to the elections and they have varying dimensions from region to region."

These words of Ashok Chaudhary, a farmer from Sikandrabad in western Uttar Pradesh, summed up the thematic contours of the election scenario in the country's most populous State. The Frontline team had sought responses from voters across scores of constituencies spread over 11 districts from Lucknow in central Uttar Pradesh to Ghaziabad in western Uttar Pradesh, adjoining New Delhi. Quite a few of them expressed similar opinions, but Chaudhary's summing up was the most succinct.

The "multiple issues and factors" that he mentioned may be listed thus: the State government's performance under Chief Minister Akhilesh Yadav of the Samajwadi

Party (S.P.); the Narendra Modi government's performance at the Centre; the personality dimensions of the two leaders; the fallout of the recent demonetisation: efforts at communal polarisation, essentially advanced by the Bharatiya Janata Party (BJP) and the Sangh Parivar led by the Rashtriya Swayamsewak Sangh (RSS): issues relating to the agrarian crisis, especially those of sugar cane farmers; the efforts of the BSP to win back and regroup sections of the Dalit electorate that had drifted away in 2014 under the impact of the Modi wave; the internal wrangling in the S.P. between the faction led by Akhilesh Yadav and that led by his father, Mulayam Singh Yadav, and uncle Shivpal Yaday. How people look at these issues and react to them is unmistakably coloured by caste considerations.

#### **GOVERNMENT PERFORMANCE**

It is generally accepted across the State that Akhilesh Yadav's governance, especially at the level of expanding social welfare projects and building up infrastructure, is commendable. However, there is widespread criticism of his government's track record in law and order and in handling the agrarian crisis. Still, Akhilesh Yadav's regime seems to be appreciated more than the Modi

government. The general consensus is that there has been no substantive fulfilment of Modi's "Ache Din" (good days) promise. While a section of his erstwhile supporters are so disillusioned that they see him as a jumlebaaz (trickster) given to loud-mouthed proclamations, a larger segment of the people Fron*tline* spoke to perceive him as a wellmeaning leader who is taking earthough not completely successful, measures. "He inherited such major problems from the earlier governments. Wait for some more time, he will still make good the promise of Ache Din," argued Sanjay Bakshi, a small-time businessman from Lucknow.

Such contradictory responses are also heard on demonetisation. Interacting with Frontline, merchants at the Moradabad market, almost to a man, vociferously criticised demonetisation as a thoughtless and reckless move that smashed business prospects in the current year. They clearly signalled a moving away from Modi and the BJP. But in Malihabad, known as the mango capital of the country, Radhev Shyam Maurya, who runs a small-time carpentry enterprise, was of the view that demonetisation was a decisive move to clean up the finance sector. A more interesting take came from Ram Ashrav, a Dalit labourer at Shahbad: "There are problems caused by demonetisa-

There is widespread criticism of the government's track record on law and order and the agrarian crisis.

nority votes in western Uttar Pradesh, it may trigger a chain reaction in the central, eastern and Bundelkhand regions, which go to polls in later phases.

#### **BSP LOSING GROUND TO BJP**

It is too early to predict how these hopes and apprehensions will actually play out in reality. But there is little denying that the BSP is no longer the well-organised political outfit that it was in the first decade of the 2000s. The party has been steadily losing ground, especially to the BJP, since its defeat in the 2012 Assembly elections. The BJP, on the other hand, has worked steadily to build up a huge Hindutva-oriented vote base in the non-Yaday OBC and Most



**BJP NATIONAL PRESIDENT Amit** 

Shah. There is resentment in the State unit over his choice of party candidates. Backward Caste (MBC) communi-

ties and among the non-Jatav Dalit communities on the basis of an antiminority, pan-Hindu social and political agenda. The gains made by the BJP on this plank were strikingly manifest in the 2014 Lok Sabha elections. In fact, a segment of the Jatav voters, the core support base of the BSP, also drifted to the BJP in that election. This trend is evident in many of the western Uttar Pradesh constituencies going to polls in the first phases in February. Many Dalit voters in constituencies such as Thana Bhawan in Shamli district, and Shahbad and Sikandrabad in Bulundshahar district blamed the BSP leadership's growing distance from the people for this depletion of sup-

A group of college students of Agra, belonging to different Dalit sub-castes, told Frontline that they had expected the BSP leadership to take up issues like the suicide of Rohith Vemula of Hyderabad and the flogging incident at Una in Gujarat to galvanise the Dalit population of Uttar Pradesh. "But nothing of that sort happened," one of them said. "This election would have been a sure-shot win for the BSP if the party leadership had taken up such issues. Now, leaders like Mayawati continue to talk rhetorically about easily winning a majority, but at the ground level the BSP cadre does not exude similar confidence."

#### **BJP: TALL TALK & ANGRY MURMURS**

The situation in the BJP, too, is one of striking discordance between tall

tion, but the big shots are facing the biggest problems." That the rich were in a fix would ultimately benefit the poor, Ram Ashray felt.

Voters across the 11 districts of central and western Uttar Pradesh felt that the Hindutva drive for communal polarisation was not as powerful this time as it was in 2014. In western Uttar Pradesh's Sardhana, Ainuddin Shah of the Rashtriva Lok Dal (RLD) said that people had seen through the games of Sangeet Som of the BJP and Atul Pradhan of the S.P. who were putting all their efforts into polarising Hindus and Muslims. Still, the districts of western Uttar Pradesh, close to Muzaffarnagar and Shamli, which witnessed horrific riots in 2013 and continue to simmer with Hindu-Muslim tension, do reflect a certain degree of communal polarisation. Reports from some eastern Uttar Pradesh districts like Gorakhpur and Azamgarh also suggest that the communal divide is an important factor in a number of seats.

## AGRARIAN CRISIS

On the crucial question of handling the agrarian crisis, no political organisation has any sympathy from the State's sizable agricultural community. In large parts of western Uttar Pradesh, the double burden of demonetisation and delayed payments by sugar cane mills have made people disillusioned with both the S.P. and the BJP.

"I have one acre of land but live on the kindness of my sons who work in the city. I can show you many households that own several

acres but have no money to buy winter clothes. They sleep huddled in one room under covers made of sugar cane skin," said Rambeer Singh of Hastinapur. He voted for the BJP in 2014 but is now mobilising farmers to vote for a new party called the Rashtriya Kisan Mazdoor Party. A number of farmer suicides, including the recent one by Jaibeer Singh at Khatoli in Muzaffarnagar in January (he shot his daughter and wife and then himself with a pistol), keep the anger simmering against both the Central and State governments among farmers.

As for the BSP, farmers and agricultural labourers are of the view that the party leadership has not taken up the agricultural crisis in earnest. "Our leaders, including Mayawati ji, have distanced themselves from the people so much that they do not evoke the kind of confidence they did before 2014," said one of a group of Dalit youngsters that Frontline met at Goherni village in Shamli. But they added that they would still vote for the BSP. This mood among core Dalit communities is making the BSP's comeback efforts increasingly difficult.

The other big organisation-related factor is the infighting in the S.P. With the near-total domination of Akhilesh Yadav in all spheres of the party, there is greater organisational cohesion in the S.P. now than earlier. But, as is evident, that by itself will not be the ultimate deciding factor in the 2017 elections.

> Venkitesh Ramakrishnan and Divya Trivedi



**THE SAMAJWADI PARTY** and the Congress announced their alliance in Lucknow on January 22. Here, State Congress chief Raj Babbar (right) and S.P. State chief Naresh Uttam (centre) with senior S.P. leader Kiran Nanda at the press conference.

claims and creeping trepidation. Top leaders, starting from BJP national president Amit Shah, talk about winning 300-plus seats. Their primary argument is that Prime Minister Narendra Modi's political brand value has become stronger following the demonetisation exercise and that this should lead to a repeat of 2014, when the party won 71 Lok Sabha seats on its own and helped its ally Apna Dal win another two seats. Cumulatively, this victory in 73 seats translated into a lead in over 325 Assembly segments. The party leadership also calculates that the broad consolidation of non-Yaday OBC-MBC communities and non-Jatav Dalit communities holds good three years into the Modi regime. There is also the calculation that the Chief Minister's positive image will get neutralised by the constant complaints about the dominance of antisocial and criminal elements during the S.P. regime. However, party workers, and even district-level BJP leaders, do not buy into this optimistic projection. They point to the mixed social reactions to demonetisation and the widespread lampoon-



BSP SUPREMO Mayawati.

ing of the "Ache Din" (good days) slogan coined by Modi during the 2014 elections.

