

# janata

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**January 13, 2019**

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March, February 7, 2019

**Editor : G. G. Parikh**

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**Sandeep Pandey**

D-15, Ganesh Prasad,  
Naushir Bharucha Marg,  
Mumbai - 400 007.

**Email : janataweekly@gmail.com**  
**Website:www.janataweekly.org**

## Nayantara Sahgal's Speech She Wasn't Allowed to Deliver

*Nayantara Sahgal (91) is a renowned Indian writer, and winner of the 1986 Sahitya Akademi Award. She returned her award in October 2015, to protest the "growing intolerance" in the country and silence from institutions like the Sahitya Akademi. She was to inaugurate the 92nd Marathi Sahitya Sammelan on January 11, 2019, but the organisers withdrew the invitation after threats from a political outfit. This is the full text of her speech she was going to deliver.*

This is an emotional moment for me and I feel privileged to be here with you. I feel I am standing in the shadow of great Maharashtrians—Mahadev Govind Ranade who founded this sammelan, and whose name is part of the modern history of our country, and the distinguished Marathi writers who have chaired its conventions, and all the writers who have taken part in its sessions and whose writing has enriched the great creative enterprise known as Indian literature.

It is also an emotional moment for me because of my own connection with Maharashtra through my father, Ranjit Sitaram Pandit. I would like to tell you a little about him. He was a Sanskrit scholar from a family of distinguished Sanskrit scholars and he translated three Sanskrit classics into English: *Mudra*

*Rakshasa*, Kalidas's *Ritusamhara*, and *Rajatarangini*.

*Rajatarangini* is the 12th century history of the kings of Kashmir by Kalhana, and it had a special fascination for my father because his two great loves were Sanskrit and Kashmir. He worked on this translation during two of his jail terms during British rule and dedicated it to his Kashmiri father-in-law, Pandit Motilal Nehru. His brother-in-law, Jawaharlal Nehru, wrote an introduction to this work when it was published. I am deeply grateful to Dr Aruna Dhere and Shri Prashant Talnikar for their great labour of translating this massive history into my father's—and their own—native tongue, Marathi. I know that nothing would have made him happier.

Both my parents took part in the national movement for freedom under Mahatma Gandhi. My mother, Vijaya Lakshmi Pandit, was imprisoned three times and my father four times. During his fourth imprisonment he fell seriously ill in the terrible conditions and environment of Bareilly jail, and was given no medical treatment and my mother was not informed how very ill he was. Yet he had refused to ask for his release.

When she was finally informed of his condition she was allowed

to have a 20-minute interview with him. It took place, according to the rule, in the office of the jail superintendent and under his watchful eye, which gave a political prisoner no privacy with his visitor. It shocked my mother to see him brought in on a stretcher. His head had been shaved and his body was emaciated.

She almost broke down at the sight of him but somehow she held back her tears because she knew he would not want her to cry in front of the jailer. He told her why he wouldn't ask for the favour of being released. He said "I have fought with the lions, Gandhi and Nehru. Do you want me to behave like a jackal now?"

She knew she couldn't change his mind so she controlled herself and sat near the stretcher and held his hand, and gave him news of home and the children, and what was growing in the garden he loved. When the government released him at last, it was only to die about three weeks later.

Many years later, after independence, my mother was India's High Commissioner in Britain and sat next to Prime Minister Winston Churchill at a lunch, and he said to her, "We killed your husband, didn't we?" It was an admission that took her by surprise.

Most of you were not born in the 1940s, and you grew up in an independent country, so I have shared this personal story with you to show you the courage and discipline of those times, and the spirit of the men and women who fought for freedom. My parents were among many thousands of Indians—known and unknown, young and old—who committed their lives to that great fight and suffered all kinds of hardship because they had

a passion for freedom. I want to ask you, do we have that same passion for freedom today? Are we worthy of those men and women who have gone before us, some of whom died fighting so that future Indians could live in freedom?

I am asking this question because our freedoms are in danger. The dangers to them are so much on my mind that when I was thinking about what I should say to you, I knew I had to talk about all that is happening in India today, because it is affecting every side of our lives: what we eat, whom we marry, what we think and what we write, and, of course, how we worship.

Today we have a situation where diversity, and opposition to the ruling ideology, are under fierce attack. Diversity is the very meaning of our civilisation. We have old literature in many different languages. We eat different foods, we dress differently, we have different festivals, and we follow different religions. Inclusiveness has been our way of life, and this ancient multi-cultural civilisation whose name is India is a most remarkable achievement that no other country has known. Today it is threatened by a policy to wipe out our religious and cultural differences and force us into a single religious and cultural identity.

At one stroke this policy wipes out the constitutional rights of millions of our countrymen and women who are not Hindus and makes invaders, outsiders and enemies of them. At Independence, our founding fathers rejected a religious identity and had the wisdom to declare India a secular democratic republic, not because they were against religion but because they understood that in our deeply religious country of many religions, only a secular state would provide the overall umbrella of

neutrality under which every Indian would have the right to live and worship according to his or her faith.

The Constituent Assembly which took this decision was made up of a majority of Hindus, yet they drew up a Constitution whose preamble affirmed a life of liberty, equality, and fraternity for all Indians. This high ideal was inspired by Ambedkar, who was the chief architect of the constitution, and a great Maharashtrian whose insistence that all human beings are equal, started a revolution against caste. That high ideal has now been thrown aside. The minorities, and those who don't support the Hindu rashtra agenda, have become targets for fanatics who roam the streets.

We have recently seen five citizens falsely charged with conspiracy and arrested on grounds of sedition. These are men and women who have spent years of their lives working for tribal rights and forest rights, and for justice for the marginalised. Christian churches have been vandalised and Christians are feeling insecure. Lynch mobs are openly attacking and killing Muslims on invented rumours that they were killing cows and eating beef. We are watching all this lawlessness on TV.

In Uttar Pradesh, these mob attacks on the cow pretext have become common, while the authorities stand by and look on. When terrorism of this kind becomes official, as it has in Uttar Pradesh, where can we look for justice? Mob violence backed by the state goes on in many places on defenceless people, and the guilty have not been convicted. In some cases, their victims have been charged with the crimes instead, and in some cases, the criminals have been congratulated. The human cost of

this tragic situation is that it is a time of fear and grief for many Indians who no longer feel safe living and worshipping as they have always done, and have a right to do. The poor and helpless among them—some of whom have been driven out of their villages and their homes and jobs—are living without work, or help, or hope, or future.

I write novels and my material for story-telling has been political. As we writers know, we do not choose our material. We make stories out of the material and atmosphere around us, and because I grew up during the years of the fight for freedom, the values of that time and of the nation it created have been the stuff of my fiction and non-fiction. I have thought of my novels as being about the making of modern India. But because my last two novels are about the times we are now living in, they are about the un-making of modern India.

As we are writers, let us look at what is happening to our fellow writers and artists in this political atmosphere. We are seeing that the questioning mind, the creative imagination, and freedom of expression have no place in the present political climate, and where there is no respect for freedom of thought or for democratic rights, writing becomes a risky activity.

This has always been the case in authoritarian regimes all over the world where art is kept under state control and writers face punishment and persecution if they step out of line.

Take the example of a young poet called Josef Brodsky in Stalin's Soviet Union. Brodsky is arrested and his interrogator waves a paper at him and says, "Do you call yourself a poet? Do you call this a poem? It is not a poem if it makes no

material contribution to the Soviet Union." And he throws Brodsky into jail. Years later, Josef Brodsky wins the Nobel Prize for Literature. Another famous Russian case is of Solzhenitsyn, who was condemned to hard labour in Siberia for many years for criticising the government, and who also won the Nobel Prize for Literature.

And now the same ignorance about art and literature is in action here, and writers are facing the anger of ignorant criticism, and much worse. Three eminent Maharashtrian rationalists, Narendra Dabholkar, Govind Pansare and M.M. Kalburgi, have been shot dead for rejecting superstition in favour of reason, and Gauri Lankesh of Bengaluru for her independent views and her opposition to Hindutva. Others have been threatened with death and forbidden to write. We are told, 'Don't publish your book or we will burn it. Don't exhibit your paintings or we will destroy your exhibition.' Filmmakers are told, 'Change the dialogue in this scene and cut out the next scene or we will not let your film be shown, and if you show it we will attack the cinema hall. Don't do anything to hurt our sentiments'.

