Names and bonds

Court did well to thwart SBI's attempt to delay details of electoral bonds

The Supreme Court's refusal to grant any further time to the State Bank of India (SBI) to furnish details of those who purchased and parties that encashed electoral bonds since April 2019 has foiled an ill-advised attempt to seek postponement of the disclosure until after the general election. The SBI has now been asked to disclose to the Election Commission of India (ECI), by the end of March 12, the names of details of the purchasers of the bonds, the dates on which these were bought, and denominations. The bank should also disclose the names of parties that redeemed the bonds, along with dates and denominations. The ECI has to host the information on its website by March 15. The upshot of the bank's application for time until June 30 is that it is now quite clear that it must disclose the data available to it, and need not try and match the names of the donors with the parties. It appears that the initial directions of the Constitution Bench, as part of its February 15 judgment invalidating the electoral bonds scheme, had been construed to mean that the SBI was required to match with exactitude all the purchasers with the recipients. The bank deemed this a "time-consuming" exercise, as the details were in separate silos and not stored in digital format.

In rejecting the bank's application for time and keeping the threat of contempt action alive, the Court has sent a message that it will not brook any further delay. The Bench has also rightly questioned the bank's silence on what had been done to comply with the order until the filing of an application for extension of time, just two days before the March 6 deadline. It is now quite apparent that even manually matching the two datasets could not have taken as long as the four months the SBI wanted. A question may arise as to whether the voters' right to information, the very basis for the Court finding the anonymous donation scheme unconstitutional, will be fulfilled by mere disclosure of the names of bond purchasers and the parties that received the funds, without authentic data on who donated what amount to which party. Given that the bonds have to be redeemed within a 15-day window, it may still be possible for a diligent civil society to use the disclosures to match donors and parties based on the proximity between dates of purchase and redemption. The data may also help unravel whether corporate houses or individuals benefited from their donations to ruling parties at the Centre and in the States, or if the contributions were made in response to any threat of investigation and prosecution.

Politics and pass-overs

Geopolitics outdid the politics in the choice of Oscar winners

The liveliest moment at the 96th Academy Awards came courtesy of Donald Trump. Host Jimmy Kimmel, perhaps sensing the lack of fireworks to light up Hollywood's biggest night – no slapgate, not even a hectic '*Naatu Naatu*' performance to feed a post-Oscars diversity debate – took his chance to slag off the former U.S. President after Mr. Trump had criticised Kimmel's hostmanship. Reading out Mr. Trump's post live on stage, minutes before the final award, Kimmel calmly clapped back with, "…I'm surprised, isn't it past your jail time?" In fairness, Mr. Trump's crotchety assessment of Oscar night was not entirely off the mark, which rolled out in drearily predictable fashion. Christopher Nolan's frontrunning Second World War-era opus, *Oppenheimer*, won seven out of its 13 nominations including 'Best Actor' (for Cillian Murphy, who plays the progenitor of the atomic bomb J. Robert Oppenheimer). It was an undeniably glorious moment for Nolan, passed on for Oscar recognition on six prior occasions. In the run-up to the Oscars, there was nervousness that *Oppenheimer* might not meet the Academy's new diversity standards. Perhaps the gloomy mushroom clouds of *Oppenheimer* held sway among Academy voters over the piercing pink of another global hit from last year. Greta Gerwig's *Barbie*, which far outstripped Nolan's film during their much-publicised theatrical face-off, won just one award ('Best Original Song'). If a female-led, visually inventive comedy-drama with a subversive edge shone at the Oscars, it was not *Barbie* but *Poor Things*. Yorgos Lanthimos' film, starring Emma Stone, won four out of its 11 nods, including 'Best Actress' for Stone. Her performance has been hailed yet it yielded one of the night's biggest upsets: Lily Gladstone, the first Native American to be nominated for 'Best Actress' in Martin Scorsese's *Killers of the Flower Moon*, was passed over for what could have been a landmark win.

Politics ruffled the smooth surface and cautious decorum of this year's Academy Awards. The 'Best Documentary' feature film went to *20 Days in Mariupol*, about life in the besieged Ukrainian city. Accepting the award, a first for Ukraine, director Mstyslav Chernov said that he wished he could 'never make this film', and would gladly trade it for Russia never occupying his homeland. Jonathan Glazer's *The Zone of Interest*, a chilling cinematic miniature of human indifference set in Nazi Germany, won 'Best International Film', with Glazer taking the opportunity to address the bombing of Gaza. His sentiments chimed with pro-Palestinian protesters who halted traffic before the Oscar ceremony, and the celebrities who wore red pins and signed a letter calling for a ceasefire. Clearly, the Oscars are no longer about an inward-looking, insulated group of celebrities who come to the spectacle to be seen.

Central transfers and the issue of shares of some States



C. Rangarajan

is former Chairman, Prime Minister's Economic Advisory Council and former Governor, Reserve Bank of India



D.K. Srivastava

is former Director, Madras School of Economics

There are many issues that the Sixteenth Finance Commission will have to deal with. In this article, we focus on one issue which has been raised by many States, particularly those in the south of India. The issue (or the complaint) is that these States have been facing a decline in their share out of the resources transferred from the Centre to the States, from Finance Commission to Finance Commission.

In finding a solution to this issue, we need to look at: which States have been gaining and which are losing their share over time; the criteria of horizontal distribution which has led to some States steadily losing their share; and what can be done to reverse this trend.

In *Table 1*, the shares of groups of States and those for selected States are shown, for the Twelfth Finance Commission to the Fifteenth Finance Commission (final report). In the case of the southern States, there has been a steady fall in their share, from 19.785% to 15.800%. In a comparison of these two Commissions, the northern and eastern States have also lost. The 'gainer States' were the hilly, central, and western States including Maharashtra.

The distance criterion

The shares of individual States in tax devolution depend on the criteria and the weights used by different Commissions. *Table 2* provides a list of the different criteria used by Finance Commissions, from the Twelfth to the Fifteenth.

The income distance criterion and cesses and surcharges are areas that need review

Share of States/groups of States in tax devolution

Table 1: Share of States (%) in Commission-wise tax devolution for groups and selected States

Region	Overall				Overall	Distance criterion
	FC12	FC13	FC14	FC15 (final)	FC15 (final) minus FC12	
Northern of which:	**32.666**	**33.031**	**30.285**	**30.897**	**-1.769**	**4.907**
Bihar	11.028	10.917	9.665	10.058	-0.970	0.862
Uttar Pradesh	19.264	19.677	17.959	17.939	-1.325	2.509
Central	**12.726**	**12.392**	**13.767**	**14.564**	**1.838**	**1.298**
West of which:	**14.434**	**14.359**	**14.478**	**16.207**	**1.773**	**2.822**
Maharashtra	5.082	5.284	5.649	6.317	1.235	1.758
Gujarat	3.625	3.101	3.156	3.478	-0.147	-0.089
Southern of which:	**19.785**	**18.575**	**17.978**	**15.800**	**-3.985**	**-8.055**
Tamil Nadu	5.305	4.969	4.023	4.079	-1.226	-1.736
Eastern	**15.453**	**15.671**	**15.277**	**15.179**	**-0.274**	**-0.192**
Hilly	**3.639**	**4.421**	**6.361**	**7.353**	**3.714**	**-0.020**

Source (basic data): Reports of Finance Commissions (Twelfth to Fifteenth) and writers' estimates
Notes: (1) The Fifteenth Finance Commission had submitted two reports. Here, the reference is to the final report. | (2) Shares are not strictly comparable across Commissions because of change in the status of Jammu and Kashmir for FC15.

Table 2: Relative weights for different tax devolution criteria: FC12 to FC15 (2)

#	Criteria	FC12	FC 13	FC 14	FC 15 (final)
1	Population	25	25	17.5	15.0
2	Demographic change	-	-	10	12.5
3	Income/ fiscal capacity distance	50	47.5	50	45.0
4	Area	10	10	15	15.0
5	Forest cover	-	-	7.5	10.0
6	Tax effort	7.5	-	-	2.5
7	Fiscal discipline	7.5	17.5	-	-

Source (basic data): Reports of Finance Commissions (Twelfth to Fifteenth)

Table 3: Share of Centre and States in combined revenue (%)

FC period	Pre-transfer		Post-transfer	
	Centre	States	Centre	States
12th FC	64.3	35.7	38.7	61.3
13th FC	61.8	38.2	36.1	63.9
14th FC	62.3	37.7	31.9	68.1
15th FC (first 3 years)	62.6	37.4	31.3	68.7
2020-21	62.3	37.7	29.3	70.7
2021-22	64.1	35.9	32.3	67.7
2022-23	61.5	38.5	32.5	67.5

Source (basic data): IPFS, Union Budget documents, RBI
Notes: (1) Transfers include tax devolution and Finance Commission as well as other grants. | (2) Grants from the Centre to States after 2015-16 are taken from the Union Budget. It includes grants-in-aid to the Union Territories.

The distance criterion has been accorded the highest weight amongst these criteria. Its weight was reduced from 50% to 47.5% by the Thirteenth Finance Commission and further reduced to 45% by the Fifteenth Finance Commission. Earlier, the Eleventh Finance Commission had given this criterion a weight of 62.5%. The equalisation principle has always been regarded in India and elsewhere as a key principle governing distribution. Economic and social justice demand this.

The main reason for the loss of the southern States is the income distance criterion (*Table 1*). Distance criterion means that the farther a State is from the highest income State, the higher its share. The main reason for the gain of the hilly States is area/forest criterion, although its impact is not separately shown. Between these two Finance Commissions, the loss to the southern States due to the distance criterion amounted to 8.055% points, although the overall loss was much less at 3.985% points, implying that there was a gain under other criteria.

Although on account of the distance criterion, low-income States such as Bihar and Uttar Pradesh have gained over time, they have lost on account of other criteria. Bihar and Uttar Pradesh show, in terms of their overall share, a loss of 0.970% points and 1.325% points.

On population

One other criterion that has caused some controversy is population. Until the Fourteenth Finance Commission, the data for the population in 1971 was used. For the Fifteenth Finance Commission, data for the population in 2011 was used. However, in order not to penalise States that showed better performance in reducing fertility rates, the demographic change criterion was introduced. The joint impact of these two changes has been marginal for all groups of States. For Tamil Nadu, the joint impact was marginally positive.

Steps to take

As mentioned, we cannot give up the income distance criterion. Some raise the question whether such a criterion can continue indefinitely. This is a legitimate question. But this question can be raised in relation to many other issues. Perhaps one step that the Sixteenth Finance Commission can consider is to reduce its weight while correspondingly raising the weights attached to other criteria.

Related to the question of share is also the quantum of the divisible pool. While accepting the recommendation of the Fourteenth Finance Commission to raise the share of all States to 42% from 32%, the Centre increased the cesses and surcharges, thereby reducing the size of the divisible pool. This is not desirable. One option is to limit the share of cesses and surcharges to 10% of the Centre's gross tax revenues. After the recommendation of the Fourteenth Finance Commission, the share of the States in the combined revenue receipts increased from 63.9% to 68.1% (*Table 3*). It increased further to 70.7% in 2020-21. Since then, it has fallen to 67.5% in 2022-23, although this level is still higher than 61.3% in the Twelfth Finance Commission period.

To sum up, there is a case to address the issue raised by some of the States regarding their declining shares. The major factor contributing to this situation is the adoption of income distance criterion and giving it a weight as high as 45%. But in any scheme of fair distribution, this criterion cannot be given up.

The Finance Commission can reduce the weight of this criterion by 5% to 10% points. Also, cesses and surcharges may be subjected to some upper limit by the Sixteenth Finance Commission.

The views expressed are personal

A tribe in the Western Ghats in need of a lifeline



Madhusudan Bandi

is a faculty member with the Gujarat Institute of Development Research, Ahmedabad, Gujarat

Issues such as alcohol abuse that are threatening to overwhelm the 'Phani Yerava' tribals in Karnataka need to be on the policy radar

In Karnataka's section of the Western Ghats, lies Makuta village, under Betoli gram panchayat of Virajpet *taluka* in Kodagu district. More specifically, the village falls under the Makuta Aranya Valaya which is in the vicinity of the Kerti reserved forest. This area is in the Talacauvery sub-cluster, identified as one of the 10 World Heritage Sites in Karnataka and is a region of dense tropical evergreen forests that have remained undisturbed to a large extent.

The village has a Girijan colony inhabited by the 'Phani Yerava' tribe. In 2021, with the help of two local people including a Muslim gram panchayat member, all the 19 Yerava households here were able to successfully claim their 'land' in the forest, under the Forest Rights Act. In a joint survey conducted by the Forest, Revenue and Social Welfare Departments, officials found that the Yeravas reside on 135 acres of forest land, right from the time of their ancestors.

When asked about the importance of acquiring forest rights, the tribals did not appear to be very enthusiastic because their dependence on the forest exclusively for their livelihood has been reducing over some time.

The reason they gave was that they found going into the forest to collect minor forest produce to be a tiresome job. Besides, selling the produce was no longer lucrative given the volatile market and also rampant exploitation by middlemen. This bitter experience led them to believe that for the same effort, they would get better wages if they worked as labour. Hence, working as daily labour (casual or agriculture) is now the primary occupation of these forest dwellers. The majority of them prefer to go to Kasaragod in Kerala State which is less than 10 kilometres from their habitation, as they are comfortable speaking Malayalam.

Nevertheless, along with fuelwood and honey, the other minor forest produce they collect includes *dhoopa* (*Vateria indica*)/incense, and *shekakai* (soap pod). The quantity collected depends on the availability of the produce in the forest as well as the need to procure them. However, most of those who gather forest produce said that the amount they collected was most often for their own consumption. There is no stockpiling.

The scourge of addiction

However, there is an issue that is a cause for worry. When this writer-researcher visited them to understand their socio-economic status after the implementation of the Forest Rights Act, almost the entire community was found to be in an intoxicated state due to alcohol abuse. According to non-tribal locals and others in the area, they picked the habit in the city seeing other labourers doing the same in the evenings after returning home to unwind after the pain from the day's hard work. Not surprisingly, the tribals in the village were not in a position to recall how they got into this. Even adolescent children have taken to this vice. This has affected children's attendance in schools too. Intoxication has slowly turned the community's life into one of a miserable existence. As a result, the community is found to be uninformed about happenings in the external world around them. Given this development, important documents such as ration cards, Aadhar cards, voter identity cards, or even government documents such as rights given under the Forest Rights Act have to be kept in the safe custody of trustworthy non-tribal members.

Officials from the Department of Social Welfare working in this area have also been concerned about this issue because they find the state of the habitants to be 'disheartening'. A case worker, who expressed deep empathy for them, said that efforts are being made to conduct a de-addiction drive. In another habitation in Nerugalale gram panchayat in Somwarpet *taluka* in the same district, a headman of the 'Yarava' tribe expressed sadness that a number of his relatives had lost their lives due to addiction. He cited this as the cause behind the population in his hamlet reducing to half. He hoped that good sense would prevail and that the tribals would lead a vice-free life.

It was the same story, but with varying degrees, in every tribal village that this writer-researcher visited in the Western Ghats region in Karnataka during the study (this article is drawn from a larger research study titled "Tribals, Forest Rights and Heritage Conservation: A Study of Western Ghats in Karnataka", sponsored by the Indian Council of Social Science Research, New Delhi).

Non-government organisation activists and government officials working in the jurisdiction of the villages have said that such issues do not get enough attention in the policy matters in the State – a view also expressed by the leaders of some local tribal communities such as the Hasalaru, Gowdalu, and Jenu Kurubas. According to them, only a few communities which are numerically dominant among the Scheduled Tribes have been gaining benefits over recent years, in every walk of life. They expressed the wish that the government should consider these kinds of social issues seriously and take steps that are in the best interest of those groups. It is only then, they believe, that existential concerns such as addictions haunting forest dwellers can be addressed effectively.

LETTERS TO THE EDITOR

Cracks in the ECI

The sudden resignation of Election Commissioner Arun Goel is bound to raise eyebrows. The report, "'Differences' with CEC may have led to Goel quitting" (page 1), read in conjunction with a second report, (Inside pages, "Two heads better than one, said SC on CEC's solitary vigil"), gives a fair idea to the reader on the divided and divisive opinions among top bureaucrats. Absolute powers with one individual is never desirable.

This is a year of the general election, and it is incumbent on the Chief Election Commissioner to exercise utmost care and caution in discharging a Himalayan assignment.

Balasubramaniam Pavani,
Secunderabad

I write this letter as a former Member of Parliament. The resignation of Election Commissioner Arun Goel at a crucial juncture is intriguing. The government has declared that the vacancy would be filled soon. But still! It is unfortunate that the developments cast a shadow on the neutrality of the constitutional body in the minds of the people. It is incumbent on the persons selected to ensure that they conduct the grand election exercise in a fair manner.

Dr. D.V.G. Sankara Rao,
Vizianagaram, Andhra Pradesh

Apart from bureaucratic omerta there is something deep behind the abrupt decision of the resignation of Mr. Goel. When parliamentary elections are round the corner, no responsible Election Commissioner would choose to act like a general fleeing the war front unless there are 'compulsions'. It does not behove well for parliamentary democracy when the Election Commission is making news for all the wrong reasons.

Ayyasseri Raveendranath,
Aranmula, Kerala

Ragging in focus

I have been a practising advocate for the past 44 years and have read innumerable (reported) judgments wherein graphic details of incidents of ragging are described. The case in Kerala is no different. The victim is asked to perform the most indecent and shocking acts. Unless the youngster is mentally tough and prepared to digest the humiliations they are subjected to, they can break down. Despite the passage of numerous pieces of State legislation, the number of ragging incidents has not come down.

If only all the incidents come to light, we may get to know the severity surrounding ragging.

V. Lakshmanan,
Tirupur, Tamil Nadu

What happened in Kerala was calculated murder. Every one involved should be brought to justice including the teachers who tried to cover up the crime. The silence of 130 students who witnessed the 'public trial, verdict and its execution' is frightening. Higher education should lead our students to become cultured beings.

Joseph Kochuparambil,
Alwaye, Kerala

Time to prohibit judges from joining politics



Kaleeswaram Raj

is a lawyer at the Supreme Court of India

Justice Abhijit Gangopadhyay recently resigned as a judge of the Calcutta High Court and joined the Bharatiya Janata Party (BJP). He said that he was approached by the BJP, and he also approached the BJP, during his tenure as judge. He declared that henceforth, he will be a "party soldier".

While he was judge, Mr. Gangopadhyay was often in the news for the wrong reasons. He allegedly gave an interview to a TV channel criticising the West Bengal government and speaking about the school job-for-bribe case. He created controversy by defying an order of a division bench. Sometimes he had run-ins with lawyers and even fellow judges. While dealing with one of the cases pertaining to Mr. Gangopadhyay's conduct, a bench of Chief Justice of India D.Y. Chandrachud and Justice P.S. Narasimha rightly said that judges have no business giving TV interviews on pending matters. The Chief Minister criticised Mr. Gangopadhyay after his resignation saying his judgments will always remain questionable.

Former Union Minister Arun Jaitley had once advocated a cooling off period for judges saying "pre-retirement judgments are influenced by a desire for a post-retirement job". When confronted with this suggestion, Mr. Gangopadhyay retorted that there is no rule to this effect. He added that he "never gave any political judgment which was politically biased".

No legal bar

A member of the Constituent Assembly, K.T. Shah, had suggested that judges of constitutional courts should be legally barred from occupying executive posts. But the Constituent Assembly did not find favour with this. Implementing external rules to control the judicial behaviour of judges would be antithetical to the idea of judicial independence. This is why India has not legislated over the judicial conduct of judges of constitutional courts.

Acceptance of judgeship is often an act of sacrifice for lawyers as it involves loss of freedom. Restraint becomes the norm, which also reduces the space for personal aspirations. Yet, a judge of the constitutional court gets powers and privileges which others do not enjoy. According to Article 217 read with Article 124(4) of the Constitution, the only way to remove a judge is the almost unworkable method of impeachment by Parliament. Article 215 declares the High Court to be a court of record with contempt power which the judges could invoke. The jurist Alan Dershowitz was right when he said that "judges are the weakest link in our system of justice, and they are also the most protected".

Judicial conduct

Paragraph VIII of the Third Schedule of the Constitution demands a judge-designate to swear inter alia that he will perform his duties without fear or favour, affection or ill-will. The Bangalore Principles of Judicial Conduct (2002) gained international acceptance as indicated by the Judicial Integrity Group. The declaration enlists certain judicial values including independence, impartiality, integrity, propriety, equality, competence and diligence. It emphasises the need to eradicate bias or prejudice in the decision-making process. It asks judges to ensure that their conduct "both in and out of (the) court maintains and enhances the confidence of the public, the legal profession, and litigants in the impartiality of the judge and of the judiciary". Clause 2.4 of the declaration is against the judge making comments "that might reasonably be expected to affect the outcome of (a case)." It says that the "judge shall disqualify himself or herself from participating in any proceedings in which the judge is unable to decide the matter impartially". The Code also says, "A judge shall conduct himself or herself in a way that is consistent with the dignity of the judicial office".

The U.S judge, Simon Rifkind, remarked that the courtroom, sooner or later, becomes the image of the judge and that it will rise or fall to the level of the presiding judge. The Supreme Court in *C. Ravichandran Iyer v. Justice A.M. Bhattacharjee* (1995) said, "To keep the stream of justice clean and pure, the Judge must be endowed with sterling character, impeccable integrity and upright behaviour". In *All India Judges' Association v. Union of India* (1991), the court spoke of "society's expectation from judicial officers".

There have been similar instances in the past. In 1967, Chief Justice Koka Subba Rao resigned to contest the presidential elections, and in 1983, the Supreme Court judge Baharul Islam resigned to get elected as a member of the Rajya Sabha. But past aberrations do not justify present wrongs. They are no longer good precedents or practices given the globally accepted principles of the Bangalore Declaration, which were made later.

An opportunity

The present episode, therefore, gives an opportunity to the Chief Justice of India and the Supreme Court to investigate the matter more seriously and evolve methods to avert such judicial aberrations. It could lead to one of the most awaited steps towards reforming the judiciary. The top court must expressly prohibit judges of constitutional courts from taking the political plunge even after they resign. Such acts should be interpreted as a breach of the oath read in the light of Indian precedents and the accepted norms on judicial conduct. There is a need for a judge-made law on the topic since Parliament will hardly act on this issue.

The act of judges of constitutional courts taking the political plunge even after they resign should be interpreted as a breach of the oath

Drugs, a money trail, and politics

The DMK top leadership is maintaining an uneasy silence in the Jaffer Sadiq case

STATE OF PLAY

D. Suresh Kumar
sureshkumar.d@thehindu.co.in

On February 25, Tamil Nadu's ruling DMK general secretary Duraimurugan issued a short note announcing the immediate expulsion of Jaffer Sadiq, who held the post of deputy organiser of the DMK's NRI wing for Chennai-West. Mr. Duraimurugan urged cadres not to have any truck with Mr. Sadiq, who is also a film producer, who had "brought disrepute" to the party.

A day earlier, the Narcotics Control Bureau (NCB) along with the Delhi Police Special Cell had busted Mr. Sadiq's alleged links with an international drug cartel. The party clearly foresaw the potential damage that Mr. Sadiq's continued association with the DMK could cause in an election season. It did not help that videos and photos of Mr. Sadiq with Chief Minister M.K. Stalin, his minister-son Udhayanidhi Stalin, and Director General of Police (DGP) Shankar Jiwal emerged. While this does not establish any direct complicity on the part of the top leadership and the DGP, it has left the government and the ruling party red-faced.

The pace at which events related to the case have since unfolded will reinforce the DMK's fears. Prime Minister Narendra Modi has converted this into a key issue in the Lok Sabha polls. "Today, I want to speak about a serious issue and share my concern. I want every father and mother in Tamil Nadu to understand my concern about the future of your children... In Tamil Nadu, in the name of rave parties, drugs are distributed. It is worrying... If you strengthen



the BJP, action will be taken against Tamil Nadu's enemies. This is Modi's guarantee," he declared at a campaign in Chennai.

This guarantee could potentially see the NCB going after some top guns. With the arrest of Mr. Sadiq in Delhi last week, the NCB, an otherwise discreet agency, has been liberal in making information public. The agency has declared that he spearheaded a network, which sourced pseudoephedrine, a precursor chemical that is used in the manufacture of Methamphetamine, a dangerous and highly addictive synthetic drug, and trafficked it to Australia, New Zealand, and Malaysia in the guise of food grade cargo. It is believed that the drug syndicate has sent 45 consignments containing about 3,500 kg of pseudoephedrine over the past three years to various countries.

According to NCB Deputy Director General Gyaneshwar Singh, Mr. Sadiq revealed that the "ill-gotten money" was also used to fund a Tamil movie, *Mangai*, and to construct a hotel in Chennai. He stated that "evidence of some political funding has emerged". The agency is "following the drug money trail" and all those found to have violated the Narcotic Drugs and Psychotropic Substances Act, 1985, would be booked, he added.

Over the past two years, the Stalin government has responded to the Opposition's sustained campaign that drug supply is rampant in Tamil Nadu by launching periodic anti-drug drives. But in this case, the party's top leadership continues to maintain an uneasy silence, even as the Opposition has stepped up its attack.

The Leader of the Opposition and AIADMK general secretary Edappadi K. Palaniswami submitted a memorandum to Governor R.N. Ravi, urging him to call for an independent enquiry considering the "closeness" of the accused with Mr. Stalin and the DGP.

The Governor chipped it saying, "Recent interdictions of sizeable quantities of narcotic drugs and psychotropic substances and apprehension of members of international drug cartels in Tamil Nadu and other places by Central agencies have confirmed our worst fears – the prevalence of drugs in our State."

The State Law Minister, S. Regupathy, charged the BJP government at the Centre of pressing the NCB into action "to defame and intimidate the DMK". He also accused Mr. Singh of interacting with the media before completing the investigation "only to provide political mileage for the BJP during the elections."

Given the complex nature of the case, it is difficult to take these various statements at face value. There is no doubt that drugs are available in Tamil Nadu, as in most parts of the country, and that the DMK leadership and the government have failed to check Mr. Sadiq's criminal antecedents before granting him a position in the DMK. Mr. Stalin needs to speak up on the issue. At the same time, the NCB must pursue this case on merit without displaying an overzealousness to paint Tamil Nadu as the drug capital.

India no longer has more losses than wins in Test cricket

Dominance at home since the 1990s and competitiveness in away games since the 2000s have helped

DATA POINT

Srinivasan Ramani & Vignesh Radhakrishnan

India beat England in Dharamshala in the final Test to win the five-match series 4-1. This cricket match marked several records. In particular, for the first time in Indian Test cricket history, the number of overall wins matched the number of losses. This mean that India's win-loss (wins divided by losses: W/L) ratio is now 1.

India is currently fifth among teams with a W/L ratio of 1 or more, with Australia's ratio of 1.78 leading all the teams while Pakistan's 1.04 is just above India's (**Table 1).** Only 12 teams have played international Test cricket.

Chart 2 shows the cumulative number of wins, losses, and draws (including ties, abandoned and cancelled Tests) for India over time since the team played its first Test in 1932. It shows that the number of losses and wins became equal in 2024. India now has 178 wins and losses each in 581 Tests.

In **Chart 3**, we use a method called rolling averages to analyse sets of 83 Tests at a time. We then calculate the average share of wins, losses, draws/ties for each set. For every new set, we move forward by 7 Tests to see how the averages change over time (83*7 = 581 Tests). The first data point on the chart is for Tests 1 to 83, the next is for Tests 8 to 90, and so on, ending with Tests 499 to 581.

For instance, in Tests 197 to 279 played by India between 1982 and 1993, the team won over 10% (lowest win % for any of the periods), lost close to 30%, and drew 60% of its games. Using this method we can also find out the period when India had more wins than losses and the tide began to turn.

Note how from Tests 309 to 391, played between 1997 and 2006, India's wins have always been more than the number of losses registered. This period marked the decisive break when India became a net winning Test team.

Table 4 lists out the home and away records for the pre-1990s, 1990s, 2000s, 2010s and 2020s. India had a win/loss ratio of 0.9 at home prior to the 1990s but a poor away record – 13 wins and 54 losses in 118 games for a W/L ratio of 0.24.

But in the 1990s, a dramatic increase in home wins was observed, coinciding with the preparation of spin-friendly wickets during this period. India's home record in the 1990s shows 17 wins and 5 losses in 30 Tests for a Home-W/L of 3.4, even as India registered only one away win and 15 losses in 40 games for an Away-W/L of 0.07.

Since the 2000s, however, India has retained its home dominance. This peaked in the 2010s, when India's Home-W/L went up to 9.25 (37 wins and just four losses in 50 Tests).

Also in the 2000s, India had its best away record – 19 wins and 19 losses in 56 games for an Away-W/L of 1.0 and which reduced marginally in the 2010s and 2020s to 0.76 and 0.9, respectively, but was way above the 1990s and pre-1990s mark.

In sum, the Indian team became a formidable home team in the 1990s and also became quite competitive in away Tests since the 2000s. Thanks to an outstanding spin duo of Anil Kumble and Harbhajan Singh, India was near-invincible at home in the 1990s and the better part of the 2000s.

After Kumble and Singh retired, R. Ashwin, Ravindra Jadeja and others, besides an effective pace bowling attack, helped the Indian team scale new peaks at home in the 2010s and 2020s. A balanced bowling attack and a strong batting line-up helped the team weather challenges in away games in the 2000s, 2010s and 2020s and have kept it competitive.

With inputs from Kartikeya Date

India breaks even in Tests

The tables and charts are based on data collated from the ESPNcricinfo's Statsguru



Table 1 | Win-loss ratio of teams currenty in Test cricket. Only 12 teams have played international Test cricket

Team	Mat	Won	Lost	Tied	Draw	W/L
Australia	866	414	232	2	218	1.78
England	1071	392	324	0	355	1.21
South Africa	464	178	161	0	125	1.11
Pakistan	456	148	142	0	166	1.04
INDIA	**579**	**178**	**178**	**1**	**222**	**1.00**
West Indies	575	183	210	1	181	0.87
Sri Lanka	314	101	121	0	92	0.83
New Zealand	470	115	185	0	170	0.62
Afghanistan	9	3	6	0	0	0.50
Bangladesh	140	19	103	0	18	0.18
Zimbabwe	117	13	75	0	29	0.17
Ireland	8	1	7	0	0	0.14

Chart 2 | The cumulative number of wins, losses, and draws (including ties, abandoned and cancelled Tests) for India

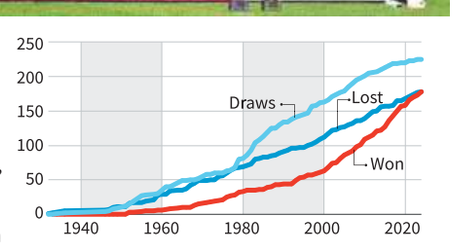
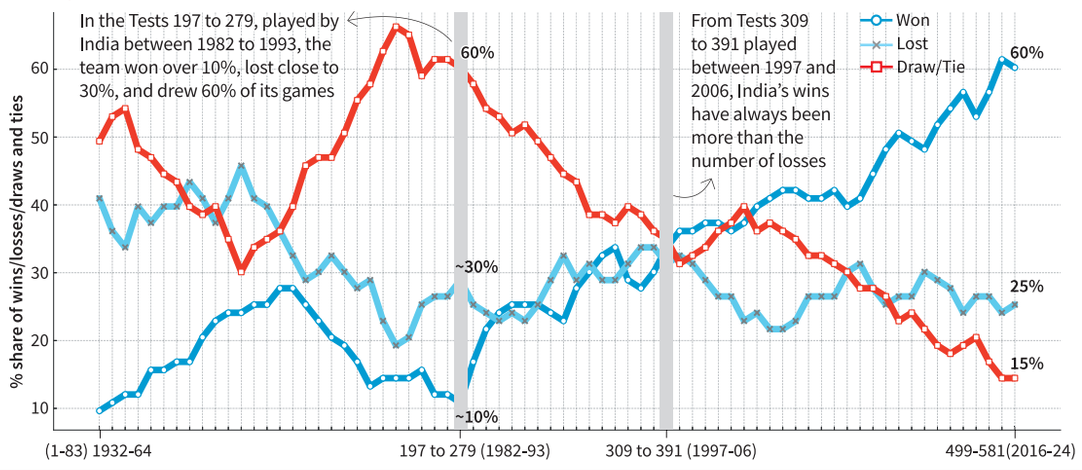


Table 4 Home and away records for the pre-1990s, 1990s, 2000s, 2010s and 2020s

	Away			Home		
Period	Wins	Loss	W/L	Wins	Loss	W/L
Pre-90s	13	54	0.24	30	35	0.86
90s	1	15	0.07	17	5	3.40
2000s	19	19	1.00	21	8	2.63
2010s	19	25	0.76	37	4	9.25
2020s	9	10	0.90	12	3	4.00

Chart 3 | Rolling averages for 83 Tests at a time. The first data point is for Tests 1 to 83, the next is for Tests 8 to 90 and so on



FROM THE ARCHIVES

The Hindu.

FIFTY YEARS AGO MARCH 12, 1974

World Bank view of India's foreign aid requirement

Washington, March 11: Some details are now available of the World Bank report prepared for the members of the Aid India Consortium, who will be meeting in Paris next month. The report has made the gloomy forecast that unless India is able to obtain $12 billions in foreign assistance, and import ten million tonnes of foodgrains in the next five-year period, serious economic consequences will follow.

The report differs from the Indian planners' calculation that India will need only $5 billions of outside assistance in the next five years, to tide over the crisis posed by a combined shortage of food, fertilizers and oil. "Food stocks in the public distribution system are negligible; current availabilities have been severely reduced, prices are rising sharply and active discontent is spreading," says the report, describing the food situation in India, three years after the country set out to be self-sufficient.