There are other problems. A large number of regional leaders across the State have started complaining about the arbitrary selection of candidates by a small, arrogant group led by Amit Shah. A senior leader based in Lucknow said: "The first list of 149 for the first and second phases of elections is a complete travesty of all the established

norms and practices in the selection of candidates normally followed in the BJP. Remember, similar violations and haughtiness were observed in Bihar, too, and we all know what happened there." He added that a sizable number of regional and local leaders and BJP voters were upset with the way in which relatives of politicians were given the party ticket. Pankaj Singh, son of Union Home Minister Rajnath Singh, and Mriganka Singh, daughter of the veteran BJP MP Hukum Singh, are among those who have thus benefited in western Uttar Pradesh. Vimlesh Paswan, brother of the BJP's Bansgaon MP Kamlesh Paswan, and Salempur MP Ravindra Kushwaha's brother Jainath have got the party ticket in eastern Uttar Pradesh.

Santosh Mishra, once a resolute Brahmin supporter of the party in western Uttar Pradesh, said: "While the BJP has promised to put an end to dynasty politics, it is doing exactly the opposite. Amit Shah is listening to wrong counsel of local leaders. We will ensure the BJP does not win from our seat this time."

Sections of the BJP also feel that some senior leaders of the Rashtriya Swayamsewak Sangh (RSS) and the BJP have decided to take on the haughtiness of the "Big Two" by embarking on a sabotage mission. The RSS ideologue Manmohan Vaidva's comment that it is not caste-based reservation but opportunities that the oppressed communities need is seen as indicative of this mission. Those who believe that a conspiracy is afoot point to a similar statement by the RSS leader Mohan Bhagwat in the run-up to the Bihar elections, which had serious consequences. Similarly, the sidelined former State president Vinay Katiyar's disparaging and sexist comment on Priyanka Gandhi is suspected to be a deliberate ploy to pull down the BJP.

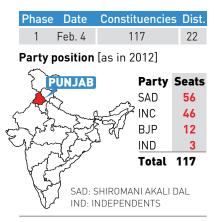
As the State prepares for the first round of polling, confusion on the ground and high expectations seem to mark the situation in all the major parties. Some political observers believe, however, that the trends in the first two rounds of polling will turn the tide one way or the other.

# Change on the cards

The Aam Aadmi Party appears to have an edge over its rivals in Punjab although voters in the three regions are divided between the Congress and the new party, clearly rejecting the SAD-BJP alliance.

BY AKSHAY DESHMANE IN BATHINDA AND AMRITSAR

IS the Punjabi penchant for experimentation coupled with deeprooted feelings of anger and disappointment towards the Shiromani Akali Dal-Bharatiya Janata Party (SAD-BJP) government driving a substantially large number of voters to make a clear choice in favour of one party to ensure its victory and prevent a fragmented electoral mandate? This question assumed increasing relevance as the campaign for the February 4 Assembly elections entered its final phase, with prominent leaders, including Prime Minister Narendra Modi, Congress vice president Rahul Gandhi and Aam Aadmi Party (AAP) national convener and Delhi Chief Minister Arvind Kejriwal, addressing large





**AAP NATIONAL CONVENER** and Delhi Chief Minister Arvind Kejriwal introducing Jarnail Singh, AAP candidate, at an election rally in Lambi on January 20.

public rallies. The electoral outcome, which is to be announced on March 11, will depend largely on the extent to which this apparent inclination of a substantially large number of Punjabi voters crystallises into a firm decision.

As this correspondent travelled across vast swathes of Punjab's three regions—Malwa, Majha and Doaba—during the second fortnight of January, the public resentment against the SAD-BJP governance was hard to miss. Interestingly, a good number of people interviewed mentioned satisfactory government performance with regard to delivering public

infrastructure. However, they are resentful about the apparent impunity of those close to the government, widespread corruption, joblessness, agricultural crisis and drug abuse. The opposition parties, essentially the AAP and the Congress, have successfully tapped into this widespread resentment.

In the politically crucial Malwa region, which has 69 of the 117 Assembly seats and half of Punjab's 22 districts, public sentiment is mostly inclined towards the AAP. It is acknowledged in Punjab that whoever wins Malwa forms the government. The region is witnessing most of the

# 'Congress all set to make a clean sweep'

"PUNJAB will never accept a Haryanvi Chief Minister who will not think twice before selling off the State's interests to the neighbouring States," said the former Punjab Chief Minister Captain Amarinder Singh, the face of the Congress' campaign in the Assembly elections. Excerpts from an interview he gave Frontline:

# How do you assess the electoral prospects of the Congress and the AAP in the coming elections?

Let's not club the two parties. The Congress is all set to make a clean sweep in the elections while the AAP has no standing and is continuously losing whatever little ground it had earlier managed to gain in Punjab. Marred by allegations of corruption and sex scandals, Arvind Kejriwal's party has lost the trust of the people of Punjab and has no hope of showing a decent performance in these elections. Punjab will never accept a Haryanvi Chief Minister who will not think twice before selling off the State's interests to the neighbouring States.

One hears of a region-wise split in public response to the Congress and the AAP. The people of Malwa, the region with the most number of constituencies, are said to be in

# favour of the AAP. What is your assessment?

My overall assessment is that the Akali Dal will win less than 20 seats, and the AAP's tally will be less than 30; that is the situation now. Our fight is with the AAP in south [Malwa], not with the Akali Dal, because those are the core districts; that is where all farmer suicides have taken place, and that is where we are doing well. Upper northern Malwa seats are all with us. Ludhiana, Ropar, Patiala.

You are a popular leader across the State, yet the Congress did not officially declare you as its chief ministerial candidate early enough. Why?

At the risk of sounding repetitive, let me clarify that the prerog-



**AMARINDER SINGH,**Punjab Congress president.

ative of declaring or not declaring the chief ministerial candidate in any election-bound State lies with All India Congress Committee president Sonia Gandhi and vice president Rahul Gandhi. We always announce the Chief Minister after the elections are over.

The AAP's national convener Arvind Kejriwal and Shiromani Akali Dal (SAD) president Sukhbir Badal have questioned your decision to contest from both Patiala and Lambi. What prompted you to take the decision?

Patiala is my hometown and the place from where I began my political career 47 years ago. Since this is my last election, I want to end my political innings from Patiala. My decision to contest from Lambi was motivated by my strong desire to teach Chief Minister Parkash Singh Badal a lesson for what he has done to the people of Punjab. As I get ready to take to a life of retirement, I want to be satisfied that I played some role in rescuing the people of my State from the victimisation and devastation [they suffered] during Badal's regime. Choosing one or the other constituency would have been a tough choice for me, and I'm sure nobody would have wanted to put me through such a difficult choice at this age and stage in my life.

key electoral contests and, therefore, close media attention.

While those sympathetic to the Congress often bring up the example of the 2012 Assembly elections in which Manpreet Badal, Finance Minister in the previous SAD-BJP government who rebelled and contested with an independent front, cut into the Congress vote share thereby ensuring the return to power of the present dispensation, a spirited campaign by the AAP about a supposed deal between the Congress and the ruling dispensation has had some effect on public perception.

Former Congress Chief Minister

Captain Amarinder Singh's decision to contest against Chief Minister Parkash Singh Badal in Lambi, which is in the Malwa region's Muktsar district, has heated up the campaign, but the wind is definitively not blowing in the Congress' favour.

Mohan Singh, a small farmer from Kheowali village in Lambi, was perhaps echoing the majority perception in Malwa when he told *Frontline*: "We are considering voting for the *jhaadu* [broom, the AAP's election symbol] this time. We voted for Badal saab thrice, but we are thinking about giving the new option a chance. Even if the AAP does not do

anything to benefit us, at least it will not do anything as adverse as these two have done." He meant the SAD-BJP and the Congress, which have ruled the State since its formation in 1966. Similar feelings were evident in Deputy Chief Minister Sukhbir Singh Badal's Jalalabad constituency. Prince Gandhi, a grocery store owner, said: "Our entire village has taken to the *jhaadu*. We won't vote for Sukhbir this time."

It is not easy to predict the winners in Lambi and Jalalabad as the Congress has mounted forceful campaigns. Ravneet Singh, Congress Member of Parliament and grand-

You had planned a grand spectacle with Navjot Singh Sidhu (who quit the Bharatiya Janata Party and joined the Congress late last year) in Amritsar with a press conference, a road show and a visit to the Golden Temple, but none of it materialised. Why?

I always leave my campaign plans to my campaign managers and strategists. They were the ones who planned out the entire schedule for Amritsar. It was never a question of a grand spectacle, but yes, I had definitely wanted to meet the people of Amritsar, which was my parliamentary constituency before I resigned the Lok Sabha seat [in protest against the November 10 Supreme Court verdict on the Sutlej-Yamuna Link (SYL) canal water sharing agreement]. I also wanted to pay my respects at Darbar Sahib. Unfortunately, other pressing engagements came up. In particular, the party decided it was important for the Assembly election and the Lok Sabha by election candidates to be present when scrutiny of their nomination papers came up in order to ensure that the SAD did not play dirty games.

# Union Finance Minister Arun Jaitley recently said in Amritsar that a split in opposition vote would help the ruling alliance retain power.