In other words, they are saying: do as you are told, or your life and your art are not safe. But the creative imagination cannot take orders from the state, or from the mob. And the question of hurting sentiments is, of course, nonsense. A population of one billion people cannot be made to think alike. Every community has its own views and its own sensitivities on various issues. But sentiments cannot decide what is right or wrong. In some cases it is even our duty to hurt sentiments. If we had been forbidden to hurt sentiments, we would still be burning widows, and no reform of any kind would have

taken place.

Many sentiments were hurt when the Hindu Code Bill was being debated and sadhus threw stones at Parliament house. But if the Bill had not been passed, Hindu women would have had no rights.

Historians are feeling the heat now that Indian history has been brought under state control. In some States, large chunks of the past have been distorted or done away with altogether. And this is the work of Hindutva minds who have been specially chosen to rewrite it. If I were to invent a dialogue between an Indian historian and one of these re-writers of Indian history, it would go something like this. The historian says to the re-writer: 'Akbar won the battle of Haldighati. But in this book, you are saying that he lost it. How come?' The re-writer replies, 'He lost it because I have decided that he lost it. History is what we say it is.' Some of these rewritten textbooks have wiped out the whole Mughal empire, and not content with wiping out the past, all remaining reminders of it are being demolished.

The Babri Masjid has been knocked down, and Mughal and Muslim names of towns and roads are being changed. Some textbooks have censored all mention of Nehru, whose governments laid the foundation of modern India, and Mahatma Gandhi was of course murdered by this mentality in 1948 for the blasphemy of the mantra he gave us: *Ishvar Allah tere nam; Sab ko sammati de Bhagvan*. Gandhi's non-violence is seen as emasculating Indians and making cowards of them. Personally, I think that nothing needed greater heroism than the way unarmed Indians confronted the armed might of an empire. One of my novels called *Lesser Breeds* is my tribute to that unique time.

With all that is being wiped out, so is the scientific frame of mind that we have cultivated since independence. It is being replaced by myths and legends, and a medieval frame of mind.

We have been justly proud of the key institutions we have built up since independence, but they, too, have been brought under state control—whether they concern art and literature, or history, or technology, or science, information, education and culture. Our public universities, our museums and Akademies are no longer independent institutions. The Nehru Memorial Museum and Library in Delhi was an early example of the damage that is being done to our institutions, and Jawaharlal Nehru University is an ongoing target of Hindutva hatred. As a Hindu and a believer in the great enlightened inheritance known as Sanatan Dharma, I cannot accept Hindutva.

In this war that has been declared on diversity, dissent and debate, those who care about freedom have not stayed silent. There are marches and rallies against the destruction of our fundamental rights. There are protests by retired civil servants, by students and academics, lawyers, historians and scientists, Dalits and Adivasis, and the farmers' huge demand for their rights. The large numbers of farmers' suicides in this area show the desperate situation they are no longer unable to face.

The Bhim Army, named after Dr Ambedkar, is making its voice heard, and we are reminded that it has an inheritance of dramatic revolt, when Ambedkar and E.V. Ramasamy Periyar publicly burned the Manusmriti in the 1920s for the insulting and objectionable laws it laid down for Dalits in the caste system, condemning them

to an inferior status. The singer, T.M. Krishna, and the historian, Ramchandra Guha, are among those who have made strong individual protests. Krishna's concert was cancelled and Ram Guha received a death threat. Recently, a great actor, Naseeruddin Shah, has spoken out against the war on Islam and how he fears for his children.

What can writers do in this situation? The answer is: we can write. Powerful fiction has been the result of writers stepping into controversy and taking sides, but not as polemics or propaganda. Their plays and poems and novels have been about people, not ideas, and they have been written by authors who were deeply engaged with the times they were living in, and some are still living in.

Writers don't live in ivory towers. Through our writing, we take sides between good and evil, right and wrong. Great literature worldwide by writers of many nationalities has done this, and this is the literature that has touched chords in succeeding generations and stays alive. We show where we stand by the subjects we choose, the stories we write, and the way we write them. Whether we are writing about our grandmother's cooking, or the rain on the roof, or describing the body of our beloved, every word we write makes it clear where we stand. Writing, like all forms of creative art, is a powerful form of political activism, and it is a means of revolt. That is why dictators are so afraid of it and take steps to control it.

A writers' protest started as an 'Award Wapasi' movement three years ago, when about a hundred of us returned our Sahitya Akademi Awards over the murder of an Award-winning writer, Dr Dabholkar, which the Akademi took no notice of.

But after the lynching of the poor blacksmith, Mohammed Akhlaq, in Dadri village outside Delhi, our movement has grown and widened to cover other issues concerning attacks on democracy and human rights.

I have mentioned the writing of foreign writers. It has left its mark on my mind because I have been able to read some of it in translation. What about Indian writing in our many languages? It is a tragedy that we cannot read each other for lack of translation. Though our music and dance and theatre and films bring us together, our literature keeps us apart, and we cannot know each other until we can read each other. I can only hope that publishers will fill this gap and that Indian literature will become available not only to us but across the world.

I have to pay a special tribute to Maharashtrian women writers, because of the formidable obstacles that women have to overcome when they put their life experiences into words on a page. They run the risk of offending husband, family, and society, and suffering the consequences. May their courage and their creative energy go from strength to strength.

I want to thank my hosts for giving me this opportunity to speak to you, and I have spoken from the heart because of the crossroads our country is at. Which way we go—towards freedom or away from it—will depend, among other things, on what we write, and our refusal to be bullied into silence. In memory of the Indians who have been murdered, in support of all those who are upholding the right to dissent, and of the dissenters who live in fear and uncertainty, but still speak their minds, let us choose freedom.

Thank you for listening to me.

# 13% Decline in Public Sector Workers in 4 Years of Modi Rule

Neeraj Jain

Nearly 2 lakh workers of government-run public enterprises have lost their jobs since the Narendra Modi led BJP government took power in 2014. The total number of workers declined from about 12.9 lakh in 2014 to 10.9 lakh in 2018. Including the managerial and supervisory staff, the total number of employees has declined from around 16.9 lakh in 2014 to 14.7 lakh in 2018. That implies a total decline of 13% in the workforce in just 4 years.

Within this, the number of regular workers declined from 9.5 lakh in 2014 (March 31) to 7.1 lakh in 2018, as per the latest releases of PES. If you add to that, about 27,289 managerial and supervisory staff that was also made redundant, the total job loss in regular employment is about 2.6 lakh, or a whopping 19.5%.

Simultaneously, number of casual or daily wage workers went up from about 31,000 to over 40,000

while contract workers shot up from 3,08,719 to 3,38,494, between 2014 and 2018. In other words, about 40,000 casual / contract workers were added. The proportion of such employees as a percentage of the total workforce (regular + contract / casual workers) has gone up from 26.4% in 2014 to 34.7% in 2018. This is the period in which the government has given free rein to employers to hire and fire at will by allowing fixed term contract system in all industries.

This data emerges from the annual Public Enterprises Survey (PES) series, brought out by the Department of Public Enterprises.

Surveys have found that contract and casual workers are paid up to 50% less than the regular workers. They are also not given most of the other legal benefits that regular employees get. This leads to enormous “savings” for the employers.

While the greed of private

employers to boost their profits at the cost of workers can well explain these predatory practices, it is bizarre that the government itself is adopting the same measures, in effect holding up these practices as exemplars for others.

Seen with the record-breaking disinvestment of public sector assets—amounting to over Rs 2 lakh crore during the Modi rule—the gutting of what was once India’s pride, the backbone of India’s industrial economy and self-reliance, is clear.

This is one of the key reasons why public sector workers are going on a two-day strike on 8–9 January 2018. The strike has been called by a joint platform of ten central trade unions and dozens of independent federations. One of the key demands of the 12-point demand charter is a stop to privatisation and sale of public sector, while another demand is for increasing employment opportunities.

**Table: Break-Up of Total Employees in Public Sector Enterprises, 2014–18**

	Contract Workers	Casual Workers	Total Casual + Contract Workers (1)	Total Regular Workers (2)	Total Workers (3)	(1) as % of (3)	Total Managerial + Supervisory Staff
2014	308,719	30,716	339,435	9,48,814	12,88,249	26.35	4,02,492
2015	274,889	21,086	295,975	8,96,469	11,92,444	24.82	3,94,705
2016	267,929	19,103	287,032	8,52,060	11,39,092	25.20	3,81,558
2017	338,521	54,225	392,746	7,60,455	11,53,201	34.06	3,70,385
2018	338,494	40,060	378,554	7,12,937	10,91,491	34.68	3,75,203

(All figures for March 31 of that year.)