Referring to the effect of rising oil prices, the Bank report states that "the increase is so large and sudden that unless the assurance of obtaining additional financing is forthcoming soon, the Government will have to make immediate and downward adjustments in oil and other imports, which can only have a disruptive effect on growth. Any reduction in fertilizer availability, through lack of imports, would affect the country's ability to meet its food needs in the coming year. If the monsoon were to fail in 1974, there would be a famine of grave proportions."

To narrow the projected gap, the Bank economists, who had prepared the report, say that both Western and Eastern nations, as well as the oil producing countries, must make substantial amounts of foreign assistance available to India. It believes that the oil-producing States' share of the $12 billions aid India would need over the next five years, would come to $3 billions, contributed either directly or indirectly.

A HUNDRED YEARS AGO MARCH 12, 1924

Abolish polygamy

Constantinople, March 11: A meeting of Turkish women here today decided to appeal to the National Assembly to abolish polygamy.

Text&Context

THE HINDU

NEWS IN NUMBERS

Number of proxy staffers in Mizoram's govt. departments

3,365 Mizoram's State government employees have hired substitutes to illegally work in their place in various departments, especially in rural areas. The education department has highest number of substitutes at 1,115. PTI

Worth of trade accord signed by India with European countries

100 in $ billion. India has signed a trade agreement with four European countries including Iceland, Liechtenstein, Norway and Switzerland creating one million direct jobs in India in the next 15 years. AP

Norway to eliminate custom duties for Indian exports

98 in percentage. Following India's signing of a free trade pact with a four-member European bloc, Norway's Minister of Trade and Industry, Jan Christian Vestre, hailed the Trade and Economic Partnership Agreement as a significant milestone. PTI

The death toll in flash floods and landslides in Indonesia

26 More bodies were found as floodwaters receded in Indonesia's Sumatra island after heavy rains triggered flash floods and landslides. About 11 people are still missing. Monsoon rains in West Sumatra submerged over 37,000 houses. PTI

Share of delivery persons to face workplace violence

41.5 in percentage. The share of cab drivers to face violence at work was 47%. A majority of them want the 10-min delivery policy to be discontinued, according to Delhi-based NGO PAIGAM. PTI

COMPILED BY THE HINDU DATA TEAM

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Why did the top Court reject SBI's plea?

What were the reasons given by the State Bank of India to the Supreme Court on why it could not furnish the relevant details pertaining to electoral bonds to the Election Commission of India? What was the contempt plea filed against the public sector bank?

BACKGROUNDER

Aaratrika Bhaumik

The story so far:

On March 11, the Supreme Court dismissed a plea by the State Bank of India (SBI) to extend the deadline for providing details of electoral bonds purchased anonymously and their encashment by political parties to June 30, 2024. A five-judge Bench headed by the Chief Justice of India D.Y. Chandrachud gave the bank 24 hours, that is, by the close of business hours on March 12, to provide the details to the Election Commission of India (ECI). It was also hearing a contempt plea filed by NGOs – Association for Democratic Reforms (ADR) and Common Cause – against the SBI Chairman Dinesh Kumar Khera that contended that the bank was deliberately trying to ensure that details of donors and the amounts contributed to political parties anonymously were not disclosed to the public before the Lok Sabha elections due in April-May. Analysis reveals that the BJP was the scheme's greatest beneficiary.

Why was the contempt petition filed?

The petition was filed in the aftermath of the Supreme Court's verdict on February 15 striking down the electoral bonds scheme, where the Court had directed the SBI to furnish details of the bonds to the ECI by March 6, 2024. These details were to include the date of purchase of each bond, the name of the purchaser of the bond and the denomination of the bond purchased. The ECI was subsequently ordered to publish all such information shared by the SBI on its official website by March 13, 2024.

Why did the SBI seek more time to comply?

On March 4, the SBI filed a nine-page application before the Court seeking time till June 30 to provide the ECI with the required details regarding the purchased electoral bonds. The bank said that the information and documents were scattered across its various branches and decoding them was a "time-consuming exercise."

According to the public sector bank, not only were the details not maintained centrally at one place, but the data related to the issuance of the bond and data related to the redemption of the bond were recorded "in two different silos." This was done to ensure that donors' anonymity was protected, it said. The Court was also apprised that donor details were kept in a sealed cover at the designated branches and all such sealed covers were then deposited in its main branch located in Mumbai. "It can thus be noted that both sets of information were being stored independently of each other. Thus, to re-match them would be a task requiring a significant amount of effort... the retrieval of information from each silo and the procedure of matching the information of one silo to that of the other would be a time-consuming exercise," its plea said.

The SBI added that while some details such as the number of bonds issued are stored digitally, others such as the names of the purchasers and Know Your Customer documentation are stored physically in its various branches to "achieve the object of the scheme."

The bank further submitted that it needs to decode 22,217 electoral bonds issued between April 12, 2019, to February 15, 2024. This would involve compiling and comparing 44,434 information sets (equal to twice the number of bonds issued) as the details relating to buyers and recipients of bonds were kept in two different information silos, the bank said.



Demanding accountability: CPI(M) workers stage a protest against the State Bank of India (SBI), outside the SBI office, in Chennai, on March 6. PTI

Why was the extension plea challenged?

The contempt plea alleged that the bank was deliberately trying to ensure that the amounts contributed anonymously to political parties were not disclosed to the public before the Lok Sabha elections.

It was also pointed out that the bank's stand was directly contradictory to an affidavit filed by the Union government on March 15, 2019, which said that information about the bonds was completely traceable and quickly available.

The petitioners further claimed that the SBI maintains a secret number-based record of donors who buy bonds and the political parties to which they donate. Additionally, each electoral bond also possessed a unique number making it easier to trace it, they contended. "A simple query on the database can generate a report in a particular format which does not require any manual verification," the plea said.

Highlighting that the SBI had enough manpower to retrieve the information within the stipulated deadline, the petitioners pointed out, "The SBI has 2,60,000 employees, 22,500 worldwide branches administered by a headquarters, 17 local head offices, 101 zonal offices and 208 foreign offices in 36 countries. It is hard to believe that the SBI is not able to gather information which the SBI has itself recorded." Referring to Section (4) of Clause 7 of the scheme that makes it mandatory to disclose information furnished by a buyer when demanded by a competent court, the petitioners claimed that "it is inconceivable that the SBI does not have the recorded information readily available within its database."

The petitioners also relied on a Right to Information response given by the bank to retired Commodore Lokesh Batra in 2018, saying that it had spent ₹60.43 lakh on IT system development, ₹89.72 lakh on operational costs and that the net cost for floating of electoral bonds was ₹1.5 crore. "This implies that a well-functioning IT system is already in place with respect to management of sale and redemption of electoral bonds," the plea asserted. Pointing out that only 19 out of the 29 the SBI authorised branches sold electoral bonds and only 14 branches encashed them, the plea said that "data available as of January 2024 further shows that only 25 political parties had opened their account and are eligible for encashing electoral bonds" and "therefore, compiling of this information should not be difficult as the system is already in place."

Such a "defiant approach" of the SBI attempts to stifle a citizen's right to audit actions of the political class and is therefore contemptous, the petitioners concluded.

What did the top court say?

At the outset of the proceedings, senior advocate Harish Salve appearing for the bank submitted that matching the bonds purchased and names of donors with the parties which redeemed the bonds was a "time-consuming and complex" exercise. He explained that the details were kept in two separate silos and not stored in a digital format.

But the CJI pointed out that the judgment had not asked the bank to "match" information to ascertain who contributed to which parties and only wanted a "plain disclosure". He asserted that the SBI in its own application said that such information was "readily available".

Pointing out how the bank had not even bothered to mention what it had been doing for the past 26 days since the February 15 judgment, the Chief Justice remarked, "You are the SBI... There should be some candour from your part. What have you been doing for the past 26 days? There is not a word about that in your application". Indicating the seriousness of the directives, Justice Sanjiv Khanna asked whether the bank wanted a specific judicial order to open the sealed covers containing the bonds' details right there in the courtroom.

Although the Bench said that it did not want to initiate contempt proceedings against the SBI, it underscored that it was putting the bank on notice and that it would take action if the SBI failed to ensure compliance.

Why are the SBI's claims contested by experts?

Professor Jagdeep Chhokar, founder-member and trustee of the ADR, termed the SBI move "not surprising but unfortunate." He earlier told *The Hindu* that the "data is obviously in digital format and collecting data from different States and locations and taking four months for that is impossible in this day and age."

Concurring with this, former Finance Secretary Subhash Chandra Garg told *The Wire* that such information was "available at the click of a button" and that the bank had either deliberately misconstrued or failed to understand the "simple nature of the six bits of information" that they are required to give to the ECI.

According to a report published in *The Reporter's Collective*, the SBI has previously provided similar data to the Union government as well as the Finance Ministry within 48 hours. It pointed out that all electoral bond-related work was overseen by a specific team of the SBI called the Transaction Banking Unit (TBU) to ensure that the government can access crucial information on a short notice.

In 2019, a *Huffington Post* investigation divulged that in a January 2018 meeting, the SBI had asked the Union Ministry of Finance to include a serial number on the bonds to have an audit trail. The bank believed that without such a number, it would fail to submit information on donors and redeemers of bonds if a competent court or law enforcement agency asked for it.

THE GIST

On March 11, the Supreme Court dismissed a plea by the State Bank of India (SBI) to extend the deadline till June 30, 2024, to provide details of electoral bonds purchased anonymously and their encashment by political parties.

The SBI filed a nine-page application before the Court seeking time till June 30 to provide the ECI with the required details regarding the purchased electoral bonds. The bank said that the information and documents were scattered across its various branches and decoding them was a "time-consuming exercise."

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BUILDING BLOCKS



GETTY IMAGES

Understanding the basic principles of artificial intelligence

Large language models are trained on a large corpus of text in which some words are randomly replaced by blanks and the machine's task is to fill in the blank. While trying to learn to predict the next word in the text correctly, the machine also learns something about the real world

Vasudevan Mukunth

Intelligence is the capacity of living beings to apply what they know to solve problems. 'Artificial intelligence' (AI) is intelligence in a machine. There is currently no one definition of AI. A simple place to begin is with AI's material existence, as a machine-software combination.

Steps of thinking

Consider linear classification, a simple example-problem: plot some points on a graph and find a way to draw a straight line through the graph such that it divides the points into two distinct groups.

Let's make this more abstract. How would a machine differentiate between a cat and a dog in a picture?

Say you give the machine 1,000 pictures of cats and 1,000 pictures of dogs, and ask it to separate them. (This task is usually not given to a linear classifier but it illustrates a point.) You also equip the machine with tools – say, a camera and an app that can measure distances of different parts of an image, can analyse depth (using trigonometry), and can assess colours.

The machine can proceed by classifying the cat and dog pictures in different ways: by shape of the face, shape of the eyes, shape of the paw, body size, size of the tongue, fur colours, etc. Because the machine has the necessary computing power, it can plot these features two at a time on a graph. For example, the x-axis can represent the slope of the face and the y-axis the length of the paw. Or it can plot them three at a time in a 3D graph.

In all these cases, you watch until the machine has found a way to separate the pictures into two groups such that one group is mostly cats and the other is mostly dogs. At this point, the machine has been trained and you stop it.

Thinking, slow and fast

Sometimes it's very easy to separate a given dataset into two pieces, when you can make reliable decisions with only one parameter (e.g. face shape).

Sometimes it's more difficult – like asking the computer of a driverless car to determine whether it should apply the brake based on how fast a bird is flying in front of the car. The set of outcomes on one side of the line stand for 'no' and the outcomes on the other side stand for 'yes', and solving this could require hundreds of parameters.

They will also have to account for the context of decision-making. For example, if the person in the car is in a hurry to get to a hospital, is killing the bird okay? Or if the person in the car is not in a hurry, how quickly should the car brake? etc.

Sometimes it's mind-boggling. For example, ChatGPT is able to accept an input question from a user, make 'sense' of it, and answer accordingly. This 'sense' comes from its training corpus: the billions of sequences of words and sentences scraped from the internet.

ChatGPT learnt not by classifying words but by predicting the next word in a given sentence. In particular, large language models (LLMs) like ChatGPT generate the text response without classifying it or relating the question to similar examples. This is why generative AI is different from a classification model.

LLMs are trained on a large corpus of text in which some words are randomly replaced by blanks and the machine's task is to fill in the blank. While trying to learn to predict the next word in the text correctly, the machine also learns something about the process that created the text: the real world. ChatGPT is so good because it uses more than 100 billion parameters.

The types of learning

Linear classification is a fairly simple algorithm in machine-learning. There are many algorithms that serve this purpose, and some of them are very complex. The three main ways in which 'machines' can be classified depending on the way they learn are supervised learning, unsupervised learning, and reinforcement learning.

In supervised learning, the data is labelled (for example, in a table, the row and column titles are provided and datatypes – numbers, verbs, names, etc. – are pointed out). In unsupervised learning, this information is withheld, forcing the machine to understand how the data can be organised and then solve a problem. In reinforcement learning, engineers score the machine's output as it learns and solves problems on its own, and uses the scores to adjust its performance.

The way in which information flows inside the machine is governed by artificial neural networks (ANNs), the software that 'animates' the hardware.

The machine's 'brain'

An ANN comprises computing units, or nodes, connected together in such a way that the whole network learns the way an animal brain does. The nodes mimic neurons and the connections between nodes mimic synapses. Every ANN has two components – activation functions and weights.

The activation function is an algorithm that runs at a node. It accepts inputs from other nodes to which it is connected and computes an output. The inputs and outputs are in the form of real numbers. The weight is the 'importance' an activation function gives to an input. Say there are different nodes to estimate the fur colour, tail length, and dental profile in a given photo of a cat or a dog. All these nodes provide their outputs as inputs to a node responsible for separating 'cat' from 'dog'. This way, the nodes can be 'taught' to adjust their outcomes by adjusting the relative weights they assign to different inputs.

While nodes are computing units, the ANN itself is not a physical entity. It is mathematical. A node is the 'site' of a mathematical function. Put differently, the ANN is like an algorithm that passes information from one activation function to the next in a specific order.

Nvidia's dominance

A graphic processing unit (GPU) is the physical processor that 'runs' the ANN. It was originally developed to render graphics for video games. It was better at this task than other processors at the time because it could run computing tasks in parallel. It has been widely adopted since as the basic computing unit for ANNs for the same feature.

The company Nvidia has emerged as a technology giant because of its production of GPUs. Its valuation was the fastest in history to go from $1 trillion to $2 trillion (in nine months). Every other company that has been building large AI models is using Nvidia's GPU-based chips to do so. In a 2023 analysis, financial services provider Seeking Alpha wrote Nvidia's overwhelming market share has stoked "resistance" in three ways: competitors are trying to develop to non-GPU hardware; researchers are building smaller ANNs that require less resources; and developers are building new software to sidestep dependency on specific hardware.

With inputs from Viraj Kulkarni.



FROM THE ARCHIVES

Know your English

K. Subrahmanian

"Mr. E. S. Chandrasekaran, Mahalingapuram, Madras, wants to know why 'to' is left out in 'I went home.'"

"It is a matter of usage. He went home, not 'he went to home'. 'To' is used with 'house'.

I went to his house.

Go home and bring your books.

Go to his house and bring him here.

With verbs of motion, 'to' is not used before 'home'.

I came home late in the night.

But 'to' is used when 'home' is preceded by a descriptive phrase.

She moved to her new home yesterday.

They went to her brother's home."

"Prof. M. Sethuramakumar wants to know whether the sentence 'Supper is cooking' is correct."

"It is correct. Here it means that supper is being cooked.

Rice is cooking.

'Cooking' here means 'undergo the process of being cooked.' By the way, one who bakes is a baker, one who mends is a mender. One who cooks is not a cooker, but a cook. A cooker is an appliance for cooking. 'Cooker' also means 'type of fruit, especially apple, grown for cooking.'

These are cookers and not apples that are eaten raw.

A cook-general is a servant who performs the duties of a cook and housemaid."

"Ms. Sheila Singh wants to know the difference between 'inhibit' and 'prohibit'."

" 'Prohibit' means 'to forbid, to prevent.'

Parking is prohibited in this area.

An outside authority is implied in 'prohibit'. 'Inhibit' means 'to prevent a process or an action.'

This medicine will inhibit further spread of the disease.

'Inhibit' also means 'prevent somebody from doing something that should be natural or easy to do.'

She feels very inhibited in the presence of elders.

'Inhibition' is a psychological term which means 'a restraint on the direct expression of an instinct.' Informally, it is used to mean 'an emotional resistance to a thought, an action.'

She has inhibitions about speaking in public."

"Mr. J. L Monteith, Jubilee Hills, Hyderabad, writes: "Your definition of 'watershed' (April 23) is absolutely correct in terms of English as used in Britain and most of the Commonwealth. In American English, however, a watershed is the area that collects rainfall rather than its perimeter, so it is synonymous with 'catchment' in British English. For reasons that I have not been able to discover, all Indian scientists and government departments follow the American terminology, described as 'erroneous' in Chambers's Dictionary and deplored by Fowler in Modern English Usage."

"Thank you for your remarks on 'watershed.' It is true that in American English 'watershed' means 'a drainage or catchment area.' 'Watershed' as used in British English is known as 'waterparting or divide' in American English.

Published in The Hindu on May 21, 1991.

THE DAILY QUIZ

Please send in your answers to dailyquiz@thehindu.co.in

The film *Oppenheimer* overwhelmed the competition at the 96th Academy Awards by winning seven awards. A quiz on the Oscars

Radhika Santhanam

QUESTION 1

This American, an important presence in the history of animation, is famous for creating characters of barnyard animals. He was presented with an honorary Academy Award consisting of one full-size award and seven smaller ones. Who is he and what do the seven small ones represent?

QUESTION 2

Along with *Titanic* and *Ben-Hur*, this movie, which is part of a trilogy, has the highest number of wins at the Academy Awards. Name the film.

QUESTION 3

This film, based on a Pulitzer-winning novel by Alice Walker, was nominated for 11 Academy Awards, but went home empty-handed. Name it.

QUESTION 4

During the 89th Academy Awards, *La La Land* was announced as the winner for Best Picture. The whole team of the film went on stage and accepted the award. Then it was announced that another film had actually won Best Picture. Name that film.

QUESTION 5

In 1940, Hattie McDaniel, the winner of the Academy Award for Best Supporting Actress, sat at a separate table in the room with her escort and her agent and not with the rest of the team of the film *Gone With The Wind*. When she died, her final wish, to be buried in the Hollywood Cemetery, was denied. Why?



Visual question:

This painting by V.S. Gaitonde is of a woman artist who was a member of the Bombay Progressive Artists' Group. She later went on to win an Academy Award. Name her.

Questions and Answers to the previous day's daily quiz:

1. The first ever player to appear in 100 Test matches. **Ans: Colin Cowdrey**
2. The only player to have played his entire career without missing any Tests. **Ans: Brendon McCullum**
3. The only player to have led his country in more than 100 Test matches. **Ans: Graeme Smith (South Africa)**
4. The only player to have scored a century in each innings in his 100th Test. **Ans: Ricky Ponting**
5. The two players to have scored a double century in their 100th Test. **Ans: Joe Root and David Warner**
6. The connection between the duos of Kapil Dev and Sachin Tendulkar and Shane Warne and Graeme Smith. **Ans: Kapil's 100th Test was Sachin's debut Test and similarly Warne's 100th test was Smith's debut Test.**
7. These two players played their first and 100th Test matches against the same opponent in the same ground. **Ans: Carl Hooper and Angelo Mathews**

Visual: Idenfitfy the two players and what connects them. **Ans: Gordon Greenidge and Javed Miandad. They were the only players to have scored a century on their Test debut as well as 100th Test.**

Early Birds: Prashant Nain| Tamal Biswas| Rajmohan. V

Word of the day

Throng:
a large gathering of people; press tightly together or cram

Synonyms: jam, pack, pile, mob, concourse, multitude

Usage: *She pushed her way through the throng.*

Pronunciation: bit.ly/throngpro

International Phonetic Alphabet: /θɹɒŋ/

For feedback and suggestions for Text & Context, please write to **letters@thehindu.co.in** with the subject 'Text & Context'

MUMBAI
businessline.
TUESDAY - MARCH 12 - 2024

the hindu businessline.
TUESDAY - MARCH 12, 2024

SBI on check

Embarrassment for the bank at the apex court

The Supreme Court has done well to pin down a dithering State Bank of India (SBI), the sole bank authorised to issue Electoral Bonds (EBs), into disclosing details of all such bonds purchased since April, 2019. The SBI wanted time until June, well after the general elections, to submit these details. But in forcing the bank to furnish these details within 24 hours, the Court has sought to ensure that citizens who vote in the upcoming general elections can be better informed about funding received by political parties.

The Bench, led by Chief Justice of India DY Chandrachud, came down heavily on the SBI for not complying with its judgment of February 15. The CJI minced no words at the SBI's apparent prevarication. "Our judgement is dated February 15. Today is March 11. In the last 26 days, what is the extent of matching done by you? The affidavit is silent on this. We expect a degree of candour from the SBI," remarked the CJI. Indeed, with all the technical expertise at its command, it is strange that the SBI found it difficult to submit the data on time. The Court was unambiguous in its February 15 judgment which, while striking down the EB Scheme as violative of the citizen's fundamental right to be informed about who is contributing large sums to political parties, also held that the SBI shall submit details of EBs and the recipient political parties to the Election Commission by March 6, 2024.

Clearly, SBI's defence that the information sought by the Court existed in two silos that added up to 44,434 folios of EBs was a weak one that the Court immediately trashed. If the bank believed that it could delay the inevitable disclosure with the excuse it did not have enough time to match the donor with the beneficiary party, it was bad strategy. The Court was quick to point out that it never did ask for such matching in the first place but plain disclosure of the information available with the bank. SBI's predicament is understandable though, hemmed in as it is by a dominant shareholder who may desire to withhold information, and the bank's own commitment to bond buyers to maintain confidentiality. But in the face of an angry Court the bank's options were next to nothing.

To make matters worse, the affidavit supporting the bank's application was neither sworn by the Chairman nor the Managing Director but rather an Assistant General Manager, a fact that did not escape the CJI's notice, although the Court did not initiate contempt proceedings as had been urged by the petitioner, putting the bank on notice instead. The SC's follow-up action marks a welcome step in ushering transparency in electoral bonds. But it should not be forgotten that cleaning up poll funding altogether calls for a broader set of reforms, encompassing the corporate and political domains. Mere disclosure of donors and beneficiaries of EBs, which is just one form of electoral funding, is not going to move the needle significantly.

Whistleblower as digital regulator?



GETTY IMAGES/ISTOCKPHOTO

DIGITAL SAFEGUARDS. Financial incentives to whistleblowers can curb breaches by data fiduciaries



REIJUL SACHDEV
V SRIDHAR

The long debated Digital Markets Act legislated by the European Union (EU) came into effect from March 6, mainly targeted at six Big Tech firms, designated as "gatekeepers", namely, Alphabet, Amazon, Apple, ByteDance, Meta, and Microsoft.

The EU has put in place severe penalties if firms deviate from the code of conduct mentioned in the Act. The last time such measures were enacted by the EU was the General Data Protection Regulation (GDPR) in 2016.

In India, the Digital Personal Data Protection (DPDP) Act 2023 has been inspired by the GDPR. It has been observed that if any legislation is not audited and enforced, it doesn't deter deviations.

Since its inception, the collective fines for violations of EU-GDPR have grossed €4 billion; the largest being the €1.2 billion slapped on Meta by the Irish Data Protection Commission in 2023. Norway slapped a *daily* fine of $93,000 on Meta for unlawful behavioural advertising.

However, the enforcement mechanism is still weak in many countries, including India. Pending enactment, the DPDP Act envisages setting up the Data Protection Board (DPB) of India to address grievances regarding personal data breaches. It remains to be seen whether DPB will be able to act efficiently, given the large volume of data being processed by the Data Fiduciaries.

Violations of the DPDP Act by Data Fiduciaries, such as selling personal data to third parties or processing it without explicit or deemed consent of Data Principals, are often very difficult to detect.

Hence the regulations dictate that the Data Fiduciaries put in place measures and processes to detect, report and initiate corrective actions in case of deviations.

However, unless the probability of detecting such violations through external audits authorised by the DPB is high and the penalties very severe, there is little incentive for the Data Fiduciaries to comply.

We propose an alternative — "whistleblowing" — for detecting deviations of Data Fiduciaries with respect to breach of personal data. Whistleblowers, mainly employees of the Data Fiduciaries, who have knowledge of violations could come forward and expose such incidents.

However, they may get fired and/or blacklisted by their employers. Hence,

As whistleblowers can often be blacklisted or fired by their employers, financially incentivising them could help in detection of data violations we propose to financially incentivise whistleblowers.

ACT'S DRAWBACKS

India's Whistle Blowers Protection Act, 2014 is meant to protect individuals who blow the whistle against power abuse by *public* servants.

The biggest drawback of this Act is that it does not protect or incentivise those who work in the private sector and want to blow the whistle on their employers to the government.

Some contend that whistleblowing should be considered as an "altruistic" activity for the larger social good and no steps should be taken to provide personal gain or a financial incentive to whistleblowers to prevent false positives.

On the contrary, financial incentives have long been provided to whistleblowers under the False Claims Act (FCA) (originally enacted in 1863) in the US. The Department of Justice — the watchdog regulatory body in the US — has ensured speedier settlements with some payouts to the whistleblowers.

There is a concern that introducing financial incentives for whistleblowers will lead to more frivolous lawsuits being filed. Furthermore, retaliation is found to be common towards whistleblowers in the US, with nearly 37 per cent being fired, 16 per cent harassed, 10 per cent threatened, etc.

Researchers have estimated that while the average employment gap between the job at the previous firm and the next job is 1.1 years, the average payout to the whistleblower is about $140,000, which is roughly the income for three years.

Hence, the whistleblower is able to sustain herself well before finding another job.

In more than 30 per cent of the cases, the whistleblower's next job is better than the job at the accused firm.

EMPOWERING WHISTLEBLOWERS

Hence, we propose that the whistleblower can become the backbone of detecting cases of personal data breaches in India, thereby reducing the complexities of auditing and enforcement.

We recommend that the whistleblowers may report to the DPB any such incidents and that the DPB may take it forward with further auditing if required.

Any legal costs are borne by the DPB, once it is satisfied that the case bears merit and may even be carried on for overseas whistleblowers. The penalty is divided between the DPB and the whistleblower(s).

Using the EU GDPR as a guideline, our extensive simulations indicate that out of the penalty of 4 per cent of the annual gross revenue, if 1 per cent is awarded to the whistleblower, it can effectively stop voluntary breaches by Data Fiduciaries.

This assumes importance, especially in India, which is witnessing exponential growth of the digital economy, but is lacking in regulatory capacity for protecting the digital *nagriks* of the country.

The writers are with IIIT-Bangalore

SBI's difficulty in providing details on electoral bonds

State Bank says that the details on electoral bonds are not stored in a centralised location. The Supreme Court is in no mood to relent

bl.explainer

Shishir Sinha

What had the Supreme Court directed SBI to do on February 15, 2023?

While declaring the scheme unconstitutional on February 15, a five-judge Constitutional Bench directed SBI to submit details of the Electoral Bonds purchased since April 12, 2019 till date to the Election Commission of India. It wanted details including the date of purchase of each Electoral Bond, the name of the purchaser of the bond and the denomination of the Electoral Bond purchased.

SBI was also asked to disclose details of each Electoral Bond encashed by political parties which will include the date of encashment and the denomination of the Electoral Bond for the same period.

What were the difficulties that SBI was citing while seeking extension of the March 12 deadline for furnishing the information?

In its application to extend the due date for submission of information, SBI said details of purchases made at the branches are not maintained centrally at any one place. The data related to the issuance of the bond and the data related to the redemption of the bond was recorded in two different silos to ensure that donors' anonymity is protected.

Further it mentioned that between April 12, 2019, and February 15, 2024 (date of judgment), 22,217 electoral bonds were used for making donations to various political parties.

Redeemed bonds were deposited in Mumbai main branch by the authorised branches at the end of each phase in sealed envelopes.

Coupled with the fact that two different information silos existed, this would mean that a total of 44,434 information sets would have to be decoded, compiled and compared, the bank said while admitting that the timeline of three weeks fixed by the court in its judgment would not be sufficient for the entire exercise to be completed.

The Supreme Court has rejected this argument. The Court said the SBI's submissions sufficiently indicate that the information is readily available.

The Court did not buy the argument that SBI needs time until June 30 to compile the information that is already available with it. "You are the number 1 bank in the country. We expect you to handle it," said the Court.



APEX COURT. Harsh words for SBI

What is the significance of the purchase and redemption details of electoral bonds for political parties?

If names of the purchasers are made public and serial numbers are matched with redemption by a specific political party, the general public will know, who donated to which party. This will give ammunition for the ruling as well as Opposition parties to attack each other, with donors getting caught in the crossfire.

Senior advocate Harish Salve, for the SBI, explained that matching the bonds purchased and names of donors with the parties which redeemed the bonds was a "time-consuming and complex" exercise. Details were kept in two separate silos and not stored in a digital format. The judgment had capsized the "core purpose" of the electoral bonds scheme, which was "utmost secrecy".

The Court, however, said that it had not directed the SBI to match the details of the donor and the donee. "The SBI has to just open the sealed cover, collate the details and give the information to the Election Commission," Court said

What has the Supreme Court ruled regarding the extension of the deadline on Monday?

The bench said that the submissions of SBI in its application indicates that information sought is readily available. Thus, the application by SBI seeking time until June 30 for disclosing the details was dismissed

What next? Will SBI be in contempt of court if it fails to comply with the apex court directive?

The court said it did not want to initiate contempt proceedings against the SBI as of now. However, the Bench said it was putting the bank on notice, saying it would take action if SBI did not comply with the directions of March 11.

POCKET

RAVIKANTH



LETTERS TO EDITOR

Send your letters by email to bleditor@thehindu.co.in or by post to 'Letters to the Editor', The Hindu Business Line, Kasturi Buildings, 859-860, Anna Salai, Chennai 600002.

Women's hurdles

This is with reference to the article 'Why women's participation in sports still lagging' (March 11).

Most of the sportspersons especially the women come from a humble background.

Also most of the sports bodies are controlled by powerful politicians.

Sports bodies are riddled with politics, corruption, nepotism and sexual harassment of women sportspersons and need a thorough clean up.

The Sports Ministry must appoint sportspersons with impeccable credentials to run sports bodies to encourage women.

Veena Shenoy
Thane

Apropos the article "Why women's participation in sports is still lagging" (March 11), Indian women, compared to their counterparts in western countries, face more complex issues and hurdles such as entrenched patriarchal attitudes, lack of financial support, lack of proper and adequate sports facilities, fears of sexual harassment and the male dominated sports administration bodies, etc.

While some of these problems like patriarchal attitudes may take time to overcome, creating congenial atmosphere for women sportspersons free of harassment can be quickly addressed.

For instance, Why should sports bodies meant for sportswomen have any representation of men?

Further, government needs to identify and encourage female sports talent from the school stage, provide financial assistance.

Kosaraju Chandramouli
Hyderabad

Southern outreach

BJP's core constituency is the Hindi heartland. Its energetic foray into South is to boost its legislative clout, be it on its own or riding the back of regional entities.

Divisiveness having been adopted as the operational politics with some success in central belt, the BJP, alas carries the same tool box to South.

The saffron party, like the Congress, errs in assessing regional undercurrents and regional leaders are wary of the BJP.

R Narayanan
Navi Mumbai

Dry Bengaluru

The water crisis in Bengaluru is making national headlines. The matter requires nation-wide efforts for water conservation, water bodies' preservation, and sustainable agricultural practices.

Elected representatives of the city administration who are tasked with enabling and improving the water supply to households are themselves (or their associates) operating the highly lucrative business of water tankers. There is clearly a conflict of interest here.

V Vijaykumar
Pune

Dharavi imperatives

This refers to 'Adani pulls out all stops to make Dharavi slum rehabilitation smooth' (March 11). Reframing Dharavi is a challenging task. Millions of people stay in one room tenants or rather one room kitchen (ORK) as it is famously called in Mumbai city.

It is a refuge for daily wagers, coolies, taxi drivers, autorickshaw drivers, platform vendors, painters, cobblers, petty shopkeepers, vegetable vendors and safai karamcharis etc who eke out for their living.

The task undertaken by the Adani group is formidable. Reshaping Dharavi involves Rehabilitation, Resettlement and Rehousing. Many could own the tenements, living there and a portion of it is let out. Though it is a bit of a complicated process, the enumeration and capturing data on the areas owned by them with clear demarcation on living space and the one used for commercial purpose is a must before commencing the civil works and must be digitised by linking with Aadhaar.

Centre had recently offered to use the sprawling space of 45 acres of Railway land adjacent to Dharavi which would help them in getting relocated temporarily.

People of Dharavi are like wheels on which the Mumbai city runs.

RV Baskaran
Chennai

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Biden's predicament

His stand on Gaza isn't helping his election fortunes

Sridhar Krishnaswami



RE-ELECTION. Strong headwinds

It may not be the first time that leaders of the US and Israel are exchanging sharp words over an ongoing situation, but Benjamin Netanyahu has forcefully come back against President Joe Biden calling him flat out wrong in the assessment of the ongoing war in Gaza. Biden had maintained that the Prime Minister's approach was "hurting Israel more than helping Israel", adding that Netanyahu "must pay more attention" to the loss of innocent lives as a consequence of actions in Gaza.