Jaitley, if he comes and fights again [in Amritsar; Amarinder de-

feated Jaitley in the Amritsar Lok Sabha elections in 2014], I can guarantee you that he will lose. He can make whatever statements he wants. The BJP is nowhere in the reckoning. What is the credibility of this man? I don't think he even knew that demonetisation was taking place—the Finance Minister of India did not know this.

He is a petty man, says petty things. He says he wants to expose my Swiss Bank account. You can say what you like, there is the law of the land. I will call Jaitley as a witness with the senior Income Tax officers who connived in this. This is a total blackmail attitude [sic]; 100 per cent he had a role in this. He called one of his officers saying he wants a case against Amarinder Singh. After three months, when he was told there was no case that would stand scrutiny of law, he said, "I don't care." Therefore, I know all the conversations, with whom and when they had [them]. How they connived. I will call them to the witness box, on oath, and I will call Jaitley also. I will see what they talk on oath.

Your campaign, "karza khurki khatam, fasal di poori rakam" promising debt waiver to farmers, has been criticised by the SAD and the AAP as unrealistic and misleading. What is your response?

If it is unrealistic and mislead-

ing, tell me why both the SAD and the AAP have replicated our promise of debt waiver and reached out farmers with similar schemes? The waiver of loans for farmers is not only doable but on the lines of similar promises we had made and successfully implemented during the previous Congress regime in the State. As I have repeatedly said, we will renegotiate the interests on loans taken by farmers and agricultural labourers and the government will take over the rest [including the principal] and pay it to the banks.

### What is the permanent solution for such a massive scale of indebtedness and suicides among the farming community in Punjab?

The M.S. Swaminathan Commission report is, in my opinion, the key to finding a permanent solution to the woes afflicting the farming community in Punjab. The report has, unfortunately, been gathering dust and the Congress is committed to approaching the Central government for its early implementation; our manifesto clearly states this. We also propose to introduce a new law to prohibit the sale and kurki [attachment] of farmers' land by lending agencies since the earlier law had become outdated and needed to be changed in the interest of the farming community.

Akshay Deshmane

son of the late Chief Minister Beant Singh, is a formidable candidate in Jalalabad. However, it is a fact illustrative of Punjab's election scene that the Badals, who ruled Punjab with a strong hand for a decade, are facing a difficult electoral battle thanks in no small measure to the intense campaign launched by the AAP by fielding candidates with wide appeal. The AAP's campaign committee chief, Bhagwant Mann, is contesting from Jalalabad and the former journalist Jarnail Singh from the high-profile Lambi. (Jarnail Singh, who was a Member of the Legislative Assembly in Delhi, hit the headlines for hurling a shoe at former Home Minister P. Chidambaram in protest against the clean chit given by the Central Bureau of Investigation to the Congress leader Jagdish Tytler in the 1984 riots case.) Similar contests in Malwa, which sent four AAP candidates to the Lok Sabha in 2014, appear to have tilted the scales sharply towards the AAP, although the Congress has launched a strong campaign in Patiala, Bathinda (Urban) and other districts of the region.

Northern Punjab's Majha region has 25 seats. It is considered to be the base of conservative and religiousminded voters. The Jat Sikh farmers of Malwa and the conservative voters of Majha are believed to form the traditional Akali vote base. However, political observers and public sentiment point to a different voter preference this time around. In Majha, traditional Akali voters may consider voting for the Congress in view of Amarinder Singh's popularity and the relatively week position of the AAP there. Both the AAP and the Congress have disputed this view by saying that they are seeking and expect to get "two-thirds" or "sweeping" mandates.

According to Professor Jagrup



**DEPUTY CHIEF MINISTER** Sukhbir Singh Badal (centre) of the SAD releasing the party's manifesto on January 24.

Singh Sekhon, head of the Political Science Department in the Amritsar-based Guru Nanak Dev University, the region-wise split is on the following lines: Malwa is by and large with the AAP, Majha with the Congress, and the Doaba region, with 23 seats, does not seem to be going definitely with any one party. "If elections had been held six months ago, the AAP would have repeated Delhi's performance. However, the Congress' campaign has also picked up now so the AAP is no longer an undisputed challenger to the SAD-BJP alliance. Even so, the AAP retains the edge," he explained.

What Jaspreet Singh, owner of a pagri (turban) shop outside the Golden Temple in Amritsar, had to say is perhaps indicative of the reason for the uptick in the Congress' fortunes in Majha. "Until a few months ago, I was supporting Kejriwal. But when I saw the candidates fielded by his party in Amritsar, I was disappointed. Captain has given us better option to vote for. The Badals must go," he said. Among the key reasons for Jaspreet's dismay is the Badal government's inability to nab the culprits who desecrated the Guru Granth Sahib. "Any self-respecting Sikh will not vote for the Akalis in this election," he said. Kishan Saini, a Gurdaspur resident, said, "Jhaduwale [AAP] are not to be seen in my constituency and my family has been long-time Congress voters."

In Doaba, the combination of Dalit populations and families of non-resident Indians has created an interesting fight between the Congress and the AAP. Both parties have reached out to the two voting segments-Punjab has a large, politically and economically influential, diaspora and India's largest Dalit population at nearly 32 per cent. The response of these sectors is keenly watched. The AAP's decision to reserve the Deputy Chief Minister's post for a person from the Dalit community has been noted, just as its high-visibility outreach to the Punjabi diaspora, whose members have returned home to campaign in the elections. The Congress also claims it will do well, thanks to its efforts to reach out to the two segments.

While travelling in Jalandhar and Nawanshahar in the Doaba region, this correspondent could sense, in several constituencies, the mood in favour of giving the new entrant a chance. "We have tried the Congress and the Akalis before. I feel we should give a chance to Kejriwal now," said Vir Singh Kashyap from Baharmajara village in Banga constituency in Nawanshahar district.

#### YOUTH AS CONSTITUENCY

While much is made of region and caste while assessing voting decisions, it appears that not many realise the influence of one of the most relevant voting constituencies: the youth. Fifty-three per cent of Punjab's 1.04-crore-strong electorate is in the 18-39 age group. These voters will most likely have a definite impact on the verdict. Politicians from all parties have sought to woo this

"aspirational" voting segment in myriad ways. The Congress, through its offer of giving smartphones with free data, has sought to tap into this voting segment. The Akali Dal talks of free Wi-Fi facility in the rural areas.

Voting preferences may not be uniform on all issues in this segment, but when it comes to jobs, context-specific divisions collapse. Consider the example of the landed Jat Sikh farmer community, which is no longer expected to vote en masse for the Akalis. In this segment, the youth appear to have been attracted by the AAP.

Professor Ashutosh Kumar of Panjab University says: "Youth have emerged as a voting segment of their own in recent years. Especially since the 2014 Lok Sabha elections, youths from the Jat Sikh farming community, which otherwise backed the Akalis, have looked towards the AAP with hope." Evidence of this could be found in Sukhbir Badal's constituency. When this correspondent spoke to young voters who had come out to witness Bhagwant Mann's public meetings, especially those not directly a part of the politically savvy Akali Dal local unit, they expressed keen interest in the AAP.

Baldev Singh of Chakkh Khiva village in Jalalabad is a small farmer. He feels the AAP should be given a chance. "The Akalis have done some good things. The Atta Dal scheme and free power for water pumps in farms are very good. But we don't have decent, well-paying jobs. I have voted for the Akalis before. But now many of us are considering jhaadu this time," he said. If the 2012 and 2014 elections are any indicators, Punjab can throw up surprises. What remains to be seen is whether the electorate will deliver a definite break from the past.

#### **ISSUES IN FOCUS**

The campaign for the elections has been anything but typical and so are the issues in focus.

Being a contestant with a more or less clean slate, the AAP cashed in on the first mover's advantage and found itself setting the agenda for

# AAP hopeful of big win

THE Aam Aadmi Party's campaign committee chairman for Punjab, Bhagwant Mann, says the AAP will perform better than its record performance in the 2015 Delhi Assembly elections and its opponents will be routed.

Excerpts from an interview:

# How do you assess the AAP's prospects in the elections?

This will be a very big revolution. Punjab is the gateway of India for the Aam Aadmi Party. Historically, many revolutions have begun here. Just as the Green Revolution began here, this [AAP's revolution] will begin here too. Delhi's record [electoral perform-

ance of AAP in the 2015 Assembly elections] is under threat. There they [the opposition] could at least win three seats, here they seem to be headed for a complete washout. Kids, 90-year-olds, women—all are coming out enthusiastically in support.

One often hears of a region-wise split in

public response to the Congress as well as the AAP. Majha is seen as a weak spot for the AAP. How do you assess the situation?

The Akalis have scared off Majha like the British would. They created *riyasats* [personal estates] of Majithia and others.