(Source: Various PE Survey Reports, Department of Public Enterprises, Government of India, <https://dpe.gov.in.>)

Email: [neeraj61@gmail.com](mailto:neeraj61@gmail.com)

## Narendra Modi is Actually the Accidental PM

Sandeep Pandey

Anupam Kher's film 'Accidental Prime Minister' has targeted Dr. Manmohan Singh who served for two terms and may be again acceptable for the job if his party regains power. But his tormentor Narendra Modi seems to be out of breath even before his first term is over. Disillusionment with him is so widespread and deep that people of India may not bear with him for another term. As the general elections approach again, the difference between the two needs to be examined.

Manmohan Singh's government gave this country Right to Information, Mahatma Gandhi National Rural Employment Guarantee, National Food Security, Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights), Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement, Criminal Law (Amendment) also known as Nirbhaya, Street Vendors (Protection of Livelihood and Regulation of Street Vending), Prohibition of Employment as Manual Scavengers and Their Rehabilitation Acts. Some benefits of some of these Acts have reached the people, while some are still to yield any results. However, the Narendra Modi government has hardly done anything to benefit the lives of common people. His Jan Dhan Yojna and Ujjwala schemes have come a cropper. While during Manmohan Singh's government you could hear people talking spiritedly about RTI, MNREGA, Forest Rights Act, etc., in Narendra Modi's government one doesn't hear

anybody talking about Jan Dhan or Ujjwala with the same enthusiasm, except for in government sponsored advertisements. Demonetisation, which was really 'remonetisation' as the government brought back bigger denomination notes, betraying the reason that it was meant to be an action against ending black money, and implementation of Goods and Services Tax have made a dent in economy from which it is still to recover. A common perception now is that Narendra Modi–Arun Jaitley have little understanding of the economy and the government has been manipulating data to show better results. The duo was unable to retain competent experts like Raghuram Rajan and Urjit Patel with the government.

Narendra Modi government's biggest failure has been on the law and order front. Hardline elements of Hindutva brigade appear to have had a free hand in perpetrating criminal actions which have terrorised the society at large. While Member of Parliament of Bhartiya Janata Party Raghav Lakhanpal Sharma attacked the residence of Senior Superintendent of Police of Saharanpur in April 2017, various fringe elements attacked Muslim citizens on the suspicion of having consumed beef or simply when they were carrying cattle. Some of these perpetrators were garlanded by central minister Jayant Sinha in Jharkhand. Yogi Adityanath government has indulged in encounter killing of more than fifty people in Uttar Pradesh, and if police is not killing citizens,

then mob is killing policemen in that state. Legislators threaten people who feel insecure under the present dispensation with bombing, something for which a person associated with left wing ideology could be labeled as urban-naxal and put behind bars.

Narendra Modi has probably travelled abroad more frequently and widely than any other PM. However, his foreign sojourns did not do any good to India's relationship with most countries, especially, its neighbours. PM of Pakistan Imran Khan has shown a rare goodwill gesture by opening the corridor to Kartarpur for visit of Sikh pilgrims from India to Darbar Sahib Gurudwara in Pakistan without the requirement of passport–visa. Narendra Modi appears to be caught in anti-Muslim and anti-Pakistan politics that his party is traditionally used to. He is not able to grow out of his 56-inch chest size syndrome, declared publicly during last elections, to respond to the friendly overture from our neighbour. On the other hand, it is unclear what the bravado action of surgical strike achieved for India, for cross-border terrorist incidents continue unabated. Relationship with Pakistan during Manmohan Singh's regime had improved relatively; in spite of the terrorist attack on Mumbai, that government did not take an intransigent position of not engaging with Pakistan.

Narendra Modi is constrained to use icons of the freedom movement led by Indian National Congress like Mahatma Gandhi, Sardar Patel and Subhas Chandra Bose to counter the

Nehru–Gandhi dynasty of Congress, as he knows that the ideologues of his parent organisation (the Rashtriya Swayamsewak Sangh), like Hedgewar, Savarkar and Golwalkar, will not go down well with the masses as they were not faithful to the freedom movement of this country. Having formed the government with just 31% of the votes, incidentally the lowest vote share of any party to have won a majority of Lok Sabha seats, Narendra Modi has also deserted some of the RSS agenda like anti-reservation in any attempt to gain wider acceptability.

As the next Lok Sabha election approaches, the Ram temple issue has started dominating the political narrative as if this is an important demand of all Hindus. Since it has been unable to solve none of the major problems facing the country, like farmers' suicides or child malnourishment, unemployment or sub-standard education and health care system, Narendra Modi government is clearly fanning this issue.

People in Kashmir and Assam have become even more disenchanted with the government after the BJP came to power at the Centre. BJP projects itself to be a champion of women's rights when arguing for banning the practice of triple talaq among Muslims but is against the right of Hindu women of menstruating age to enter Sabarimala temple in Kerala. Narendra Modi's estranged wife Jasodaben has been denied a passport lest she cause embarrassment for him abroad.

As if India didn't have enough problems to cope with, the BJP government has added a totally unexpected problem to this list because of its love for the cow. Stray

cattle, which were once domestic but now have no buyers, are roaming around freely destroying standing crops in the fields. This one issue alone may be enough to decisively turn the tide against BJP in the next elections.

All the above-mentioned things point to the fact that Narendra Modi has mismanaged governance much more as compared to the Manmohan Singh government. Narendra Modi consolidated his position after the 2002 Gujarat communal violence by polarising Hindu votes first in Gujarat and then in the whole country. He used false promises to

lure some other sections of society. Ambani and Advani provided him the definite financial advantage over other parties and leaders within BJP. He sailed through in the 2014 elections based on these factors, but now it appears to be an accident to the people of the country. Never before have the people ridiculed any PM with epithets for his false promises like those being used for Narendra Modi, nor has any PM lowered the dignity of his office with actions such as putting on an expensive coat with his name inscribed on it in the form of strips.

Email: [ashaashram@yahoo.com](mailto:ashaashram@yahoo.com)

## Amid Institutional Decline

**Arun Kumar**

Allegations of interference in major institutions have been the big news of late. The ongoing fracas in the Central Bureau of Investigation (CBI) has got out of hand, with the two top officials in the chain of command accusing each other of corruption. The recent pronouncements in the Supreme Court do not promise an early resolution.

The fight against widespread graft in the country has been set back. The Deputy Governor of Reserve Bank of India (RBI) has highlighted the serious consequences if there is an erosion of its autonomy. The intervention by the Supreme Court in the CBI issue places a question mark on the independence of the Central Vigilance Commission (CVC) and the functioning of the government as a whole in making key appointments in the CBI. The CBI controversy has also left an imprint on the Intelligence Bureau

and the Research and Analysis Wing.

The list of institutions in decline is long. The ongoing #MeToo movement has exposed the sordid goings-on in large swathes of the media and the entertainment industry. Earlier too, the Election Commission was under a cloud over the announcement of election dates, action taken against some Delhi legislators and the functioning of electronic voting machines. The functioning of the judiciary itself has been a cause for concern. Then there is the attempt to introduce Civil Service Rules in Central universities, an attempt to erode the autonomy of academics. The crisis in the banking system and the huge non-performing assets that overrun their balance sheets impact the viability of the financial system.

### The present and past

The storm is gathering pace. The decline of institutions in India is

not recent. In 2016, demonetisation brought out the centralisation of power and a lack of consultation with important sections of the government. The chaos prevailed for months and about 99% of the money came back into the system, thus defeating the very purpose of carrying out this draconian measure. Those with black money escaped and those who had never seen black money were put to great hardship. The RBI and the banks were marginalised.

The CBI imbroglio is no surprise. Political interference in the agency and corruption among its ranks have been talked about but are hard to prove. The Supreme Court, in 2013, even called the agency a 'caged parrot' but this was not concrete enough. The political Opposition when feeling the heat of various investigations has always accused the agency of being its 'master's voice'. Now that the spat within has come out in the open, with a spate of accusations, these fears have become all the more credible.