In an interview with *Politico* on Sunday, Netanyahu hit back at Biden saying that the American President was wrong on "both counts". If President Biden meant "that I'm pursuing private policies against... the wish of the majority of Israelis and that this is hurting the interests of Israel, then he's wrong on both counts," the Israeli leader remarked going on to make the point that people in the Jewish state "also support my position that says that we should resoundingly reject the attempt to ram down our throats a Palestinian state".

DEFIANT NETANYAHU

Tensions between Washington and Tel Aviv were quite apparent over the weekend after Biden made it known that he opposed any escalation of the conflict into Rafah and that he could not accept "30,000 more Palestinians dead". A defiant Netanyahu stressed that the Israeli forces would move into Rafah and that his "red line" was something different. "We'll go there (Rafah). We're not going to leave... I have a red line...that October 7 doesn't happen again," Netanyahu said referring to the Hamas terror attack that day that killed nearly 1,200 Israelis.

Health authorities in Gaza are saying that about 32,000 people have died thus far and about 75,000 injured with hundreds of bodies yet to be pulled out of the debris. The fear now is that if Israel gets into Rafah, the casualties will mount on top of an already catastrophic situation. According to Netanyahu, the death toll would include some 13,000 terrorists, just how he arrived that figure has not been explained.

Netanyahu may say "the last thing I want to do is enter the American political arena" when asked if he preferred Donald Trump, but even a political novice would have noticed that the Gaza conflict is already on the agenda of the Democrats and Republicans. Israel continues to enjoy solid support in the US, but President Biden is facing a near revolt among the left wing of the Democratic Party, the Progressives and the much needed support of Independents.

Trump added to Biden's woes, saying, "You've got to finish the problem," almost openly endorsing the offensives in Gaza against the Hamas. An argument has been made that had it not been for the large protest vote in Michigan and a looming Super Tuesday, the Biden administration would not have embarked on air dropping food packets and plans for the construction of a temporary pier in the Mediterranean to facilitate movement of humanitarian aid.

Still all this may not be enough to move back Democratic voters to support the re-election of President Biden. While some see the administration's efforts as too little too late, others see it as a farcical exercise in an election year — providing humanitarian assistance on one hand and replenishing the military arsenal of Israel on the other, in an effort to placate both the Arab American and Jewish vote banks.

With the Israeli Prime Minister categorically ruling out a two-state solution and insisting that he would not allow the Palestinian authority to keep its way in the Gaza, the question arises as to what senior Biden administration officials are doing criss-crossing the Middle East other than vague ideas of a ceasefire and hostage deals that have not endured in the past. Between an envisaged $18 billion in new military funding, hard-line Republicans vowing to deport Arab Americans and denying visas to Palestinians, President Biden would seem to have a full plate in an election year. Add to this the rock bottom approval rating, and the picture is complete.

The writer is a senior journalist who has reported from Washington DC on North America and United Nations



MOORTHY G

All's not well on the rice front

GRIM OUTLOOK. With production projected to be lower this year, water levels in reservoirs precariously low and export curbs not effective enough, rice prices could jump



SUBRAMANI RA MANCOMBU

A few significant developments have taken place in the global rice market over the last fortnight that the Indian government has to take note of and come up with policy actions immediately.

Despite various measures taken by the government to keep inflation under control, particularly in trying to curb the rise in foodgrain prices, there are concerns that the situation could turn out to be tricky over the next 3-4 months.

LOWER OUTPUT

There are a few reasons why such a situation could arise. First, this crop year to June will likely see a lower production of rice. On February 29, the Union Ministry of Agriculture and Farmers' Welfare came up with the second advance estimate of various crops for the 2023-24 crop year. The estimate showed that rice production will be one per cent lower at 123.83 million tonnes (mt).

The projection does not include *zaid* (summer) crop production, which was 10.24 mt last year.

The rice trade, however, says cereal production could be at least 9-10 mt lower than government estimates. Also, it could be difficult for *zaid* production to top 10 mt again this year since the water level in reservoirs, particularly in the southern region, is worrisome.

RESERVOIRS' STORAGE

The second reason is the storage level in the 150 major reservoirs in the country has dropped sharply to 41 per cent of the 178.784 billion cubic metres capacity. Compared to last year, it is 42 percentage points lower and in terms of the last 10 years' average, it is lower by 55 percentage points.

The storage in the southern region, where there is a good scope to grow *zaid* rice, is 26 per cent of the capacity. The level in nearly 10 reservoirs, most of them in the key rice-growing areas of Telangana, Andhra Pradesh and Karnataka, besides Tamil Nadu, is in single digits.

With no forecast of rain over the next few weeks and the temperature set to be above normal, the water level is expected to only drop further. This could mean that some of them could even go dry by the time the South-West monsoon sets in on June 1.

Though the El Nino weather pattern, which is the primary reason for deficient rainfall in the country since June 2023, is likely to dissipate by May-end, there is no word yet on when the monsoon will set in and how its behaviour will be this year. There is, however, some hope as the La Nina, which brings copious rains to India, is likely to re-emerge after June.

Be that is it may, the overall water situation will unlikely improve before June 1. This raises doubts if paddy will be sown on time this year or what farmers will prefer to do in the wake of empty reservoirs and low soil moisture, particularly in the South.

This then leads us to a scenario where the situation is unlikely to be clear at least until July-end.

FCI PROCUREMENT

Third, the Food Corporation of India (FCI) has procured 44 mt of rice out of the Centre's 111 mt estimate of the kharif rice production. The private sector has pegged the estimate at 104-105 mt, though. This means that the supply will be tight as the Centre has procured 40 per cent of the rice produced during the kharif season. The government has launched Bharat rice at ₹29 a kg only because the supply situation is tight.

> **As the Centre supplies rice mainly for beneficiaries of the Prime Minister's Anna Kalyan Yojana,** it is a moot question if the stocks will be sufficient.

The reason for the launch of Bharat rice is to bring down the price of rice, which has increased by 30 per cent over the past year. However, the efforts have brought down prices by about 10 per cent only.

After having managed to procure 44 mt, the FCI may be able to procure another 4-5 mt too, thus falling short of the Centre's target of 53.43 mt. As the Centre supplies rice mainly for beneficiaries of the Prime Minister's Anna Kalyan Yojana, it is a moot question if the stocks will be sufficient enough.

EXPORTS DOWN JUST 17%

In order to ensure food security and keep prices under control, the Centre has taken various measures since September 2022.

It first banned exports of broken rice and then imposed a 20 per cent duty on white rice.

Last year, it banned exports of white rice, levied a 20 per cent export duty on parboiled rice and fixed $950 a tonne as minimum export price for basmati shipments. Despite these measures, rice exports have dropped by only 17 per cent. This also gives rise to the suspicion that the Customs authorities have not been vigilant enough in preventing rice from leaving Indian shores in the garb of some other commodity.

OTHER DEVELOPMENTS

There are a couple of developments abroad too that need to be taken note of. Vietnam, the world's third-largest export of rice, has begun to import rice besides planning to cut exports by at least one million tonnes. Farmers in Thailand have been asked not to grow off-season rice due to poor water availability. Bangkok, too, plans to lower its rice exports by at least 1.3 mt compared to that in 2023.

Only Pakistan seems to be comfortable exporting rice, though its stocks are limited. With the global rice market turning tight, the difference in parboiled rice prices between India, the most competitive country, and others such as Thailand and Pakistan has narrowed.

In these circumstances, the million dollar question is: How far will imposing export duty be effective? This requires immediate attention from the Indian government, which should look at various options to take stock of the emerging scenario.

Societal pitfalls in women's empowerment

Mangaiyarkarasi J

Gender gap in pay is not the only issue confronting women. Even those who earn more than men have to bear the brunt of social prejudice.

A recent World Bank report on gender differences at workplace highlights this unfairness. No country in the world accords women the same opportunities as men in the workforce, finds the *Women, Business and the Law* report, which studied the laws that affect women's economic opportunity in 190 economies.

The 10th edition of the report, for the first time, went beyond the law books to assess the gap between laws and the policies put in place to implement them. While 95 countries enacted laws on equal pay, only 35 had measures in place to ensure equal pay.

Even when laws are made, their effectiveness is conditioned by conventional social norms in an environment where women are seen as less valuable than men. One study by Bhalotra *et al*, which examined the impact of legal reforms that grant women equal rights to inherit property in India, found that the first-born child after the reform was enacted was less likely to be a girl.

REFORMS' PERVERSE IMPACT

Perversely, the reform had led to increase in female foeticide, excess female infant mortality and son-biased fertility stopping.

Long before the amendment to the Hindu Succession (Amendment) Act, 2005, the Pre-Conception and Pre-Natal Diagnostic Techniques Act was enacted in 1994 to eradicate female foeticide. But patriarchal norms change slowly, if at all. And legislation alone cannot change the social mindset. Unless the collective will of the society is changed to value daughters as much as sons, laws will remain ineffective.

The World Bank report also found that the global gender gap was much wider than assumed. Women earn just 77 cents for every dollar paid to men, and closing the gap could raise global GDP by more than 20 per cent, said the report. But men are particularly unhappy with their spouses' financial successes. An Australian National University study found that women who earn more than their male partners face 33 per cent higher partner violence and 20 per cent higher emotional abuse.



PAY GAP. It must be bridged ISTOCK

This did not hold when the husband earned more. The study points out that for men, earning more than half of the couple's income represents compliance with the norm of male breadwinning.

In a paper in *The Quarterly Journal of Economics*, economists Marianne Bertrand, Emir Kamenica and Jessica Pan say that in couples where the wife's potential income is likely to exceed the husband's, she is less likely to be in the labour force.

The authors also found that where the wife earns more than the husband, she spends more time on household chores. And those couples are less satisfied with their marriage and are more likely to divorce. These studies show the widespread existence of sexism in spite of laws, policies and regulations aimed at preventing them.

In our day-to-day lives, we may not realise that we are contributing to these problems. So fixing these problems is an individual responsibility. This calls for introspection. Ask the women in your lives what you can do to make their lives better.

As Harvard economist Sendhil Mullainathan once said, "Old habits die hard, but these are surely worth killing."

thehindu businessline.

TWENTY YEARS AGO TODAY.

March 12, 2004

Maersk-Concor set to bag JNPT deal

The Maersk-Concor team is set to win the deal for developing and operating a new container terminal at Jawaharlal Nehru Port by quoting the highest revenue share of 35.5 per cent. In the process, the Maersk-Concor consortium pipped other contenders for the ₹1,000-crore project.

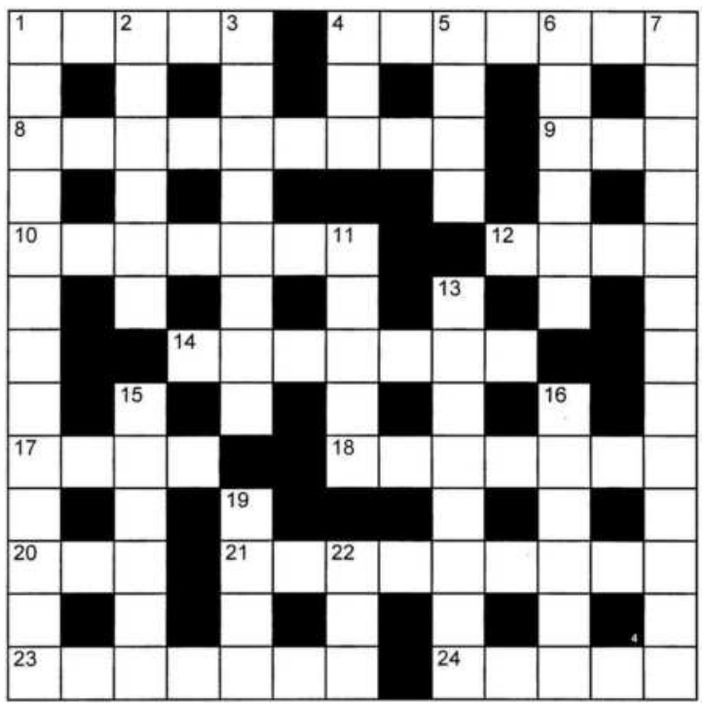
Ten Sports may use DD platform to reach out

The match between Ten Sports and Doordarshan (DD) over the television rights for the upcoming Indo-Pak cricket series seems to be a fight to the last ball. While Prasar Bharati is pitching hard to get the terrestrial rights of these matches, Ten Sports is trying to make the most of the deal. And one of the strong possibilities is Ten Sports offering its live feed to DD along with the advertisements and the logo.

S&P pats India for BPO success, warns on infrastructure

International rating agency, Standard & Poor's, lauded India's competitiveness in IT, BPO and telecom sectors but warned that inadequate infrastructure continued to hamper sustained high economic growth. Frustrating labour laws and reliance on timely rainfall are some of the other growth impediments, it said.

BL TWO-WAY CROSSWORD 2393



EASY

ACROSS

1. Mass of precious metal (5)
4. Devilish (7)
8. The furnishing of something (9)
9. Large antelope (3)
10. Echo (7)
12. Apartment (4)
14. Gets back pledge (7)
17. Formal dance (4)
18. Charge, command (7)
20. Germ (3)
21. Commencement (9)
23. Beg (7)
24. Vote into office (5)

DOWN

1. Not easily ruffled (13)
2. Grumble (6)
3. Testimonies (8)
4. Capuchin monkey (3)
5. Quality of sound (4)
6. Find carping faults with (6)
7. Balancing amount (13)
11. Vision (5)
13. Prominent position (8)′
15. Slender (6)
16. Sea-soldier (6)
19. Having sufficient skill (4)
22. Obtain (3)

NOT SO EASY

ACROSS

1. When batting, obtained block of gold (5)
4. Posed before Inca revolution could become devilish (7)
8. Store measure taken beforehand (9)
9. Creature showing every other to have gone up (3)
10. Engineers will find how deep it is to echo (7)
12. Sparkle gone from the beer, even? (4)
14. Revolutionary to seem to get head afoot buys it backs (7)
17. The cherry dance? (4)
18. A charge also found in a spouse (7)
20. Listening device might make one ill (3)
21. Begging, lose heart: get round tavern for a start, so ... (9)
23. ... beg people to lose their head and stand a round (7)
24. Enable one standing to sit (5)

DOWN

1. Monsieur Pirate: burble about his not being able to be shaken (13)
2. Game complaint (6)
3. Expressions of approbation, but attempts to get around it (8)
4. The Capuchin monkey is a mixture (3)
5. Sound quality in depth of colour (4)
6. Going first and last in the river, nag pettily (6)
7. The continued fight against the flab should ... balance? (13)
11. See some action that isn't really there (5)
13. The height of ecclesiastical address (8)
15. It's an affront, but not a very big one (6)
16. Give this serviceman a sub first and it will go under (6)
19. Powerful enough to stick end of thumb in the drink (4)
22. A bit of a midge, trying to irritate one (3)

SOLUTION: BL TWO-WAY CROSSWORD 2392

ACROSS 2. Ruled 5. Bust 7. Grab 8. Referred 9. Fourteen 11. Find 12. Procrastinate 15. Aver 17. Mingling 19. Armchair 21. Plum 22. Keep 23. Dwell

DOWN 1. Fervour 2. Rub 3. Large 4. Defunct 5. Bar 6. Sheen 10. Racer 11. Final 13. Armband 14. Tonsure 16. Verge 18. Nurse 20. Cup 21. Pal

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New-age trade deal

India should focus on bringing technology

Running a race against time, India has managed to sign a trade and investment agreement with the European Free Trade Area (EFTA) prior to the electoral code of conduct coming into force and limiting such announcements. The EFTA is a free-trade area comprising four nations that are on the margins of the larger European Customs union. The four countries — Switzerland, Norway, Liechtenstein, and Iceland — are not the largest economies in the area. But all of them are very high-income countries, and have strong positions in certain supply chains. In the world of finance, for example, both Switzerland (through its banking sector) and Norway (through its sovereign wealth fund) have a disproportionate influence. Tiny Liechtenstein also has an innovative financial sector, particularly when it comes to ESG (environment, social, governance) investing.

The agreement India and the EFTA have signed is thus of interest not just in terms of how a large but relatively poor country negotiates with a small high-income bloc, but what it reveals about how free-trade agreements (FTAs) are increasingly being designed. In the traditional sense, FTAs were based around the benefits conferred by the mutual lowering of tariffs. That is no longer the sole extent, however, of trade negotiations. Had it been the case, then it might have been viewed as one-sided — as tariffs on non-agricultural Indian goods in these countries are already relatively low. Trade negotiations now include "behind-the-border" requirements, such as harmonised regulations that can make trade easier. These mechanisms were developed, however, in response to concerns expressed by interest groups in high-income countries. India has innovated in this case, by including a different kind of "behind-the-border" requirement. It has conditioned the lowering of tariffs on the mobilisation of large-scale investment by the EFTA countries. The EFTA states have said they will "aim to increase" foreign direct investment in India through their countries by $50 billion in the first decade after the agreement comes into force. They have also promised another $50 billion in the five years after that. It is not exactly easy to see how these numbers could be mobilised. But it reflects these countries, as financial hubs, using their comparative advantage in international trade in an interesting and novel way.

The broader question must be how the benefits of trade with such small, high-income countries can be scaled up across the Indian economy. It is not just finance that India needs for its various wealth-creating sectors if growth and employment generation are to take hold over the coming decades. Technology is another crucial input. Here technical transfer is a component of trade that needs closer attention. EFTA countries — like many of their counterparts in the European Union — have companies that have cutting-edge technology but lack scale. India can provide scale as long as it is seen as a reliable destination in terms of intellectual property protection. Joint research and development — or, at least, the application at scale in India of ideas which have survived proof of concept in Europe — will be in the interests of both geographies. India's impasse in trade negotiations with the European Union and the United Kingdom, seen in the context of the innovative EFTA deal, is perhaps a reflection of the over-emphasis placed on protecting the sectors of the past rather than energising investment and technology for the sectors of the future.

Timely response

SC rightly denies SBI an extension on electoral bonds

The Supreme Court has done well to dismiss an application by State Bank of India (SBI), the state-owned bank that was responsible for issuing electoral bonds, for time till June 30 to provide details about bond purchases made between April 12, 2019 and February 15, 2024. In a hearing that combined SBI's application with contempt of court petitions filed by the Association for Democratic Reforms, Common Cause, and the Communist Party of India (Marxist), the Supreme Court has given the bank till the close of business hours March 12, to furnish these details to the Election Commission of India (ECI), which, in turn, has to publish the data by 5 pm on March 15 on its website. At the same time, the apex court has declined to initiate contempt proceedings but warned that it will proceed against it if the bank does not comply with this latest order. The chairperson and managing director of SBI are required to file an affidavit on whether the bank has complied with the order. With this ruling, which comes less than a month after its judgment, on February 15, declaring electoral bonds unconstitutional, the five-judge Bench has underlined the important principle of following court orders.

The application for an extension was filed just two days before the Supreme Court's original deadline of March 6, by an assistant general manager of the bank at that. The explanation given by SBI's counsel for the delay was that there were challenges in reconciling the donor details with the redemption details, which were filed under different silos, some of them in physical rather than digital form. Chief Justice of India D Y Chandrachud pointed out the court had not asked SBI to "match" information to ascertain which individual had contributed to which party. In its February 15 judgment, the Supreme Court had sought two kinds of information. The first was the name of the purchaser, the date of purchase, and the denomination of the bonds; the second part was details of bonds redeemed by political parties, including the date of encashment and the denomination. SBI appears to have interpreted this as the need to link the purchaser details with the political parties. Justice Chandrachud pointed out that SBI had the Know Your Customer details of the buyers and had stated in its application that the purchaser details were kept under a sealed cover in the main branch. Therefore, he reasoned, all the bank needed to do was open the sealed cover, collate the names, and furnish the details already available with it. In this "short order" the Bench also pointed out each political party could open only one current account in 29 designated bank branches. Therefore, this information, too, would be readily accessible. However, it can be argued that without the requirement of matching the donation and recipient details, this order, when complied with, may not reveal much.

Separately, the court has asked the ECI to publish details of the information of funds received by political parties till September 30. This information had been supplied to the court in a sealed cover following an interim order last November. In its ruling, the court has exposed the somewhat disingenuous arguments by the country's largest bank, not least because June 30 would have been well after the Lok Sabha election results were out. It highlights, once again, the urgent need for credible and transparent campaign finance laws.

ILLUSTRATION: BINAY SINHA



The Magnificent 7

The current level of concentration of tech giants in US markets is unprecedented. Could this be a bubble in the making?

The Magnificent Seven is the new acronym everyone is talking about in global equity markets. They are the seven largest companies by market capitalisation in the US (Microsoft,Apple, Nvidia, Amazon,Alphabet,Meta, Tesla) and have been on a tear over the past few years. These companies have seemingly been the driving force behind the markets, and their earnings, most recently Nvidia's, drive market sentiment. Rarely have so few stocks been so important for global equities.



AKASH PRAKASH

If we look at relative performance, the reason for the hype is obvious. Over the last nine years, the Mag Seven stocks have surged more than 18 times, compared to less than three times for the S&P 500. As these seven stocks have gained greater prominence, the US stock market has become increasingly concentrated. Today, the top decile of stocks in the US account for more than 75 per cent of total market capitalisation. The only other time we have seen this level of concentration was at the bubble peaks of 2000 and 1929. Worryingly, in both the prior periods, this ratio eventually mean-reverted to 60 per cent. Since 1926, the median ratio of concentration for the US has been 63 per cent.

If we look at the top five stocks, at 25 per cent of the S&P 500, this ratio is back to the peak of the Nifty 50 era of the late 1960s. Even the top 10 stocks, constituting 34 per cent of the S&P 500, have never been a bigger part of the market than today. Driven by the Mag Seven, concentration, whichever way you cut it, has never been higher.

When we look at the absolute values of these stocks, one starts to realise why this concentration has occurred. Taken together, the Mag Seven stocks, with a market capitalisation of $13 trillion, would be on their own the second-largest stock market in the world, larger than China and more than double the third-largest market, Japan. The single largest stock, Microsoft, at a market capitalisation of over $3 trillion, would on its own be the fifth-largest market in the world (just after India). Today, Microsoft and Apple individually have market capitalisation greater than the UK stock market. The scale and absolute size of this magnitude are unprecedented in my experience.

Even on the basis of profits, we are in a different world. Taking trailing 12 months profits, the Mag Seven have a total net profit of $361 billion—almost equal to the total profits of corporate Japan and half the profits of all the companies listed in China.

Their profits on an absolute basis are more than double the profits of all the companies listed in India ($151 billion: Source DB). Apple alone over the last 12 months, delivered a net profit of $101 billion, 70 per cent of the profitability of all listed Indian corporations (source: DB). Combined, Apple and Microsoft deliver 20 per cent more profit than all the listed companies in India. I don't think we have ever seen a phenomenon of companies with market capitalisation and profitability equal to large countries before.

However, does this scale and concentration on its own imply that we are in a bubble? First of all, while the current concentration is as high as the US has ever seen, it is not an outlier from a global perspective. All other global markets are far more concentrated. Most have a ratio of top 10 stocks over 50 per cent, and many have single stocks at over 25 per cent, compared to 8 per cent for the US. The size and profitability of these platform companies is also due to their network effects, global penetration and the inability of regulators until recently to rein them in. How do you compete against a company spending more than $30 billion a year each in terms of capex and research and design (R&D), as all the global platform stocks do? And how does one compete against Nvidia, which has the software/hardware integration, head start in graphics processing units (GPUs), and has locked much of TSMC's leading edge Fab capacity?

These competitive advantages get only further enhanced in the world of artificial intelligence (AI). The cost of compute for training and inference and the need for data ensure that only two or three global companies will dominate the development of large language models.

Either regulatory action or an innovator's inability to adapt business models to AI may be the only way these stocks lose their clout. However, while it is tempting to look at the size of these seven companies, their concentration, relative performance and the valuation of the US, jumping to the conclusion that we are in a bubble may be too hasty a judgement.

If we look at other indicators on sentiment, initial public offering, new investor numbers and margin debt levels, we are in a bull market, but not a bubble. Similarly, retail trading activity and flows into equities are not at bubble levels either. There remains a wall of worry around the US markets, and, in my opinion, we have not yet reached euphoria. Long-term bull markets typically end with euphoria. It may come, as we are about to enter an interest rate easing cycle, with markets at all-time highs!

The hype around AI continues to build and will overshoot. Falling rates and easing liquidity can supercharge the AI hype further. AI provides the unquantifiable technological disruption narrative, which when combined with liquidity/leverage and sentiment, can drive markets into a bubble.

What is clear is that long-term returns from here for the US are likely to be muted. Valuations are not useful for short-term market timing as markets can overshoot and stay expensive for years. However, valuations remain the best possible predictor of long-term returns.

In the US, initial starting point valuations explain more than 80 per cent of the subsequent 10-year returns. Based on research done by BofA, at current valuation levels, one should not expect more than low-single digit returns from US equities over the coming decade. This comes at a time when the fiscal outlook and debt dynamics in the US has never been worse and the dollar looks set to enter a long-term cycle of depreciation. The US has had an incredible 15 years of both absolute and relative performance, and currently represents 62 per cent of global market capitalisation. It was higher than this in the mid-1960s, when there was no China and emerging markets. This relative performance dominance will reverse at some stage. The US cannot outperform forever.

While markets in the US may continue to rise in the short term, the conditions for an eventual blow-off are visible. Irrespective of this, the long-term outlook for US equities is mediocre. This interplay between the short-term and long-term outlook for US equities is a delicate balance all allocators will have to strike. To the extent allocators recognise the long-term dynamic and move money overseas, India will benefit.

The writer is with Amansa Capital

Stock market valuations and Sebi

It's better to be vaguely right than exactly wrong — Carveth Read

Small capitalisation (cap) and mid-cap stocks have appreciated by more than 60 per cent over the last year in India. Is this a bubble? If yes, what can the Securities and Exchange Board of India (Sebi) do, given its mandate? Relatedly, what should be its mandate?

While a stock price index is quite unpredictable, the same is, by and large, not quite true as far as the aggregate valuations are concerned. Valuation indicators such as price-to-earnings ratio (P/E), price-to-book ratio, dividend yield, ratio of market cap of small caps to the total market cap, market cap-to-gross domestic product (GDP) ratio, and corporate profits-to-GDP ratio tend to be somewhat mean-reverting over time, though it can take quite a while. Bubbles can arise, and while it is hard to say when a bubble will come to an end, identifying a bubble *per se* is not as difficult.



GURBACHAN SINGH

The Nifty Small-cap 250 index is trading at P/E of over 28. Other indicators too suggest caution. At some stage, the real returns are very likely to be low, possibly negative. Investing through index funds is no safeguard here. And, even investing through systematic investment plans (SIPs) has its difficulties in practice. So should public authorities intervene?

It is true that Sebi and the Association of Mutual Funds in India (AMFI) did recently make a public statement related to small-cap and mid-cap stocks, but it was effectively in the form of a whisper, as the emphasis was on liquidity. So why did Sebi not make a loud and clear speech on valuations? Well, it is not in the present mandate of Sebi to intervene if the valuations are very high! We have a similar story in other countries. This needs to change, but it is important to first understand the rationale for the present mandate.

Conventional wisdom holds that trades in the stock market are a zero-sum game, with little effect on the real economy, and that the pure market mechanism is reliable even in the context of the stock market. There is also a view that the *caveat emptor* applies, and that stock prices are naturally very volatile because they need to incorporate the changing news. Of course, some do accept that valuations can get very high at times but then they feel that this is good for real investment. All these views contribute to the final conclusion that any intervention related to the stock market valuations is undesirable. While these arguments may look reasonable, a closer examination reveals serious weaknesses. In that case, Sebi does need to intervene.

It will help to consider a different but related angle as well. The stock market can be unambiguously efficient, and Sebi does not need to intervene if ordinary investors are rational and well-informed. It can also help if a weaker condition is met, which is that there is a market for sound, credible, easily accessible, and independent financial advice at a reasonable fee. But these conditions are not met in practice. So, the regulator does need to step in. This can require a major change in mindset and in legislation. But even after the change, how can Sebi intervene in practice without violating respect for private property and people's right to choose their asset portfolio? This column considers two actions.

First, Sebi can make regular and "loud" announcements on valuations, and require intermediaries like mutual funds and brokers to prominently display the same. Second, at present, the labelling on riskiness of products like pure equity schemes by intermediaries like mutual funds is on the basis of the *general* nature of the schemes; it is not based on valuations *at any given time*. This needs to change. This can help nudge investors towards products like (countercyclical) balanced advantage funds at a time when equity valuations are very high.

It is true that some sellers do convey concerns on valuations to their clients, but not all do. So it helps to change the mandate of Sebi. It is also true that Sebi may not be able to make perfect assessments but that is fine. And, despite the warnings, many investors may be led by the FOMO (fear of missing out) factor. But the point is not that this can be completely avoided; it helps if it can be reduced.

The public authorities often intervene in many different ways in the economy where they should not, and sometimes they do not intervene where they actually should, as in the case of stock market valuations. It is time to correct.

The writer is an independent economist. He taught at Ashoka University, ISI (Delhi) and JNU. gurbachan.arti@gmail.com; X: gurbachan@econ

Crouching tiger, rising mammoth

BOOK REVIEW

UTTARAN DAS GUPTA

On February 9, 1904, Japan launched a surprise naval attack on the Russian fleet stationed at Port Arthur, China, leading to a war between the two countries. The hostilities would end on September 5, 1905, with the complete defeat of the Russian Empire and peace mediated by then US President Theodore Roosevelt. Several historians around the world recognise this as the first major defeat of a European power by an Asian country in the modern age. This convenient signpost also serves as a metaphorical premonition of the decline of the West and the cultural and economic rise of the East over the 20th century.

At the time of the Russo-Japanese war, much of Asia was under the colonial sway of the European powers. Britain and France hungrily gobbled up large swathes of the Ottoman Empire at the end of the First World War in 1918. But over the next half-century, most of these countries would be roiled by the independence movements, often violent, pushing out the colonial powers. As early as 1924, German diplomat Karl Haushofer wrote about the "Pacific Age", which envisaged the growth of Japan, India, and China. After the meeting between Deng Xiaoping of China and then Indian Prime Minister Rajiv Gandhi in 1988, the 21st century came to be referred to as the "Asian Century" in the media.

Historian Sugata Bose in his new book, *Asia After Europe*, argues that the rise of Asia in the 20th and 21st centuries was not only an economic phenomenon but a result of "intellectual, cultural, and political conversations" across the continent. He attempts to narrate, as he explains, "the creative process of imagining Asia by tracking the intersecting journeys of Asian intellectuals and subalterns alike." In the introductory chapter of the book, he argues that Pan-Asianism, or "Asian universalism", was an idea comparable to other internationalisms such as Leninism, pan-Islamism or Buddhism. He finds in it another way of approaching 20th-century history, which has been mostly monopolised by narratives of anti-colonial nationalism.

To illustrate his argument, he chooses figures such as Rabindranath Tagore and the Japanese art critic Okakura Tenshin, who spent some time in Calcutta (Kolkata) in 1903. On returning to Japan, Okakura sent two Japanese artists to India, one of whom, Taikan Yokoyama, taught the Japanese wash technique to Tagore's nephew, Abanindranath Tagore. Abanindranath, in turn, used the technique to paint the iconic Bharat Mata image in 1905. "A Japanese rendering of that image on a giant silk scroll was paraded in procession in the streets of Calcutta to the accompaniment of Rabindranath Tagore's freshly composed patriotic songs," writes Dr Bose. "Indian nationalism had come to be fused with Asian universalism."

In Tagore, whose songs have been adopted as national anthems by India and Bangladesh, Dr Bose finds a figure who combined a deep love for his homeland, a passionate anti-colonial activism, as well as a "colour cosmopolitanism" — "a powerful critic of worshipping the nation as god and was horrified by the crimes committed by modern nation-states."



ASIA AFTER EUROPE: Imagining a Continent in the Long Twentieth Century
Author: Sugata Bose
Publisher: The Belknap Press (Harvard University)
Pages: 276
Price: ₹699

Dr Bose's interest in cosmopolitanism as a panacea for a rabid nationalism, which excludes those it considers to be outgroups, develops from his previous scholarship. The Gardiner Professor of Oceanic History and Affairs at Harvard University, Dr Bose published, in 2006, *A Hundred Horizons: The Indian Ocean in the Age of Global Empire*, a wide-ranging study of the history of communities settled around the rim of the Indian Ocean from 1850 to 1950, the high noon of the British Empire. It is also in line with popular sides of history writing, such as "provincialising Europe" (to which he refers) and Global History. German historian Sebastian Conrad, a pioneer in this field, describes Global History in his ground-breaking survey of the discipline as a sort of histography that "takes the connectedness of the world as its point of departure". It is in finding these connections that Dr Bose's book succeeds.

However, one is tempted to imagine that some of Dr Bose's research interests also trace their roots to his stint in the Lok Sabha. As a member of the Opposition from 2014 to 2019, he would have had a ringside view of the rise of Hindutva in the country during the first term of Prime Minister Narendra Modi. A global academic, who studied in the UK and works in the US, Dr Bose would have found the rise of such an exclusivist nationalism as well as international competition between India and China eroding and belying the promise of an Asian century.

If the book begins with Okakura's visit to Calcutta at the dawn of the 20th century, it ends with Dr Bose's own visit to Peking University in Beijing in 2019, on the eve of the Covid-19 pandemic. In trying to narrate multiple strands of the remarkable process through which Asia and Asians are reclaiming their centrality in the world, Dr Bose makes a compelling case for greater acceptance of the political, cultural, and economic diversity of the continent and their close interconnectedness.