The region has a parcha culture [the practice of lodging fake cases against political opponents] and all goondas are based there—[Bikram Singh] Majithia, Virsa Singh Valtoha, Bonnie, Kairon. Majha will win us a greater percentage [of votes and seats] than Malwa.

Our government will be formed solely on the seats from Malwa; we

will win 60 plus seats here. It is possible that out of 23 seats in Majha we will win 21. So that makes it greater percentagewise. There is going to be one-sided voting [for AAP]. Entire villages are coming to us.

The Congress' campaign has picked up in the past couple

of months and the party is seen as a serious contender now unlike before.

Does Captain Amarinder Singh respect constitutional institutions? When he was elected to the Vidhan Sabha, he did not attend it for a day. If any student has such poor attendance, he will not be allowed to give his exams. He has the worst attendance in Parliament. I have the most attendance.

Both [the Shiromani Akali Dal and the Congress] will get seats in single digits.

The election management skills of Deputy Chief Minister Sukhbir Badal are said to have won the SAD an unexpected victory in the 2012 Assembly elections. What do you anticipate this time?

Sukhbir Badal's micromanagement and Prashant Kishor's socalled management are going to fail. The careers of both will be finished.

Arun Jaitley recently said in Amritsar that division of votes in the opposition will be one of the factors that will help the SAD-BJP come back to power.

Did Jaitley *ji* himself win [from Amritsar]? How can he ask others to win?

Akshay Deshmane



**BHAGWANT MANN,** the AAP's campaign committee chief.

much of 2016 by effectively raking up the issues of drug addiction among youths and perceived political involvement in the drug trade, widespread corruption, alleged nepotism of Parkash Singh Badal's family, farmer suicides and indebtedness, and poor governance.

The Congress, which came late into the campaign, mounted a fairly effective campaign surrounding the indebtedness of farmers and the demand for remunerative prices for crop produce with the slogan "karza kurki khatam, fasal di poori rakam" (end of loan, mortgage; full remuneration for crop).

These campaigns tapped into the widely prevalent anti-incumbency

sentiment in various sections of society and received a strong response.

Issues relating to drugs appeared to have found special resonance among people when the AAP produced documents from the Enforcement Directorate in early 2016 to accuse Bikram Singh Majithia, Cabinet Minister in the Badal government and brother-in-law of Sukhbir Badal, of having links with drug peddlers. A similar charge was hurled at Majithia during the 2014 Lok Sabha elections. But in 2016, what was until then a matter of political campaign became a widely discussed social issue beyond the State when the Central Board of Film Certification objected to political references relating to the drug trade in the Hindi film *Udta Punjab*, and a controversy erupted.

Sukhbir Badal accused the opposition of "defaming" Punjab and its youth by portraying them as drug addicts. Questions were raised about the actual extent of drug addiction in society. Sukbhir Badal stated that it was below the national average and the opposition parties disputed his claim. Seeking to keep the momentum on the issue alive, Kejriwal announced during one of his rallies that he would put Majithia behind bars by April 15. Apart from drugs, issues linked directly to agriculture came up during the course of the campaign in diverse ways.

# Errors of judgement

The BJP's failed attempts to topple the Rawat government and its overt support to Congress rebels could sound the death knell for the party's prospects in the upcoming Assembly elections. BY PURNIMA S. TRIPATHI

THE tiny hill State of Uttarakhand has been swinging like a pendulum between the Bharativa Janata Party (BJP) and the Congress ever since its creation. There has always been a close contest between the two major parties during Assembly elections, and the upcoming elections will be no different, despite the fact that the BJP made a clean sweep of all five Lok Sabha constituencies in the 2014 election. According to BJP insiders, a string of missteps by the party in recent months has queered the pitch for it in a battle which otherwise looked favourably settled in favour of the saffron party until a few months ago.

The party's first major faux pas was the overt support it extended to nine Congress rebel Members of the Legislative Assembly (MLAs) to topple the Harish Rawat-led Congress government in March last year. Just a day before the Rawat government



was required to prove its majority, the Centre dismissed it and imposed President's Rule. But this move was quashed by the Nainital High Court. The political battle then reached the Supreme Court, which, in an unusual and unprecedented move, "suspended" President's Rule for three hours to facilitate the Rawat government's floor test on May 10, 2016. The apex court also barred the nine rebel Congress MLAs from voting. With the House strength reduced to 61, Rawat, who had the support of 27 of his own MLAs and six others, sailed through the floor test and his government was reinstated ("Rawat's return", Frontline, June 24, 2016).

The other error of judgement, according to party insiders in Uttarakhand, was allowing the nine rebel Congress MLAs to join the party and allotting them the BJP ticket, along with some other Congress defectors who were given the ticket barely hours after they switched sides. The most glaring example was that of senior Congress leader Yashpal Arya, Revenue and Irrigation Minister in the Rawat government, who was given the ticket on the same day he defected. "We have been attacking these very people for the last five years and suddenly we have been asked to go and ask people to vote for them. With what face can we do that now? These actions have left the cadre thoroughly frustrated," said a senior BJP leader and former Chief Minister of the State. According to him, the party has wasted at least 15 such seats in this manner. "Maybe in

one or two seats we can still compensate, but we are going to lose 12-14 seats because of accommodating the defectors."

According to these leaders, giving the ticket to Congress defector Vijay Bahuguna and his son Saket Bahuguna, who were considered the masterminds of the failed coup in March last year, was a disastrous decision because Bahuguna was the Chief Minister when the Kedarnath deluge happened in 2013 and thousands lost their lives. "We had criticised Bahuguna so bitterly during that time, now we are saddled with the task of campaigning for him and his son. How can we face our supporters now?" they said.

Senior BJP leaders told *Frontline* that none of them, including former Chief Ministers Ramesh Pokhriyal Nishank, B.C. Khanduri and Bhagat Singh Koshyari, were consulted by the party high command before the ticket was given to the defectors. "We don't understand why this was done. It has really queered the pitch for us," said a senior leader.

Another factor that can go against the party is the fact that it has failed to come up with a chief ministerial candidate owing to factionalism. "Projecting a face helps, as we saw in the last Lok Sabha election. The craze for Modiji was such that we won even those seats which we never imagined we could. Similarly, in Assam, projecting [Sarbananda] Sonowal helped us win the State for the first time. Now, of course, it is too late," a senior BJP leader said. Hav-

IND:INDEPENDENTS



**CHIEF MINISTER** Harish Rawat with MLAs after the floor test on May 10.

ing Rawat as the chief ministerial candidate of the Congress had made it more difficult because he was a grass-roots worker, having worked in the State since 2002, BJP leaders said. Besides, in the wake of the BJP's miscalculated move to topple him, he has emerged as a martyr and is expected to have garnered people's sympathy. This could make people overlook his government's failures and give him another chance, they added.

The Congress, which made a mess of itself during the rebellion, has surprisingly put up a neat act this time, declaring Rawat the chief ministerial candidate and giving him a free hand in ticket distribution. Although the Congress headquarters in Dehradun witnessed unruly scenes after the candidates' list was announced, senior Congress party leaders dismissed them as the natural anger of those who were denied the ticket. "After all, everyone cannot get the ticket, and those denied would definitely feel hurt and express their anger. But we will win the State with a comfortable majority because despite the short time he got, Harish Rawat has tried to do his best," said Surendra Kumar Agrawal, Rawat's close aide and media adviser. According to him, while the BJP wanted the char dham yatra to be discontinued for a few years after the Kedarnath tragedy, the government did its best to restart the yatra. "We managed to organise the yatra the very next year without any hitch. Tourist arrivals in 2015 were the largest ever. We have provided social security to all, including even the unborn child. We have started many small development projects and, given a second chance, we will make the State a model State once again," Agrawal said.

As for Rawat himself, he has been in campaign mode ever since he was reinstated, going on *padayatras* and explaining the "conspiracy against him, a commoner", as he prefers to describe himself. "It is good that those who were toppling my government have gone to the other side, including the king of all scams [an indirect reference to Vijay Bahuguna]. It was because of these people that my government was being accused of corruption, it is good riddance from bad rubbish," he tells voters.

Congress leaders are also hopeful that the problems people faced because of demonetisation and its effect on tourism, which is the mainstay of Uttarakhand's economy, will make them vote for their party. In fact, in order to capitalise on demonetisation woes, Rawat constituted a committee which came to the conclusion that the State suffered a loss of Rs.500-600 crore because of the fall in tourist arrivals. This is a major talking point in election speeches.

The BJP, on the other hand, expects its announcement of One Rank One Pension (OROP) for defence personnel will work in its favour as more than 40 per cent of the State's population consists of serving or retired defence personnel. The party also hopes the appointment of General Bipin Rawat as Army chief will boost its chances because this is the first time someone from Uttarakhand has occupied the high post.

"Not only the Army chief, even the RAW chief and the DGMO [Director General of Military Operations] are from Uttarakhand, which is a matter of pride for all of us," a senior BJP leader said.