### **A deep rot**

The rot has set in deep, with charges of government manipulation in crucial cases. With the Vineet Narain case, in the 1990s, the Supreme Court tried to insulate the CBI from political manipulation by placing it under the supervision of the CVC. But that has not worked since the independence of the CVC itself has been suspect.

### **Why is the autonomous functioning of the CBI and CVC such an irresolvable issue?**

The CBI is an investigative agency largely manned/controlled by personnel drawn from the police force. And this is a force used to

doing the bidding of the ruling dispensation. The rulers themselves commit irregularities in the routine and depend on the police to cooperate with them. The rulers cannot pull them up in their own self-interest.

In the police, there are 'wet' and 'dry' duties where money can be made in the first but not in the second. Being on the right side of the political masters is lucrative. While earlier there may have been few such officers doing political bidding, now it seems they dominate.

It is akin to having a 'committed bureaucracy', an idea floated during the Emergency. The issue is: Committed to whom? To the national interest or to the rulers?

The rule of law is being subverted and illegality being committed on a large scale. Growth of the black economy is a measure of illegality. It has gone up from 4–5% of GDP in 1955–56 to the present level of 62%. It has become 'systematic and systemic' and eroded institutional

functioning all across the board. This has damaged institutions.

Institutions provide the framework for individuals and systems to function. Their breakdown leads to a breakdown of societal functioning—democracy is weakened, the sense of justice is eroded and the Opposition is sought to be suppressed. The tainted not only survive but also get promoted and damage institutions.

If institutions are strong, they are respected and it becomes difficult to manipulate them. It enables the honest to survive. In strong institutions, individual corruption is an aberration but when they weaken, it becomes generalised. It leads to individualisation, illegality becomes acceptable and the collective interest suffers. Even an 'honest' Prime Minister tolerated dishonesty under him. The dilemma is, can a dishonest system be managed honestly?

**Email: [nuramarku@gmail.com](mailto:nuramarku@gmail.com)**

## **Some Implications of Verdict on Aadhaar Act**

**Gopal Krishna**

### **Introduction**

While the verdict of the 5-Judge Constitution Bench of Supreme Court on Union Ministry of Electronics and Information Technology (MEITY)'s Unique Identification (UID)/Aadhaar number database project being implemented by Unique Identification Authority of India (UIDAI), Aadhaar Act 2016 and indiscriminate metadata collection of Indian residents is 1448 pages long, the portion which is authored by Justice A.K. Sikri is only 567 pages long. This part of the order has been written by him but it has

been signed by 45th Chief Justice of India Dipak Misra and Justice A.M. Khanwilkar. In a separate order, Justice Ashok Bhushan too has expressed agreement with it. The dissenting order of Justice Dr. D.Y. Chandrachud of this 5-Judge Constitution Bench assumes greater significance because it is he who authored the leading order of the 9-Judge Constitution Bench on right to privacy in this very case which had the concurrence of all the judges. A harmonious construction of the verdict of Justice Chandrachud as part of the 9-Judge Bench and

his dissenting order as part of the 5-Judge Bench reveals several inconsistencies in Justice Sikri's order; it becomes evident that latter's order is inconsistent with the order of 9-Judge Constitution Bench. Actually, Justice Sikri's order is inconsistent with his own observations too. It has evaded even those facts, sequence of events and scientific evidence which are on record.

Referring to UID/Aadhaar number database project, Justice Sikri observes: "Its use is spreading like wildfire, which is the result of robust and aggressive campaigning done by the Government, governmental agencies and other such bodies. . . . The Government boasts of multiple benefits of Aadhaar." It may be recalled that the first Chairman of UIDAI used to refer to "robust and aggressive campaigning" as marketing, saying success or failure of UID/Aadhaar depends on its marketing or campaigning. The judge in question recognises that this project is a result of marketing. He carefully uses the word "boasts" with regard to government's claims about its "multiple benefits".

The opening statement of the Justice Sikri authored order reads: "It is better to be unique than the best. Because, being the best makes you the number one, but being unique makes you the only one. 'Unique makes you the only one' is the central message of Aadhaar, which is on the altar facing constitutional challenge in these petitions." This opening statement of the order is questionable from scientific point of view. A report "Biometric Recognition: Challenges and Opportunities" of the National Research Council, USA published on 24 September 2010 concluded that the current state of

biometrics is 'inherently fallible'. That is also one of the findings of a five-year study. This study was jointly commissioned by the CIA, the US Department of Homeland Security and the Defence Advanced Research Projects Agency. Another study titled "Experimental Evidence of a Template Aging Effect in Iris Biometrics" supported by the Central Intelligence Agency (CIA), the Biometrics Task Force and by the Technical Support Working Group under US Army contract, has demolished the widely accepted belief that iris biometric systems are not subject to a template aging effect. The study provides evidence of a template aging effect. The study infers, "We find that a template aging effect does exist. We also consider controlling for factors such as difference in pupil dilation between compared images and the presence of contact lenses, and how these affect template aging, and we use two different algorithms to test our data." A "template aging effect" is defined as an increase in the false reject rate with increased elapsed time between the enrollment image and the verification image. This study demonstrates that assumptions which form the basis of Justice Sikri's order are conclusively and unambiguously unscientific.

A report "Biometrics: The Difference Engine: Dubious security" published by The Economist in its 1 October 2010 issue observed: "Biometric identification can even invite violence. A motorist in Germany had a finger chopped off by thieves seeking to steal his exotic car, which used a fingerprint reader instead of a conventional door lock." Notwithstanding similar unforeseen consequences, Justice Sikri's faith in biometric remains unshaken. It seems

that considerations other than truth have given birth to this faith. Is there a biological material in the human body that constitutes biometric data which is immortal, ageless and permanent? Besides working conditions, humidity, temperature and lighting conditions also impact the quality of biological material used for generating biometric data. The claim of uniqueness of UID/Aadhaar which Justice Sikri has accepted is based on the questionable assumption that there are parts of human body like fingerprint, iris, voice, etc. that do not age, wither and decay with the passage of time.

### **Justice Sikri's order and the report of a Parliamentary Committee**

The Forty-Second Report of Yashwant Sinha headed Parliamentary Standing Committee on Finance submitted to the Lok Sabha and Rajya Sabha on 13 December 2011 revealed that "Bharatiya – Automated Finger Print Identification System (AFSI), was launched in January 2009, being funded by the Department of Information Technology, Ministry of Communications and Information Technology, for collection of biometric information of the people of the country." But the same is not being used by UIDAI because according to the Government, "The quality, nature and manner of collection of biometric data by other biometric projects may not be of the nature that can be used for the purpose of the Aadhaar scheme and hence it may not be possible to use the fingerprints captured under the Bhartiya-AFSI project."

Justice Sikri's order refers to the Fifty-Third Report of this very Standing Committee on Finance

that was presented to the Lok Sabha and Rajya Sabha on April 24, 2012 which summarised the objectives and financial implications of the UID scheme. But his order does not factor in the recommendations of this very Parliamentary Standing Committee in its Forty-Second Report which shows the existence of Bharatiya – Automated Finger Print Identification System (AFSI) whose quality, nature and manner of collection of biometric data was apparently found to be not of such required nature which can impart uniqueness. The Government reached the conclusion that biometric technology of foreign firms is better than the existing Indian one from the point of uniqueness without any comparative study.

This parliamentary report observed, “Continuance of various existing forms of identity and the requirement of furnishing ‘other documents’ for proof of address, even after issue of aadhaar number, would render the claim made by the Ministry that aadhaar number is to be used as a general proof of identity and proof of address meaningless”. It underlined that: “The full or near full coverage of marginalised sections for issuing aadhaar numbers could not be achieved mainly owing to two reasons viz. (i) the UIDAI doesn’t have the statistical data relating to them; and (ii) estimated failure of biometrics is expected to be as high as 15% due to a large chunk of population being dependent on manual labour.” The report records that “The Ministry of Home Affairs are stated to have raised serious security concern over the efficacy of introducer system, involvement of private agencies in a large scale in the scheme which may become a threat to national security; uncertainties in

the UIDAI’s revenue model.”

The parliamentary report has apprehended that: “Although the scheme claims that obtaining aadhaar number is voluntary, an apprehension is found to have developed in the minds of people that in future, services / benefits including food entitlements would be denied in case they do not have aadhaar number.” Its apprehension has been found to be correct.