The reviewer is a New Delhi-based writer and journalist

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{ OUR TAKE }

High on intent and investment

The agreement with EFTA could be a precursor to much larger deals that India has been eyeing with the EU and the UK

India's trade agreement with the European Free Trade Association (EFTA) — comprising Iceland, Liechtenstein, Norway and Switzerland — may not reflect the country's true level of ambition on trade deals, but it has considerable signalling value. For starters, the trade deal ties non-sovereign fund investment of $100 billion by the EFTA nations to tariff concessions being granted to a chunk of their exports to India. This is expected to create a million new jobs in the country. The first $50 billion must come within 10 years of the agreement coming into effect, and the next $50 billion, in the subsequent five. Given India saw just $10.8 billion of foreign direct investment (FDI) from the EFTA nations in the past 23 years — and $9.9 billion of that from just Switzerland — the scale-up in pace is not insignificant.

Though India runs trade deficits with the EFTA nations, their share within India's overall trade remains small (just 1.6%) with Switzerland making up the bulk of it. Also, since EFTA tariff rates across lines are already low, the impact will most likely be on the import side from an Indian perspective. Against such a background, the country's openness to trade access to its markets for investment commitments should pay off in the long-run — and encourage talks with others along similar lines.

India could also benefit from the services-trade portion of the deal. The major sectors covered — IT, financial, recreational, and audio-visual services — are all where the country has significant strength to leverage. The EFTA nations are also seeing significant demographic shifts, making the Mode-4 access (movement of natural persons) granted under the deal a big potential win for India.

However, the biggest takeaway from the agreement with EFTA is that it can be a precursor to the much larger deals that India has been eyeing for some time, with the European Union (EU) and the United Kingdom (UK). The problems, of course, are different, ranging from non-tariff barriers for Indian exports (environmental, labour, IPR, and quality compliances, among others) that the EU wants to the UK's reluctance over visas to professionals. But the EFTA deal underscores both the readiness of India and the EU nations to partner for trade and growth.

TMC gamble in going solo in West Bengal

The INDIA bloc seems dead and buried in West Bengal with the Trinamool Congress (TMC) declaring candidates for all 42 Lok Sabha seats in the state. At the outset, chief minister and TMC leader Mamata Banerjee has taken a big gamble to go alone in the general elections, where her party's primary opponent is the BJP. In less than a decade, the BJP has replaced the CPM as the main opposition party and has been registering spectacular gains. In the 2019 elections, it won 18 seats with over 40% votes, just three per cent less than the votes polled by the TMC, which won 22 seats. An alliance with the Left Front and the Congress could have given some cushion to the TMC, especially in north Bengal.

The fact is that while top leaderships of the TMC, Congress and CPM may agree on forging a united front against the BJP, the local reality is different. The violent struggle for political dominance at the grassroots makes it difficult for national leadership to dictate electoral alliances. The Congress high command was invested in seat sharing among INDIA partners, but its local chief, Adhir Ranjan Chowdhury, saw the TMC only as a rival. The TMC, which had emerged from the Congress, saw its parent party as a rival for minority votes and even grudged the latter's limited clout in north Bengal. Both the CPM and the Congress have positioned themselves as Opposition parties and trained their guns on the TMC. INDIA bloc's talk on Opposition unity never translated into action on the ground.

There is another way to look at the fragmenting of the INDIA bloc. The TMC, as the primary political pole in the state, may prefer a divided Opposition than a consolidation of anti-TMC sentiment around the BJP. But with West Bengal rapidly becoming a bipolar polity, the calculations of the TMC, weighed down by anti-incumbency, corruption scandals and incidents such as Sandeshkhali, may go wrong.

Case for reforming private health care

Government must undertake a credible process of cost estimation and price fixation, ensure the adoption of standard guidelines for treatment, and monitor adherence



India's mixed health system evolved by default and not by design HT ARCHIVE

The National Health Policy (2017) envisages "universal access to good quality health care services without anyone having to face financial hardship as a result". This goal is a clear affirmation of the commitment to universal health coverage (UHC). The policy also recognises "the pivotal importance of Sustainable Development Goals". These list UHC as target 3.8, to be achieved by 2030.

Two measured indicators of UHC are the degree of financial protection afforded to persons utilising needed health services, and the extent of health service provision to the population. The former is assessed by measuring and monitoring out-of-pocket expenditure (OOPE), catastrophic health expenditure, and the proportion of people made poor because of expenditure incurred on needed health care. The service coverage index is computed by combining tracer indicators across four domains: Reproductive, maternal, newborn and child health; infectious diseases; non-communicable diseases (NCDs); and service capacity and access. Adequate service coverage is essential to correctly estimate OOPE, since the non-availability of accessible, affordable and quality health services can lead to people not seeking needed care. Such foregone care results in spuriously low estimates of out-of-pocket and catastrophic health expenditures, giving a rosy picture of financial protection.

India is attempting to improve performance on both these indicators. Comprehensive primary care, through Health and Wellness Centres, strengthening of district and medical college hospitals, and establishment of regional AIIMS are initiatives for improving service provision by the public sector. Much of this care is provided free of cost. However, existing public sector capacity is substantially supplemented by private sector hospitals. While extending service coverage, this can undermine the principle of financial protection, which is cardinal to UHC. Claims about quality of care are contested, with considerable variability across both public and private hospitals.



K Srinath Reddy

India's mixed health system evolved by default and not by design. Public sector health services were the main vehicle for the delivery of organised health services in the early decades after Independence. They dwindled in number and decayed in quality in many parts of the country due to low levels of public financing and poor governance. Over time, the private sector grew in presence and influence, building financial muscle through investments that flowed in after liberalisation and globalisation opened the Indian economy. Tertiary care provision in urban areas is now dominated by the private sector.

Both central and state governments are engaging private sector hospitals to supplement public sector provision of services in secondary and tertiary health care. This is done through central and state health insurance schemes, which purchase services from private hospitals. Several large employers also do so, through health insurance coverage for their employees. Some individuals buy private health insurance while others pay from their pocket for health services. Even insured individuals may have to pay for costs extending beyond the insurance coverage (co-payment).

It is rational to use all existing health care resources in society to advance the objectives of UHC. However, that requires a robust regulatory framework wherein all health care delivery institutions deliver appropriate care, through quality assured services, at an affordable cost. The government has to be the guarantor of UHC to the whole population, even if it is not the sole service provider or the purchaser of services.

In this context, a recent judgment by the Supreme Court has stirred discussion on the duty of the Indian government to fix charges that can be reasonably levied by private hospitals. It came against the backdrop of considerable public discontent on the high costs charged by some private hospitals, even during the pandemic. The Court expressed concern that the government had not utilised the provisions of the Clinical Establishments Act and said that, if the government did not act, it would fix the charges at the rates paid by the Central Government Health Scheme (CGHS) for services provided to its beneficiaries by private hospitals.

The public and sections of the health insurance industry have welcomed the judgment, but the private health care industry has raised concerns. While agreeing with the spirit behind the judgment, it called for a "scientific method" of cost estimation — according to the type of health care provided (primary, secondary or tertiary), and location (rural, tier-2 or urban). Spokespersons of private hospitals call for "range pricing", based on these assessments and factoring in the high investments made by private hospitals on land, infrastructure, skilled personnel and state-of-the-art equipment. They argue that qualified cost accountants should be part of committees that estimate costs across public and private health care institutions. Such an exercise was undertaken in Karnataka in 2017. Claiming that CGHS beneficiaries who avail private hospital services are cross-subsidised by payments from private patients, they warn that the imposition of unviable charges would threaten the survival and scalability of private sector health services. Critics point out that private hospitals have benefited from concessions in land pricing, low or exempt customs duties on equipment, and recruitment of doctors, nurses and technicians trained in publicly funded institutions.

The government must undertake a credible process of cost estimation and price fixation, weighing all of these factors. Whether the patient pays directly or an insurance scheme pays, inflated costs hurt UHC. The government must ensure the development and adoption of standard management guidelines (for diagnostic tests and treatment protocols), monitoring their adherence to regular health care practice through periodic technical audits. Through such methods, it has to curb the pernicious practice of performing unnecessary tests or treatment procedures to boost hospital revenues.

K Srinath Reddy is distinguished professor of Public Health, PHFI. The views expressed are personal

Court's questions on legislative privileges

The importance of the judgment of the seven-judge Constitution bench of the Supreme Court (SC) headed by the Chief Justice of India, Dhananjaya Y Chandrachud on March 4 overruling a five-judge bench in *PV Narasimha Rao vs State*, is that it contains a very authoritative pronouncement on the scope of Articles 105 and 194 of the Constitution. Article 105 deals with the privileges and immunities of members of Parliament (MPs) and Article 194 deals with the same with respect to members of the state legislatures. These privileges and immunities are the same for both MPs and members of legislatures.

The 1998 SC judgment in *PV Narasimha Rao* was controversial because of a strange interpretation of Article 105 by the Court. The gist of the judgment was that an MP who takes a bribe for voting in a particular manner in the House and votes accordingly, enjoys immunity from prosecution under the Prevention of Corruption Act. Another aspect of this interpretation was that if the MP, after taking money, does not vote in favour of that party or person in the House, he/she enjoys no immunity under Article 105 and is liable to be prosecuted. The simple meaning of this judgement is that a member of the legislature who takes a bribe for voting in favour of another party, which invariably is the ruling party of that time, and votes in the House as promised, can escape the consequences of the law. Thus, the Court was seen to be approving bribery by the legislators.



PDT Achary

Privileges and immunities of members of the legislature and the legislature itself refer to the special rights enjoyed by them for the smooth and effective functioning of the legislature. A legislative House cannot function freely without these special rights. In all parliamentary democracies, these special rights are available to the members and the House. In England, the mother of parliaments, members of the House of Commons secured these rights after a prolonged struggle against the monarch. Our Constitution adopted the Westminster system of parliamentary democracy and, therefore, provided that all the privileges available to the members of the House of Commons as of January 26, 1950, when the Constitution came into force, shall be available to the members of the Indian legislatures.

However, these special rights are enjoyed by the members of the legislature only in the context of the functioning of the House. Otherwise, the legislators and ordinary citizens are equal before the law. Such special rights are not available to the members in a criminal case. The most significant privilege of a legislator is the freedom of speech in the House. Articles 105 and 194 provide absolute protection to them in the House with respect to their speeches and votes.

THE 1998 SC JUDGMENT IN PV NARASIMHA RAO WAS CONTROVERSIAL BECAUSE OF A STRANGE INTERPRETATION OF ARTICLE 105... THE SC WAS SEEN TO BE APPROVING BRIBERY BY LEGISLATORS

The question dealt with in *PV Narasimha Rao* was whether such immunity and privilege were available to the MPs of the JMM Mukti Morcha who took bribes to vote in favour of the Rao government. As explained earlier, the SC (in 1998) held that those MPs enjoyed immunity under Article 105 and hence could not be prosecuted for bribery. After 25 years, the seven-judge bench on March 4 held that the judgment was wrong. The Court ruled that the MPs or MLAs cannot claim privileges that are not essentially related to the functioning of the House. "The privileges of the members of the House individually bear a functional relationship to the ability of the House to collectively fulfil its functioning and vindicate its authority and dignity," the Court ruled.

While overruling the 1998 judgment, the SC made certain assertions which, from the point of view of the legislature, are of concern. The history of privileges in the UK reveals numerous confrontations with the judiciary involving the rights of the citizens. One of the key privileges of the legislature is the power to punish the offender. This often brought the Commons into confrontations with the judiciary.

In India too, such confrontations have occurred in the past. In *MSM Sharma* (1959), the SC conceded the superior status of the privileges compared to the fundamental rights of citizens. But in *Keshav Singh* (1965), the SC through its advisory opinion held that Article 21 of the Constitution is superior to legislative privileges. Later, in *Raja Ram Pal* (2007), the Court took the position that it has the right to find out whether a privilege exists in a given case. But it held that if the Court is convinced about the existence of a privilege, it will step back and let the legislature deal with it. But in the March 4 judgment, the SC went further and held it would also decide whether the privilege is necessary for the House to collectively discharge its functions. This may, perhaps, be interpreted as an attempt to tread on the legislature's domain.

Another assertion the Court made is that Articles 105 and 194 also apply to voting for Rajya Sabha, the President and the Vice President elections. It has made a distinction between the legislature and the legislative House used in Article 194. This distinction is tricky. The term "a House of the legislature" is used in the context of the publication of the proceedings; in fact, each House publishes its own report. Therefore, it is necessary to mention that the term "House of the Legislature" cannot have any other significance.

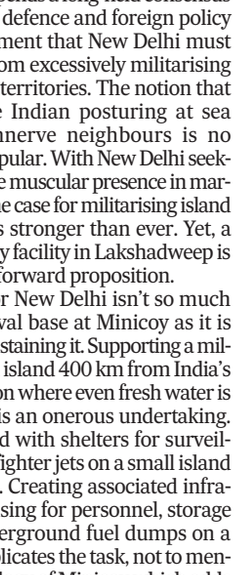
The reasoning to bring the voting for Rajya Sabha under Article 194 is questionable. Voting for the Rajya Sabha cannot be treated as a part of the proceedings of the assembly because it never forms a part of the agenda of the House. The March 4 judgment overruled all past judgments of the SC that had held voting for Rajya Sabha is not a part of the proceedings of the assembly. It is not clear why those decisions have been overruled.

PDT Achary is a former secretary general, Lok Sabha. The views expressed are personal

{ EMMANUEL MACRON } FRENCH PRESIDENT

The new bill refers to aid in dying... because it's simple and humane. It offers a possible path, in a determined situation, with precise criteria

Announcing a new law to legalise aid in dying that will allow adults facing end-of-life illness to take lethal medication



Strategic message in building INS Jatayu

Last week, India commissioned INS Jatayu at Minicoy in the Lakshadweep islands. The event marked a milestone for the Indian Navy, which seeks to burnish its credentials as the premier security provider in the Indian Ocean. Sitting astride major shipping lanes in the Indian Ocean, Minicoy already has a naval detachment. With growing pirate activity in the Gulf of Aden and Arabian Sea and Houthi attacks in the Red Sea, the Navy has decided to upgrade the existing facility into a full-fledged base. India's security managers believe a surveillance outpost in Minicoy will help track illicit activity and keep an eye out for other non-traditional threats such as marine pollution and illegal fishing.



Abhijit Singh

Jatayu, however, is more than about maintaining vigil at sea. The base is aimed at boosting the Indian Navy's operational reach, enabling faster deployment, and maintaining a strategic presence. Reportedly, there are plans to turn the naval facility at Minicoy into a nodal point for logistics and support operations. Incidentally, Jatayu is the second naval base in Lakshadweep after INS Dweeprakshak on Kavaratti island. At a time of growing threats to shipping, a new base at Minicoy offers the Indian Navy a useful forward outpost in a critical sea space.

The new base sends a clear message to India's neighbours that its Navy is capable of safeguarding India's vital maritime interests. In particular, India's maritime managers are focused on developments in and around the Maldives. After Malé asked New Delhi to withdraw a contingent of Indian military personnel stationed in the island State, experts are worried about the prospect of a greater Chinese presence in the Arabian Sea. Malé's move to allow a Chinese research vessel to make a port call last month seems to confirm Indian fears. The Maldives and China have also signed a defence cooperation pact that offers free Chinese military assistance to Malé'. To many in New Delhi, Malé"s moves to offer China greater strategic space in the Indian Ocean seem to be a ploy to subvert Indian authority in its backyard.

To be sure, there is more than a strategic dimension to the commissioning of Jatayu. India is keen to build capacity and foster development in the region. The inauguration of the new base in Minicoy could result in considerable infrastructure growth, potentially enhancing communications, logistics, and support facilities to benefit local communities. It could spur economic growth, and increase demand for local goods and services. The Navy is said to be keen to incorporate environmental sustainability into its development plans for the new base.

Nonetheless, the key factor driving India's moves in Lakshadweep appears largely geopolitical. With Mohamed Muizzu, the Maldivian President, adopting a markedly pro-China tilt, New Delhi's patience has been running thin. Malé's recent anti-India moves have convinced Indian decision-makers that the Muizzu administration is intent on recalibrating ties with India and that the time for New Delhi to act is now. Even so, the decision to develop a naval base on Minicoy, merely 125 km from the Maldives' northernmost atoll, appears less than carefully considered. For one thing, it upends a long-held consensus in India's defence and foreign policy establishment that New Delhi must refrain from excessively militarising its island territories. The notion that excessive Indian posturing at sea could unnerve neighbours is no longer popular. With New Delhi seeking a more muscular presence in maritime South Asia, the case for militarising island territories appears stronger than ever. Yet, a full-fledged military facility in Lakshadweep is far from a straightforward proposition.

The problem for New Delhi isn't so much constructing a naval base at Minicoy as it is maintaining and sustaining it. Supporting a military outpost on an island 400 km from India's mainland in a region where even fresh water is a scarce resource is an onerous undertaking. Building an airfield with shelters for surveillance aircraft and fighter jets on a small island is difficult enough. Creating associated infrastructure, like housing for personnel, storage facilities, and underground fuel dumps on a small island, complicates the task, not to mention the fragile ecology of Minicoy which adds another significant wrinkle to the challenge.

For the moment, the naval detachment at Minicoy has been formally elevated in status to a naval base. Strategic infrastructure on the island will be created in due course as necessary clearances are obtained. If a naval base must be built at Minicoy, an incremental approach seems the best way forward. Jatayu's tactical advantages are undeniable, not least the opportunities for collaboration with like-minded partners that it is likely to create. Whether or not it is maintainable and productive in the long-run remains to be seen.

Abhijit Singh is head of the Maritime Policy Initiative at the ORF. The views expressed are personal

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EDITOR: KUNAL PRADHAN

OUR VIEW



AP

Polls without opposition unity would be lopsided

The Trinamool decision to fight Lok Sabha elections solo in West Bengal reflects disunity within the INDIA bloc. For a credible fight against the BJP, the opposition must try harder

The INDIA grouping took a fresh blow over the weekend as West Bengal's ruling Trinamool Congress (TMC) left the Congress party in the cold on pre-poll seat sharing, announcing its own candidates for all 42 seats up for contest in the state in the upcoming Lok Sabha elections. This amounts to fresh evidence of deep internal differences within the group that have all along clouded its prospects of putting up a credible joint front against the Bharatiya Janata Party (BJP), which rules the country at the Centre. Earlier, the opposition Aam Aadmi Party (AAP) had said it would go solo in Punjab, although it did strike a seat-sharing pact with the Congress in Delhi. Its differing positions are perhaps explained by its strength in the two states. Having won eight of Punjab's 13 parliamentary seats in 2019, AAP sees itself as the dominant player there, and hence does not want to cede space. In Delhi, however, despite AAP's overwhelming majority in the state assembly, its seven Lok Sabha seats were swept entirely by the BJP five years ago. So, a coordinated fight by AAP and Congress makes more sense in the national capital. That said, such divisions within the INDIA bloc make for bad optics. Politics, after all, is about perceptions. And with the opposition group's members pulling in different directions, the BJP has taken a clear lead as far as pre-poll arrangements go—even though it expects to win power once again on its own.

Over the weekend, the BJP brought the Telugu Desam Party (TDP) of Andhra Pradesh back into the fold of the National Democratic Alliance (NDA), which it leads. How the two parties split the 25 seats in this southern state is yet to be worked out, but these details look like just a formality. Although the TDP was washed out in 2019, allying with it may be the BJP's best bet to get a foothold in the state. That is important if India's ruling party is to make inroads in the south beyond Karnataka. In fact, south-ward expansion is implicit in the party's target of 370 seats (plus another 30 won by allies) set by Prime Minister Narendra Modi. The BJP has more or less maximized its potential in the Hindi-speaking belt of northern and central states. While its chances in Bihar had seemed a bit precarious some months ago, the party has managed to swing the Janata Dal-United (JD-U) back into the NDA without alienating another ally, the Lok Janshakti Party, which had a public spat with the JD-U. As for Karnataka, the only southern state with a BJP presence, Modi's party has got an alliance stitched up with the Janata Dal (Secular). In Tamil Nadu, it would be hoping to make its debut as a seat winner through the efforts of K. Annamalai, the party's young face who faces a steep challenge in the local heft of Dravidian parties that profess an ideology at odds with the BJP's. While the BJP's vote share in Tamil Nadu could rise, whether it translates into seats is another matter.

The Mamata Banerjee-led TMC's snub to the Congress has assumed high news salience because it's a party that emerged ahead of the BJP five years ago in what was largely seen as a head-to-head contest in West Bengal. Today, the TMC seems keener to defend its home turf than aid an effort to unseat the BJP nationally. Perhaps it is being realistic, given the ease with which Modi's party is tipped to win a Lok Sabha majority. But it also diminishes the chances of a real battle for power at the Centre. And that's an ominous sign for the opposition overall.

GUEST VIEW

Gender equality is a significant driver of all economic progress

Several studies have confirmed the vital role of women's inclusion in everyone's material welfare



NADIA CALVIÑO & KRISTALINA GEORGIEVA
are, respectively, president of European Investment Bank and managing director of the International Monetary Fund.

It is hard to find a word that is more relevant to the world's greatest challenges and policy priorities than 'inclusion.' Inclusive, green economic growth that benefits all of society is an essential component of sustainable prosperity, social cohesion, competitiveness and geopolitical stability. Supporting a 'just transition' that includes all members of our societies is crucial to ensure that climate action and the digital transformation lead to a more sustainable and secure world.

Gender equality and equal rights are not just a matter of equity; they are also of paramount economic importance. Research from the International Monetary Fund (IMF) suggests that narrowing the gender gap in labour markets could increase gross domestic product (GDP) in emerging markets and developing economies by almost 8%. The gains from fully closing the gender gap would be even higher, lifting GDP in those countries by 23% on average.

Simply put, diversity and an equal role for women in the economy, in decision-making, and in policy debates bring better results. Mobilizing all available talent maximizes productivity and competitiveness, which will be crucial for addressing climate change and promoting global prosperity.

It is especially important at a time when the combined effects of the climate crisis, the covid pandemic and Russia's invasion of Ukraine threaten to reverse many of the achievements we thought we had secured.

With four billion people around the world voting in elections this year, there is no better time to highlight the large and positive impact that gender equality has on all societies.

For example, research by the European Central Bank suggests that a one-percentage-point increase in female managers at a firm leads to a 0.5% drop in carbon dioxide emissions.

Similarly, the European Investment Bank has found that firms led by women have higher environmental, social, and governance (ESG) scores. Likewise, IMF research shows that such firms are also more profitable, and that greater gender balance on bank boards is associated with greater financial stability and better performance. These findings suggest that the greatest challenges of our time cannot be addressed without inclusion—throughout organizations and at the top.

There has been clear evidence of progress. More and more women today are starting businesses, despite having less access to financing. World Bank data for 71 countries shows that, in 45 of them, women represent an increasing share of "sole owners" of companies.

How might we build on this progress?

A study by the European Bank for Reconstruction and Development demonstrates that blended-finance programmes can help women entrepreneurs access more credit and expand their businesses.

Given that women make or influence 80% of consumer-product purchase decisions, firms must take women's views and experiences into account if they want to sell more of their goods. Women also tend to be more environmentally conscious, which helps to explain the growing customer demand for green financial services. Globally, one in three consumers reports that she would pay a premium of as much as 25% for sustainable financial services.

This points to yet another reason that inclusion is good for business: Research shows that more women on corporate boards correlates positively with the disclosure of carbon dioxide emissions. Women now control 40% of global wealth, and they want to invest in a sustainable future. Some 74% of women report being interested in increasing the share of ESG investments in their current investment portfolios, compared to 53% of men. Firms that fail to make room for women overlook an opportunity to outperform their competitors.

Over many centuries, women have developed strategies for dealing with unequal situations, and this has made them especially valuable to organizations that want to change the world.

Owing to their historical experience of exclusion and inequality across the world, women are more likely to recognize the need for change and to consider the impact of a company's operations or policy decisions on others. By the same token, countries with higher female representation in parliament are more likely to ratify environmental treaties and adopt policies that address climate change.

Women's talent is a driving force behind economic progress and an essential part of the solution to climate change. Women already lead some of the world's most influential financial bodies and play a growing role in the political arena. Now women must lead the shift to a more inclusive and sustainable growth model.

We have a unique opportunity to advance inclusion, to inspire similar commitments from others, and to shape the future for the better.

Odile Renaud-Bass, president of the European Bank for Reconstruction and Development, is a co-author of this article.

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10 YEARS AGO


mint

Melinda Gates on India's poverty eradication efforts

Maruti plans go beyond Gujarat plant

Farmers rooting for BJP in general election: CSDS survey

Towards stability

February trade deficit narrows to $8.1 bn, but exports contract

Who wants to write a manifesto?

JUST A THOUGHT

No country can ever truly flourish if it stifles the potential of its women and deprives itself of the contribution of half its citizens.

MICHELLE OBAMA

THEIR VIEW

Mutual funds versus bank deposits: Let's dispel myths

SOUMYA KANTI GHOSH & TAPAS PARIDA



are, respectively, group chief economic advisor and economist at State Bank of India.

The deposits and advances of the Indian banking system are likely to record a significant uptick in 2023-24. Bank deposits are likely to end this fiscal year with 13-14% growth. However, credit growth will outpace this and could end the year with 19-20% growth. Even if we net out the merger impact of HDFC, the story does not change materially. This is a structural break, as nominal GDP growth is likely to end 2023-24 below 10%, so credit as a multiple of nominal GDP growth will be about 2.3 times, against a 7-decade average of close to 1.5. Even if the ratio moderates to about 1.5 over the medium term, we will still have a short-term credit spurt. Against this backdrop, it is imperative to understand where bank deposit growth is headed.

First, let's address a misplaced narrative: that the financialization of savings, particularly by way of mutual funds (MFs), has been crowding out incremental growth in bank deposits. As per depositories data, around 120 million new demat accounts were opened from 2014 to 2023. As per National Stock Exchange data, about 85 million unique investors (55 million added in the last four years) from about 17% of Indian households are directly investing in the Indian stock market, mostly through public issues.

The MF industry has ₹52.7 trillion worth of assets under management (AUM) as of end January, and 150 million investor folios. On an average, over 1.2 million new folios have been added every month since April 2017. It is expected that the MF industry's AUM will cross ₹100 trillion in the next nine or 10 years. This, however, does not necessarily mean a decline in bank-deposit growth, as some financial analysts have argued.

Firstly, if we look at the MF industry's net inflows/outflows, we see net inflows of ₹22 trillion from 2013-14 till end-January of 2023-24, the equivalent of about 41% of the incremental current-and-savings-account (CASA) deposits that banks got in the same period. The AUM of MFs increased by ₹45.7 trillion from 2013-14 to 2023-24 (combined effect of inflows and increased asset values), while deposits of the banking system increased by around ₹137 trillion (likewise). So, the AUM of MFs expanded by around a third of bank deposit value. This indicates that flows into MFs came from deposits in the banking system; otherwise, deposit growth would have slumped and banks could have faced asset-liability mismatches.

How do we explain this link?: When a customer buys MFs, the money mostly flows from the person's savings account to the current accounts of MF distributors (and vice versa). Thus, it is debited from the customer's account but stays in the banking system. Even upon the redemption of MF units, the money flows into the customer's account from the company's accounts. Thus, deposits shift from savings into current accounts when a retail investor invests, and the other way round when the investor redeems the investment. Thus, a decline in bank deposits is MF-agnostic.

The success of India's mutual fund industry has not been at the cost of bank deposit growth in the country

This is borne out by other data. If we look at incremental deposits in savings accounts, their share in total deposits has reduced to 20% in 2022-23 from 40% in 2019-20, while incremental current account deposits in total deposits have increased to 10% in 2022-23 from 8% in 2019-20. The overall CASA proportion, however, has declined from 45.2% in 2021-22 to 40.5% in 2023-24. The reason for this sharp recent decline is that deposits in savings bank accounts have flowed into time deposits, with banks having raised their time-deposit rates. The share of time deposits in incremental deposits has zoomed to 93% in 2023-24 from 44% in 2021-22, while that of CASA has dropped from 56% to 7% in the same period. This pronounced shift towards time deposits is not a surprise, as CASA deposits are usually meant for transaction purposes.

If we look at the instrument-wise financial assets of Indian households from 2019-20 to 2022-23, it reveals that households are conservative and 94% of flows go towards fixed-income instruments like bank deposits, small savings schemes, etc, while only 6% flows to markets (equity 1.3% and MFs 4.7%). These numbers may have remained at the same level in 2023-24.

Coming back to the broad outlook on deposits, the increased market participation of retail investors will increase the current-and-savings account deposits of banks, as it works in a cycle. Bank deposits will continue to expand, but banks exploring variable term deposit rates, as is being suggested in some quarters, will continue to remain a huge challenge, as retail investors (senior citizens and the like) will always prefer a steady rate of return. That idea was experimented with by State Bank of India back in 2001, but did not find much traction.

That product will be successful only if the Reserve Bank of India issues guidelines to banks directing them to mobilize fresh deposits only at floating rates, as with loans linked to external benchmarks. Variable term deposit rates could also be incentivized through differential tax treatment (say, a lower tax for those who choose variable term rates). On their own, they lack appeal.

However, other product innovations like women-centric products could emerge as the Indian banking sector prepares to support India's quest for a $5 trillion economy. Despite rising deposits held—and loans taken—by women, very few women-centric products are available that are appropriately designed to serve their needs.

These are the authors' personal views.

GUEST VIEW

The India-EFTA trade deal: It is a win-win on various dimensions

Indian negotiators did well to revive stalled talks and forge an agreement that offers a wide range of benefits to all involved



RAKESH MOHAN JOSHI
is a professor at Indian Institute of Foreign Trade, New Delhi, and director of Indian Institute of Plantation Management, Bengaluru.

AFP



On Sunday, India signed the India-EFTA Trade and Economic Partnership Agreement, our first trade deal with any Western nation or group. It was signed with the European Free Trade Association (EFTA), which comprises Iceland, Liechtenstein, Norway and Switzerland. It's an innovative and well-balanced pact that covers two-way trade in goods and services as well as bilateral investments. Moreover, it is expected to pave the way for negotiations with other Western countries and blocs, including the EU, UK and US, among others.

The four EFTA members are not part of the EU and this inter-governmental organization was set up to promote and intensify trade. India has been negotiating a trade deal with this group since January 2008, but talks gained momentum only over the past year.

There is a broader global context to it. As little progress has been witnessed at the World Trade Organization (WTO), a multilateral forum, many countries around the world are rushing to forge free trade agreements (FTAs) to suit their requirements. The Narendra Modi government of India, on its part, has been working on ties with the EU, UK and US, apart from Canada, Qatar, the UAE, Australia, Mauritius and others. Given the current uncertainty over striking deals with the EU and UK, despite all the optimism, Sunday's deal assumes special significance. Indian negotiators deserve praise for their relentless efforts to revive talks that had stalled for years in the face of various complexities and divergent geopolitical interests. And for India to play an active role in global supply chains in a fast-changing world, international alliances are crucial.

India-EFTA trade dynamics: India has consistently had a trade deficit with EFTA countries; it peaked at $23.7 billion in 2021-22, and then declined to $14.8 billion in 2022-23 before it again widened to $15.6 billion in April-December 2023. Switzerland is India's largest trade partner among the group's four members. India's imports from Switzerland during January-December 2023 stood at almost $14 billion, *vis-à-vis* Indian exports of $877 million, resulting in a deficit of over $13.1 billion. Gold, with imports of about $13 billion, is the single largest imported item from that country. However, a large proportion of this gold goes into jewellery product that finds their way into international markets from India. Major Indian exports to EFTA countries include chemicals and semi-precious stones, ships and boats, pharmaceuticals and electronic instruments.

Since EFTA's share in India's total exports has been a tiny 0.4%, whereas imports from the four countries account for 2.4% of our import pie (down from 5.5% during the previous year), Indian negotiators have been very cautious in their negotiations. They were aware that duty elimination may lead to an even wider trade deficit. The deal struck is expected to provide duty-free EFTA market access to Indian animal products, fish, processed foods and vegetable oils, among other items. Should the merchandise gap widen, it will need to be compensated for by increased access to EFTA's services market. Apart from the trade aspect, India can also look forward to investments and technology transfers in high-tech sectors.

India-EFTA economic partnership: The agreement's balance comes from innovative measures across the agreement's 14 chapters, which range from trade in goods and services and investment promotion and cooperation to trade facilitation, intellectual property rights, government procurement and technical barriers.

The India-EFTA trade deal is likely to unleash opportunities not only in trade and investment, but also for forging strategic partnerships with some of the world's most tech-savvy countries that score very low on corruption and very high on people's quality of life. We could collaborate in a range of high-tech fields, including IT research, as India seeks to achieve self-reliance. In the context of New Delhi's policy resolve to 'Make in India,' such tech collaborations are expected to witness significant synergies and investments.

As a part of 'investment promotion', investments worth $100 billion are anticipated over time, much of it in sectors such as food processing, pharma, engineering and chemicals. Investments could also come from retirement and pension funds in EFTA countries, including Norway's $1.6 trillion sovereign wealth fund. Unlike the efforts underway on the UK and EU trade deals, under which bilateral investment treaties are being negotiated as integral parts of the agreements, investment commitments under the India-EFTA pact are part of 'investment promotion,' which means they may not be legally binding. All the same, we can expect significant inflows.

As for what EFTA countries can look forward to, their businesses in search of alternatives to China for a manufacturing location would be able to count on India. Apart from that, the deal opens up avenues for EFTA firms to penetrate the domestic market of the world's fastest growing major economy, home to more than 1.4 billion people.