These do not figure in speeches, but all BJP leaders mention them in informal conversations. Political observers said that even the holding of the Army commanders' conference in Dehradun this time was a covert message to the people.

"We are forming the next government, there is no doubt. The Congress government has failed on all fronts. The crime rate has seen the highest ever increase during 2015-16 (as per the National Crime Records Bureau), development is at a standstill, roads are in a shambles, victims of the 2013 deluge are still living on roads, there is no rehabilitation. Even the Rs.700-crore fund the Centre sent for rehabilitation purposes has remained unspent," said Ramesh Pokhriyal Nishank.

With both parties keeping their fingers crossed, it is indeed going to be a keenly contested battle, especially because the margin of victory or defeat could actually be very thin. In 2012, the Congress formed the government although it won just one seat more than the BJP: it won 32 seats while the BJP won 31. The vote margin was just 0.66 per cent-the Congress' vote share was 33.79 per cent and the BJP's 33.13 per cent. The fact that the Bahujan Samaj Party (BSP) also has a fair share of votes tends to go in the Congress' favour. The BSP, which won three seats in 2012 and 12.19 per cent of the votes. supported the Congress government and may do so again. The same goes for the Uttarakhand Kranti Dal (UKD), which will find it easier to support the Congress than the BJP. Three independents and one UKD member supported the Congress government in 2012 and all of them remained with the Congress government through Rawat's tribulations. This definitely gives the Congress a bit more confidence.

The State goes to the polls on February 15 and the results will be known on March 11.  $\Box$ 

# Hotchpotch in Goa

Manohar Parrikar appears to be the BJP's best bet and the Congress falls back once again on its veteran leader Pratapsinh Rane.

But the AAP, Goa Forward and the MGP can play spoilers in the tiny State. BY ANUPAMA KATAKAM

GOA is India's smallest State, but the run-up to the February 4 elections to its 40-member Assembly is as vigorous and dramatic as it is in the four other States that are going to the polls in February/March.

As in the 2012 elections, the race this time is between the ruling Bharatiya Janata Party (BJP) and the Congress. However, a few regional parties such as the Maharashtrawadi Gomantak Party (MGP), Goa Forward and the Goa Vikas Party and some independents are in a position to play critical roles in the formation of the government. Adding to the mix is the Aam Aadmi Party (AAP), which is fielding 36 candidates, spoiling the Congress' chances.

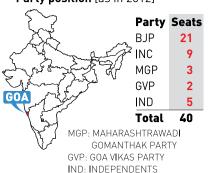
It is anyone's guess which way the regional parties and independents will go, political observers say. The



**THE AAP'S** chief ministerial candidate, Elvis Gomes, and the party's Panaji candidate, Valmiki Naik, during a "jhaadu yatra" in Panaji on January 18.

PhaseDateConstituenciesDist.1Feb. 4402

Party position [as in 2012]



BJP has fielded its candidates in 36 seats and is supporting independents in two constituencies. The Congress is contesting 37 seats, the Nationalist Congress Party 16 and the MGP-Goa Suraksha Manch-Shiv Sena alliance 26. Goa Forward is contesting in four critical constituencies.

In the 2012 elections, the BJP, riding on the crest of an anti-incumbency wave, defeated the long-serving Congress party by winning 21 seats. The Congress won nine seats. Having secured a majority, the BJP was spared the pressure of tying up with regional parties or independ-

ents and pandering to their demands. Manohar Parrikar, who is now Defence Minister, was chosen as Chief Minister. There was hope that the engineering graduate with a clean image would steer Goa out of the political turbulence and corruption scams that were bogging it down.

Parrikar was like a breath of fresh air for Goans. His popularity soared when he started several infrastructure projects in an effort to put the State back on track. However, Parrikar was asked to move to New Delhi when the BJP won the general election in 2014. Laxmikant Parsekar,

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# Mining and other promises

OTHER than socio-economic issues such as employment, civic infrastructure, transport, housing, health care and education, Goa grapples with a few key issues that come up during election time: the ban on iron ore mining, casinos, and, of late, English as the medium of instruction in schools.

The Congress has vowed to close down all casinos, including gambling dens mounted on floating vessels. It has promised free petrol up to five litres a month to every college student and waiver of a certain amount of outstanding mining loans. The Bharatiya Janata Party (BJP) plans to focus on a comprehensive mobility plan for the State, including a metro train facility and electric inter-city buses. The party is also planning socioeconomic schemes and grants.

The Aam Aadmi Party has put out a longer list of promises, which, according to a Calangute resident, seems alluring. These include resuming mining, but in the form of green mining. "Goa cannot run without mining," said AAP convener Arvind Kejriwal.

The ban on mining of iron ore is a big issue in the Assembly elections. The initial plea of the Goa Foundation was to stop mining completely in Goa because of the damage caused to the environment.

The Supreme Court said this was not possible because of a law that said mining was an essential service. So the foundation amended its plea and said mining should be carried out with safeguards. An alternative people-oriented plan was presented, which said that natural resources, that is, iron ore, belong to the government and hence the people. Therefore, contracts should be given only for extraction of ore. The actual ore belongs to the government, which should sell it and use the proceeds for governance of the State.

With this in mind, mining was banned in the State by a Supreme Court order of October 5, 2012. Mining activities restarted in 2014 because of a resource crunch and a need to boost exports but with a caveat: only 20 million tonnes of iron ore could be extracted annually.

The alternative plan was designed to cut sharply into the profits of big companies.

Claude Alvares, director of the Goa Foundation, said: "The big companies were unhappy with the idea. They were getting 500-700 per cent profit." It would seem that the BJP government agreed with the companies because the alternative plan was ignored and instead 88 mining leases were renewed. The Goa Foundation has challenged the renewal of 88 leases, saving that in 2015 the Supreme Court had ordered that all mining leases granted for 50 years, which had expired in 2007, would not be renewed.

The money involved in mining is mind-boggling. Alvares said the renewal of leases would give the mining companies profits worth Rs.1.44 lakh crore. This has inspired a campaign slogan: "Ore Chor 144." Putting this huge amount in perspective, Alvares said: "The annual budget for Goa is Rs.10,000 crore."

Mining has been a big employer in Goa and the ban hit the livelihoods of thousands of families. Although the State did give financial aid to those who were affected, the former mine workers see the elections as an opportunity to make their voices heard and bring back their steady earnings. The foundation, through its Goenchi Mati Movement, is encouraging voters to ask their candidates whether they endorse the GMM manifesto. The manifesto itself is quite an unusual electoral move in the sense of a non-governmental

organisation putting forward a document for political parties to endorse. In a nutshell, the manifesto calls for "implementing intergenerational equity in Goa". So far the AAP and some independent candidates have endorsed the manifesto.

Since the mining ban has directly affected the livelihoods of thousands of people, it is perfect fodder for populist political manifestos. The Congress jumped on to the bandwagon declaring in its manifesto that it would restore mining corporations according to the recommendations of the Supreme Court. The party also promised to give one truck to each mining family.

The AAP has promised a rehabilitation fund of Rs.400 crore for the "victims" of the mining ban.

The BJP is keen to resume mining. Last year, Chief Minister Laxmikant Parsekar tried to lure mine owners by telling them that if they built dedicated mine corridors, he would push for the 20 million tonne cap to be raised to 25 or 30 million tonnes.

Talking about the nexus between the government and the mining companies, Alvares said there were two instances. One, Vedanta's balance sheet of 2014 shows a donation of Rs.22.5 crore to the BJP. Secondly, before the 2014 Lok Sabha election, the mining companies had for long withheld the ore truckers' dues. Then, one week before the polling date, they were given the entire amount.

Excited over this sudden windfall, truckers and others involved in mining voted for the BJP. The results showed that the BJP got 80 per cent of the vote in the mining districts.

Never before has an environmental issue been taken as seriously as this one in an election.

Lyla Bavadam

who replaced Parrikar, is so unpopular that none of the regional parties want to ally itself with the BJP if he is its chief ministerial candidate.

Goans want change again. Frontline spoke to a cross section of people and found there is deep disappointment with the BJP's performance since Parrikar left. The local people believe that the party has not delivered on its promises. However, the business/trading community is happy with the BJP. Most of

its members feel that with the Congress showing little dynamism, the alternatives are limited and so the vote will depend on candidates more than parties.

"Essentially, it is a numbers game," a Goa-based analyst said. "It is highly unlikely that the BJP will get a majority this time. We are speculating that it will get between 13 and 17 seats. The Congress will win between 10 and 12. Therefore, parties such as the MGP and Goa Forward

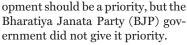
will play a critical role. The MGP could secure seven or eight seats. If that happens, it will be a game changer. The MGP recently cut off its ties with the BJP, and Goa Forward broke with the Congress. So it is quite a hotchpotch right now. In Goa, ideology plays a small role. Anything can happen between parties. A patch-up or break-up is par for the course," he said.