Parliamentary Standing Committee’s Forty-Second Report relied on the London School of Economics’ Report on UK’s Identity Project, that *inter-alia* states that “identity systems may create a range of new and unforeseen problems . . . the risk of failure in the current proposals is therefore magnified to the point where the scheme should be regarded as a potential danger to the public interest and to the legal rights of individuals.” It records that “the United Kingdom shelved its Identity Cards Project for a number of reasons, which included: (a) huge cost involved and possible cost overruns; (b) too complex; (c) untested, unreliable and unsafe technology; (d) possibility of risk to the safety and security of citizens; and (e) requirement of high standard security measures, which would result in escalating the estimated operational costs.” It states that: “As these findings are very much relevant and applicable to the UID scheme, they should have been seriously considered.”

These aspects of the report have been ignored by Justice Sikri. Although he refers to the introduction of ‘National Identification Authority of India Bill, 2010’ in the Rajya Sabha on December 3, 2010, he chose to gloss over the fact that this Bill was referred to the Parliamentary

Standing Committee on Finance on 10 December 2010 and also the findings of this Committee on this Bill and the UID/Aadhaar project in its Forty-Second Report. This Committee comprised of 21 members from the Lok Sabha and 10 members from the Rajya Sabha. The Bill of 2010 was not a Money Bill. It was never passed by the Rajya Sabha. As a consequence of the recommendations contained in this report, this Bill was withdrawn from the Rajya Sabha on 3 March, 2016 and a new Bill, ‘Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Bill, 2016’ was introduced on that very day as a Money Bill to outwit the Rajya Sabha and to make the recommendations of Lok Sabha’s Parliamentary Standing Committee on Finance irrelevant. This itself is enough to conclusively establish this as a questionable legislation. However, Justice Sikri has chosen not to engage with these facts on record.

### Conclusion

Citizens’ opposition to UID/aadhaar has a historical context. It is linked to more than a century old world famous ‘Satyagraha’ of Mahatma Gandhi in order to oppose the identification scheme of the government in South Africa. On 22nd August, 1906, the South African government published a draft Asiatic Law Amendment Ordinance. The Ordinance required all Indians in the Transvaal region of South Africa, eight years and above, to report to the Registrar of Asiatics and obtain, upon the submission of a complete set of fingerprints, a certificate which would then have to be produced upon demand. The move proposed stiff penalties,

including deportation, for Indians who failed to comply with the terms of the Ordinance. Knowing the impact of the Ordinance and effective criminalisation of the entire community, Mahatma Gandhi then decided to challenge it. Calling the Ordinance a 'Black Act' he mobilised around 3,000 Indians in Johannesburg who took an oath not to submit to a degrading and discriminatory piece of legislation. Biometric aadhaar case demonstrates how 'Those who forget history are condemned to repeat it'.

Biometric profiling is inherently dangerous because it tracks individuals based on their religious, behavioural and/or biological traits.

History is replete with examples wherein such profiling has been used for genocide, holocaust and violence against all kinds of minorities.

In the face of assault on citizens' rights and the emergence of a regime that is making legislatures and judiciary subservient to automatic identification, big data mining and artificial intelligence companies, the order of Justice Sikri seems to have undermined the Constitution and the sovereignty of the citizens who framed it. If the order is not reviewed soon by the Constitution Bench, India's social policies is all set to be guided by biometric and genetic determinism and eugenic thinking of their beneficial owners

of unaccountable and admittedly undemocratic economic institutions. It is not surprising that as of December 2018 some five petitions including one by a defence scientist have been filed praying for review of the Justice Sikri's order. The year 2019 is likely to be the year wherein the Supreme Court's Constitution Bench will determine whether data resource nationalism, constitutionally limited government or anonymous donors of ruling parties must prevail to safeguard citizens' natural rights. By deciding these review petitions, the Court can pave the way for supremacy of democratic social organisations over undemocratic economic organisations.

Email: 1715krishna@gmail.com

## 60 Years of Defending Cuba Against a Barbarous Empire

### Arnold August

When Fidel Castro triumphantly announced the people's victory on January 1, 1959, it had been barely 15 years since the United States had savagely bombed Hiroshima and Nagasaki. This atrocity marked the passage of the baton of barbarism from the inhumanity of World War II to the United States.

Since the devastating atomic bombing, it has been documented that the United States, in its insatiable drive for world domination, has killed more than 20 million people in 37 nations. Innumerable murderous invasions have taken place around the world, such as in Korea, Vietnam and the Playa Girón military intervention that was defeated by Cuba in less than 72 hours. All of this constitutes an uncivilised foreign policy reminiscent of WWII

cruelty. What would have happened to Cuba and Latin America had the Revolution led by Fidel Castro not defeated the US incursion?

As Washington continuously beefs up its economic and military imperial overreach, its ongoing international gunboat diplomacy is now backed up by more than 800 military bases (from giant 'Little Americas' to small radar stations) virtually all over the world, including Guantánamo. All of this foreign policy and more, such as the increasing use of the Internet as the new road to regime change (e.g. in Cuba, especially since 2014), constitute the daily staple of arrogant threats, murderous aggression and cynical interference by the United States.

All of this happens every day

on many occasions through allied states, such as Israel's ongoing slow genocide against the Palestinian people. The post-WWII violation of other countries' sovereignty and international law occurs with virtually no international protection. The blockade against Cuba is a case in point of international impunity. The peoples of the world, such as the Cubans, can rely only on their own forces and support from the peoples and progressive nations in the world struggling to maintain a multi-polar world to resist US domination.

The Cuban Revolution has been curbing the United States for 60 of the 75 years since the inauguration of the 'new face' of the post-WWII barbaric epoch. This period, based on inhumanity to the extreme, shifted from Europe and East Asia

to the United States, only 90 miles from Cuba's shores. Think of this geopolitical and historical reality as people in every corner of the planet reflect today upon the historic significance of the 60th anniversary.

### **Genocidal Blockade**

One can say that the Cuban Revolution has withstood the Empire almost throughout the latter's entire post-WWII lifespan as the successor of the unparalleled cruelty witnessed in WWII, which has always been on Cuba's doorstep in one form or another. This worldwide and historic post-WWII order incorporates an added consequence as far as Latin America and the Caribbean are concerned. This additional feature stems from the US nightmare consisting of the constantly looming and ever-threatening Latin American revolt against colonialism and imperialism since the time of Bolívar and Martí in the 19th century.

The United States has thus added a specific cruel club against Cuba—also targeting its inspirational influence not only in the whole region south of the Rio Grande but in the belly of the beast itself, as Martí called the United States, where he lived and worked. This additional diabolical US measure, imposed just one year after the 1959 triumph, can only be called genocide. Genocide? It is the US blockade itself which defines it as such, while of course not using the word 'genocide.' The blockade, striving to involve all nations, has as its explicit 1960 goal to force the Cuban people into submission through 'economic dissatisfaction and hardship.'

The effects of the ruthless blockade, especially since the implosion of its allies (the Soviet bloc) close to 30 years ago (almost

half the life of the Revolution), have been devastating. Notwithstanding the problems stemming from Cuba's own shortcomings, every day in the life of the Cuban family or individuals is affected by the blockade as the main obstacle to its normal economic development.

Transportation is one daily reminder of the blockade. The procurement and preparation of food constitutes another for the vast majority of Cuban people. Drastic limits to housing renovations that often include frustrating outdated plumbing and electricity is yet another expression of the US siege of Cuba. Health services are deprived of close-by US pharmaceuticals and hospital equipment. Even education, which can be seen as a 'non-material' service, is affected, for example, by the need to import paper for classroom materials, such as books, from far-off lands.

Yet the overwhelming majority of Cubans have not surrendered—and are not surrendering—to the United States, according to Washington's script. The 60-year-old Cuban Revolution stands as firm as it was in its very infancy in the period 1959–61.

### **Venezuela in US Crosshairs**

However, one has to appreciate, on this historic day for the world of January 1, 2019, that no aggressive US policy against the Cuban Revolution is ever discarded. After the fall of the Soviet bloc and the simultaneously planned tightening of the US blockade, which also made it extraterritorial in the wake of this setback in Europe, the United States went for the jugular in the 1990s. Soon after, and with the hope of defeating Cuba once and for all, the United States set Cuba's

closest and most significant ally, Venezuela, in its crosshairs. The Bolivarian Revolution led by Hugo Chávez emerged as the first major reversal of the 1989–91 setback in Latin America, and indeed the world.