With a worldwide edge in innovation and research and development (R&D) across diverse spheres—from digital trade, pharmaceuticals, bio-technology, food processing and chemicals to financial and banking services, high-tech farming, supply-chain logistics and green energy—EFTA countries could help India integrate cutting-edge technological advancements in its manufacturing, agriculture and service sectors for the eventual benefit of the country's economy.

The India-EFTA trade deal is thus likely to pave the way for major opportunities not only in trade and investment, but also in the sphere of strategic international partnerships, making it a win-win.

MINT CURATOR

Leash laws for dogs can tell us plenty about human attitudes

These laws vary, suggesting a case of the tail wagging the canine



STEPHEN L. CARTER
is a Bloomberg Opinion columnist and a professor of law at Yale University.



America's current trend favours tighter canine control ISTOCKPHOTO

Pity America's dog owners! As warm weather descends, communities in the US from California to Arizona to Michigan have announced stricter enforcement of leash laws. I do not have a dog in this particular fight, but I do have an interest in bits of social history that tend to be overlooked. And a glance at the history of leash laws tells us why they're likely to stick around: Because someone always comes up with a new reason why they're important.

Leashes have been known since ancient times, but requiring them is a more recent development. A leash was traditionally a sign distinguishing wild from domesticated dogs. George Vest's 1870 *Eulogy of the Dog*— often cited, inaccurately, as the origin of the cliché that dog is man's best friend—was actually delivered in court, where Vest was arguing on behalf of a farmer whose unleashed hunter, Old Drum, had been shot dead by a neighbour who feared the animal was a stray about to prey on his livestock. (Attacks on livestock by stray dogs still happen.)

Leash laws became common in the US not to protect animals, but to protect people. An 1891 article in *The Lancet* urged that unleashed dogs be captured, and, if not claimed, killed to reduce the spread of rabies, which at the time was rampant. A 1903 report from Colorado Agricultural College noted despairingly that the disease had been "positively proven" in about half the states "and probably exists in all."

Reformers demanded mandates, but while town councils dithered, judges found ways to encourage leashes. In 1904, for instance, a New York court ruled that taking an unleashed dog home and treating it as your own was not larceny; the fault rested upon the owner, who should not have let Fido roam. And even in the absence of formal requirements, the courts routinely took the side of people injured by dogs running free of their owners.

Though I have found no data on the precise prevalence of leash laws, it is clear that during the first third of the 20th century, the rabies panic caused them to spread rapidly. As fear of the disease faded, many of communities began to consider repeal. But government decrees take on lives of their own, and supporters began developing new arguments to keep the mandates on the books.

Letters to the editor warned of canine threats to backyard gardens and other household pets. The July 1946 issue of *Safety Bulletin* (a federal newsletter) defended leash laws on the ground that they protected "over 100,000 mail men daily subjected to this hazard"—the hazard in question being bites. A classic 1956 letter to the *San Francisco Chronicle* argued that leashes were necessary to shield the dogs themselves against "stupid" owners who let them run free to be struck by cars.

That era being more like ours than we care to remember, there were also challenges to the constitutionality of leash laws in the US. They failed.

In recent decades, support has come from environmentalists, who argue that unleashed dogs disrupt the habitats of wildlife, introduce canine-spread diseases, and kill other animals—particularly their young. Is this argument correct? There's some evidence that leash laws make little difference in the degree of biodiversity, but most studies find quite the opposite.

Perhaps the difficulty in pinning down a clearer answer is because the laws are widely ignored. A 2017 study of a lakeside recreation area found a compliance rate of just 16%. A 2019 study of a regulated beach (in Australia) concluded from the area dogs covered and the speeds at which they moved that few were under the control of their owners.

Support for leash laws may depend on just whose territory is being fouled. A 2023 study of an Oregon recreation area found that visitors who lived nearby were much more supportive of leash laws than visitors from further away.

And a lot of people just don't like dogs. Judge Richard Posner, in a famous example of how easy it is to tell a lie, imagines a chance encounter with an acquaintance whom he then compliments on his new dog, even though it's "a little yappy thing" that he secretly finds "hideous." Many a dog owner, on the other hand, prefers what an anti-leash Canadian legislator back in 1916 called "the privilege of taking a stroll and have his dog with him if he likes without any other formality."

As for the annual spring crackdown, it's generally a bad idea to have laws that are all bark and no bite. But whether you love leash laws or hate them, I wonder whether we're fighting over the environment or the dogs themselves. Depending on the answer, one might just say that the contretemps is a case of the tail wagging the... well, you know. ©BLOOMBERG

MY VIEW | A VISIBLE HAND

Chinese EV dominance is clear but should we worry?

NARAYAN RAMACHANDRAN



is chairman, InKlude Labs. Read Narayan's Mint columns at www.livemint.com/avisiblehand

China dominates the global electric vehicle (EV) industry today, and it is only likely to get more dominant in the future. Chinese dominance spans manufacturing, batteries, supply chains and demand. Today 60% of all EVs sold in the world are in China. Nearly 40% of new car sales in China are now EVs. And more than half the world's EV batteries are made in the People's Republic. The US is a distant second with about 15% of the world's market.

During the last quarter of 2023, BYD, the largest Chinese player (and a maker of both batteries and EVs), overtook Tesla in global EV sales, selling 526,000 battery-only vehicles (BEV). For the whole year, Shenzhen-based BYD sold 3 million 'new energy vehicles,' which include BEVs and plug-in hybrids (PHEVs). The brand-name BYD is inspired by the slogan 'Build Your Dreams' and its buses and taxis operate in cities as diverse as London, Santiago, Helsinki, Hong Kong and Mexico City. BYD now sells 10 models cheaper than the entry-level Tesla 3 model. BYD uses lithium-iron phosphate technology for its batteries, rather than the nickel manganese cobalt kind initially chosen by many Western EV manufacturers. Except for some high-end performance EVs, most manufacturers are now switching to lithium, where BYD holds a commanding lead in experience and expertise.

China's EV industry has a storied past. EV technology was introduced as a priority science project in its 2001 Five-Year Plan. In 2007, Wan Gang, an automobile engineer who had worked at Audi in Germany for a decade, became its minister of science and technology. Wan is credited with China's decision to go big on EVs. Between 2009 and 2022, the Chinese government handed out subsidies of about $29 billion, spanning the entire EV chain from upstream battery technology and electric motor and drive components to downstream demand. China says that all central subsidies were phased out by the end of 2022, though state and local governments remain free to offer subsidies for customer adoption.

From China's point of view, the sequencing of subsidies has resulted in significant adoption of carbon-free modes of transport, keeping it well on track to meet its 2030 targets. According to China, demand-side subsidies are necessary to offset the 'unpaid' carbon cost imposed by hydrocarbon vehicles. The rest of the world views these subsidies as a way to 'dump' Chinese EVs in their markets. The European Commission has begun an anti-subsidy investigation of Chinese EVs. American President Joe Biden ordered the US commerce department to probe any potential national security threat posed by Chinese-made "connected electric vehicles."

Western auto makers seem rattled but the Indian market is still in play for domestic EV manufacturers

And so, even as China dominates the global EV industry, we can expect an increase in frictions associated with world trade in EVs. Unlike the battle for advanced semiconductor chips and other critical technologies, this appears to be an old-fashioned trade battle between the West and China, where upstarts have upstaged incumbents from US, Japan and Germany. The production cycle for a new model from Chinese manufacturers like BYD, Nio and XPeng is 36 months, a full 12 months shorter than most Western manufacturers. The Chinese lead in lithium technology also grants both time and cost advantages. And China's large home market allows for significant economies of scale in production. This combination keeps the cost and quality of Chinese EVs difficult to beat.

From a standing start, India has made dramatic strides in two-wheeler and three-wheeler EVs. Commercial 3-wheel EVs (E3Ws), for instance, are already at about 25% of new sales. However, this E3W trend masks the fact that most sales are still of the earlier e-rickshaw standard, rather than the modern L5 standard. Mahindra and Piaggio dominate the L5 E3W market. In 2023, 2-wheel EVs (E2Ws) constituted 56% of the total 1.5 million EVs sold in India. Ola Electric and TVS Motor are leaders in India's E2W market. In general, it seems likely that market forces combined with government encouragement will take care of the E2W and commercial E3W segments and their evolution. India's market for E4Ws, comprising passenger cars and taxis, is still in its infancy. So too India's market for larger commercial EVs. Approximately 400,000 passenger cars are sold each month in the country. Of this, about 8,000 are E4Ws (just 2%). Tata Motors, led by its model Nexon, has an estimated 65% share of our E4W market. MG Motors, owned by Chinese automaker SAIC, is a distant second with a 15% market share. Electric-bus sales account for about 4% of overall buses sold. Given a dramatic increase in municipal orders, the electric bus segment is poised to grow. JBM Auto and Tata Motors dominate this segment.

Even though BYD has entered the Indian market with two models with a very long-range, Chinese E4Ws and e-buses do not pose an immediate threat to Indian players. Last year, the Indian government rejected a proposal by BYD to build a $1 billion plant with a local partner. Given the cost and material advantage of lithium batteries, India has leapfrogged to this power-pack technology; several factories have begun production. Time, though, will tell if quality and scale advantages elude India—in which case, the Chinese threat will become real.

P.S: "The present is theirs, the future, for which I really worked, is mine," said inventor Nikola Tesla.

WORDLY WISE

ALWAYS MAKE THE AUDIENCE SUFFER AS MUCH AS POSSIBLE.

— ALFRED HITCHCOCK

The Indian EXPRESS

FOUNDED BY RAMNATH GOENKA

BECAUSE THE TRUTH INVOLVES US ALL

WHO PAID WHOM

Supreme Court's directions on electoral bonds are clear. SBI must not lose any more time in complying

IN FEBRUARY, A five-judge bench of the Supreme Court ordered the State Bank of India to provide all information on electoral bonds — including details on who purchased the bonds and which party received them — to the Election Commission (EC) by March 6. The Court had also asked the EC to publish this information by March 13. However, last week, SBI asked the Court to extend the deadline for submitting details to June 30. Accepting SBI's plea would have meant that the detailed information on electoral bonds would be available only after the elections. This would have deprived voters of vital information before they exercised their franchise. The Court's decision on Monday to reject SBI's plea is, therefore, immensely welcome. The Court rightly asked the SBI for an explanation for its inaction: "In the last 26 days... what steps have been taken by you? The application is...silent on that." The bank must not lose any time in complying with the order and furnish all the information by the close of business hours on March 12. Considering that SBI already has all the details, the KYC information of the donors, it has no reason to procrastinate. The EC must also publish that information by March 15. As the CJI said while reversing the electoral bond scheme in February, "information about funding of political parties is essential for the effective exercise of the choice of voting."

Further, SBI must also provide the matched data — linking the donor of the bond with its recipient. As the judgment had also noted, "there is a legitimate possibility that financial contribution to a political party would lead to quid quo pro arrangements because of the close nexus between money and politics". As per the details provided by SBI, 22,217 electoral bonds were used for donating to political parties. As each bond would have two sets of information — donors and receivers — this would imply a total of 44,434 information sets to be "decoded, compiled and compared". As the country's largest bank, SBI has all the manpower resources it needs to match the data. It also has all the details of the donors and recipients. It must no longer seek refuge in the excuse of "practical difficulties with the decoding exercise... due to the stringent measures undertaken to ensure that the identity of the donors was kept anonymous".

The EC must also be proactive on this issue. It should have, in the first instance itself, pushed SBI to release all the information. It must not delay disclosing this information any further. After all, matters involving the world of campaign finance in India should be at the centre of the electoral process and it begins with the voters' right to know.

A HEALING HAND

Resumption of penicillin production signals government intent on bulk drugs. It will have to make the endeavour sustainable

THREE DECADES AFTER the India's last penicillin manufacturing unit was shut down, the country will start producing this active pharmaceutical ingredient (API or bulk drug) used in several antibiotics. According to the Union Ministry of Health and Family Welfare (MoHFW), production of penicillin-G (or pen-G) will resume this year. This was phased out in the 1990s, when the country's markets were flooded with cheaper alternatives, largely from China. The decline in API production was noticed only in a few circles until late 2019, when supply chains were disrupted following China's stringent regulations on its industry. The Covid pandemic made the problem grave and API shortages threatened to have serious ramifications outside India's borders, given the country's status as the largest manufacturer of generic medicines. The resumption of penicillin manufacturing owes in great measure to the government's production-linked investment (PLI) scheme.

Pen-G manufacture is cost-intensive and involves a complex fermentation and extraction process. That's why drug manufacturers find it prudent to outsource their production. The situation has compounded in the last few years because Chinese penicillin makers have been producing well below their capacity. In 2019, the public sector Hindustan Antibiotics Ltd was reportedly the government's first choice to restart its production under the Make in India scheme. However, the PSU expressed its inability to participate in the venture, citing resource constraints. About the same time, the Department of Health Research informed the MoHFW that India needs more than 13,000 million doses of penicillin in the next three years to deal with bacterial infections that cause rheumatic fever – India has amongst the highest death rates from such illnesses. The government also received requests from doctors to procure this bulk drug. Broad-spectrum antibiotics, such as azithromycin, that have been used as penicillin substitutes are known to harm essential bacteria naturally present in the human body, leaving a patient vulnerable to harmful germs.

The PLI scheme envisages a support of 20 per cent for the first four years, 15 per cent for the fifth year, and 5 per cent for the sixth year on eligible sales of fermentation-based bulk drugs and hormones such as insulin. It's early years for the scheme and India still imports close to 90 per cent of all APIs for antibiotics. The challenge for the country's health authorities will be to ensure that the focus on self-reliance does not affect the affordability of medicines. They should also make sure that the companies can sustain themselves once the government hand holding is over.

NOLAN'S WORLD

'Oppenheimer's' Oscar success is a validation of big-studio, big-spectacle films

AT THE ACADEMY Awards, in his acceptance speech for Best Director, his first win in eight nominations, Christopher Nolan said, "Movies are just a little bit over 100 years old and imagine being there 100 years into painting or theatre... We don't know where this incredible journey is going from here, but to know that you think that I'm a part of it means the world to me." Nolan might be forgiven for his modesty, for if there's anything that this year's awards season and last year's stellar run at the box office have established, it is this: It's Christopher Nolan's world and we are all just living in it.

When a film with 13 nominations enters the fray, there is likely to be little surprise in the outcome of the awards ceremony, even if it has been a year of extraordinarily diverse movies. But in winning seven awards at the Academy Awards, including Best Director, Best Picture, Best Actor and Best Actor in a Supporting Role, what Nolan's *Oppenheimer* lost out in terms of drama, it made up in validation for an older way of filmmaking: The big-studio, big-spectacle film, whose rise and rise had been stalled by the pandemic and the OTT-driven content generated in its aftermath. Of course, Nolan has done it before with his Batman trilogy, resurrecting the flagging fortunes of Warner Bros with his slick storytelling and his ability to tie together parallel timelines into an intellectually stimulating yarn, whose metaphysical undertone is apace with its ability to thrill and awe.

What the win for a film like *Oppenheimer* does is show that when it comes to entertainment, the appeal of the big screen is unlikely to wane. Like *The Lord of the Rings* or *Ben-Hur*, both of which won multiple Oscars, Nolan's multiverses are not meant for the confines of the OTT screen but for the liberating conviviality of the big screen, where audiences of all kinds converge. In this season of niche, individualistic projects, that is, perhaps, the crux of Nolan's triumph.

EC's hour of reckoning

With vacancies in poll body, the CEC Bill 2023 will be tested in letter and spirit



ASHOK LAVASA

IN MARCH LAST year, when the Supreme Court ordered the constitution of a selection committee for the Election Commission of India (ECI) with the Chief Justice of India (CJI) as a member, there were no vacancies in sight in the ECI. Just over a year later, and three months after Parliament passed a law excluding the CJI from the committee, there are two vacancies in the ECI and the time to test the law and its spirit is here.

Since the introduction of The Chief Election Commissioner And Other Election Commissioners (Appointment, Conditions Of Service And Term Of Office) Bill, 2023 in Parliament, I have been trying to understand the thought behind some of its provisions and the final amendments. The words belong to law professionals but is the wisdom theirs?

The Indian Constitution provides for many institutions that form the spine of our democracy. Although each institution has a different purpose and character, it has a relationship with the government either supportive or regulatory, or as a counterweight.

Parliament exercises checks on the government. The courts scrutinise laws passed by the legislature and examine the legality of the government's decisions. A somewhat similar function is performed by the tribunals. The Attorney General advises the government, occasionally representing it in courts. The Comptroller and Auditor General maintains government accounts and audits government expenditure. The Public Service Commission carries out recruitment for the government and advises it on certain service matters.

The Constitution also provides for institutions, some of which do not have a permanent existence, such as the Finance Commission or the Delimitation Commission, as independent organs of the state. The Finance Commission proposes a financial framework for the fiscal relationship between the Centre and states, the devolution of taxes and other modes of central transfers. The Delimitation Commission proposes the delineation of boundaries of assembly and parliamentary constituencies. Two institutions perform a function that is not directly related to government action. One is the Delimitation Commission, and the other, of course, is the ECI. Its vital function is to ensure free and fair elections leading to the formation of a democratically-elected political system responsible for running the government till the next elections. Unlike the other aforementioned bodies, the ECI's responsibility is not dependent on government actions. It neither scrutinises government policy or action nor regulates it except while enforcing the Model Code of Conduct. Its compact is with the voters and its responsibility is to safeguard their rights.

> The ECI's responsibility is in no way dependent on government actions. It neither scrutinises government policy or action nor regulates it except while enforcing the Model Code of Conduct. Its compact is with the voters and its responsibility is to safeguard their rights. It is in this context that one should examine the government's intent in introducing certain provisions in the CEC Bill and later amending them.

It is in this context that one should examine the government's intent in introducing certain provisions in the CEC Bill and later amending them. The provisions on the equivalence of CEC/ECs with Supreme Court judge/Cabinet Secretary, the composition of the Search Committee, and the procedure of removal of CEC/ECs and subsequent amendments stand out. One should also try to understand the thinking behind the provision about the composition of the Selection Committee.

Let us first look at the composition of the Selection Committee, originally constituted in an ad hoc manner by the SC order of March 2, 2023, till Parliament enacted a law. It is hard to fathom why the government altered the composition by excluding the CJI, thereby creating a predetermined bias in the Committee's majority view. It is difficult to recall instances where the CJI disagreed with the PM in any similar selection committee and his exclusion may seem like an attempt to ensure a majority rather than relying on consensus building.

The issue of equivalence seems more intriguing. The status of CEC was never in question as Article 324(5) provided that "the Chief Election Commissioner shall not be removed from his office except in like manner and on the like grounds as a Judge of the Supreme Court and the conditions of service of the Chief Election Commissioner shall not be varied to his disadvantage after his appointment." Subsequently, the Election Commission (Conditions of Service Of Election Commissioners And Transaction Of Business)] Act, 1991 granted the CEC and ECs salary "equal to the salary of a Judge of the Supreme Court" and provided that the conditions of service relating to allowances, and other perquisites would be "as are…applicable to a Judge of the Supreme Court".

It is, therefore, difficult to understand what prompted the government to equate the CEC and ECs with the Cabinet Secretary (sections 10 and 15 of the original Bill). This was opposed by critics who were pleasantly surprised by the provision (section 11 (2) in the original Bill) that brought about parity in the removal process of CEC and ECs, as in the extant provision, the CEC could be removed through a process of impeachment, like an SC Judge, but ECs could be removed by the President on the recommendations of the CEC.

In its order of March 2, 2023, the SC had observed that "it is desirable that the grounds of removal of the Election Commissioners shall be the same as that of the Chief Election Commissioner that is on the like grounds as a Judge of the Supreme Court, subject to the 'recommendation of the Chief Election Commissioner' as provided under the second proviso to Article 324(5) of the Constitution of India."

However, the amendments in the final version betray muddled thinking. The government seems to have struck a bargain by restoring the equivalence of CEC/ECs with SC judges and at the same time reversing its position on the issue of parity in the removal process and letting the disparity between CEC and ECs persist. The thought process behind this is baffling because the two issues are not related.

Equally confounding is the replacement of the Cabinet Secretary by the Law Minister as the chair of the Search Committee. The original provision also provided for "two other members… having knowledge and experience in matters relating to elections." The purpose of changing the chairmanship and dropping "having knowledge and experience in matters relating to elections" in the case of the members, and the thought process behind the other provisions as proposed and amended beats my bureaucratic understanding, evolved during four decades in the government.

The writer is a former Election Commissioner

MEMORIES AND HISTORY

From 'Poor Things' to 'Oppenheimer', the highs and lows of this year's Oscars



SHUBHRA GUPTA

FINALLY, AND IRONICALLY, an immutable law of physics — what goes up, comes down — didn't kick in. Right from July 2023 when Christopher Nolan's biopic *Oppenheimer* released to critical hosannahs and box-office bonanzas all over the world, it had begun gathering Oscars buzz. Through the awards season, that buzz kept spiralling, and the film, a mostly-sympathetic portrait of the father of the A-bomb, ended up hoovering seven of the big awards at the 96th Academy Awards night, including Best Picture, Best Director (Nolan), Best Actor (Cillian Murphy) and Best Supporting Actor (Robert Downey Jr).

Barbie, the other film that released on the same day, unleashing a wave of pink in a bid to turn our notions of greedy corporates who upsell plastic dolls on their well-groomed heads, didn't fare as well. It won only one (Original Song) of its eight nominations: Director Greta Gerwig didn't get a look-in, nor did Margot Robbie, who plays the titular character. The two nominations in the Supporting Category, Ryan Gosling and America Ferrera, stayed right there, even if the former reprising his disarming "I'm Just Ken" act was one of the high points of the staid show.

In the real world, the Barbenheimer double-bill became a zeitgeisty catch phrase of 2023. It denoted many things — showing naysayers sceptical about a movie on science and scientists their place, the importance of the women (and some good men) who became a potent box-office force in a movie about a pneumatic doll, and rescuing Hollywood and the larger world of movie-making from the pandemic-induced doldrums with their mighty global box-office collections.

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But such are the strange, inexplicable and opaque ways of the Academy voters who have started skewing its middle-aged-white-American prototype only in the past decade, that the doll didn't stand a chance in front of the biopic on the theoretical physicist who created the worst or the most effective weapon in the world, depending upon which side of the fence you stand.

Host Jimmy Kimmel, who started off with a shaky monologue — a couple of jokes about men dating their mothers and the shape of male nether-regions coming off tasteless — promised us surprises. But there really were none, unless you count a near-naked act by rapper-actor John Cena, who used a large envelope as a fig-leaf, saying "the male body is not a joke". A nod to the David Niven-Elizabeth Taylor 1974 moment when a streaker ran across the stage, Cena was announcing the Best Costume design for *Poor Things*, and it really was a smarter gag than the way it came off: Yorgos Lanthimos's brilliantly bonkers, marvellously feminist reworking of the Frankenstein myth, which gave Emma Stone a well-deserved Best Actress award, uses nakedness in a way that movies have forgotten, making the female body a sharp statement of ownership, and liberation.

Stone's playing of Bella Baxter is stunning: In her billowing bell sleeves, bloomers and open hair falling below her waist, she uses immaculate physical comedic notes — moving from jerky toddler movements to a filled-out personality — to embellish a woman who learns to live on her own terms. While Lily Gladstone from Martin Scorsese's epic tale of the Osage people, *Flowers Of The Killer Moon*, would have been the politically correct choice, if Stone hadn't got that Best Actress Oscar, it would have been an act of betrayal.

Unlike last year with its strong desi flavour — the 'Naatu-Naatu' dance-off, M M Kreem brandishing his Best Original Song Oscar, and the beauteous Deepika Padukone on stage — this wasn't an India year. In the Memoriam section, we got a brief flash of the famed art director Nitin Chandrakant Desai. And in the Feature Documentary category, Nisha Pahuja's controversial documentary on the fightback of a Jharkhand family against the rapists of a minor girl, was nominated. But this was always going to be the year of *20 Days In Mariupol*, a moving account of the way the town's people are being impacted by the conflict in Ukraine.

Another war, the one being waged in Palestine, simmered and bubbled all through the evening, but with only one attendee making it a talking point. Jonathan Glazer, the British director of the searing Nazi revisionist tale, *The Zone Of Interest*, spoke of the victims of dehumanisation in both Israel and Gaza. It was a powerful, necessary intervention, even if momentary, in an evening full of glitter and shine. As Mstyslav Chernov, director of *20 Days in Mariupol*, said, "Cinema forms memories, and memories form histories."The fact that it did get a mention will always be part of both memory and history.

shubhra.gupta@expressindia.com


INDIAN EXPRESS

Firing on rampaging mob in Bangalore

Six-month moratorium on Cong-I infighting

Shultheiss says 'in MP again'

MARCH 12, 1984, FORTY YEARS AGO

NDA'S PROTEST CALL

THE NATIONAL DEMOCRATIC Alliance has given a call to observe a protest day all over the country on March 25 against the atmosphere of terrorism and the law and order situation in Punjab. National Democratic Alliance general secretary Vijay Kumar Malhotra added that rallies, demonstrations, *dharnas*, and hunger strikes would be part of the protest day.

PAKISTAN COUP FAILS

ABOUT 40 ARMY officers, a former minister and three other civilians have been arrested in Pakistan for plotting a coup against the Zia regime recently, according to *The Economist*. Some 400 officers have been interrogated in connection with the attempted coup. Essential elements of the report have been confirmed by Pakistani political experts in Britain.

BANGALORE VIOLENCE

TWO PERSONS WERE injured when the police opened fire on a mob indulging in arson and violence in Bangalore. Night curfew had been imposed in the area the previous night following large-scale violence sparked off by the alleged death of a person in police lock-up. A head constable and two constables attached to Shivaji Nagar police station have been suspended in connection with the death.

CAPTAIN GAVASKAR

FORMER CAPTAIN SUNIL Gavaskar was appointed captain of the Indian cricket team for the inaugural Asia Cup one-day tournament, commencing at Sharjah from April 7. National selectors — chairman Gulam Ahmed, Pankaj Roy Chandu Borde, Bishen Singh Bedi and Hanumant Singh — met for the second time for a couple of hours before selecting Gavaskar.

WHAT THE OTHERS SAY

"The key to meaningful election reform lies with the politicians. If they are able to pull this off in the current legislature's term, the next general elections may no longer require a caretaker set-up."
— DAWN, PAKISTAN

Moving to a better count

New expenditure survey will lead to fresh poverty estimates. It will also have implications for inflation and monetary policy



C RANGARAJAN AND S MAHENDRA DEV

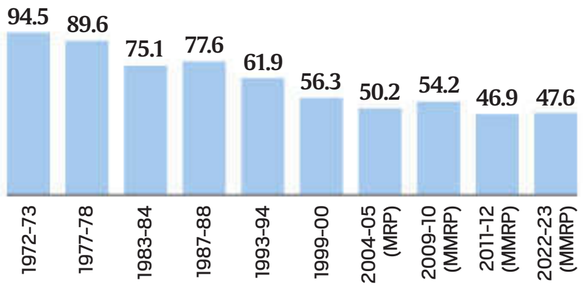


1. POVERTY LINE AND POVERTY RATIOS FOR 2011-12 AND 2022-23

Year	Poverty Line (Rs.)		Poverty Ratio (%)	
	Rural	Urban	Rural	Urban
Expert Group (Rangarajan)				
2011-12	972	1407	30.9	26.4
2022-23	1837	2603	12.3	8.0
Expert Group (Tendulkar)				
2011-12	816	1000	25.7	13.7
2022-23	1622	1929	7.2	4.6

Source: Estimated by the authors; The numbers in the last row are taken from SBI Research Report, February, 2024.

2. PRIVATE CONSUMER EXPENDITURE OF NSS AS PERCENT OF NATIONAL ACCOUNTS STATISTICS



MRP: Mixed reference period; MMRP: Modified mixed recall period; Source: Rangarajan Committee up to 2009-10; Estimated by the authors for 2011-12 and 2022-23.

C R Sasikumar

RECENTLY, SUMMARY RESULTS of the Household Consumption Expenditure Survey (HCES), 2022-23, conducted by the National Sample Survey Office (NSSO) were released. In this context, we discuss three issues here: Trends in poverty; difference between private consumption expenditure of NSSO and the figure provided by the National Accounts Statistics (NAS); and changes in consumption patterns and implications for consumer price index and monetary policy. The HCES 2022-23 has undergone some changes as compared to the previous surveys in consumption expenditure. These are: One, item coverage; two, changes in the questionnaire; three, multiple visits for data collection and computed assisted personal interviews compared to pen and paper interviews. These changes have to be kept in mind while comparing the results of HCES 2022-23 with those of previous surveys.

The first issue is to examine the changes in poverty using the new information on consumption expenditure. The poverty lines for 2011-12 based on Expert Group (Tendulkar) methodology were Rs 816 and Rs 1,000 per capita per month respectively for rural and urban areas. An SBI report has estimated poverty ratios in 2022-23 by updating poverty lines. The new updated poverty line is Rs 1,622 in rural areas and Rs 1,929 in urban areas. According to this SBI report, poverty in rural areas declined from 25.7 per cent in 2011-12 to 7.2 per cent in 2022-23 while in urban areas it declined from 13.7 per cent to 4.6 per cent. Using the shares of the rural and urban populations, the total poverty ratio based on the Tendulkar committee methodology comes to 6.3 per cent.

The poverty line for 2011-12 based on Expert Group (Rangarajan) methodology was Rs 972 and Rs 1,407 per capita per month respectively for rural and urban areas. Using CPI, we updated the poverty line which is Rs 1,837 for rural and Rs 2,603 for urban areas in 2022-23. As Table 1 shows, the poverty ratio for rural areas declined from 30.9 per cent in 2011-12 to 12.3 per cent in 2022-23. For urban areas, it declined from 26.4 per cent in 2011-12 to 8 per cent in 2022-23. It may be noted that the poverty ratio derived from the Expert Group (Rangarajan) method is 71 per cent higher in rural areas and 74 per cent higher in urban areas than that derived by using the Expert Group (Tendulkar) method. The overall poverty ratio under the Rangarajan methodology for 2022-23 will be 10.8 per cent. While the poverty ratio is higher under our methodology, the order of decline in percentage points between the two periods is the same under both methodologies in rural areas. But in urban areas, the decline in our methodology is higher.

However, as mentioned above, the data on consumption expenditure in 2022-23 is not strictly comparable to earlier surveys. The comparable data would have probably given much higher poverty figures under the Rangarajan Committee methodology, particularly for urban areas. The above estimates are tentative and we can have better analysis once the unit-level data is released.

The second issue is the alarming difference between the aggregate private consumption expenditure given by the NSSO and the figure provided by the National Accounts Statistics (NAS). What is disturbing is that despite substantial methodological changes to capture private expenditure, the NSS share increased only marginally in 2022-23. These two estimates of consumption (NSS and NAS) do not match in any country; India is no exception. What is perplexing is that the difference in India between the NSS and the NAS consumption is widening over time.

From a difference of less than 10 per cent in the late 1970s, it has come to 53 per cent in 2011-12 (Table 2). This difference declined only marginally to 52 per cent in 2022-23. However, with the continuation of differences of more than 50 per cent, the time has come for a deeper analysis of the factors contributing to the difference. It is too big to be pushed under the carpet. The NSSO Advisory Group must study the problem and come out with possible suggestions for improving the collection of data through both routes. Such a large difference has implications for computing the poverty ratio.

The third issue is the implications of the HCES 2022-23 for the Consumer Price Index (CPI). The latest data reveal that there have been some changes in consumption patterns between 2011-12 and 2022-23. In rural areas, the share of food in monthly per capita expenditure (MPCE) has declined from 52.9 per cent in 2011-12 to 46.4 per cent in 2022-23 — a decline of 6.5 percentage points in 11 years. In urban areas, the share of food in total consumption decreased from 42.6 per cent to 39.2 per cent during the same period — a decline of 3.5 percentage points in 11 years. The share of cereals in average MPCE has shown a significant decline in rural areas from 10.8 per cent in 2011-12 to 4.9 per cent in 2022-23 and 6.7 per cent to 3.6 per cent in urban areas. In food items, the share of fruits, beverages and processed food rose both in rural and urban areas. There is some reduction in the share of vegetables. In non-food items, the shares of toiletries and household items, conveyance and durable goods increased significantly in both rural and urban areas.

What are the implications for the weights of food and non-food items in the CPI and inflation due to these changes in consumer patterns? This new data can help adjust weights in the CPI basket which is currently based on 2011-12 weights. The decline in the weights of food items is a good sign as food prices are volatile and many times higher than those of non-food items. But, the question is whether the present decline in food share is enough to have a significant impact on inflation levels. The food share is still high at 46 per cent and 39 per cent respectively in rural and urban areas. The share of cereals, vegetables and edible oils declined but the share of fruits has increased while the share of egg, fish and meat remains the same. However, a decline in food share will have some impact on inflation. The monetary policy committee will have to work with a new price index.

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C Rangarajan is former chairman, Economic Advisory Council to the Prime Minister and former governor, Reserve Bank of India. S Mahendra Dev is former chairman, Commission for Agricultural Costs and Prices, GOI and former vice chancellor, IGIDR, Mumbai

Justice delayed, empathy denied

Release of G N Saibaba after 10 years of incarceration is a welcome return to judicial conscience. It should mark a turning point



ASHWANI KUMAR

ON MARCH 7, Professor G N Saibaba walked to freedom after a 10-year-long incarceration, declared by the Nagpur Bench of the Bombay High Court as illegal on March 5. Rejecting the charge against all the accused — of aiding members of a banned organisation to wage war against the Government of India — the Court held that their detention, including that of the wheelchair-bound handicapped academic, was unsustainable in law. The judgment, based on a piercing scrutiny of the law and evidence on record, is a welcome, albeit belated, affirmation of the Constitution's libertarian promise. We are reminded that a reflective intellectual engagement with political doctrines cannot, in itself, be a basis of criminality, consistent with the fundamental human right to free speech and thought.