According to Election Commission data, 250 nominations have

# 'Goa needs development'

PRATAPSINH RANE, Goa's former Chief Minister, will complete 45 years in politics this year. Far from retiring from the game, the

septuagenarian is preparing to contest another Assembly election and is reasonably confident of the Congress returning to power. In an interview to Frontline at his farm in Sanquelim in north Goa, he said he was confident the electorate would make a wise choice. He said devel-



Excerpts:

# As the third Chief Minister of Goa, you have seen the State go through many key phases. Could you tell us about that journey?

I have spent 45 years in politics. Although I began my political career with the Maharashtrawadi Gomantak Party [MGP], I believe in secularism and, therefore, moved to the Congress. [The MGP was in favour of Goa's merger with Maharashtra; Goans voted against the move in 1967.] When Indira Gandhi asked me to join the party, I went ahead and stood for elections. I cannot think of any party but the Congress. Such was the Congress'

victory in 1980 that my opponent lost his deposit.

I think an important time in my political career was the transition of

Goa to complete statehood in 1987. We had to work on language issues as there are four languages of equal importance in Goa. Konkani was chosen. We also had to look at major areas of development. Education, land reforms, connectivity, health care and employment were a priority. In 1974, we constituted the

Town and Country Planning Act, which looked at socio-economic development in Goa. I developed on that and was keen on scientific development with a long-term plan. Later, we made the Regional Plan, which included industrial zones in every taluk. That is how we control pollution.

Another significant step was starting higher secondary institutes, Industrial Training Institutes and industrial estates. One would feed into the other. Employment is important for development. Eventually, in 1984, we started Goa University and the Goa Management Institute.

Goa appears to be developing at a consistent pace. The obvious indicators include high level of

#### literacy, good roads and quality medical care. What is the Congress' role in the State's progress?

Goa is a small State with a lot of potential. I believe that education, especially higher education, plays a large part in development. We saw that potential. I wanted every corner of the State to be connected so that people could access employment. We worked on broader roads and at building the Kadamba bus transport. I cleared special zones for industry.

TELCO and Zuari Chemicals set up plants. I visited several chambers of commerce to encourage industrial investment in Goa. Goans speak English, and they seem to understand that it is critical for their progress.

## There appears to be a straight fight between the Congress and the BJP. What are the Congress' chances?

This election is no different from the previous ones. There is an anti-incumbency sentiment and disappointment with the BJP for not fulfilling its promises. We are hoping to do better than last time.

The Congress can take advantage of the BJP's poor performance.

The Congress had a long run in Goa under you and subsequently under Digambar Kamat. The BJP won the Assembly elections in 2012. The common man feels the BJP has not delivered on its promises.

The BJP did not keep its promises, mainly its promise on development. The State needs better

been filed for the 2017 elections. In 2012, it was 205. The increase indicates a multi-cornered fight in many constituencies, the analyst said. Goa has approximately 11 lakh registered voters. Most of the constituencies have between 20,000 and 30,000 voters. Therefore every vote counts as the margins are often very small.

With its fortunes taking a nosedive, the BJP hit the Goa campaign trail by bringing out all its big guns.

infrastructure, water and electricity supply. The BJP government said it would upgrade connectivity, increase the number of school buses and provide drinking water. It did not deliver on these promises.

The government has delayed clearing projects and has no long-term vision. For instance, agriculture needs to be developed properly. Apiculture can be a good source of income. These are some of the means to help small farmers.

# What kind of development are you talking about that needs to be addressed in the State?

Infrastructure and longterm policies on pollution and employment have to be looked at. The government must look at tourism in a more comprehensive manner. Goa has struggled with power issues. I have been a strong proponent of solar energy. Solar is the future.

# The main controversy that affected your government relates to mining?

I know, they keep going on and on about mining, particularly, illegal mining in Goa. Nothing was illegal about it. It was controlled mining given to a few Goan companies. By banning it overnight, the BJP destroyed the livelihoods of lakhs of people.

Anupama Katakam

Senior leaders Amit Shah, Nitin Gadkari and Parrikar toured the State assuring voters that if the BJP is voted back to power Parrikar will be made Chief Minister. Parrikar appears to be the BJP's only ticket to winning the election and so it played the Parrikar card to its fullest.

# BIG PARTIES DEPEND ON SMALL ONES

Parsekar is unpopular mainly because he lacks leadership qualities. Adding to the BJP's woes, the MGP snapped its ties with the party in December last year after Parsekar sacked Deepak and Sudhin Dhavlikar, its Ministers, for their criticism of his government. Sudhin, according to observers, is an ambitious man and may ask to be made the Chief Minister if the MGP wins more seats.

"Under Parrikar, the State was doing well. The unravelling began when he left. Parsekar is not able to control his Ministers and has no long-term vision. Parrikar was still controlling Goa affairs and, perhaps, Parsekar was just a puppet," said James Pinto, a BJP worker and businessman in Panjim. "The BJP also keeps harping on development, but it does not seem to have a plank to fight on except Parrikar's leadership."

When Parrikar led the BJP to victory in 2012, the large Catholic community in the State was among his biggest supporters. One of the promises he fulfilled was providing grants to English-medium schools run by the diocese. Unfortunately for Parrikar, the Rashtriya Swayamsewak Sangh's (RSS) Goa chief, Subash Velingkar, was angry with the move as he is a strong votary of teaching in the mother tongue in primary schools. Velingkar was removed from his position for his public criticism of the BJP government. He launched the Goa Suraksha Manch (GSM), which has joined forces with the MGP.

The MGP has a right-wing ideology similar to that of the BJP. In fact, the Dhavlikar brothers are known to support the Sanatan Sanstha, a Hindu extremist organisation whose members have been accused by the police of killing the leftist leader Go-

vind Pansare in Kolhapur, Maharashtra, and the scholar M.M. Kalburgi in Dharwad, Karnataka. The brothers have been working hard to build a Hindu vote base. "If their differences are ironed out, the MGP could go back to the BJP as they seem to share the same beliefs," the analyst said. "It may turn out that the BJP needs the MGP more than the other way."

The BJP has a strong vote base among the upper middle class and the business community. The powerful casino and hotel lobbies are said to be backing the party. Additionally, "several of the candidates the party has fielded once again have done a fair amount of work in the past four years in their respective constituencies. So it does have a strong line-up," Pinto said.

Among the BJP's strongmen are Rajendra Arlekar from Pernem, Dilip Parulekar from Saligao, Dayanand Mandrekar from Mandrem, and Kiran Kandolkar from Thivim.

The Congress appears to have snapped out of its comatose condition. It leans on the veteran leader and former Chief Minister Pratapsinh Rane and believes that Rane's credibility will instil confidence in the voters. Political observers say that the Congress' Jennifer Monserrate from Taleigoa, Sankalp Amonkar from Mormugoa and Joseph Sequeira from Calangute will win their seats easily.

"The Congress will win nine seats more than its 2012 tally," said Francis D'Cunha, a party worker in Calangute. "Unfortunately, the party president and former Chief Minister, Luezinho Faleiro, does not seem to keep the larger picture in view. He has petty squabbles with contestants, which will result in irreparable damage to the party."

The Congress had an informal agreement with Goa Forward, a new but serious contender for seats. But it botched up the alliance at the last minute, with Faleiro allegedly saying that Goa Forward leader Vijai Sardesai was a tricky man and was threatening the party. Local people, however, say that this is an old enmity playing itself out. They speculate

# 'We have to think Goa first'

VIJAI SARDESAI and his newly formed Goa Forward party suffered a major setback on the last day for filing of nominations for Assembly elections. High drama was witnessed when the Congress, which had an informal understanding with Sardesai that it would not field a candidate in Fatorda constituency, decided an hour before nominations closed to put up its candidate, Joseph Silva.

Sardesai, who won from Fatorda in the 2012 election as an independent, is contesting from the constituency as the leader of Goa Forward. The party, which was launched in 2016, is contesting

four key seats and is expected to win all the four. The party had aligned itself with the Congress just before the filing of nominations began.

When Frontline met Sardesai, he was fuming at the Congress' last-minute change. Interestingly, the Congress had dumped him in the last elections as well on the grounds that he was issuing threats to it. Sardesai then fought and won the election as an independent. He has, in the past year, gained a huge following for his work in the constituency. Excerpts:

# You have been let down by the Congress once again. What are your thoughts on this situation?

First, I should have learnt a lesson from the last election about the Congress' temperamental nature and its poor leadership in Goa. If it can do this to me twice, how can the average man place his trust in that party?

Our aim is to defeat the Bharatiya Janata Party [BJP], which is selling Goalock, stock and bar-

rel. Nobody wants the BJP in power. Its allies have broken away. I believe in a mahagatbandhan [grand alliance] to defeat the BJP in this election. It is the need of the hour. The Goan electorate wants a secular, liberal and progressive government. The Congress hopefully will realise this and respect this.