Moreover, it happened in what the United States considers its "backyard." When socialism and revolution were supposed to be outdated phenomena of the past, in December 1998, Chávez completed the first step of the long struggle of the resilient Venezuela toward revolution. It was, one could say metaphorically, that 1998–99 comprised Venezuela's 'January 1, 1959.' The United States never accepted the new Bolivarian Revolution in Caracas, as it never swallowed the bitter pill of the Cuban Revolution. This was the case even more so, given that Venezuela immediately after 1989 became a close political and economic ally of Cuba based on mutual benefit.

As the ultimate cynical policy, while making overtures to Cuba for one-and-a-half years before being made public in December 2014, the same Washington declared Venezuela a 'threat to US security' only three months later, in March 2015. This contemptuous Machiavellian policy, so characteristic of ruthlessness for centuries, led to imposing sanctions on Cuba's ally that were designed to cripple it and, of course, as a hoped-for by-product, to squeeze Cuba into submission. This 2015 US Venezuela policy also paved the way for the current US approach of possible military intervention to put an end to the Latin American nightmare come true in the form of the Bolivarian Revolution.

Yet Cuba has been—and is still—heroically resisting, even under these new unfavourable

conditions, as it also goes about forming new economic and trade relations with other countries. Cuba refuses to kneel before the most powerful nation on earth, a stance it has maintained for 60 years. It is a universally recognised fact that Cuba, Fidel Castro, his legacy and followers today have stood up to the United States in defence of Cuban sovereignty. Love it or hate it, there is no escaping this historical fact.

The revolutionary Cuban people have earned their well-derived reputation through blood, sweat and tears and thus deserve the full support of all justice-loving people around the world. Cuba is lacking many goods and material benefits. However, the vast majority of Cuban people, both individually and collectively, benefit from the hard-fought-for blessing of something that we in capitalist countries do not have: dignity. Honour cannot flourish in the capitalist and imperialist West that carries out war, aggression and interference in the name of human rights and democracy denied its very own countries. Dignity in the capitalist West is built only from the bottom up in defiance of capital and the Empire, whose wars of aggression bring shame and dishonour to the peoples of the assailing nations.

As a result of maintaining its sovereignty at all costs, Cuba can work out its plans for the political, economic, social, cultural and other realms based on its own needs and criteria. Over the period of six decades, through the twists and turns, deceptions and successes since 1959, this is what Cuba has been doing. Moreover, on every major step of policy change, it does so with the full participation of the people. Despite the stereotype that

is projected in the West, there is no country in the world that compares with Cuba when it comes to being characterised by debate.

### **The Political Culture of Debate**

This political culture of debate is so entrenched in society that it is an inseparable part of the political landscape. Cubans are clearly used to openly discussing and debating politics. It is a way of life on the island. This tradition goes back to the second half of the mid-19th century, when under Spanish occupation, Cubans discussed and voted for members of four constituent assemblies, which in turn debated, discussed and approved as many constitutions. This took place over 150 years ago while, at the time, the main detractor of Cuba's current constitutional reform—the United States—still had an 18th-century constitution worked out behind closed doors by a handful of slave owners and a wealthy few.

When the Revolution won out on January 1 sixty years ago, Fidel appeared on the balcony of the city hall in Santiago de Cuba to address the crowd in an interactive way. In fact, from that day on, Fidel contributed to the resurrection of the political culture of debate, which had been kept largely in the background by US colonial domination, apart from some short periods, for example, the revolutionary upsurge in the 1930s and the approval of the 1940 constitution.

The political culture of debate, as mutually fostered since 1959 by the new leadership and the humble in favour of the latter, is best captured by Che Guevara: "At the great public mass meetings one can observe something like a dialogue of two tuning forks whose vibrations

interact, producing new sounds." Furthermore, highlighting how the people participated in decision making, Guevara remembers: "Fidel and the mass begin to vibrate together in a dialogue of growing intensity until they reach the climax in an abrupt conclusion." He concedes that "for someone not living the experience," it is a "difficult thing to understand," referring to the "close dialectical unity between the individual and the mass in which both are interrelated." Faithful to his appreciation of the individual's role, Guevara concludes: "The mass, as an aggregate of individuals, interacts with its leaders."

The latest example of this political culture of debate, perhaps one of the most historic since 1959 (even though one would never know it by relying on the corporate press in the West), just took place. Discussions were carried out from August 13 to November 15, 2018 to review the Draft to renew the 1976 Cuban Constitution. In all places of work, educational institutions and neighbourhoods, major changes were suggested. One of the most significant by many Cuban accounts is the issue of the term 'communism.' It was originally contained in the 1976 Magna Carta as the goal of the Revolutionary process but was deleted in the Draft. It came back as a result of the public discussion as a colourful expression of Cuba's political culture of debate, which is so ingrained that no force can smother it. The battle of ideas was waged mainly by revolutionary bloggers and writers.

To sum up the changes, the 1976 Constitution was worded: "... the construction of socialism and the progress toward a communist society." The 2018 Draft submitted

to the people for debate and input was worded: "...toward the construction of socialism." The final December 2018 revised version, which took into account the debate and will be submitted to the citizens in a referendum to be held on February 24, 2019, is worded: "...toward the construction of socialism and communism."

### **Participatory Democracy Toward Protagonist Democracy?**

This latest change in article 5 is no small matter. When the news broke last July 2018 that the Draft eliminated the word 'communism,' the international press in the West yelled victory: 'Cuba gives up communism!' However, the idiosyncrasy of Cuba's political culture of debate put a damper on the euphoria and, at the same time, blew to bits the ongoing media terrorism, namely that 'communism is imposed from above.' As a poetic twist of fate, it came from the grass roots. While the debates were organised at the base and provided the opportunity for every citizen to contribute and argue for their respective views, one had to be very pro-active to raise the 'communism' controversy.

The Draft was, after all, proposed by the entire leadership and the Cuban Parliament. Thus, this latest experience in Cuban democracy went beyond participatory democracy toward protagonist democracy, which, in my view, is a qualitatively higher form of participatory democracy. It is not the first time in Cuba's unique experience in consultation that radical changes came from the grass roots. However, this one on 'communism,' watched by the whole world, is in a class of its own. Thus, on the eve of the celebration of the 60th anniversary

of the Cuban Revolution, this is a very fitting tribute to the Revolution and its architect, Fidel.

Now that the Cuban Revolution has recharged its battery with Fidel's legacy of debate and exchange, it is ready to confront all current attempts by the barbarism of the North and their allies to divide the people and the leadership of Councils of State and Ministers, and to denigrate President Miguel Díaz-Canel. This

desperate attempt to sabotage the movement for renewal based on principles will be responded by a resounding 'Yes' in the February 24 referendum and a vote of confidence for the new Cuban leadership under Díaz-Canel. No force on Earth can smother the Cuban political culture of debate. It can defeat any disinformation and divisiveness by the US-led campaign.

## **How to React to Stupidity at the Science Congress**

**Vasudevan Mukunth**

Correlation is not causation—but it's really hard to set aside the fact that India's ruling party has empowered a clutch of people to vocalise their pseudoscientific beliefs without fear of ridicule, leave alone consequence. When you hear a person in any kind of leadership position utter unscientific, ahistorical nonsense, you used to be able to laugh and uninhibitedly point out that they're wrong.

And then you read news reports about how people are being arrested for being sharply critical of the prime minister or for innocuous comments on social media targeting ministers and politicians. You read about vice-chancellors, judges and ministers balking at the slightest insult yet freely dismissing reason and civil liberties in single sentences. You keep your Twitter timeline clean to escape the attention of a wandering troll army, many of whose foot soldiers the prime minister himself follows. You watch your language closer than before, almost as if a syntax-obsessed linguist might.

When someone gets on stage and

says something stupid, you no longer see one face. In the visage of G.N. Rao, the Andhra University vice-chancellor asserting at the Indian Science Congress that we had stem-cell technology and test-tube babies thousands of years ago, you see The System glaring down at you. And you swallow the laughter.

But of course, the Bharatiya Janata Party, the Rashtriya Swayamsevak Sangh and their satellite outfits haven't caused any of this because they haven't actively directed one event after another. What you're seeing is just a correlation, a remarkable coincidence but a coincidence nonetheless. If you think there's causation, then it's in your head, you *liberal, antinational punk*.