That freedom came to Saibaba and others after suffering long years of a "brutal" life in unlawful custody is a painful reminder of a grave institutional deficit. The illegal custody of the accused, facilitated by an insensitive persistence by enforcers of the state to keep them — including a physically challenged academic — in prison, questions the fairness of the nation's administrative and judicial processes. Particularly worrisome and wholly unconscionable is the Supreme Court's earlier order in 2022 restoring Saibaba to custody after setting aside his discharge by the High Court and hearing the state's appeal on a holiday.

The turns and twists in the case have tested the boundaries of state power and the resilience of our judicial processes to vindicate the constitutional conscience. In a resounding and reasoned rejection of the state's case, the court held that merely downloading information about "Naxal philosophy" or even sympathising with their philosophy would not invite the rigours of the UAPA and that the prosecution had failed to establish an active role of the accused with particular incidents of violence and terrorism. The court scoffed at "vague allegations" pressed by the prosecution as the basis of criminal conviction and thereby reaffirmed the first principles of criminal jurisprudence.

However, the treatment meted out to the severely disabled professor, unable even to attend to his most private needs without assistance and his detention for 10 long years in preventive custody without conviction under anti-terrorism legislation, begs several disturbing questions. Clearly, the oppressiveness of the judicial process, which is itself the punishment, is a profoundly important, unaddressed issue impacting the quality of justice in criminal trials. The absence of even a hint of compassion in the dispensation of justice to a person physically, financially and emotionally vulnerable to the vagaries of a criminal trial questions the foundational idea of judicial justice rooted in empathy and reason. The prosecution's case that a person with Saibaba's disabilities could be a threat to the security of the country and government on the basis of his ideological preferences, incredulous as it is, became the basis of a citizen's loss of liberty to unacceptably long confinement behind prison walls. Whether this result is consistent with the republic's sense of constitutional justice is a pertinent interrogatory. Must we suffer legal processes that yield injustice and for which there is no recompense, remains a larger question in search of a meaningful political and social response.

The long and arduous incarceration of a handicapped accused, facilitated by an oppressive criminal justice system has understandably attracted wide public attention. The loss of reputation and dignity of the accused, hope in their future and a soul-scarring sense of humiliating helplessness in the face of pervasive injustice, must awaken the public to collectively assert their right to "justice, as the first virtue of social institutions" (John Rawls).

The message of the Saibaba case is that a nation committed to the freedom of its citizens and the pursuit of human dignity cannot remain indifferent to a system in which justice is defeated and dignity is compromised. Indifference to the absence of even-handed justice questions the nation's aspiration for a just democracy driven by credible laws and served by institutional constraints against the arbitrary exercise of state power.

Will the Saibaba case and its lessons be relegated to the margins of our memories and allowed to fade away in time or will it serve as a transformative moment in an unending "pilgrimage to justice"? This is the defining question of our times. Since the history of nations is shaped by events that unfold over time, this case should be a watershed moment towards a renaissance of our cultural heritage rooted in benign justice and empathy for the weak. We know that the fate of freedom depends upon a collective assertion of its moral force that lends it legitimacy as a constitutional right. And lest we forget, the enduring lesson of history is that the idea of freedom survives the ravages of tyranny.

The refusal of the apex court to stay the order of acquittal in this case holds out hope that the top court will reclaim its custody of the Constitution. Bound by the fetters of their remit, constitutional institutions are indeed expected to vindicate justice and be seen to be doing so.

The writer is senior advocate, Supreme Court and former Union Minister for Law and Justice. Views are personal

A new Assam

Neglected for decades, the state has transformed over the last eight years



HIMANTA BISWA SARMA

IN 1950-51, ASSAM had an enviable per capita income of 4 per cent above the national average. After suffering repeated reorganisation — without economic planning — creating more states till 1971, subsequent blows such as bouts of illegal immigration, agitations and extremism harmed Assam's growth. By 1998, Assam's per capita income went down to 41 per cent below the national average.

Seven decades of darkness created a complex web of political, economic, and social challenges. We needed a million rays to disperse the darkness and this mission has been led by Prime Minister Narendra Modi. His love for the people of Assam and its development is evident in the host of central initiatives for the state.

Be it an AIIMS in Assam, the Dhola-Sadiya bridge over the Brahmaputra or massive programmes for women and youth empowerment in Assam, none of them would have been possible without PM Modi's support. Indeed, wearing the traditional *gamocha* around his neck, he has been the biggest brand ambassador of Assam. Jawaharlal Nehru, as Prime Minister, abandoned Assam amidst the 1962 India-China war while claiming that his heart went out to its people. Prime Minister Modi has repeatedly called the region Ashtalakshmi and Bharat's growth engine.

PM Modi's resolve to build a Viksit Bharat during Amrit Kaal has been the guiding light for Assam to develop a roadmap for Viksit Assam 2047. In less than eight years, under the PM's guidance, governance in the state has seen more public participation, transparency and accountability.

We prioritised three issues: Extremism, drugs and narcotics, and women's safety. The near end of extremism is a result of negotiations with extremist groups, jointly led by the Ministry of Home Affairs and the state. This has resulted in 11 peace accords since 2016, the latest one with ULFA. Second, as per the World Drugs Report 2018, Assam had 7.5 lakh active drug users. Assam and the northeast typically acted as a transit point for the illicit transnational drugs trade. The Assam police undertook the task of disrupting this deep-rooted network. In a massive crackdown between 2021 and 2023, the police registered a record 8,184 cases arresting 13,565 traffickers and seizing 346 kg of heroin and 98,993 kg of ganja and others worth Rs 1,186 crore. The disturbing infant and maternal mortality rates coupled with crimes against the women of Assam were a matter of deep concern. Our strict policies curbing child marriages, repealing the colonial Assam Muslim Marriage and Divorces Registration Act, and focusing on women's health have led to a significant decline in crimes against women — by 51.7 per cent from 2021 to 2022.

Our strategic roadmap for economic development is showing results. The state's internal revenue crossed Rs 28,424 crore in FY23-24 (April-Jan). The steady rise in revenues and increased capital expenditure have resulted in continuous double-digit growth in GSDP and per capita income.

We started with the biggest DBT programme, the Assam Orunodoi Scheme, for 26 lakh *antyodaya* women to provide an economic and nutrition safety net with Rs 1,250 per month, micro-finance loan waivers for women's SHGs and more. As per NITI Aayog's multi-dimensional poverty index, 80.36 lakh people in Assam have been lifted from poverty, with a steep decline from 36.97 per cent in 2013-14 to 14.47 per cent in 2022-23.

In response to the clarion call of our Prime Minister to create one crore Lakhpati Didis in the country, Assam created 8.72 lakh lakhpati didis. This is 27 per cent of the 40 lakh SHG members. These women have not only built strong businesses for themselves but are also a living example of prudent fiscal discipline. The NPAs for SHGs in Assam stand at 1.05 per cent, almost 40 per cent below the national average.

The massive capital investment of about Rs 50,000 crore from the state budget drowned the frequent lament about prolonged monsoon-related delays in project execution. This includes social infrastructure. The state is now building 24 medical colleges and hospitals against just the six that we had in 2016.

The government's push towards transformative policy initiatives such as in the semiconductor industry, methanol production, EVs, etc, has set the tone for investments in manufacturing. Assam's first methanol plant with a Rs 1,600 crore investment, inaugurated by the Prime Minister in April 2023, has already started exporting to Bangladesh and Nepal. Large oil and gas investments, including a Rs 28,000 crore expansion of Numaligarh Refinery, expansion of Digboi Refinery, railway projects, and airports are at an advanced stage. In the last few months, the state approved 21 mega industrial units worth Rs 13,400 crore.

The Tatas' love for Assam goes beyond tea. The group has partnered with Assam in a range of sectors, from establishing a cancer-care network to the hospitality sector, and now to a semiconductor plant.

The recent approval by the Union Cabinet for a Rs 27,000 crore Semiconductor Assembly Testing Marking and Packaging (ATMP) Unit by the Tatas is a historic development. The construction work will start in the next 100 days in Jagiroad with a capacity of 48 million per day. Soon, the project location will see a new world-class township to serve its 15,700 employees and another 13,000 indirectly employed. Tech giants IBM and Tesla are technology partners for this unit for the co-development of flip-chip and ISP technology respectively. For wire-bond technology, Tatas have operational experience. This would be a game-changer for the northeast region and could catalyse India's economic ties with Southeast Asia.

Seven decades of darkness are now behind Assam's *amrit peedhi*. Our youth are our heroes. We commit ourselves to providing them with opportunities in Amrit Kaal.

The writer is chief minister of Assam

LETTERS TO THE EDITOR

FREE TO DISAGREE

THIS REFERS TO the editorial, 'Let them speak' (IE, March 11). The largest democracy in the world must conduct itself appropriately. Article 19(1)(a) of the Constitution guarantees freedom of speech and expression to all citizens. No legal action should be ensued against somebody who wishes to dissent against the government of the day. Police should be educated about this. Members of law-enforcing agencies are duty bound to protect the rights of citizens even if someone is dissenting.

Subhash Vaid, *New Delhi*

THIS REFERS TO the editorial, 'Let them speak' (IE, March 11). Criticising government policy is not grounds to accuse someone of creating disharmony. The Constitution guarantees India's citizens freedom of speech. Unreasonable restrictions and arbitrary arrests undermine faith in a democracy. SC rightly said that police force needs to be taught about constitutional values, especially, the freedom of speech. But police conduct is dictated by insulation or lack thereof from political power. That needs remedy.

Sanjay Chopra, *Mohali*

TAKE SBI TO TASK

THIS REFERS TO the article, 'Standing up for the voter' (IE, March 11). It is strange that the SBI has approached the Supreme Court, seeking an extension to make public the details of electoral bonds purchased since April 12, 2019. All banking transactions are now digital, and the SBI, as the largest bank in India, can be no exception. The SC has ruled that voters' right to information should not be curtailed. The Court should not only refuse to accede to the bank's unreasonable request but also reprimand it.

S S Paul, *Nadia*

RECIPE FOR DISASTER

THIS REFERS TO the editorial, 'A speech, a question' (IE, March 9). Paying his first visit to Kashmir after the abrogation of Article 370, Prime Minister Narendra Modi has reached out to the people in the Valley. His message is clear: The state's development will go hand-in-hand with that of the country. However, two challenges remain: Restoration of J&K's statehood and conduction of elections. Delay in undertaking these all-important exercises is sending out the message that all is not well. The resumption of the electoral process is the need of the hour to regain the trust of political parties and voters. Allowing democracy to wither is a recipe for disaster.

Khokan Das, *Kolkata*

INDIA'S JOB PROBLEM

THIS REFERS TO the article, 'The numbers don't add up' (IE, March 11). Growth momentum was primarily driven by India's goods and services exports and funding to startups. All these draw sustenance from loose monetary policies in developed economies. The data shows that changes in US economy slowed down exports, jobs in IT firms, and private consumption. It broadly failed to generate gainful employment for the millions entering the labour force. Hence, the government has to provide free food to 800 million Indians. The term Atmanirbhar Bharat sounds hollow in such a situation.

L R Murmu, *Delhi*

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CAA: issues in the legal challenge to the citizenship law

APURVA VISHWANATH
NEW DELHI, MARCH 11

MORE THAN four years after Parliament passed The Citizenship (Amendment) Act, 2019, the Ministry of Home Affairs on Monday notified the Rules to implement the law.

The CAA, which had led to widespread protests in the winter of 2019-20, is also under challenge before the Supreme Court. Why is the CAA contentious, and what will change after it is implemented?

The citizenship law

In December 2019, Parliament passed an amendment to The Citizenship Act, 1955, to include a provision for grant of citizenship to migrants belonging to the Hindu, Sikh, Buddhist, Jain, Parsi, or Christian communities who entered India before December 31, 2014 from Pakistan, Afghanistan, or Bangladesh.

In essence, the amendment relaxed the eligibility criteria for certain classes of migrants (on religious lines) from three neighbouring Muslim-majority countries. Certain categories of areas, including tribal areas in Assam, Meghalaya, Mizoram, and Tripura, and areas protected by the "Inner Line" system, were exempted from the purview of the CAA.

The colonial concept of Inner Line separates the tribal-majority hills of the Northeast from the plains areas. To enter and stay in these areas, an Inner Line Permit (ILP) is needed.

The law was notified on January 10, 2020 amidst protests around the country, particularly in Assam, but could not be implemented in the absence of the Rules.

On May 28, 2021, the central government issued an order under Section 16 The Citizenship Act, 1955, giving district collectors in 13 districts with high migrant populations the power to accept citizenship applications from groups identified in the 2019 amendment.

The 39-page Rules notified in the e-gazette on Monday prescribe the modalities and procedure for eligible individuals to apply for Indian citizenship. The Rules specify what documents and paperwork are required for putting forward and considering a claim of citizenship.

The legal challenge

The amendment was challenged before the Supreme Court in 2020 by the Indian Union Muslim League (IUML). Since then, more than 200 petitions have been filed and tagged with the IUML's challenge. These include petitions from politicians Asaduddin Owaisi, Jairam Ramesh, Ramesh Chennithala, and Mahua Moitra, and political organisations such as the Assam Pradesh Congress Committee, Asom Gana Parishad (AGP), National People's Party (Assam), Muslim Students' Federation (Assam), and Dravida Munnetra Kazhagam (DMK).

EXPLAINED LAW

In October 2022, a Bench comprising then Chief Justice of India U U Lalit and Justices Ravindra Bhat and Hima Kohli passed an order stating that final hearings would begin in December 2022 after CJI Lalit's retirement. However, the case has not been heard since.

According to the Supreme Court website, the case is currently listed before a Bench headed by Justice Pankaj Mithal.

The right to equality

The challenge to the CAA rests on the ground that it violates Article 14 of the Constitution, which says that "the State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India". The petitioners argue that using religion as a qualifier or a filter violates the fundamental right to equality.

The petitioners have argued that the National Register of Citizens (NRC) in Assam to identify illegal immigrants, along with the CAA, will result in the targeting of Muslims.

The court will have to look into whether the special treatment given to the so called "persecuted minorities" from the three Muslim-majority neighbouring countries only is a reasonable classification under Article 14 for granting citizenship, and whether the state is discriminating against Muslims by excluding them.

The Supreme Court has held that the law has to clear two legal hoops to pass the equality test when it is challenged on the grounds of Article 14. First, any differentiation between groups of persons must be founded on an "intelligible differentia", and second, "that differentia must have a rational nexus to the object sought to be achieved by the Act".

The government has said that Muslims have been excluded from the group of "persecuted" minorities because Pakistan, Afghanistan, and Bangladesh are Islamic countries where Muslims are in majority. However, it will be tested whether these three countries were picked essentially to keep Muslims out — this is because groups like Tamil Hindus in Sri Lanka, the Rohingya in Myanmar, or minority Muslim sects like Ahmadiyyas and Hazaras are also persecuted minorities in these countries.

The SC can strike down a classification if it is found to be arbitrary. The court recently struck down the electoral bonds scheme on the ground that it was "manifestly arbitrary" — that is, "irrational, capricious or without an adequate determining principle".

There is also the larger issue of whether making religion a ground for eligibility for citizenship violates secularism, which is a basic feature of the Constitution.

The CAA and Assam

Apart from the equality argument, part of the challenge to the CAA also rests on the fate of Section 6A of The Citizenship Act, 1955, which too is under challenge before the SC.

In December 2023, a five-judge Constitution Bench led by Chief Justice of India D Y Chandrachud reserved its verdict on the validity of Section 6A, which was introduced in the Citizenship Act after the signing of the Assam Accord between the Centre and the leaders of the Assam movement in August 1985.

The Accord determines who is a foreigner in the state of Assam. Clause 5 of the Accord states that January 1, 1966 shall serve as the base cut-off date for the detection and deletion of "foreigners", but there are provisions for the regularisation of those who arrived in the state after that date, and upto March 24, 1971. This was also the basis of the final NRC published in 2019.

Section 6A of the Act allows foreign migrants who came to Assam after January 1, 1966 but before March 25, 1971, to seek Indian citizenship. If the effective cut-off date of March 24, 1971 is upheld by the SC as the cut-off date for entry into the state, the CAA could fall foul of the Assam Accord, since it creates a different timeline.

EXPLAINED CULTURE

WHY ARE THE ACADEMY AWARDS CALLED OSCARS? MULTIPLE ANSWERS

RISHIKA SINGH
NEW DELHI, MARCH 11

THE 96TH Academy Awards ceremony was held on Monday. Why are the awards called the "Oscars"?

The official website of the Academy Awards says: "Officially named the Academy Award of Merit, the statuette is better known by its nickname, Oscar, the origins of which aren't clear."

Need for a new name

The first Academy Awards ceremony was held in 1927. Bruce Davis, the Academy's Executive Director for 20 years, wrote in his book *The Academy and the Award* that a need for a short name for the award was felt by the mid-1930s.

The trade magazine *Variety* suggested calling it "The Iron Man" briefly, but the name did not find much acceptance. "The Gold Man" also had a short run.

The possible originators

Three people are often credited for the name — actor Bette Davis, librarian and later Academy Executive Director Margaret Herrick, and Hollywood gossip columnist Sidney Skolsky.

Bette Davis won the Best Actress award in 1936. She wrote in her 1962 book *The Lonely Life*: "I stared at the little gold-plated man in the palm of my hand. He was a Hollywood male, and, of course, epicene; but in a kind of madness his backview was the spit of my husband's." She was then married to Harmon Oscar Nelson.

However, Bruce Davis's book records that the name was in use even before Bette Davis won her Oscar.

According to Davis's book, when Margaret Herrick was formally introduced to a copy of the statuette, "she regarded it a moment", and then observed, "He reminds me of my Uncle Oscar". A newspaper columnist present there wrote



Emma Stone holds her Oscar on March 10. *Reuters*

that "Employees have affectionately dubbed their famous statuette 'Oscar.'"

The Hollywood columnist Sidney Skolsky, meanwhile, was apparently frustrated with the official term used to refer to the trophy — "statuette".

"I'd show them, acting so high and mighty about their prize. I'd give it...a name that would erase their phony dignity... I remembered the vaudeville shows I'd seen. The comedians having fun with the orchestra leader in the pit would say, "Will you have a cigar, Oscar?"...During the next year of columns, whenever referring to the Academy Award, I used the word 'Oscar'. In a few years, Oscar was the accepted name," Davis quoted Skolsky as writing his memoir, *Don't Get Me Wrong — I Love Hollywood*.

Davis offered a candidate of his own — Academy employee Eleanore Lilleberg, who never took credit for the name. Lilleberg was born in Norway in 1871, a year before Oscar II was crowned king. Davis believed this could have been an inspiration.

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EXPLAINED DEFENCE

One missile, many weapons

India has tested an Agni-V missile equipped with MIRV technology, joining a small group of countries with this capability. Apart from inflicting crippling damage, these missiles can dodge defence systems.

AMITABH SINHA
NEW DELHI, MARCH 11

INDIA ON Monday announced that it had successfully tested a new Agni-V missile capable of carrying multiple warheads and striking multiple targets. The most important thing about this new missile is its integration with what is known as the MIRV technology.

MIRV (Multiple Independently Targetable Re-entry Vehicle) technology is the capability that allows multiple warheads to be loaded on a single missile delivery system and programmed to hit different targets, thus greatly enhancing the missile's destructive potential.

The development of MIRV capability marks a significant upgrade for India's missile systems, and expands its nuclear options.

MIRV

Traditional missiles carry a single warhead, or weapon, that goes and hits the intended target. MIRV-equipped missiles can accommodate multiple warheads, each of which can be programmed to strike a separate target. They can all be made to hit the same location too, one after the other, thus ensuring complete annihilation of the target.

While simultaneous strikes at multiple locations can have a debilitating impact on the enemy, the use of nuclear warheads can bring the opposition to its knees.

The technology is not new. It was developed in the 1960s and first deployed in the 1970s by the United States and the then Soviet Union. But it is a complicated technology. The warheads have to be miniaturised, be equipped with independent guidance and navigation controls, and released sequentially from the delivery system.

Over the years, France, the United Kingdom, and eventually China have developed this technology. Pakistan too has claimed to have tested an MIRV-equipped missile called Ababeel, first in 2017 and then in 2023.

The number of warheads that a missile can carry depends on its design, weight, size, range and other parameters. The one that India tested on Monday can carry three to four warheads, V K Saraswat, the former head of Defence Research and Development Organisation (DRDO), said. There are other systems that can carry as many as 15 warheads, or even more.However, an MIRV-equipped missile has never been used so far in any conflict situation. Arms control advocates argue that MIRV technology incentivises the urge to strike first, thus increasing the risk from nuclear weapons.



(*Left to right*) R K Gupta, project director, Avinash Chander, programme director, Dr V K Saraswat, the scientific advisor to the Defence Minister, and Dr V G Sekaran, director, Advanced Systems Laboratory, at a presser in 2012 after the successful first test launch of Agni-V, at DRDO Bhawan in New Delhi. *PTI*

Advantages

Apart from the obvious advantage of inflicting multiple damages with a single strike, MIRV is a sought-after military technology for several other reasons. One of them is its ability to penetrate missile defence systems.

A missile defence system is a network of technologies aimed at detecting, tracking, intercepting and destroying an incoming missile. It involves the deployment of sophisticated radars, communication systems, and interceptor missiles. It's considered a good safeguard against traditional missiles, and several countries are in the process of developing or strengthening their missile defence systems.

MIRV-equipped missiles, however, can render the system useless. Multiple warheads, each with an independent trajectory, can make the job of tracking and intercepting extremely complicated. In addition, MIRV-equipped missiles can be made to carry decoy warheads to confuse the defence system. It is thus very likely that one or more warheads penetrate the shield created by the defence system, and inflict damage.

Another key strategic benefit, especially for countries like India which has a no-first use policy for nuclear weapons, is the capability to cause crippling damage in a response strike. The response strike could be disproportionate, and can thus serve as a deterrence to the enemy.

Agni upgrade

The integration of MIRV technology is a long-awaited upgrade for the Agni family of short, medium and intercontinental range ballistic missiles indigenously developed by the DRDO. Agni missiles are the main land-based delivery systems for India's nuclear weapons.

Developed in the 1990s, the first-generation Agni missiles were deployed in the armed forces in the mid-2000s. Agni-I to Agni-IV missiles have ranges between 700 to 3,500 km and can carry single payloads weighing between 12 and 40 kilotons. Agni-V, the version that has been equipped with MIRV technology, can travel more than 5,000 km, and can potentially enter the intercontinental range as well, considered to be 5,500 km and above.

Agni-V has been tested several times since 2012, with new features and capabilities. Its previous flight happened in December 2022, when its night-time capabilities were tested, among other things.

Meanwhile, DRDO has also been developing Agni-P missiles, which are modernised versions of the short-range Agni-1 and Agni-2 variety. This missile was tested twice in 2021, and on both occasions there was the expectation that it would be integrated with MIRV technology.

The acquisition of MIRV technology by India was keenly awaited after China developed it in the last decade. With Pakistan also claiming to have tested a missile with this technology, integrating this in Agni missiles had become an imperative. The next generation Agni-VI missile, currently under development, is also expected to be equipped with MIRV.

The development was significant enough for Prime Minister Narendra Modi to himself tell the nation about it, much like he had done five years earlier when DRDO had successfully carried out an anti-satellite test, an equally notable technological achievement that put India among a handful of nations with the capability to strike at an enemy's space-based assets, such as satellites.

Monday's test was carried out from Dr APJ Abdul Kalam Island, off the coast of Odisha, which hosts India's integrated missile test range. "Various telemetry and radar stations tracked and monitored multiple re-entry vehicles. The mission accomplished the designed parameters," DRDO said in a statement.

Centre's pact with Tripura govt and TIPRA Motha: its terms, significance

DEBRAJ DEB
AGARTALA, MARCH 11

THE CENTRE this month signed a tripartite agreement with the Tripura government and the state's main opposition party, the TIPRA Motha, for a time-bound "honorable resolution" of the long-pending demands of the state's tribal population, including economic, political, land, linguistic, and cultural rights.

EXPLAINED POLITICS

The agreement, which was signed on March 2, put an end to the indefinite protest fast begun by TIPRA Motha founder and Tripura royal scion Pradyot Kishore Manikya Debbarma on February 27. It also facilitated the TIPRA Motha's joining the BJP in the state government, with two of its members sworn in as ministers, ahead of Lok Sabha elections.

Demands of the TIPRA Motha

The demands include a "Greater Tipraland" — a separate state for Tripura's tribals — including those living outside the Tripura Tribal Areas Autonomous District Council (TTAADC) area as well. The party has sought more powers for the TTAADC, including direct funding from the Centre, its own police force, and share of revenue from gas exploration in the state. It also wants the Roman script to be declared as the official script for the indigenous Kokborok language.

Pradyot Debbarma has described the agreement with the Centre as "60 per cent of the battle being won".

The tripartite accord comes a year after Home Minister Amit Shah met Pradyot at Agartala. The BJP's coordinator for the Northeast, Sambit Patra, who joined the discussion, later told the media that Shah had asked for an interlocutor to be appointed, who would discuss the demands of the Motha, involving other stakeholders such as tribal leaders from various parties, tribal community leaders, etc.

What the accord says

"Under the pact, it was agreed to amicably resolve all issues of indigenous people of Tripura relating to history, land and political rights, economic development, identity, culture and language. Along with this, it was agreed to constitute a joint working group/ committee to work out and implement the mutually agreed points on all the above mentioned issues in a time-bound manner to ensure an honourable solution," the Centre said in a statement.

"In order to maintain a conducive atmosphere for implementation of the pact, all stakeholders shall refrain from resorting to any form of protest/ agitation, starting from the day of signing of the agreement," it added.

'Honouring history'

Union Home Minister Amit Shah has termed the signing of the accord "historic".



Pradyot Kishore Manikya Debbarma after signing the pact on March 3. *PTI*

"With this agreement, we have honoured history, corrected mistakes. and accepted today's reality. Nobody can change history but we can learn from our mistakes and go ahead keeping sight of the realities," he said.

Shah's comments were an oblique reference to allegations of injustice meted out to tribals in Tripura, who became a minority in their state due to non-tribals settling in large numbers before the 1971 Bangladesh war, and of concerns of illegal immigration from Bangladesh.

Pradyot's position

As the Motha joined the National Democratic Alliance (NDA), two of its legislators — Animesh Debbarma, who served as Leader of the Opposition for the past one year, and lawyer-turned-politician Brishaketu Debbarma — were sworn in as ministers in the Manik Saha government by Governor Indrasena Reddy Nallu on March 7.

The decision attracted some criticism for the Motha, with Opposition parties accusing it of having "clandestine links" with the BJP for three years.

Pradyot, however, said the two ministers from his party wouldn't remain silent if tribals' rights were not taken care of, or if the government "committed atrocities" — like when anti-CAA protesters were shot at in Madhabbari in 2019.

Pradyot also said that pressure would be kept on the government from inside (Assembly), outside (party), through civil societies, and "by sending our people to the Centre", apparently a reference to the East Tripura ST Lok Sabha constituency, for which BJP is yet to announce a candidate.

Opposition's criticism

Former Tripura Chief Minister and CPI(M) politburo member Manik Sarkar said the TIPRA Motha had "revealed its true face".

"TIPRA Motha was about to start a fast-unto-death, especially its founder (Pradyot). Then it was seen that he received a call from Delhi, and fled to Delhi leaving the protest site. An agreement was signed after a few days without any mention of Greater Tipraland. It was said that a committee would be formed, and till it submits recommendations, none of the signatories can start any agitation. We had thought the TIPRA Motha would wait for a solution. But we are surprised how they agreed to conditions like no agitations right away," Sarkar said.

Opinion

TUESDAY, MARCH 12, 2024



CULTIVATING PROGRESS

Union minister Jitendra Singh

"Our institutes have specialised technologies in fruit, flowers, and crop cultivation through modern genetic means...Bio-manufacturing and bio-foundry will drive India's future bio-economy and promote green growth

Energy overdrive

Power sector needs massive investments; govt must do all it takes to avert a crisis

POWER MINISTER R K SINGH'S plan for near-doubling of the capacity in the entire electricity value chain by 2030 involves a Herculean task, and requires much higher level of private investments than what's in the pipeline. Yet, success of his endeavour is critical to India's energy security, and the ambition to achieve high economic growth on a sustained basis. Power demand in recent quarters have outpaced all projections, and is tending to go up further. Peak demand could be as high as 380 giga watt (GW) by 2030, way higher than the current level of 243 GW. The minister is optimistic when he says that the conditions in the sector are now more conducive for private risk capital. His confidence stems from the fact that the vicious circle of payment defaults that bogged down the sector for long has been corrected to a large extent, using a tactics that combined persuasion and coercion. Distribution entities' (discoms) outstanding dues to the power producers have come down by two-thirds from the June 2022 level of Rs 1.35 trillion to the current level of less than ₹45,000 crore. That definitely is an unprecedentedly steady pace of dues reduction.

What enabled this achievement in the first place is prompt release of subsidy amounts from state budgets. With most states complying with a phased payment plan, the dues are hopefully on course to be eliminated. In tandem with this, the technical losses of discoms are being brought down with smart meters helping the process a lot. State monopoly in the transmission sector is being progressively undermined too, paving the way for larger private investments. Most parts of the nation is now seamlessly connected to a single grid, and in Singh's words, India' is now "the largest synchronised grid in the world." The unified grid has an inter-regional capacity to transfer 116 GW of power from one corner of the country to another, even while maintaining consistent frequency.

While these accomplishments are commendable, the plan drawn up by Singh still involves a lot of uncertainties. There is a big gap between the investments required to double capacities in such a short period, and the actual prospects. It is also a daunting challenge to reform and modernise the distribution sector, which still lacks sufficient competition in most parts of the country. Another major issue that needs tackling is the intermittent nature of the renewable energy (RE). Capacity creation in the RE segment has been quicker in recent years; yet, RE share in actual energy supplies is still around a fifth only, as there is a problem with such energy when it comes to meeting peak demand. In fact, a shortage is already being felt during the peak hours in the night.

The government has been prescient in according high priority to capacity creation, accelerating the coal-based thermal power projects for the medium term, and deciding not to exert itself to add costly gas-based units. It, however, face three distinct challenges in meeting the objective of averting a serious power crisis: lack of enough credit flows to the coal-mining and thermal-power ventures; a political hurdle that makes it difficult to replicate the Mumbai model of multiple distribution licensees that use same infrastructure based on common carrier principle; and a lack of investor zeal in RE battery-storage. The power minister seems mindful of these challenges, and the need to devise appropriate policies.

DECLINING RECOVERIES

TARGETING ZERO NPAs MAY BE UTOPIAN, BUT ZERO TOLERANCE FOR NPAs IS NECESSARY

Have NPAs really declined?

FURQAN QAMAR

Professor, department of management studies, Jamia Millia Islamia, New Delhi. *Views are personal*



ACCORDING TO THE RBI's report on the Trends and Progress of Banking in India, banks have improved their profitability and reduced their non-performing assets (NPAs). Their bad loans have fallen from 11.2% in 2018 to 3.2% as of September 2023. This brings a huge respite.

Gross NPAs (GNPAs) of the scheduled commercial banks (SCBs) had grown from ₹57,396 crore in 2004-05 to ₹69,953.75 crore in 2008-09, a jump of 21.87% over a period of five years and further to ₹10.35 trillion or 11.2% of the gross advances (GA) by 2017-18.

Since then, the GNPAs had come down to ₹8.29 trillion or 7.6% of GA during 2020-21 and further to 6.9% by the end of the 2022 fiscal. This ratio is estimated to fall to a 10-year low of 3.9% by the end of the 2023 fiscal. RBI's Financial Stability Report (FSR) predicts the GNPA ratio will improve to 3.6% by March 2024.

Much of the decline in GNPAs, however, is attributable to the massive write-off. RBI data indicates that the public sector banks alone wrote off bad loans worth ₹10 lakh over the past five years. Yet, the recoveries have also played a part.

Apart from the routine recovery processes, commercial banks in India take recourse to recover their loans and advances through multiple modes and channels. The National Asset Reconstruction Company Ltd. (NARCL) and India Debt Resolution Company Ltd. (IDRCL), popularly called the bad banks, have also been established to recover large-sized loans.

Lok Adalats have been encouraged by RBI to recover loans up to ₹10 lakh. Going by the data, the Lok Adalats do not appear to have been effective. During the past 12 years, from 2010-11 to 2021-22, a total of 3.84 lakh cases involving a sum of ₹4.9 trillion were referred to the Lok Adalats. Of these, only 4.36% or ₹21,340 crore could be recovered. The highest proportion of pending loans that could be recovered through Lok Adalats was 11.76% in 2011-12. Since then, the recovery rate has only declined and was as low as 2.33% in 2021-22.

Provided by the Recovery of Debt and Bankruptcy Act 1993, the country today has 39 Debt Recovery Tribunals (DRTs) and five Debt Recovery Appellate Tribunals (DRAT). Following the enactment of the Securitisation and Reconstruction of Financial Assets & Enforcement of Security Interest Act, 2002 (SARFAESI Act), securitisation appeals (SAs) may also be filed with the DRTs. In 2008-09, the recoveries through the DRTs looked encouraging. More than 81.1% of the NPAs referred to it were realised. Since then, however, their recovery rate has slid. From 2010-11 to 2021-22, a total of 3.19 lakh cases involving a sum of ₹12.34 trillion were referred to the DRTs, of which ₹86,600 crore, or a mere 7.02%, could be recovered. The recovery rate through the DRTs, which was 27.66% in 2010-11, declined to 3.60% in 2020-21. Surprisingly, the DRT recovery rate increased to 25.68% in 2021-22.