# Goa Forward has made quite an impression in Goa politics. What

what does it promise for the State?

Goa Forward is more than a political party. It is a movement that gives proud Goamkars a voice. We want to restore the identity of the people of this

State. We are building on the sentiment that Goa is for Goans and that has to be a priority in any policymaking. For instance, if you want to start a business in the State, taking a local person as a partner should be mandatory.

## You have been speaking at length about the concept of Goamkars or Goenkarpon (Goan identity) during your campaign.

I believe in the concept of regionalism. We need to work at the State level and not be a colony of Delhi. Goamkar is anything that is Goan in nature. We are proponents of protecting our culture. We have to think Goa first.

The BJP attempted to declassify the coconut tree. This would have enabled large-scale felling and clearing of land that can be grabbed by people with vested interests. There are no laws to protect the State, and we are promoting the son of the soil movement. The Indo-Portuguese culture is unique. It should be preserved.

 $Anupama\ Katakam$ 

that Faleiro may have played his cards poorly as Sardesai is extremely popular in the Fatorda constituency, particularly for the civic work he has initiated in the past few years. If Sardesai wins and the Congress needs him, observers say efforts will be made to woo him back.

The party has, however, formed an understanding with the United Goans Party led by Atanasio Monserrate. The colourful Monserrate, also known as Babush, will contest from Panjim and is expected to win.

#### AAP'S ASPIRATIONS

More worrying for the Congress, however, has been the entry of the AAP, which is contesting 39 seats. Elvis Gomes, a respected and retired bureaucrat, is the AAP's chief ministerial candidate. It is expected that the Catholic vote, which usually goes to the Congress, will be for the AAP this time.

AAP leader and Delhi Chief Minister Arvind Kejriwal made quite an impact when he campaigned in south Goa. He touched a chord when he said the AAP's mission was to root out corruption in the State. He said that if any of the AAP's candidates were found guilty of illegal activities, they would be thrown out of the party.

In a unique strategy, Gomes started a door-to-door campaign, called the "jhadu yatra" (broom tour), with volunteers distributing leaflets promising schemes, which include unemployment dole and allowances for girls, women, senior citizens and the differently abled. Each leaflet has a counterfoil in which volunteers fill in the contact details of each voter they visited during the campaign. This gives them a database of voters. Additionally, the AAP distributed a credit-card-sized plastic card with Kejriwal's and Gomes' contact information and a unique identity number for each voter, which guarantees the holder benefits of the scheme. A tangible promise so to speak.

"Goa's politicians have gone back on their promises so many times that they are called U-turn politicians," said Gomes. □

# Show of solidarity

One year after Rohith Vemula's suicide, survivors of communal violence assemble at the gates of the University of Hyderabad as a mark of remembrance. BY KUNAL SHANKAR

AT about 5 p.m. on January 17, a year after the Dalit research scholar Rohith Vemula's suicide, the main entrance of the University of Hyderabad bore witness to a unique coalescing of disparate groups from across India on a single-point agenda to end all forms of hate crimes nationwide.

Piyush Sarvaiya, whose family members were savagely beaten up for doing their job of skinning dead cows in July last year in Una, Gujarat, summed up the mood of the gathering to thunderous applause: "Rohith's mother, who is here with us, might have lost her son, but now she has gained lakhs of sons in all of us. We must take this movement forward." About 500 people were gathered at the gate, as the university management had not granted permission to "outsiders" to enter the campus.

Jan Muhammed Saifi, the youngest brother of the 2015 Dadri lynching victim Mohammad Akhlaq, came with his lawyer. He spoke with great eloquence and equanimity. Though one of his sons was not well, he said, the minute he got a call from the Ambedkar Students' Association activist Dontha Prashanth seeking support, he decided to come down from Delhi. Dontha Prashanth was one of the five students, including Rohith Vemula, against whom the University of Hyderabad had taken a hard line for what were widely viewed as minor confrontations in campus politics.



**RADHIKA VEMULA** (centre) at the gates of the university. To her right is Rohith Vemula's friend Dontha Prashanth.

Azeem and Hasim Khan, cousins of Najeeb Ahmed, the Jawaharlal Nehru University (JNU) student who has been "missing" since October 15, 2016, also came from Delhi. In his speech, Azeem Khan said, "Regardless of whether Najeeb, Rohith and Akhlaq get justice or not, we must ensure that such incidents do not happen in future." Najeeb's mother, Fatima Nafees, could not travel because of ill health but sent her salutations to the gathering.

The Birsa Ambedkar Phule Students' Association, or BAPSA, the latest entrant in JNU's campus politics, was represented by Rahul Sonpimple, one of its organisers. "Those who have been attacked belong to the

Dalit and Muslim communities and there is an organic linkage between these two communities. Right now, these protests are confined to universities, but we hope it goes beyond them as well," said Sonpimple.

A large number of policemen had taken position outside the main entrance. By the time Radhika Vemula and her younger son Raja Vemula arrived, at about 5:45 p.m., a couple of police trucks had arrived, indicating the possibility of detentions.

Radhika Vemula's startling disclosure of the manner in which the family was questioned during a fresh probe into Raja Vemula's caste drove home the point that nothing had really changed in the past year for

# Intimidatory tactics

The University of Hyderabad follows questionable practices to shield itself from media scrutiny.

BY KUNAL SHANKAR

AT the main gate of the University of Hyderabad, at least a dozen security men frisked everyone going into the campus on January 16, on the eve of the first death anniversary of the Dalit research scholar Rohith Vemula. They had a bunch of A4-sized posters with photographs of people and the words "not allowed" beneath them.

The usual procedure for entry was followed. The security staff retained government-issued identification, asked entrants to give the name of the person they wished to meet, and noted down the time of entry, the vehicle number and the visitors' mobile phone number in a registry.

Hours earlier, the university's management had issued a "circular" "barring entry of outsiders, including print and electronic media, political, social, student groups", citing an April 12, 2016, Hyderabad High Court order. The order was issued after violence erupted on the campus when Vice Chancellor Podile Appa Rao joined duty after having taken two months' "indefinite leave" following Rohith Vemula's death.

The brief interim order passed by Justice Challa Kodandaram specifically applied to "persons, associations and political parties who are conducting meetings in the premises of Hyderabad Central University by giving provocative speeches". The order does not refer to the press, either explicitly or by extension, as it is not the purpose of the press to conduct or enable such meetings. While taking refuge in this order, the university authorities argued that as students had not been granted permission to hold protest meetings on January 16 or 17, by extension the media did not have a reason to enter the campus.

The University of Hyderabad is a public institution created by an Act of Parliament in 1974 serving a public purpose—education. Section 24 (J) and (K) of the Act allows "the establishment and recognition of Students' Union or associations of teachers, academic staff or other employees" and the participation of students in the affairs of the university. To restrict students' campus life to academic pursuits goes against the very statutes that cre-

ated the university. The authorities can bar assembly on the campus citing Section 24 (O), for "the maintenance of discipline among students." However, to presume that an assembly of students, staff or faculty by itself amounts to "disturbing the peace and educational purpose of the institution" signals a dangerous attempt to curtail democratic practices allowed by the university's own statutes. The objective of these rights, conferred on employees and students, is to foster a more inclusive academic environment which allows for an array of opinions, critical thinking and debate. It also ensures redress of grievances without fear of persecution.

The press, by extension, has the right to report incidents and events or the goings-on in the university with reasonable restrictions as guaranteed under Article 19 (1) (a) of the Indian Constitution. As the University of Hyderabad is a public university and serves a similar purpose, barring the media outright from the premises violates not only the Constitution but its own stated objectives.

This correspondent was accosted by the university's internal security staff on January 17 outside the Life Sciences building, where he took photographs of an ongoing protest against the management.

He was aggressively questioned over his credentials. All the while, he

them. Breaking down several times, Radhika Vemula said she was called by the Guntur Collector to depose for the probe. As the evening slipped into night, one question was in everyone's mind. Would the Vemulas and Riyaaz, Rohith's best friend, be allowed to visit the place where Rohith Vemula had spent his last days in protest at the shopping complex courtyard situated almost at the entrance to the university and where

RAMESH SARVAIYA, one of the Dalit men who were flogged by upper-caste men for skinning a dead cow in Una, Gujarat, addressing the gathering.



was videographed by one of the three men in a van, without being offered an explanation and in violation of his privacy. The security staff attempted to take away the phone of this reporter, which he resisted. He was taken to meet a Tepolice State officer langana stationed outside the main university gate. Thereafter, the security staff took him through the south gate to the police station at Gachibowli to avoid the media present at the main entrance.

It must be placed on record that this correspondent suffered no physical violence at the hands of either the internal security or the State police.