So you aren't just silenced. The phantasmal force of the backreaction reaches into you and invites you to reconsider your opinions. Why did G.N. Rao, who sits at the very top of a state university, say what he did? You recoil from the simplest answer: that he's stupid. (He says we had stem-cell and IVF tech because "the

Mahabharat says hundred fertilised eggs were put into hundred earthen pots".) But then he can't be stupid; it must be something else.

Maybe Rao simply meant it as a metaphor—as an allegorical explanation for a complicated subject, something he alludes to in the clip. And maybe Narendra Modi was trying to be funny when he said we had plastic surgery thousands of years ago when we fixed an elephant's head on a human body. Maybe that Rajasthan high court judge was simply illustrating his devotion when he declared peacocks don't have sex but procreate through tears.

Maybe Satyapal Singh was on the cusp of a new philosophy of science when he said monkeys didn't turn into men because his grandparents didn't have a story about it. Maybe Harsh Vardhan was only musing about unknown unknowns when he said Stephen Hawking believed the Vedas had a better "theory" than  $E = mc^2$ . But wait: the buck stops with the science minister, and when he's crossed the line, it's definitely not a metaphor.

What else could it be? Perhaps the BJP government has thrown the field open to anyone who can craft a call to conservatism in a way that sticks to the *parivar's* ideological line, finds traction among the people and makes news. The best craftsman is then chosen and granted one 'boon', to use Amar Chitra Katha's favourite word for wishes granted by the gods. This franchisee model of nationalist expression would explain former ISRO chief Madhavan Nair's comment that two women entering the Sabarimala temple at night was a "government-sponsored act of cowardice".

Or maybe those of us

discomfited by an ecosystem that quietly tolerates and normalises increasingly offensive statements are in fact the cynics we're often told we are. Cynicism, and the disengagement with public politics that it encourages, is a privilege. Many of us can stop fighting for what we believe is right and shrink into a life no different for it—but most of us can't. At the same time, cynicism is hard to shed when it is consistently rewarded. You decide to hope when the government appoints an excellent principal scientific advisor—and feel snubbed when a senior educational administrator can't see the national science congress as anything more than a spitball range. (And he isn't alone.)

Just like that, we're left navigating a tangled web of excuses we're forced to make for The System if only to avoid confronting the abject incompetence at its

centre. Correlations jump up at us everywhere we look but we resist the cynical temptation to see causes instead.

However, ad hoc judgments are inimical to the everyday practice of reason—more so when a student's vice-chancellor invites her to try. *Don't be a cynic and everything will look better.* But be a cynic and avoid another demonetisation or starvation death. *Don't be a cynic and read meaning into every silly statement.* But be a cynic and think about what G.N. Rao's words might do to the spirit of a student at his university. *Don't be a cynic, be a skeptic instead, and learn to hope.* But be a cynic and prepare to have your hopes dashed.

*Don't be a cynic;* there are scientists and teachers doing good work in other parts of the country. Let's hope that much continues to stay true.

## Rafale Negotiations: PMO Compromised Defence Ministry's Position

M.K. Venu

In what could trigger yet another political storm over the Rafale controversy, fresh facts have surfaced with regard to the procedures adopted by the Narendra Modi government while clearing the purchase of 36 aircraft.

Highly placed sources have confirmed to The Wire that it is officially recorded in government files that the Prime Minister's Office (PMO) was compromising the negotiating position of the defence ministry, which by the end of 2015 was discussing various sensitive aspects of the deal.

What is significant is that the

PMO is named in the internal memos as causing problems to the negotiating position of the defence ministry team. As per procedure, the defence ministry's contract negotiation committee has experts who make a completely independent assessment of the purchase of defence equipment. The committee's decisions and assessments are then sent to the Cabinet Committee on Security (CCS).

But here, there are indications that the PMO was trying to make premature interventions.

It is unlikely that these file notings, made by defence ministry

officials, were placed before the Supreme Court. However, it is possible that the Comptroller and Auditor General (CAG) may have accessed these files.

The national auditor is yet to finalise its own report on the Rafale deal. *The Wire* has learned that while the CAG draft report has raised questions over procedures adopted in executing the aircraft deal, it has steered clear of the pricing controversy and has at this stage made no assessment of the offset contracts given to the private sector.

Sources said the defence ministry's negotiating team, which works under the overall supervision of the Raksha Mantri—Manohar Parrikar, at the time—had reached a critical stage of negotiations for the 36 Rafale aircraft by December 2015.

It may be recalled that after Modi abruptly announced the new deal in France on April 10, 2015,

the Defence Acquisition Council headed by Manohar Parrikar formally approved the 'Acceptance of Necessity' for buying the jets in May 2015.

In the subsequent six months, the actual negotiations had gathered pace.

By December 2015, the negotiations were poised very delicately and the law ministry had noted that a sovereign guarantee from France for the future performance of the Rafale contract was a necessary condition for a government-to-government deal.

Not surprisingly it was in the same month—December 2015—that the defence ministry officially noted that the PMO was compromising its negotiating position.

It seemed that the PMO was interfering at this stage. And this got recorded in an internal memo, according to one highly-placed source with knowledge of the matter.

Then in January 2016, the contract negotiation committee finalised all aspects of the new deal except that the financial terms—the most tricky aspect—was put off by a few months.

Finally, the controversial deal was fully finalised and taken to the Cabinet Committee for Security for clearance in August 2016. There was obviously some resistance from the defence ministry negotiation team to various aspects at various stages.

It is learnt that the increased benchmark price of 36 Rafale jet aircraft—from 5.2 billion euros to 8.2 billion euros—was resisted by many members of the team before being sent to the the CCS. The defence minister at the time neither put his signature on the increased price nor did he sign off on diluting the sovereign guarantee to a mere letter of comfort.

**Courtesy: The Wire**

## Act VIII: Yellow Vests Take Over Streets Across France

Yellow vest protesters, who are demanding social justice in France, came out on Saturday, January 5 for their 8th massive mobilisation. Dwindling numbers during the holidays generated fears that the movement had waned, but after dinners and family gatherings, the people of France have retaken the streets.

At least 18 people have been arrested so far.

Protesters gathered in several points in Paris to later march to the National Assembly. As people gathered in the Champs-Élysées and the historic stock exchange, demonstrators called for Macron's resignation and warned him the mobilisation is not a revolt, "it's the

revolution."

"100 billion in tax evasion, no measures," one protester denounced in a clear reference to the grass-roots movement for fiscal justice.

On Friday, the French government dismissed yellow vest protesters as agitators whose only goal was to topple it. The popular uprising that began with a rejection to a fuel tax has transformed into a movement for fiscal justice that has demanded President Emmanuel Macron, known to many as the "president of the rich", to step down.

After President Macron's first cabinet meeting of the year, during which he insisted law and order must be restored, government spokesman Benjamin Griveaux told reporters:

"The yellow vest movement, for those who continue to protest, has become the thing of agitators who promote insurrection to topple the government."

It's not the first time the French government has dismissed yellow vest protesters. In November, when mobilisations began, Macron called them thugs. However, in mid-December, after weeks of protests, the president was forced to make concessions, including the elimination of the controversial fuel tax, a raise in the minimum wage, and tax cuts for pensioners.

"We must take the desire of the French for change to its fullest because it is this desire which brought us to power. . . . Maybe we

have made too many concessions to conservatism, we'll have to change that," Griveaux said. However, it is not conservatism that has sparked protests but Macron's anti-working class reforms, including a sweeping labor reform and pension reform.

Since Macron came to power in May 2017 he has seen his popularity slide to a record low as discontent with his policies grew.

According to a poll released on January 4, 55 percent of French people want the yellow vests to continue protesting.

### **Yellow Vest Women March Throughout France**

And on Sunday, January 6, women "yellow jackets" all across France mobilised to show to the media that only reports violent events that the movement is essential peaceful.

Over 50,000 women gathered in front of the Place de la Bastille and in the Place de la République, in Paris, and others came together in Caen, Montceau-les-Mines, and Toulouse to demonstrate against President Emmanuel Macron's austerity measures, including an increase in gas prices that the president eventually withdrew after months of previous street demonstrations.

Women in Toulouse marched with a large banner demanding Macron's resignation. "Macron, if you do not come, we will come for you", read some of the protest banners. "Macron your goose is cooked, the chicks are in the street," read other signs.