Due diligence in lending and efficient management of assets is critical for limiting defaults to a bare minimum within the norms

The SARFAESI enables commercial banks to auction commercial or residential properties to recover secured loans from defaulting borrowers. During 2010-22, banks sought to recover pending loans from 19.32 lakh defaulting borrowers involving a sum of ₹13.34 trillion. They could only recover ₹2.85 trillion, or a mere 21.35% of the loans under default.

Regarding the recoveries under the Insolvency and Bankruptcy Code (IBC), the available data reveals that it began on an optimistic note, recording a recovery rate of 49.61% in 2017-18. Since then, the recovery rate has declined to 23.80% in 2021-22. Over a period of five years since 2017-18, as many as 5,263 cases involving ₹7.15 trillion were brought under the IBC. Of these, ₹2.50 trillion or 35% were recovered. A Press Information Bureau (PIB) release informs that recoveries through the IBC mechanism had reached ₹3 trillion, marking the highest number of resolutions since the enactment of IBC in FY23.

Taken together, as many as 4.06 lakh cases involving ₹37.73 trillion were referred to various recovery channels during 2010-22. Of these, only ₹6.43 trillion, a mere 17.04%, could be realised. Disquietingly, the overall recovery rate has come down from 31.40% in 2010-11 to 18.41% in 2021-22.

Clearly, while the write-off and provisions make NPAs look significantly lower, the continued generation of new NPAs and their low-paced recoveries by different channels do not augur well for the health of the banking sector.

Regulations provide for all the enabling conditions which banks must leverage to intensify their efforts. Targeting zero NPA may be utopian, but zero tolerance for NPAs is necessary to tame the menace of their rising numbers.

Taking NPAS off their balance sheet may make banks look better and enable them to make enhanced lending, but this may be fraught with dangers. NPAs and deterioration of asset quality due to delay and default risks, thus, continue to remain major concerns and a focus for reforms in the banking sector.

Lending is integral to commercial banks and necessary for their growth and profitability. Yet, due diligence in lending and efficient assets side management is critical for continuing the defaults to a bare minimum and within the norms. Taking prompt and necessary actions within the bounds of the law to recover and realise the interest and principal with minimum delay and default is no less important.

Coauthored with ***Samreen Fatima Siddiqui,*** *PhD candidate, department of management studies, Jamia Millia Islamia*

Don't believe what you see in the age of AI ads

ADVERTISING HAS ALWAYS walked a thin line between embellishment and fabrication. In the new age of generative artificial intelligence, the latter is becoming easier. Making an online ad no longer requires careful staging of well-lit photographs because now they can be made and enhanced in fantastical ways. Consumers need to sharpen their wits as we move from unnaturally juicy hamburgers to depictions of people and food that aren't physically plausible.

Instacart has now deleted the Frankenstein's monster of food and recipes that don't (or probably shouldn't) exist, which included fare like "watermelon popsicles with chocolate chips," which appears to have been conjured with new image-generation tools. But it wasn't alone. Restaurants that sell food exclusively through delivery apps like DoorDash and Just Eat Takeaway.com NV's Grubhub have also used images of unidentifiable breaded objects on their pasta, according to *404 Media*.

Topping them all was a recent Willy Wonka exhibition in Glasgow, Scotland, whose AI-generated posters suggested ticket holders would stroll through a vivid world of ceiling-high lollipops and chocolate bars. They instead entered a bleak, grey warehouse scattered with some cheap props.

Generative AI has allowed for even more sinister marketing, something Olga Loiek found out the hard way last December. The 20-year-old student was dabbling in the art of being a YouTube influencer when she discovered dozens of video advertisements of her hawking candy on Chinese social media sites. Loiek doesn't speak the language, but her unauthorized likeness did.

A raft of other influencers and celebrities have been cloned to endorse everything from language apps to self-help courses, all without their permission. But it's surprising that Loiek was picked to front a promotion too. She was relatively green on YouTube, having only posted eight videos for a month before the deepfaked videos started cropping up. Loiek thinks her cloners might have been drawn to her "Slavic" looks to appeal to Chinese consumers who support Russia. "This audience might like my avatar...and in the end they're more likely to buy the product," she says. The deepfakes, which she says were in the hundreds, found their way to the Chinese Instagram-style platform Xiaohongshu and video-sharing site BiliBili.

Loiek's efforts to report the videos to both companies went nowhere. Scroll through Xiaohongshu long enough and you'll find many other videos of suspiciously artificial influencer promotions. And the issue isn't limited to Chinese apps. Last year, ByteDance Ltd.'s TikTok hosted an ad in which podcaster Joe Rogan and Stanford University neuroscientist Andrew Huberman were cloned to sell supplements for men.

It is bad enough for people like Loiek to have their identities stolen and publicized without permission. But even low-level fakery, like the unappealing, inauthentic food, poses a new challenge for consumers. One way to address the problem is to become far more skeptical about ads on the web-based platforms. Social media networks like TikTok and Meta Platforms Inc.'s Instagram will need to improve their methods of detection, and regulators should step in.

The UK's main advertising regulator banned two ads from L'Oreal SA in 2011 over complaints that it used "excessive airbrushing" on its models. But that was the era of Photoshop. Now the Advertising Standards Authority (ASA) is carefully reviewing the use of generative AI, a spokesman for the regulator tells me, which could lead to new guidelines for advertisers this year. The technology shouldn't be used, for example, to exaggerate a product's efficacy, the spokesman said.

The US Federal Trade Commission says it's also "focusing intensely" on the problem. Disclaimers could be one way to tackle the issue. Back in 2021, the Norwegian government amended its laws so that advertisers and influencers had to disclose their use of digitally altered images of people. The goal was to target unrealistic beauty standards, but similar forced disclaimers on AI-generated ads could increase public awareness of entirely conjured "photos" or "videos."

Of course, policymakers can't do much to stop whoever cloned Olga Loiek. That seems to be the crux of the problem. "I will keep doing it," she says of her nascent YouTube channel. "But I think there has to be some regulation in place. I just don't know who to reach out to."



PARMY OLSON

Bloomberg

Dumb down AI content



RISHI RAJ

rishi.raj@expressindia.com

Users of generative AI systems should stop looking for objective answers on fractious issues

GOOGLE'S GENERATIVE AI platform Gemini has become a cause of embarrassment for the tech major for throwing biased responses on questions relating to history, politics, gender, and race. The Indian government saw red to a response which suggested that the Prime Minister is a fascist. There was a valid reason for the same. When the same question was asked in the context of Ukrainian President Volodymr Zelensky and Donald Trump, the answers were quite diplomatic. Sample this: "Whether Ukrainian President Volodymr Zelensky is a fascist is a complex question and a highly contested question, with no simple answer. It's crucial to approach this topic with nuance and consider various perspective". In the case of Trump, the response was: "Elections are a complex topic with fast-changing information. To make sure you have the latest and most accurate information, try Google search".

The government was prompt in warning Google that such algorithmic bias will not be tolerated. It followed this up by an advisory to all platforms that AI models need to seek government's approval before deploying them for public use. This was not the first time that Google faced the wrath of the government authorities. In November 2023, it had come into controversy when a user flagged a screenshot showing that the platform had refused to summarise an article by a right wing online media on the ground that it spreads false information and is biased.

Globally, Gemini came into controversy after failing to accurately represent white Europeans and Americans in specific historical contexts. For instance, when users asked it to produce images of a German soldier from 1943, it showed non-white ethnically diverse cadres, which was not an accurate representation.

Facing such backlash, Google offered an apology and is working on rectifying the model. Chances are that it will be able to do so, but whether such chatbots will cease generating controversies is a highly debatable issue. AI models have got nothing to do with intelligence, they are the outcome of being trained on large amounts of data sets. Let's see it like this: a child in its crawling stage runs the risk of falling from the bed. So, it is trained to stop at a particular point which it imbibes and chances of any fall leading to injury gets minimised. It's not that the child was dumb earlier, it's just that it has been trained that way. So, it's very clear that the developers of Gemini had not trained the model well enough.

While misleading and harmful content on any platform needs to be checked, governments worldwide should not fret too much over regulating historical and political content

However, let's leave that for a while and visualise a scenario where the models have been perfectly trained. In that case, if a question is asked about if a particular leader is a fascist or a democrat, the answers would not be in pure black and white. However, the human mind is intelligent and may pose the question differently. For instance, what if questions are posed to depict scenarios where leaders may be seen as a dictators, fascists, or democrats? In such cases, answers would not be person-specific but still can be used to target particular leaders depending on the ideological and political predilections of users. Simply put, political controversies will never die and politics will continue to be fractious, as it has always been in the real world.

The basic problem is over-reliance on AI models to generate responses which are seen to be factually correct without understanding that objective fact is a mirage. Historian EH Carr was prescient when he wrote that facts are really not at all like fish on the fishmonger's slab. They are like fish swimming about in a vast and sometimes inaccessible ocean; and what the historian catches will depend, partly on chance, but mainly on what part of the ocean he chooses to fish in and what tackle he chooses to use—these two factors being, of course, determined by the kind of fish he wants to catch. By and large, the historian will get the kind of fact he wants.

What Carr meant to illustrate was that historical facts are never objective. The most effective way to influence public opinion is by the selection and arrangement of the appropriate facts. "It used to be said that facts speak for themselves. This is, of course, untrue. The facts speak only when the historian calls on them: it is he who decides to which facts to give the floor, and in what order or context," Carr had rightly concluded.

A person committed to communist ideology would never be the best analyst to offer a criticism of the regimes which once ruled the USSR. Similarly, a devout Catholic cannot be relied on to investigate the Holy Inquisition.

When it comes to referring to written works on subjects relating to politics, history, gender, or race, people examine the background of the writer before delving into the work concerned, which helps in identifying possible biases. However, this feature goes dead when relying on generative AI models, where users expect 100% factual answers to such questions, forgetting that the same would vary depending on the data sets they have been trained on.

While misleading and harmful content on any platform needs to be checked, governments worldwide should not fret too much over regulating historical and political content as these would continue to be subjective in nature. The best alternative for generative AI models is to shun such queries as they do with regard to expletives or abuses. For users, the lesson should be to treat these models like books and periodicals where there's always a choice between good, bad, and the ugly.

LETTERS TO THE EDITOR

SC's rap on the knuckles for SBI

It is evident from the general tenor of the Supreme Court's order rejecting the SBI's plea for an extension of time till June 30, i.e. after the general election, for disclosure of details regarding the electoral bonds that it is not to be trifled with and its orders have to be complied with without adopting delaying tactics. The right to know in time cannot be undermined by claiming that the details are stored in "separate silos" and "decoding for matching" is a complex and time-consuming process. Knowledge of the identities of donors and recipients and the amount of money given and received as donations will enable people to form their own opinions of parties and make their own political choices. The disclosure of the details of political funding since the scheme's introduction in 2017 will shed light on 'quid pro quo arrangements' and result in depletion of support for certain political players.

—G David Milton, Maruthancode

What is going on with the EC?

The resignation of Arun Goel from the ECI has become sensational news due to its timing and causes a lot of doubts in the minds of many on the possibility of holding a fair and free election. Now, the doubt about the free and fair poll is because the vacancies are going to be filled by the selection committee, which has two representatives from the ruling party and one from the opposition. The erosion of democracy begins from here. TN Seshan is remembered now with respect. Will the ECI stand up to restore confidence in the minds of all?

—AG Rajmohan, Anantapur

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EDITORIAL



A city is more than a place in space, it is a drama in time

Patrick Geddes

INDIAN EXPRESS IS NOT AN INDUSTRY. IT IS A MISSION.

— Ramnath Goenka

EFTA TRADE DEAL A BOLD STATEMENT BY A CONFIDENT ECONOMY

INDIA on Sunday finally signed the trade agreement with the European Free Trade Association (EFTA), a bloc of four European countries, 15 long years after the negotiations started. Even though the four countries—Switzerland, Norway, Liechtenstein and Iceland—account for just 1.6 percent of India's total trade at present, it is a significant milestone as it is for the first time India is entering into trade agreement with four developed nations from Europe. It shows India's growing confidence as an economy and its commitment towards free trade. We have already signed trade pacts with Australia and the UAE, and are looking to seal the deal with the UK.

The EFTA trade talks began in 2008, were suspended in 2013 and then restarted in 2023. The agreement is a milestone even if its significance in terms of access to goods in that market remains limited. The EFTA is offering market access to all non-agricultural products from India and tariff concession on processed agricultural products. India is offering access to 95.3 percent of EFTA exports, of which more than 80 percent by value is gold. Sectors such as dairy, soya, coal and sensitive agricultural products have been excluded. The agreement does not have a significant impact on India's trade with the EFTA bloc. Switzerland, the biggest trade partner for India within the bloc, eliminated import duties on all industrial goods for all countries from January 1, 2024. This directly affected 98 percent of India's merchandise exports to the country. The agreement also leaves the effective duty on gold untouched.

Yet, the pact is significant as it allows Indian professionals access to these four countries. The deal has mutual recognition agreements in professional services such as nursing, chartered accountancy and architecture. One of the highlights of the pact is that it envisages the foreign direct investment by the EFTA countries into India growing to $100 billion in 15 years. It also talks about facilitating the generation of a million jobs in India through such investments. These investments would be over and above the foreign portfolio investment. These are long-term goals and it remains to be seen how the governments in these countries can nudge private companies to invest in India.

BCCI'S INCENTIVES GOOD FOR RED-BALL CRICKET

IN the last few weeks, Indian cricket has been growing in mind, body and spirit. As India wrapped the Test series against England with a dominating 4-1 win, the Indian cricket board (BCCI) added a new term to the excitement over Bazball and Jasball—moneyball. In its bid to promote red-ball cricket, the BCCI has announced an incentive scheme for top cricketers in which those playing more than 50 percent of the total Tests in a year will get more. A cricketer's fees could increase as much as 300 percent per Test if they feature in over 75 percent of the games played in the season. To put it in figures, if a player plays 10 Tests, he is set to take home ₹6 crore. This is as much as a mid-level cricketer earns through Indian Premier League (IPL) contracts.

With the mushrooming of white-ball cricket leagues and international matches, most cricket boards have been trying their best to retain their top cricketers for red-ball cricket. Recently, the top South Africa players opted out of a New Zealand Test series to play in their domestic T20 league. Even in India, over the last couple of years, cricketers have been prioritising white-ball over red-ball cricket; but with such lucrative packages, BCCI might manage to woo back the players. Now that Test cricket has been taken care of, perhaps it will be prudent for the BCCI to look into red-ball domestic cricket, which can be incentivised like Tests. Increasing the pension of Ranji players could be one among the number of steps they can take.

Since the BCCI has shown intent to promote red-ball cricket, it should now focus on the World Test Championship final. India had qualified for the last finals, but could not win. One reason was the timing of the Test in England barely two weeks after the IPL. Last year's IPL finished on May 29, and three cricketers who featured in that final—Mohammed Shami, Ravindra Jadeja and Ajinkya Rahane—reached London only a week before the final, where they faced Australia. In contrast, some members of the Australia team had started preparing well in advance for the final. This could change this time if the BCCI can tweak the IPL schedule so that their top players get enough time to prepare. Red-ball cricket can prosper only with such initiatives.

QUICK TAKE

THE SPIRIT OF OPPENHEIMER

WHILE we blink at the stardust sprinkled on *Oppenheimer* at the Oscars, let us remember the scientist in the film. Robert Oppenheimer is known not just as the physicist who led the US's atom bomb project, but as the one who quoted from the *Gita* when he saw the unprecedented killing power of the bomb. He did not oppose the Szilard petition, in which more than 65 of his project's scientists expressed concerns to the US president about the nuclear age they had helped unleash. It tells us we should listen to scientists on the life-threatening problems facing the planet—whether on water management, species depletion or AI regulation.

Several big Indian cities could soon face the kind of water shortage Bengaluru is facing today. One solution could be to de-cluster habitations and go where the water is

THE SHAPE OF WATER WOES TO COME

HARISH BIJOOR



Brand Guru and Founder, Harish Bijoor Consults Inc



SOURAV ROY

YOUR big city and mine are facing big problems. Maybe the problem of Bengaluru is a whole lot bigger than that of Indore and Rajkot today, but the problems do potentially exist for every big city if you look beneath the earth we live upon. Of all the problems we face, the one that is about potable water is the most difficult one.

Bengaluru is suddenly in the limelight for the wrong reasons. There is an acute shortage of potable water during the summer months, starting yesterday. All of a sudden, our borewells are drying up without enough rains to feed them. Ground water is showing a nasty and elusive trend of being more difficult to reach. While in the early days of borewell craze, water was struck at 80-100 feet depth, today's water table is getting more and more elusive even at 1,600 feet.

The primary source of riverine water, feeding the city through a network of canals and reservoirs, is under stress. The newer areas of the city do not have access to Cauvery or Arkavathy water, and a whole new city has been built upon the seasonally hollow foundation of a borewell network that is acting difficult to tame and fill. And this is a tall city—a city full of flats and apartments that define the new image of Bengaluru as a city of tall stature. The city is, however, running dry. For a few months, at least.

This niggling water problem of Bengaluru belongs to the city for now. It can belong to any other big city with a big population as well. If I am to start tracing how cities typically manage their water needs, the best of them have a source of drinking water that comes from the rivers and streams. Where the stream ends begins the planned up-stream water supply system of the city that establishes a channel of supply into storage tanks that re-channel the water as per need to the end home. The Bengaluru Water Supply and Sewerage Board (BWSSB) manages this system for the city. Do not ask me why "water supply" and "sewerage" go together.

Where direct supply of Cauvery water is not possible for the city, builders of the new city have tapped groundwater reserves that get perennially replenished by a good monsoon. Apartment complexes built in newer areas have tapped into the borewell as a way of getting to 'easy water' beneath the areas where these apartments exist. And then comes the next category of dwellings in a typically unplanned city. This category is the most impoverished one on water. It has no direct Cauvery water, and neither is it blessed to be sitting on a borewell possibility zone. This category depends wholly on water tankers that bring in water on a daily or alternate-day basis, as the demand may be.

So what's your problem, Bengaluru?

The city today is host to 142,00,000 people and their daily need for water. Water to drink, water to cook, water to bathe with, water to wash our cars, and to water our potted plants in balconies and the private gardens of the privileged few. I am not even stepping on to the terrain of the corporate need for water, and the need for water that pertains to the hospitality and entertainment sector, the sprawling golf courses of Bengaluru included.

We need water. We need water right through the year. The current water shortage that is affecting the city is a temporary one. One that has bitten us this summer. One that promises to keep biting us every summer for 2-3 months, I am told. Did we not see this coming? Apparently not. Even if we did see it coming, there is a lag in the planning cycle that has led to this pass. The Cauvery Phase 5 project's progress has been slower than it should have been. This project promises to take care of the city's needs for a while to come, beginning May 2024. We are told it might take care of our water woes for the next several years. After that, what?

In a completely haywire weather environment that is affecting our summers, winters and monsoon patterns, our big cities are going to be overtly dependant on rain. Rain that will fill up our borewells to do all that we happily do without a care for water. We are going to be a progressively rain-dependant people in the big city.

As Bengaluru grapples with its shortage, do I want to be a part of the problem or the solution? Let me attempt to be a part of the latter. If there is one solution that I can think of, it is as simple or complex as the words aggregation and disaggregation are.

Big cities need to redefine their spaces and their needs. One big city cannot bear the weight of all its population endlessly. Bengaluru, for instance, is a magnet city today. People from all over the country and from all across the world want to come to the city. Some come as tourists, some to work here, some to settle and some to invest. The city is growing by night. This magnet city is actually increasing its weight and woes by night. As the population burden increases, both hard and soft infrastructure are not able to keep pace. The city is growing vertically now, which indeed has endless possibilities. As the height of our buildings grows, under the ground, the depth at which water can be found grows in the opposite direction.

The city's need of water, as calculated to date, is going awry. Are we over-drawing already? Bengaluru cannot aggregate into a bigger-and-bigger city anymore. It needs to disaggregate. Let us remember, water will not come where the people are. People will instead need to go where the water is. Big cities need to de-cluster. Big cities need to re-assemble where the water is. The old dictum says it all: if you fail to plan, you plan to fail. A question: is it time to de-magnetise Bengaluru? Consciously, with a yen to stay competitive, alive and kicking?

(Views are personal)

(harishbijoor@hotmail.com)

WHEN ANOTHER CM TIED UP WITH THE OPPOSITION

SAMPAD PATNAIK



Homi Bhabha Fellow, journalist

THE prospect of an alliance between the Biju Janata Dal (BJD) and the Bharatiya Janata Party (BJP) in Odisha for this year's Lok Sabha and assembly elections has thrown the state's politics into a turmoil. It is said that such an alliance, between the ruling and the principal opposition parties, has no precedent in Indian politics since 1947.

However, Odisha has already seen one such alliance—between the ruling party and the principal opposition party. The man who had perhaps worked the hardest to legitimise this alliance was Biju Patnaik, the father of the BJD leader and Chief Minister Naveen Patnaik.

In the 1957 elections to the Odisha assembly, no political party won a clear mandate. The Congress had emerged as the single-largest party with 56 seats and 38 percent of the votes polled, while the Ganatantra Parishad had come a close second with 51 seats and 29 percent of the votes.

The Congress had initially formed the government with the help of the Jharkhand Party, which had won five seats, and six independent MLAs. However, the Congress found itself constantly firefighting to survive while members of all other parties kept moving between the treasury and opposition benches.

By the budget session of 1959, it was seen that running a stable government in Odisha was almost impossible. A crisis developed when the opposition demanded a sudden vote. Satyapriya Mohanty, a minister in the Congress government, had sought permission to introduce a bill that would bring in rules regarding the conduct of urban local body elections. The opposition's demand defied conventions.

The government was not usually challenged while seeking permission to introduce a bill on the floor of the House. The Congress government, headed by Harekrushna Mahatab, was caught unaware, and could muster only 43 votes in favour while the opposition cast 51 votes against the proposition. When the proposition was defeated, the opposition demanded the government's resignation.

The speaker of the assembly had deferred the proceedings for a day. The next day, Mahatab brought forth an argument that the voting did not consider a no confidence motion against the government and took place in the absence of members of the ruling party. Mahatab had claimed that the proposition stood defeated, not the government. There were no grounds for the government to resign from office.

Mahatab declared that if such instability becomes a feature of politics, then governance would become impossible. He had appealed to the members of the opposition to cooperate with the government. Biju Patnaik, who was then emerging as the biggest challenger to Mahatab in the Congress, had also supported this argument.

Though this crisis was managed by the state government, members of the ruling Congress were unhappy over the endless challenges to the government from across the state. The government was beleaguered by protests following displacement of people for construction of the Rourkela Steel Plant. On another front, a dispute had emerged between politicians from districts of Ganjam and Sambalpur over the government's decision to establish Odisha's second medical college in Burla.



WIKIMEDIA COMMONS

This isn't the first time a ruling party is tying up with the opposition. When running the Odisha government without a clear majority became tough for Congress Chief Minister Harekrushna Mahatab in 1959, he tied up with the principal opposition party, Ganatantra Parishad. Biju Patnaik worked on convincing Jawaharlal Nehru that such an alliance was necessary

However, many Congressmen had not favoured dissolving the government and seeking a fresh mandate from the electorate. The only way out was to form a consensus government in alliance with the Ganatantra Parishad.

Prominent Congress leaders at the state level, such as Mahatab, Patnaik, Nilamani Routray and Biren Mitra, were on board with the idea of a coalition government. But there were apprehensions that the Congress leadership at the national level, especially Prime Minister Jawaharlal Nehru, may not bless this union. After all, the Ganatantra Party, formed by former rulers of the princely states and big landowners, was ideologically opposed to the Congress.

Biju Patnaik had then taken on the responsibility of convincing the leadership in Delhi. He had made several trips to the national capital to meet Nehru and other top Congress leaders. Finally, permission was granted to form a coalition government based on a common governance agenda. In Odisha, Congress and Ganatantra had made a pact to work for the progress of the country based on the resolutions passed during the 1959 Nagpur session of the Congress party.

In Odisha, ministers in the Congress government had handed in their resignation letters. Mahatab again became chief minister and formed a new government with just two members—Ganatantra's leader Rajendra Narayan Singh Deo and Radhanath Rath of the Congress. After nearly three months, the government was expanded to include members from both parties—Nilamani Routray, Satyapriya Mohanty, Sailendra Narayan Bhanja Deo and Brundaban Nayak joined from the Congress, while Raj Ballabh Mishra, Ram Prasad Mishra, Udit Prasad Deo and Laxmi Prasad Mishra joined from the Ganatantra.

Legislators from both parties had fanned out across the state to convince the people about the need for a coalition between rivals. However, a stable government could not be established. Before cabinet meetings, Ganatantra ministers met at the residence of their leader R N Singh Deo and decided on their agenda, while the Congress ministers did not confer with Mahatab. Many meetings ended in acrimonious arguments between the ministers.

The government lasted till 1961. In the ensuing assembly elections, the Congress won 82 seats and formed a government on its own. The Ganatantra Parishad's tally fell to 37 seats. Biju Patnaik became chief minister for the first time, but remained in power only for around two years. He resigned under the Kamaraj Plan, which aimed to revive the Congress organisation.

(Views are personal)

MAILBAG

WRITE TO: letters@newindianexpress.com

Fighting solo

Ref: *Mamata-Modi rematch with INDIA in tatters* (March 11). The INDIA bloc is a disjointed alliance of parties with conflicting agendas. Mamata Banerjee is focused on increasing her stranglehold on West Bengal and is apprehensive of alliance partners aspiring to gain a foothold. Her image has weakened and she will find it difficult to contain the growing influence of the BJP on her own.

Rajarao Kumar, Bengaluru

No unity

It seems the primary aim of many INDIA bloc members is not to focus on defeating the BJP, but on securing a position for themselves. The spirit shown by the opposition leaders at the time of the formation of the bloc has waned. To be frank, there is no strong leader in the opposition camp who can unite it.

Jayaprakash Reddy, Nalgonda

Selfish allies

Trinamool Congress leader Mamata Banerjee's decision to fight solo in West Bengal highlights the selfishness and the lack of unity within the INDIA bloc. Winning power for self is what's driving the constituents of the bloc, not a common agenda of defeating the BJP-led NDA in the upcoming elections. The NDA appears poised for a hat-trick without breaking much sweat.

George Jacob, Kochi

Upholding democracy

The Supreme Court has dismissed the State Bank of India's plea seeking more time to provide details of electoral bonds encashed by political parties. The court's strong stance reinforces our faith in the independence of the judiciary and its power to safeguard India's democracy.

M Rishidev, Dindigul

Expose corruption

The Supreme Court dismissing SBI's plea shows the power of the system of checks and balances put in place by the framers of our Constitution. If the SBI discloses the details of electoral bonds encashed by political parties, it may shed light on the *quid pro quo* arrangements between the party in power and big businesses. This will help people get a better picture of the political parties ahead of the Lok Sabha elections.

G David Milton, Maruthancode

EC appointments

A plea has been filed in the Supreme Court seeking to restrain the government from appointing two election commissioners. There is no dearth of hope that the top court will rise to the occasion by restoring the earlier selection panel consisting of the prime minister, the Chief Justice and the Leader of Opposition in Lok Sabha.

N A Joseph, Ettumanoor

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Legal Home & Hearth To a Persecuted Set

CAA sets tone for future citizenship widening

On Monday, the Modi government notified the Citizenship (Amendment) Act's (CAA) rules, preparing for its implementation. With this move, GoI makes it easier for minorities from neighbouring countries who came to India before December 31, 2014, to become citizens of this country. Legitimising citizenship of persecuted Sikh, Christian, Buddhist, Hindu and Parsi refugees from Bangladesh, Pakistan and Afghanistan who left their countries for ours is the right thing to do. It behoves and buttresses India's liberal credentials, something this subcontinent's much-partitioned history understands the value of very well.

It was keeping this humanistic view in mind that then-Opposition Rajya Sabha member Manmohan Singh spoke in Parliament in 2003 about India's 'moral obligation that if circumstances force people… to seek refuge in our country, our approach to granting citizenship to these unfortunate persons should be more liberal'. This can also help change perceptions harboured by many Indians who still view all immigrants, including those who can apply for citizenship under CAA, as a burden. India is large, prosperous and giving enough to share hearth and home with the persecuted of other countries.



For those worried about CAA being a roundabout tool to revoke citizenship of Indian Muslim citizens, home minister Amit Shah had reassured in February that CAA 'cannot snatch anyone's citizenship because there is no provision in the Act'. There is no reason why the law notified on the onset of Ramzan should discount his assurance. Indeed, GoI should emphasise its assurance, so that misinformation about 'welcoming *their* minorities at the cost of our minorities' finds no succour by hyphenating CAA with the more problematic National Register of Citizens (NRC). India should, at some point, also find a way by which to provide the same legal protection it will now provide non-Muslim refugees to bona fide Muslim refugees who have lived in India for years. That would be the next right thing to do.

Big Shift in the Way We Look at Trade

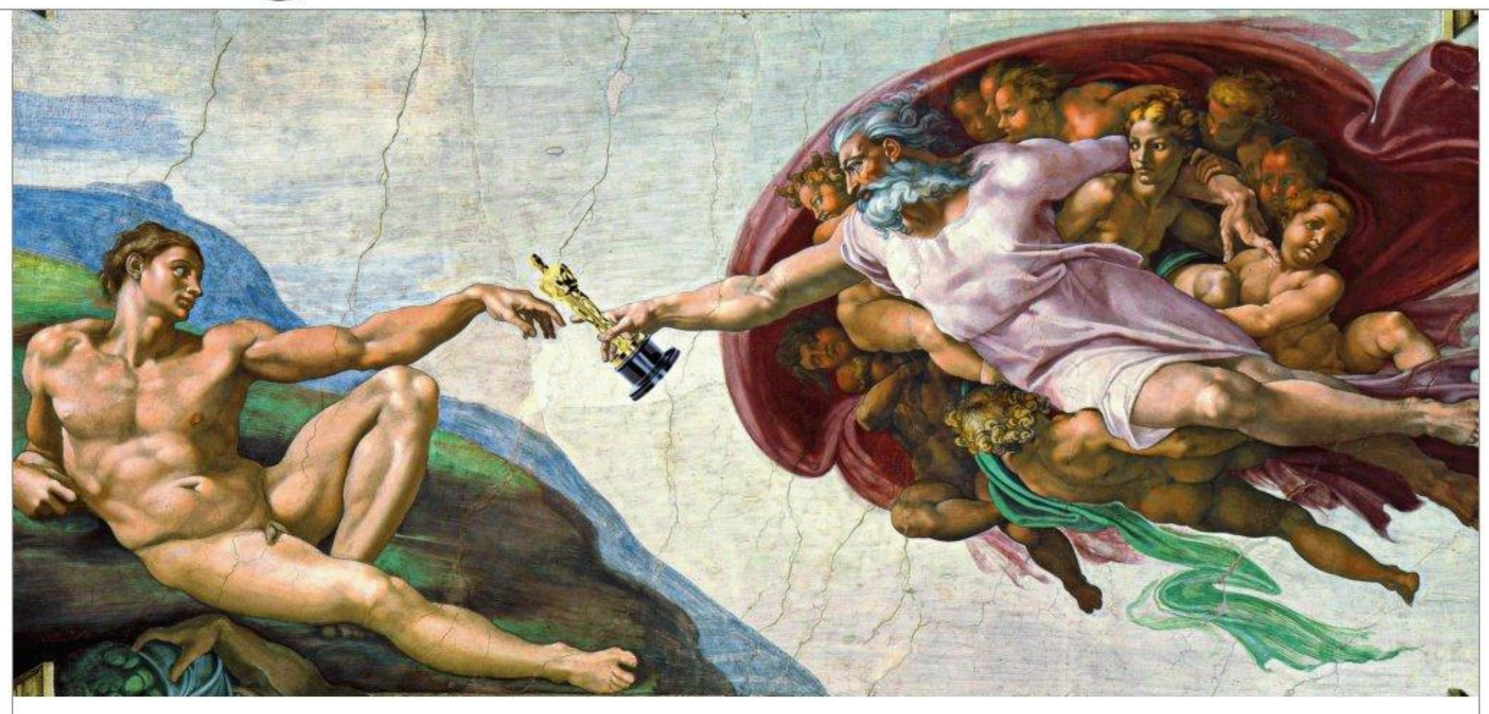
The Trade and Economic Partnership Agreement (Tepa) that India signed on Sunday with the Europe Free Trade Association (Efta), comprising Switzerland, Norway, Iceland and Liechtenstein, signals a shift. After decades of dodging, GoI has accepted that trade and sustainability are linked, and the former can contribute to sustainable development. The approach adopted in Tepa — promoting investment, competition and growth without disregarding environmental, gender and labour concerns — can serve as a template for other trade deals for India.

For decades, trade trumped sustainability in the order of priority because, from a developing country's perspective, it created economic opportunities and pulled people out of poverty.



India, and other developing countries, saw sustainability as a non-trade barrier for the rich world to keep its competitive advantage intact. Tepa recognises that it's no longer possible — or desirable — to treat trade and sustainability in silos.

For a developing country, eradicating poverty is a priority. Therefore, trade must contribute to sustainable development that ensures broad-based, sustained and inclusive economic growth, along with social development and environmental protection. Mechanisms to ensure no party takes measures that undermine this balance are hardwired into Tepa. The 2030 Agenda for Sustainable Development also singles out international trade as a key policy instrument to contribute to all other SDGs. It defines international trade as 'an engine for inclusive economic growth and poverty reduction, [that] contributes to the promotion of sustainable development'. Yet, finding an equilibrium between trade and sustainability can't happen overnight. It'll be a work in progress.