However, the inquiring officer refused to give this correspondent a copy of the police complaint filed by the university. He aggressively interrogated this correspondent for about 90 minutes, which was recorded on a mobile phone by another officer. The questions seemed designed to elicit from this correspondent details of his contacts within the university, signalling a potential witch-hunt by the authorities against those critical of the preadministration. He initially denied a copy of the first information report (FIR), citing the absence of "arrest".

The FIR was subsequently published on the State police website the next day, which contained the complaint made by the university's security staff. It revealed the utter lack of application of mind and a clear strategy to intimidate, by falsely accusing this reporter of "jumping the wall or obtaining entry through other illegal means". Charges of trespass and disobedience to the orders of a public servant have been slapped against this correspondent.

#### WIDESPREAD OCCURRENCE

Such incidents are not confined to the University of Hyderabad. Indeed, it is part of a pattern witnessed nationwide at public universities in the past two years through which they try to shield themselves from media scrutiny. The current procedure of entering the name of a university official/staff to gain entry, especially by members of the press, at several such public institutions facilitates witch-hunts against employees and whistle-blowers by hostile authorities, as this current example demonstrates. It also violates the Whistle Blowers Protection Act of 2014 and the media's right to keep their sources confidential.

Late at night on January 16, a directive from the administration was conveyed to the faculty over telephone. They were told that they "should desist from participating in any of the student organised activities and that they need not worry on account of security to conduct their

classes," said a senior faculty member who did not wish to be named.

"Things have gotten from bad to worse. The sense of persecution is very real and everybody feels like we are being watched," said another faculty member, who is the head of a humanities department.

On January 23, the Press Council of India took suo motu cognisance of the incident and instituted an inquiry. It has issued notices to the Vice Chancellor, Telangana's Chief Secretary, Hyderabad's Superintendent of Police, and the Station House Officer of Gachibowli Police Station, seeking their explanation. The notice states: "It has been brought to the notice of the Council that internal security of Hyderabad Central University detained Frontline's reporter and handed him over to the police. It has been further noticed that the university has again imposed restrictions on the media to cover events in the campus despite giving an undertaking to the Press Council. Since the matter prima facie concerns the free functioning of the Press and the Statute mandates the Press Council to preserve the freedom of the Press, the Honourable Chairman Press Council has taken suo-motu cognisance of the matter under Regulation 13 of the Press Council (Procedure of Inquiry) Regulations, 1979." Replies have been sought within two weeks.

the students had installed his statue?

After much wrangling with the internal security guards and the police, it looked like a deal had been struck close to 8 p.m. Some faculty members suggested forming a human chain around Radhika Vemula and Raja Vemula as a measure of precaution, but it was rejected by the campus security staff. Finally, the Vemulas and some activists, along with *Hindustan Times* reporter Sudipto Mondal, were detained and then let off close to midnight.

At half past eight, a research scholar, Aruna Gogulamanda, and another person from the press who did not wish to be identified said they spotted Rohith's father Mani Kumar placing flowers at Rohith's statue. They said they had about "seven photos to prove that Mani Kumar indeed sat on one of the benches at the shopping complex and attempted to strike a conversation with those around". The police, who had allegedly brought him in a patrol vehicle, quickly whisked him away, they said.

The message was clear. If Raja Vemula and Radhika Vemula had also sought a private visit to Rohith's statue, they might have been allowed, but not as part of a studentled demonstration.

But the takeaway from that night was not this disappointment for those assembled there. It was really the culmination of a year-long show of solidarity by survivors of varying types of hate crimes, cutting across urban and rural India, from Uttar Pradesh to Delhi to Gujarat and Hyderabad.

It was the coming together of people for whom the wounds of acts of injustice were fresh but who understood that standing together meant greater strength, which would eventually permeate the country's several public, private, political and social spaces.

## **Drought**



INDIA is heading towards an ecological disaster (Cover Story, February 3). Since there is no facility for the collection and recycling of plastic, it is burnt along with garbage throughout India. The result: enormous emissions of heat and harmful dioxins. Definitely this has a great ill effect on rain clouds. It is time the country stopped producing plastic bags. We can live without plastic bags as we did 30-40 years ago but cannot live without rain or water. Will the government ban plastic bags to save India from the growing environmental crisis of lack of rain and persistent drought?

#### A.J.T. JOHNSINGH

BENGALURU

I HAVE seen boat races being conducted on the Cauvery river. It was an eagerly anticipated annual event for people who lived on its banks. Now even paper boats cannot float on it. It is a man-made disaster. Driving along the banks of the Cauvery from Karur to Mayavaram and seeing the dancing paddy crop used to be a delightful experience.

As the Cauvery is no longer an assured source of water, farmers should go in for alternative crops and methods of cultivation. Measures should be taken to help farmers augment their income.

#### S.S. RAJAGOPALAN

CHENNAI

I WOULD like to draw the attention of the authorities to the drought situation in Tamil Nadu's southern districts. Although the Thamirabarani river, which has water all through the year, is the lifeline of these areas, the people there are the worst affected in the current drought. Moreover, areas such as Tuticorin, Tiruchendur, Tirunelveli, Nagercoil, Marthandam and Kanyakumari have long been crying for attention on various fronts, including industrial development

and employment generation. As a first step, there is a need to stop the plunder of rivers in terms of sand mining. Administrative failure adds to people's problems. Advanced technology should be used to mitigate the looming agrarian crisis and water shortage

P. SENTHIL SARAVANA DURAI

MUMBAI

## **Demonetisation**

THE purpose of demonetisation is likely to be only partly achieved ("Deepening crisis", February 3). The intention behind it is not questionable, but the government definitely did not do its homework. The moot question remains whether the few benefits can outweigh the trouble it caused to the common man, who was in no way responsible for black money, and so on. Given the way the government wishes to tackle the black money issue, it seems the inspector raj era will come back, and there is a more than 100 per cent chance of increasing corruption visa-vis black money! The government should remember that no innocent person should be punished under any law even if a wrongdoer goes unpunished.

> M. KUMAR NEW DELHI

IT is good that the country is recognising the need to go in for more cashless transactions ("Cashless and clueless", January 20). Unfortunately, demonetisation is being used to spur the cashless route for transactions. It is too optimistic to expect everyone, especially those in rural areas, to have a bank account and access to smartphones and the Internet. The Internet is slow and far from reliable. Even in cities one experiences occasional transaction failures when using a plastic card. India has miles to go before it is anywhere near the advanced countries in the use of plastic money. Another concern is cybersecurity.

Cashless transactions should be rewarded with incentives to make more citizens use that route to make payments. The government adopting the strategy of demonetisation to force citizens to go cashless is wrong when the infrastructure is so grossly inadequate.

D.B.N. MURTHY

#### Narendra Modi

THE "regiment" of the present regime has made "surgical" strikes on the constitutional principles of India with a bar-

rage of commands and orders under the guise of taking steps for development (Cover Story, January 20). People voted Prime Minister Narendra Modi to power in the hope that he would improve the system, but he has started to destroy it. Intellectually hollow leaders are misleading citizens using religious rants. The silence of the public ignorant of the nasty repercussions of Modi's actions reminds one of these lines from Shakespeare's "Julius Caesar": "O judgment! thou art fled to brutish beasts/ And men have lost their reason"

VIKRAM SINGH

RAJGARH, RAJASTHAN

THE autocracy of the Amit Shah-Narendra Modi duo has stripped Indian democracy ("The decline of Modi", January 20). Parliament is being treated with utter contempt. The prestige of the Prime Minister's Office has taken a nosedive and the Cabinet system is in ruins. Every Cabinet Minister has become a yes-man. Members of the bureaucracy have to obey orders or suffer adverse consequences.

The duo's interference in the functioning of the institutions of democracy has affected their independence and consequently their performance. In appointments to these institutions, what counts is not merit but connections to the RSS.

HUSAINY A. SHAHED

NANDURBAR, MAHARASHTRA

#### The Ganga

FOR all those who felt depressed by the polluted state of the Ganga, the announcement of the Namami Ganga project was enthusing news ("The Ganga's last gasp", January 20). It is a rude shock to learn that the project is a non-starter. It is disconcerting that the Kedarnath tragedy, a calamity abetted in good measure by human avarice, has not shaken the conscience of the powers that be. All the talk of restoring the Ganga to its pristine glory when seen in the context of the government's regressive steps such as amendments to the eco-sensitive zone notification shows the astounding dichotomy between what is preached and what is practised.

AYYASSERI RAVEENDRANATH

ARANMULA, KERALA

#### ANNOUNCEMENT

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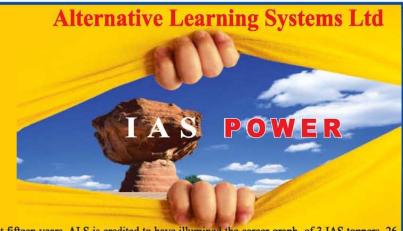
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