In Paris, women sang France's national anthem at the Bastille before marching through nearby streets.

**Courtesy: Telesur**

## **Massive Rallies, Angry Protests Mark Two-Day Countrywide Strike**

Issuing a clarion call against the Modi government, an estimated 20 crore people from organised sector, both public and private, including workers working in multinational companies, scheme workers and the unorganised sector successfully carried out a two-day nationwide strike on January 8-9. They were protesting against the "anti-labour, anti-people and anti-national policies" of the BJP-led Central Government.

The strike was a part of the programme adopted by the National Convention of Workers, called jointly by ten central trade unions in September 2018. The RSS-affiliated Bhartiya Mazdoor Sangh (BMS) is the only central union that did not participate in the strike action.

The unions called the strike because the Modi government has been ignoring their 12-point charter of demands that raises issues of unemployment, price rise, minimum wages, pension, increasing contractualisation, disinvestment, universal social security cover, strict compliance with labour laws and FDI.

The strike saw joint trade union rallies in every state capital and even in district centres across the country. In the national capital, Delhi, workers, students and youth marched from Mandi House to Parliament Street, raising their 12-point charter of demands. Employees and teachers in Delhi University and teachers and students of Jawahar Lal Nehru University also went on strike in solidarity and joined the rally. Due to the workers strike, industrial areas in and around

Delhi NCR region came to a grinding halt. Even multinational companies such as Coca Cola, Toyota, Volvo, Samsonite, Crompton, CEAT, etc saw a complete shutdown.

The banking and insurance sector came to a standstill all across the country during the strike. Electricity generation and distribution, coal extraction and movement, non-coal mining, iron ore mining and steel production, got affected since the workers actively responded to the strike call. Oil extraction, refining and marketing, along with LPG in entire Eastern and Northern sector was completely paralysed. Even supply of aviation fuel was affected, resulting in cancellation of many flights. Transport sector, including road and rail, was affected resulting in cancellation of many trains. Railway workers and defence sector employees joined in solidarity everywhere.

In Maharashtra, the two-day strike was marked by rallies, dharnas, human chains, rasta roko protests, rail roko protests, torchlight processions at night and even people's poetry recital before the collectorate. BEST, the Mumbai city road transport service provided by the Municipal Corporation, recorded complete close down.

Kerala, Assam, Odisha, Puducherry, Manipur and Meghalaya witnessed a complete shutdown during the strike. While Goa and Bihar, which were on industrial strike on January 8, experienced a bandh-like situation during the second day. The district centres in Andhra Pradesh, Telangana, Karnataka and Madhya Pradesh

were impacted.

In Tamil Nadu, a highly industrialised state, huge demonstrations were conducted in many pockets; unions from various sectors like transport, postal, banking, IT, etc. participated in the strike; many students and youth organisations also came out in solidarity with the striking workers. In Bengal, the strike remained largely effective across the state. At Lal Chowk in Srinagar, hundreds of activists of various unions across Kashmir thronged to stage a protest in support of the general strike.

Courtesy: The Wire, Newslick

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### Letter to Editor

## Opposition Should Revive Neglected Agenda of Planning

As the election season approaches, the opposition is rightly sharpening its criticism of many misdeeds of the Modi government. Unfortunately, the dismantlement of Planning Commission and the discarding of the entire planning process including preparation of five-year plans has not received adequate attention even from major opposition parties, particularly the Congress.

Does this mean that the Congress and some of the other leading opposition parties are also not adequately concerned about this issue? If true, this is very sad, because the need for planning is even more in these uncertain times of global uncertainties and catastrophic possibilities led by climate change. The Congress should have firmly

opposed the dismantling of the Planning Commission by the Modi regime, educated the people about the importance of this issue and made this a big election issue.

In fact it is still not too late to do so. At least the left parties can be expected to make this an issue, but this will become more effective if the Congress and its allies also accord adequate importance to this issue. These opposition political parties should include re-initiation of five-year plans and re-establishment of a reformed Planning Commission in their election manifesto. Public pressure should be exerted on opposition parties well before the general elections due next year to ensure this.

Email: [bharatdogra1956@gmail.com](mailto:bharatdogra1956@gmail.com)

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D-15, Ganesh Prasad, Naushir  
Bharucha Marg,  
Grant Road (W), Mumbai 400 007.

## Footprints of A Crusader (The Life Story of Mrunal Gore)

by

**Rohini Gawankar**

Published by

**Kamalakar Subhedar**

Secretary,  
Samata Shikshan Sanstha,  
Pareira Wadi,  
Mohili Village,  
Sakinaka, Ghatkopar (W),  
Mumbai 400 072.  
Mobile : 9820092255  
Contribution : Rs. 300+

## Young India Adhikar March, February 7, 2019

**Join the Young India Adhikar March on 7th February  
from Lal Qila to Parliament Street, New Delhi!**

Representatives of Student and youth organisations from all over the country met in JNU, Delhi on December 27, and decided to form a platform, the 'Young India National Coordination Committee' to fight the anti-student and anti-youth policies of the Modi Government. They decided to organise a Young India Adhikar March in Delhi on February 7. The statement issued by them says:

"The last five years of Modi regime has seen systematic destruction of public funded school and higher education, massive budgetary cut in education and brazen misuse of power to benefit private educational institutions (Jio University model). On the other hand, while unemployment has skyrocketed, they have only tried to feed the youth with fake propaganda and fill them with communal hatred. Students and Youth across the country have organised brave movements to fight back against these sinister and divisive policies of the government since its initial days. As the Lok Sabha elections approaches near, it is imperative to unite in order to install the student-youth agendas at the heart of national politics. With this intention, student-youth movements, union members and organisations from across the country have come together and formed a Young India National Coordination Committee (YINCC). We will reach out to the student and youth in every corner of our country and bring them to flood the streets of Delhi on 7th February and ensure that

education and dignified employment becomes the biggest agenda of the 2019 Lok Sabha elections."

### **Student-Youth Charter of Demands:**

- Fulfill All Vacant Positions in All Departments before 2019 Elections; End Contractualisation of Jobs!
- End the Regime of Paper Leaks and Corruption in Every Recruitment Exam!
- Right to dignified employment should be recognised as fundamental right! Ensure unemployment benefit at least at the rate of minimum wages (Rs 18,000 per month).
- Stop Scuttling Reservations; Guarantee Reservations for Socially Deprived Sections in Private Sector as Well!
- The Private Sector Must Be Held Accountable to Stop Rampant Harassment and Firing of Employees!
- Stop the Policy of School Closure in the Name of Merging; Develop the Nearest Government Schools into Neighborhood Schools Open to All Children in the Neighbourhood, and Improve their Quality, to Ensure Universal Enrolment and Universal School Education till Class 12!
- Stop Destroying Public Funded Education!
- Open 100 new Central Universities with proper infrastructure;
- Spend at least 10 % of the GDP on Education!
- Roll Back Policies like Graded Autonomy, Institute of Eminence and HEFA Which Only Push Commercialisation and High Fee Structure in Education!
- Scholarship / Fellowship should be recognised as a right. Ensure proper scholarships / fellowships for all.
- End Gender Discriminatory Rules in Universities; Establish Gender Just Anti-Sexual Harassment Cells in All Campuses and Work Places!
- Waive off All Student Loans Unconditionally.
- End Institutionalised Discrimination. Enact Rohith Act!
- Withdraw all Politically Motivated Charges against Student Activists in Campuses!
- Restore Democratically Elected Student Unions in All Campuses across the Country.

### **Issued by:**

- Young India National Coordination Committee

### **Facebook Page:**

- <http://fb.me/YoungIndiaAdhikarMarch>;
- Twitter Handle: @YoungIndiaMarch;
- Contact: 7042952053, 9968787242

Postal Registration No. MCW/275/2018-2020.

Published on Sunday, January 13, 2019 & Posted on Wednesday, January 16, 2019 at Mumbai Patrika Channel, Mumbai GPO-1



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*New Excelsior Building, (3<sup>rd</sup> Floor),  
A.K. Nayak Marg, Fort, Mumbai 400001.*

*Tel. : 022 2205 1231*

*Fax : 022-2205 1232*

## **Office :**

**Ahmedabad, Hyderabad, Kolkata, Mumbai & New Delhi**