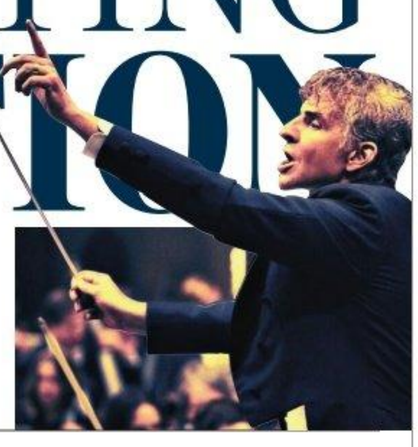


Jai Arjun Singh

RECREATING CREATION

This year's Oscar winners showcase the creative process – in art, science and relationships





Here is a way of staying interested in the unending Oscar hoopla and tedious post-award conversations: watch all the major nominated films and cross-pollinate scenes from them just for amusement.

In Bradley Cooper's Maestro, composer Leonard Bernstein and his girlfriend Felicia are sitting with their backs pressed against each other, trading romantic banter. 'You could be building a bomb back there for all I know,' he says.

This scene, depicting real-life people, is set in the mid-1940s — and the line reminds you that around the same time J Robert Oppenheimer, subject of the biopic that won this year's Best Picture Oscar, *really* was busy building a big bomb elsewhere. And as if that weren't enough, guess the name of the close friend/sometime lover whom Bernstein leaves for Felicia? The musician David *Oppenheim*, another real-life figure of the period. Yes, spooky.

Of course, this is merely a smart-aleck observation: it doesn't tell you anything important about either Oppenheimer or Maestro. But it's as good a way of conducting Oscar discourse as any other. And preferable to the pedantic teeth-gnashing about who 'should' and 'should not' have won.

It is more stimulating when the films — watched closely together — become an occasion to examine tiny connections between works; to get a sense of the motifs that may have struck a chord with critics and jury members. And there are many stylistic or thematic echoes in these films.

Christopher Nolan's alternating use of B&W and colour in Oppenheimer — each visual choice representing a specific perspective — has been much discussed. But two of the other best picture nominees, Maestro and Yorgos Lanthimos' magnificent Poor Things, also make notable shifts between monochrome and colour.

They do it similarly, too. In each case, the first 40-45 mins of the film is (mainly) in B&W. In Poor Things, this effect feels similar to the 1939 classic, The Wizard of Oz. When Bella, a young woman who has been reanimated like Frankenstein's monster, moves out into the world beyond the one she was confined in (and also discovers the joys of sex), the art design explodes into bright saturated colours, with hallucinatory non-realistic depictions of 19th-century Lisbon and Paris.

In Maestro, the shift to colour (more muted) occurs as a once-sparkling relationship is starting to wear down into domestic drudgery.

Many of the major nominated films also grapple with the creative process, the forms it may take, and the struggle to keep it going — whether in the realm of art, science, or in terms of building a life for oneself. In both American Fiction (winner for Best Adapted Screenplay) and The Holdovers (Best Supporting Actress), there is a sense of life as an empty page, which needs to be filled.

> **IT IS MORE** STIMULATING WHEN THE FILMS BECOME AN OCCASION TO EXAMINE TINY CONNECTIONS BETWEEN WORKS



In the former, a novelist struggles to write what he wants to write. His books don't sell. When he meets a woman who mentions having read a particular novel of his, he deadpans, 'So *you're* the one!' The story touches on creating in a vacuum versus also maintaining a family life and close relationships, doing the right thing by an ailing mother and a flighty brother.

> **WHAT** OPPENHEIMER AND OTHERS ARE DOING – WITH A NEW METHOD TO KILL MILLIONS – IS ALSO A FORM OF 'CREATIVITY'

Meanwhile, the middle-aged protagonist of The Holdovers, a classics teacher who has lived an uneventful, parochial life, isn't sure he has an entire book in him. When a friend gifts him a notebook, he says, 'I don't know. There's a lot of empty pages in here.' She replies, 'All you got to do is write one word after another — can't be that hard, can it?'

But, of course, it *can* be that hard, as the distraught, writing-blocked husband in Justine Triet's Anatomy of a Fall knows. Even Maestro's Bernstein, a clear achiever in his field, ruefully says: 'I haven't done very much at all when you add it up.' (Both films have key scenes where spouses argue about creativity and responsibility.)

Bernstein also worries that *artistic* invention has come to a grinding halt while *science* continues to progress madly. It's a reminder that what Oppenheimer and other physicists are doing — coming up with an inventive new method to kill millions — is also a form of 'creativity'.

As is the ghastly work of the Auschwitz camp commandant in Jonathan Glazer's haunting The Zone of Interest, a film in which a beautiful villa-garden and a concentration camp exist in adjacent spaces. While a Nazi commandant's wife tends to her plants — and is reduced to tears at the thought that they might have to leave this 'paradise' — the husband sits in meetings that discuss how gas chambers may be made more efficient. He has detached conversations about the daily 'load' per oven. (Cue a funny line from American Fiction: 'Hard work doesn't *demand* respect. People worked hard on the Third Reich too.')

And what of the intersection of life and art, to a point where they blur into one? In Todd Haynes' lovely melodrama, May December (which wasn't nominated for Best Picture, but easily could have been), an actress seems to cannibalise the life of the woman she is playing in her upcoming film — to the extent of seducing her subject's husband.

And Poor Things has a scene where Bella, working in a Parisian brothel, responds to a pejorative shout of 'Whore!' with the line, 'We are our own means of production.' She and her friend are on their way to a socialist meeting, but there is also a nod here to her delight in her newfound freedom — the use of sex not just as a source of income but a voyage of self-discovery and, maybe, even a creative pursuit.

The writer is editor, The Popcorn Essayists: What Movies Do to Writers



JUST IN JEST

Mister Oscars continue to stick to the 'darkest dogma' on their big gala night

High Penguin, It's So Very Black & White

Regardless of whether you're a classicist or a multiplicist, you were bound to have noticed how *all* men receiving, or nominated for, Oscars wore black. Oscars are black-tie events, yes. But for one night, the world gets to see how Western wear's standard male gala gear is High Penguin — white shirt, black jacket. Even the variation of Best Supporting Actor Robert Downey Jr's unbuttoned, no-tie look looked radical because he was wearing a *black* shirt under his black suit, and with his Adam's apple showing. While the women wore variations of colour and cut — Best Actress Emma Stone's torn zipper could well bring back Vivienne Westwood-era punk chic — the men stuck to Henry Ford's dogma on the darkest of colours: 'Any customer can have a car painted any colour he wants as long as it's black.' And in the case of yesterday's Mister Oscars, white shirts.

One radical departure from this monochromatic line was Ryan Gosling's appearance in anti-ascetic, bedazzling Gucci Ranveer Singh-pink. But, then, Gosling was there performing 'I'm Just Ken' from the Barbie soundtrack (guitarist Slash stuck to his trademark black motorcycle leather), and not receiving an award. His black glasses, though, stood out in that psunami of pink. But coming back to the Oscars' dogma for black, imagine if the men stuck to B&W in a Bollywood ball. The mind does *not* boggle.

Choice Isn't Always the Best Option



Ateesh Tankha

What a difference a preposition makes. An RBI directive slated to go live on September 6 will transfer the privilege of choosing a card network — Visa, Mastercard, American Express, Diners Club or RuPay — from credit card issuers with portfolios larger than 1 mn cards to credit card holders, thereby causing a shift from one in which the consumer is spoilt *for* choice to one in which the market may be spoilt *by* choice.

What could have prompted the renewal of this injunction nine months after it was first mooted in July 2023? While it has much to do with the desire to allow consumers to use a RuPay-linked credit card, merchant acceptance of which has been augmented by its interoperability with UPI, there are two significant considerations that affect a consumer's choice of credit card that has nothing to do with a payments network.

▶ Credit needs Need for either short-term credit — where debt is fully paid off by due date printed on the monthly bill — or a long-term unsecured loan, which is paid off in installments and on which interest is charged on the outstanding debt at the end of every billing cycle.

Right to extend credit, coupled with interest rate at which this credit will be offered, must reside with the entity that bears the credit risk. Since credit card-issuing banks are the ones on the hook for this, this activity is, and needs to remain, the prerogative of the bank without regard to the network badge with which it is associated.

▶ Incentives matter Both credit-hungry and creditworthy consumers choose one card over another for rewards and acquisition incentives, such as air miles, cashback, rebates, rewards points, discounts, airport lounge access and waived annual fees. Card-issuing banks offer these based on monies that are either directly earned from payment networks — sign-on inducements, retention or conversion bonuses, lower transaction fees — or indirectly through the earning of a network-established rate of interchange (78% of merchant discount rate, or MDR, for card payments) every time a transaction is processed at a merchant terminal.



Your choice in plastic

These subsidies are linked to economies of scale that derive from exclusive and long-term contracts linked to customer segments or card portfolios. Without these, payment networks would be reluctant to disburse funds that defray the costs of credit card marketing and customer retention. If a consumer is allowed to choose a network when accepting a specific card product, it will put paid to such an arrangement, resulting in weaker card value propositions and network schemes.

As such, consumers are network-agnostic and choose a card based on its relative appeal and utility. The single exception to this would be if a significant number of merchants were only willing to accept payments from a single network. This improbable situation exists in India: the number of merchants that *only* accept UPI-based payments far outnumber those that also accept card payments.

If RBI wants to break the hegemony of Visa and Mastercard, while promoting RuPay, it can resort to a system where the consumer gets to choose a card based on needs, while allowing a merchant (entity that pays for the card payment system) to select a network based on the MDR and other value-added services.

There are two ways to do this:

▶ Network options RBI could mandate every credit card to carry two network badges, one of which must be RuPay. As merchants will steer away from, or surcharge for, cards that accrue a higher interchange rate, this could result in a more moderate MDR across the board. But it will also require every bank to maintain two rewards ledgers for every card.

▶ Two cards Banks could be forced to issue two separate credit cards to each consumer, one of which is a RuPay card (with its own rewards and interest rate) used as a funding mechanism in a preferred UPI wallet. This is a cleaner way for RBI to achieve its twin aims of increasing RuPay usage and creating a more affordable credit payments ecosystem.

However, all this naturally depends on whether the combination of UPI and RuPay can manage expensive expectations, higher risks and more complicated dispute-resolution processes that accompany a credit card business.

As such, it may come down to a choice of prepositions. One shouldn't, after all, replace a dependable system *in* force with a less robust one *by* force.

The writer is former US head, Citi Merchant Services

THE SPEAKING TREE

Inner Garden Of Love

SANT RAJINDER SINGH

Amid the concrete skylines of all developed nations, we find little gardens and oases of greenery that serve as a sanctuary from the stress and strains of life. Gardens offer a haven of peace, joy and tranquillity to their visitors with their beauty and sweet fragrance. Unbeknownst to us, we carry a garden of immense beauty and Light within ourselves. This is the garden where God resides, and if we could experience it, we would find lasting happiness and joy. We remain unaware of this haven of peace within because our attention is on the world outside.

Saints and mystics come into this world to help us discover this inner garden of love. They do so by teaching us the technique of meditation, which allows us to embark on the journey to experience this garden. By focusing our attention on the inner eye, the gateway to this inner garden, we can embark on the journey to experience the love and Light of God. This connection with Divine's love removes the layers of mind, matter and illusion shrouding our soul.

The more we meditate, the more our soul is cleansed of these layers, and the sooner we can experience our soul in its pristine state such that its light shines forth. Much like the rays of the sun that continue to shine even on a cloudy day, God's love is always shining upon us, whether we recognise it or not. It is when we can readily experience this love that our life becomes transformed, and we lead lives that are joyous and blissful. The key to life, therefore, is to experience Supreme's love and Light, and the first step toward this is meditation.

BLISS OF EVERYDAY LIFE

Drinking Chilled Milk

Oh, the glory of sipping cold milk that goes so beyond its nutritional value. Cold milk, fresh from the fridge, offers a refreshing gullet relief from the heat of the day or intensity of a meal. Its coolness soothes parched throats, refreshes weary minds and thaws frozen heads.

As the milk glides down the throat, it leaves a velvety sensation that is both equal-part comforting and indulgent. Each gulp brings a wave of satisfaction, as if quenching not just thirst but also a craving for something far more wholesome.



Cold milk possesses a subtle sweetness that is heightened by its chill. This natural sweetness, combined with its temperature against glass, creates a delightful contrast that is tantalising.

Never mind the white drink being rich in calcium, protein and essential vitamins, and supporting bone health, muscle growth and overall well-being. For pure pleasure, it can also be so sinful. Cold milk offers a libation that can be enjoyed any time of day. So, next time you reach for a glass, savour the moment and lick your lip after the deed's done. A liquid, white moustache should mark the pleasure spot.

Chat Room

Make It Bihar of Investor Dreams

'How to Pull Out of the Trap' by Poonam Gupta (Mar 11) clearly highlights the frailty of Bihar's GDP, the holistic measure of well-being. Employment growth due to industrial development is the key to increasing per-capita incomes. Though the state's economic data appears encouraging due to lower base effect, the transition from a farm-based economy to a manufacturing-oriented one is crucial for boosting job creation and individual incomes. It is unfortunate that Bihar is not a preferred destination for private investment and industrial projects. Gov should incentivise industrial growth in the state to attract investments. Our Viksit Bharat dream will be realised by developing states like Bihar.

RAJARAO KUMAR
Bengaluru



A thought for today

It is easier to prevent bad habits than to break them

BENJAMIN FRANKLIN

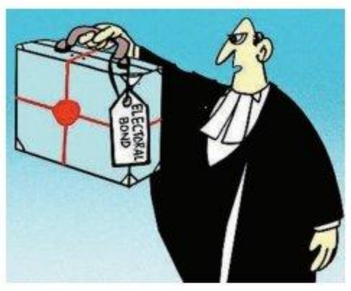
Didn't Get It?

SBI's supposed confusion over understanding SC's electoral bonds verdict shows why judgment was right

SBI will finally submit details of electoral bonds (EBs) to EC. In an embarrassing day at SC yesterday, SBI's application asking for an extension of the deadline to June 30 was dismissed. Separately, EC has been asked to compile info on EBs and publish it on their website by 5pm Friday.

Big bank, big mistake | In terms of optics, SBI's approach to SC's landmark Feb verdict on EBs has been poor. SC's order was straightforward. SBI was asked to compile details it was always required to keep and give these to EC by March 6. In its application to SC, SBI asked for time to carry out value addition on the data. SC's order didn't ask for any value addition. It just asked the bank to hand over info it was expected to maintain.

That's EBs' problem | SBI's response to SC's judgment validates the main criticism of EBs. They are bearer bonds similar to currency. That's why only RBI was authorised to issue bearer bonds.



Removing this monopoly power triggered an objection by RBI in 2017. One of its grounds was that a bearer bond can change hands before it reaches a political party for encashment. That's the way currency works too. So, it's hard to understand why India's largest commercial bank wanted more time to match donor details with redemption by political parties. There's no foolproof way of doing it.

Institutions & questions | Two institutions, SBI and EC, have had a tough time in following SC's orders when it comes to EBs. In Nov 2023, SC in an interim order asked EC to collect info on EBs received by political parties till Sep 30 and give it to the court in a sealed envelope. In the course of hearing, it emerged that EC had misunderstood earlier orders on collating info. It led to a rap on the knuckles by SC.

Unanimity of verdict | SC's decision to strike down EBs was a milestone. A five-judge bench came up with two opinions. But they agreed on every important point, even if there were subtle differences in reasoning. The highlight of this unanimous verdict was that info on political funding is essential to help voters decide on their choice. Also, political parties need to be subject to the same levels of disclosure as individual candidates in an election. That's been reaffirmed.

How Rich Is My Valley

Whether US techies are woke or anti-woke, what matters is how they immigrate to innovate

Silicon Valley used to be such a liberal bastion that techies, startup founders and CEOs supporting Republicans used to hide how they voted and donated. Recent years have seen Peter Thiel, Marc Andreessen, and most attention-grabbing Elon Musk raise voices rightwards. Valley conservatism is no longer in the closet. But when one boils labels down to essentials, they amount to much less than their sound and fury.

US says hello, global talent | Silicon Valley's greatness is how it has remained the marquee hub for global tech innovation last century into this one. This has taken a trifecta of supportive govt policies, splendid access to venture capital, and top R&D at public universities plus private sector labs. On top of this, the real magic sauce has been a remarkable concentration of talented individuals attracted from across the world.



China says, stay away | That Google, LinkedIn, Tesla and Nvidia have all been co-founded by immigrants is where America leaves China far behind. Even the huge domestic labour supply that used to provide a counterweight, has begun to shrink. A logical way to deal with its rapid aging is for China to open up to those who are not "descendents of the dragon". To overcome prejudices around racial purity. There are no signs that it is ready for this mindset shift. In America, by contrast, no matter how much political heat immigration attracts, it continues apace, continuously adding to its labour force and economic growth.

Can India pull world talent too? | Unlike China, India's labour supply is still expanding. But we should learn from US how foreign-born skillsets help the native-born. Being woke or anti-woke is besides the point. The point is to become an innovation hub.

Relatively speaking

Titu wants a job in the Gulf. Until he gets it

Bikram Vohra



Columnist based in Dubai

It is inevitable if you are living in the Gulf that someone from the larger family back home will be looking for a job. Goes with the territory. No one escapes this imposition. If it is your side of the family you can fob it off for a while by blaming HR, slump in the job market, and better to wait till things are better. You can also cheerfully let yourself down by saying, no can do, don't have the clout.

If it is your wife's family, the request turns into an imperative. Young Titu, you are told, is agreeable to giving it a shot (that is so generous of him) and you have been chosen arbitrarily to load the catapult. That young Titu has no great redeeming features studding his CV means you must pull favours, call your contacts, and deal with impatient wife who is getting flak about how Mani uncle in Bengaluru got his nephew a good job in three days, and now it has been a week and nothing to show for it.



Finally, a friend weakens under your incessant onslaught and says okay, bring him on a visit and see what I can do. So along comes Titu eagerly ready to do anything and the favour is consecrated, friend will be owed big time.

Titu has now been using the guest room for two weeks and is showing no signs of buzzing off and seeking his fortune or whatever, time to go, mate. But on the plus side there is peace in the valley, wife loves you for having kept her izzat etc. Then a month or so later there is this email from Titu's dad to wife's cousin forwarded to wife saying Teets is unhappy, the food in the canteen is lousy and he has been diddled in the salary department, Mani uncle's nephew even got house rent, and here it is bed space. Peace in the valley collapses and wife is distraught.

So you say, remember when he wanted to do anything, what has happiness got to do with it, he wanted a job, I got him a job, I am not yelling, yes I am yelling, I begged a favour, a huge, big lump of a favour.

He wants to go home, says the wife, tell your friend to cancel his residence. So now I must call the friend to whom I already owe big time for another favour by dunking his company and telling him Titu wants out. Let him call Uncle Mani and make him chairman or CEO, he can cancel on his own, I am not calling anyone.

You could have got him a better deal, now if it was your side of the family...

Their Notes Before Your Votes

SC has batted big for transparency by dismissing SBI's plea for more time to disclose electoral bonds info. People have a right to be aware of political party funding before they go to polling booths

Trilochan Sastry



Chairman, Association for Democratic Reforms

On March 11, SC took up two petitions of national importance. One was State Bank of India's plea seeking extension till June 30, for disclosing info on electoral bonds. SBI did not comply with the Feb 15 court order, asking it to file the info by March 6. That order had struck down the entire electoral bonds scheme as unconstitutional.

The other petition by ADR said that SBI was in contempt of court for not complying with its earlier order. Note that SBI is our largest bank, with over 48 crore account holders, while India has 25 crore households. Indeed, SBI is among India's most respected institutions.

Argument didn't fly | SBI essentially tried to make the case that info on bonds sold and bonds redeemed by political parties were kept separately. A total of 22,217 bonds have been sold since 2019, over 90% of them for ₹1 crore each. Therefore, SBI argued, it was difficult to match buyer and redeemer of each and every bond. It said the whole process would take until June 30, well after the scheduled Lok Sabha polls. But SC in its earlier order had spoken of voters' right to have this info *before* voting.

Win for transparency | Yesterday, SC clarified that matching donor and recipient for each and every bond is not required. It read out its original order of Feb 15 to clinch the issue. When SBI asked for three more weeks, this plea was also turned down.

- SC ordered SBI to open the sealed covers right away. And provide the info to Election Commission, under the signature of SBI chairman, by today, March 12.
- From FAQs on SBI's website, and pointed questions to SBI's legal representative, court established that this info is already available with the bank.
- Further, court ordered EC to put this info on its website by March 15. Court also said that it would take up the contempt petition if SBI did not comply with the new order.

Fails the democratic test | Several important questions have been raised after the judgments of Feb 15 and March 11.

- Four laws were amended in Rajya Sabha through the Finance Act 2017, a money bill on which MPs can't vote. A five-judge constitution bench unanimously struck down all four amendments and the Finance Act as unconstitutional. Did govt not know that the bills were unconstitutional?
- In court, Attorney General of India said the purpose of electoral bonds was to ensure secrecy of donors. He also said voters don't have a right to know this info. For the record, all leading democracies around the world maintain full transparency. Therefore, it is strange that our govt thinks voters do not have a right to know about political funding.



Red flags | Both RBI and EC had gone on record saying that the electoral bonds scheme was wrong and should not be implemented. Why did govt ignore the advice of two key institutions? Secrecy increased speculation about electoral bonds.

- Public began asking whether the money is from well-known industrialists, or from shell companies, or from those against whom investigative agency raids were conducted.
- The electoral bonds scheme had amended the Companies Act and removed the cap of 7.5% of profits for political donations, and the requirement for a company to have been in existence for at least three years. So shell companies could be set up overnight to channel funds to political parties.
- Key question here is why we knowingly opened the gates for such money to potentially go to political parties – even over EC's objection. Hopefully, all these speculations will be set to rest now.

Clean funding needed | At the same time, political party funding is very much needed. After all, parties cannot fight elections without funds. However, as a first step, full transparency needs to be implemented. Govt says that donors are harassed if their names are made public. We can introduce laws to protect legitimate donations and donors from law enforcement agencies and the I-T department. It would be a path-breaking legislation and an example for the world if India can do this.

Meanwhile, Lok Sabha elections are around the corner. Info on electoral bonds coming out now will be in media over the election season. We hope that everything will be above board, and that no party will be embarrassed. We need capable, democratic political parties that work for the people and the nation. This cannot be achieved by courts, EC or political parties alone. In the final analysis, it is voters who can ensure this.

ADR is a petitioner in electoral bonds cases

CAAN It Deliver Big For BJP In Polls? Depends

Rules of Citizenship Amendment Act have been notified. Hindus, Christians, Sikhs, Buddhists, Jains, Parsis from Muslim-majority neighbouring countries can now become citizens. In LS polls just weeks away, BJP expects this to shore up its votes. Especially in Bengal constituencies along the Bangladesh border. But Assam sees protests. Research by Nandita Sengupta

Notifying CAA just ahead of Lok Sabha 2024 elections – after 4 years since its passage in Parliament in Dec 2019 – is BJP checking another box on its 2019 manifesto. Temple, done. UCC, started. "Protection of minorities persecuted in region's countries" – CAA notified. But the timing has its own electoral calculations.

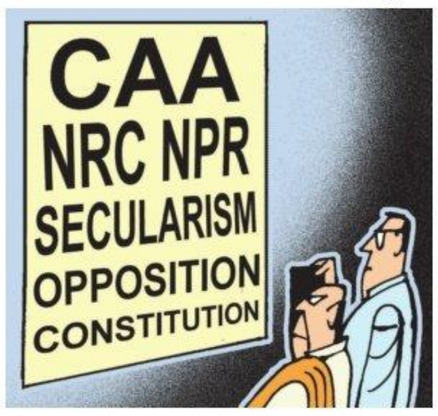
Lok Sabha 2024 | BJP's willing to risk a breakout of protests and some blowback in Northeast – Assam to Meghalaya – to cement its numbers in Bengal, and also Assam. CAA's promise of citizenship shored up BJP's prospects among Bengal's Namasudra (including Matua community) in 2019 LS and 2021 assembly polls. This will help BJP in seats along IB with Bangladesh.

- Northeastern states, including Assam (14), total 25 LS seats. With 42 seats, Bengal is the third largest state after UP (80) and Maharashtra (48).
- Electoral rolls finalised for 2024, no new changes will be reflected immediately.
- Northeastern states are all wary of mainland politics of 'settling Bengali Hindus', a 'Bengali assimilation', considered a long standing danger.
- In rest of India, sections of Bengali-speaking Pasmanda Muslim across India, poor and marginalised, will face the brunt of the notification – fodder for political rhetoric. Anti-Muslim outfits accuse them of being Bangladeshi or Rohingya, regardless of documents. Recall Haryana's Gurgaon-Nuh riots ahead of G20 in 2023, where shanty inhabitants were accused of being Rohingya/Bangladeshi.

CAA in Assam | Protests have broken out in Assam, police are on the streets in Guwahati. As expected. Opposition parties have called CAA's notification "Delhi's attack on Assam".

To recap, anti-CAA movement in rest of India resisted the law because it denied Muslim refugees a chance at citizenship. Assam had erupted in protests because the law *reshaped* an *ethnicity fault line* into a *religious fault line*.

- In a nutshell, Assam's politics has for decades centred around *anti-Bengali* (anti-Bangladeshi) sentiments – locals consider all Bengali-speaking refugees, both Hindu & Muslim, 'infiltrators', whose inclusion as citizens would change the state's identity, demography and power equations.
- CAA allows for Bengali *Hindu* non-citizens to seek citizenship, but the same doesn't apply to Bengali *Muslim* non-citizens. Deep wedge was driven between local Muslims and Bengali Muslims, the former needing to distance themselves from the latter's 'stateless' future. 'Indigenous' Assamese protested against giving Bengali Hindus citizenship.
- NDA retained the state in 2021 assembly polls. In 2022, around 40L Assamese-speaking Muslims – loosely tagged OBC on record and who have no migration history from erstwhile East Pakistan or Bangladesh – were grouped as 'indigenous Assamese Muslims', a subgroup of the 'greater native Assamese' community.
- This made a sharp distinction between *native* Muslims and *Bangladesh-origin* Bengali-speaking immigrant Muslims. Per 2011 Census, Muslims comprise 34% of Assam's population (second only to J&K), and of this, native Muslims, now with an ethnic tag, are less than 40%. So how were all these non-citizens identified in the first place? To answer, a step further back to NRC (National Register for Citizens).



Assam's NRC | Remember Prateek Hajela? This IAS officer was tasked in 2013 to carry out a citizenship exercise in Assam, under Supreme Court supervision to settle the refugee/illegal immigrant/infiltrator question. NRC would include those who could show they moved to India before March 25, 1971 (per Assam Accord). It entailed a mammoth exercise involving 52k govt officials.

- Of 3.3 crore who applied to be in NRC, 19L were declared non-citizens in the final count.
- Of these, the majority were *Hindu*. BJP alleged 'genuine Indians' had been left out, those with forged papers included. To address these cases, multiple foreign tribunals were set up.
- Soon after, SC transferred Hajela out without offering any reason. Cases in tribunals still hang fire. Assam govt wants parts of NRC, especially in Assam-Bangladesh border areas, re-verified.
- Over 5L Bengali Hindu migrants from Bangladesh, who didn't find a place in the final NRC will benefit from CAA.

Electoral impact | Assembly elections of 2016 and 2021 were fought on the issue of protecting Assam's identity. BJP emerged single-largest party in both. In 2016 it talked of updating NRC and in 2021 it promised to correct a 'flawed' NRC, but was silent on CAA. Two years later, Himanta said BJP wants to implement three things – delimitation, CAA and have 1951 as cut-off year to identify foreigners, which means nullifying Assam Accord, where the cut-off year is 1971.

Delimitation | EC carried out Assam's delimitation last year. Delimitation for rest of India will be held only after census; constituency numbers in any state cannot be increased till then. So, *number* of constituencies in Assam remained 14 but boundaries were redrawn – SC assembly seats/segments increased by 1, ST by 3. Electoral rolls were finalised in February for LS 2024. Numbers increase by 11% over 2019's rolls, far above national average of 6%. Assam heads into elections on a boil.

Calvin & Hobbes



Sacred*space*



Should one find a man who points out faults and who reproves...follow such a wise and sagacious person as one would a guide to hidden treasure. It is always better, and never worse, to cultivate such an association.

Dhammapada

Why Sage Ashtavakra Feels Wonderful Always

Uma Ram and KS Ram

Health generally is assumed to relate to body-care, internal and external. A broader view includes mental health. Radically different from all this, is the Indic view of health, encapsulated in the Sanskrit word, swasthya. And ironically, Ashtavakra, the sage with eight deformities, presents this ideal.

Rather than feel embarrassed by these deformities, as most probably would, Ashtavakra exclaims in ecstasy: 'Wonderful, wonderful am I!' Why? Because, deformities notwithstanding, he was perfectly swastha. And he gives us insight into what true health means, or should mean. His Ashtavakra Gita is a classic of Sanskrit literature. It is structured as a dialogue between the guru-poet and the royal sage, Janak. Janak poses three questions to Ashtavakra: How can jnana, knowledge, be acquired? How can mukti, liberation, be attained? How is vairagya, renunciation, possible? In the course of answering these questions, Ashtavakra discourses on various topics, all anchored in Advaita, the Indian ideal of monism, revolving around the central topic of the SELF. With a total of 298 verses, spread over 20 chapters of varying lengths, Ashtavakra Gita is less than half the size of the Bhagwad Gita. The two works complement each other.

When he first approached Sri Ramakrishna, the young Vivekananda, then known as Narendra, was under the influence of Brahmo Samaj, averse to the idea of Advaita, that equates the SELF to God. Sri Ramakrishna, however, divined that the young man was innately rooted in Advaita. Instead of discoursing on monism, he introduced him to Ashtavakra Gita. The rest is history.

THE SPEAKING TREE

The word, Swasth, commonly connotes health or healthy, implying physical health. However, in Sanskrit, the word 'swastha' essentially connotes 'established in the SELF', swa-stitha. This connotation opens new vistas. Swastha goes well beyond the Greek ideal of wellness, defined as 'a healthy mind in a healthy body'. The Greek view of health would have excluded Ashtavakra, the sage with an 'unhealthy' body with deformities.

Swastha does not imply a mere robust attitude to life; it implies the only true attitude to life. You are either swastha or sick; there can be no shades of grey between these two conditions.

Janak does not receive theoretical answers to his queries. The interaction with Ashtavakra makes him swastha; it establishes him in the SELF.

The swastha person is marked by tranquillity. This is due to the expulsion of both, negative and positive thoughts; antipathy as also sympathy; in short, a person who has transcended the entire horde of 'pairs of opposites'.

Whatever Krishn says of stithaprajna in the Bhagwad Gita applies also to a swastha person. Purged of all pairs of opposites, such a person, says Ashtavakra, displays a shoonya chitta, blank mind. Society may see him doing all the normal acts, but the swastha person is only inactive and indifferent to the circumstances, 'like a dry leaf blown by the wind'. He sees the world as a projection of his SELF, and always abides in the SELF. He neither seeks nor avoids the world; he stays indifferent to it. He suffers no ailments, because he bides in the SELF as Atmaram. In Ashtavakra's words, he lives like one videha, bodiless. He does not mind whether his body has eight or eighty deformities. He feels just wonderful – always.

The Tribune
ESTABLISHED IN 1881

TMC going solo

Rivalry with Congress can hurt INDIA

THE Trinamool Congress (TMC), a key constituent of the Congress-helmed INDIA bloc, has decided to go solo in the Lok Sabha polls in West Bengal. The failure of the TMC and the Congress to negotiate a seat-sharing agreement has laid bare fissures in the Opposition grouping. In another embarrassment for INDIA, TMC supremo Mamata Banerjee has declared that her party would confront not only the BJP but also the Congress and the CPM in the state. Putting on a brave face, Congress president Mallikarjun Kharge has said: 'Our doors are always open and an alliance can happen any time before the withdrawal (of nominations).' State Congress chief Adhir Ranjan Chowdhury, however, has claimed that Mamata has distanced herself from INDIA so as not to antagonise PM Narendra Modi.

In the 2019 Lok Sabha polls in Bengal, the TMC had won 22 seats out of 42, while the BJP had made major inroads by clinching 18; the Congress had won two seats. The seat-sharing talks proved futile this time as the Congress wanted more than two seats for its candidates, while the TMC was not keen on ceding ground. The bitter rivalry between the two INDIA allies was starkly visible last year when Left-backed Congress candidate Bayron Biswas defeated the TMC's Debashish Banerjee in the Sagardighi bypoll. Later, Biswas switched over to the Trinamool camp, much to the Congress' chagrin.

Already on a sticky wicket over the Sandeshkhali outrage, the ruling TMC might find it tough to brave the BJP's onslaught on its own. The Congress has complicated matters by trying to bite off more than it can chew in Bengal. This will have implications for INDIA's national prospects in the Lok Sabha elections.

Maple smuggling

HP must enhance vigil to catch thieves

THE busting of a maple wood smuggling racket in Chamba has revealed the magnitude and expanse of the illegal timber trade in the region. The illicit activity spans states such as Himachal Pradesh, Uttarakhand and Uttar Pradesh. Maple tree knots, valued for their unique grain patterns and religious significance, have become a lucrative commodity for smugglers. These knots, sought after by woodworkers, craftsmen and Buddhist monks, fetch high prices in the market. However, their smuggling not only causes environmental degradation, but also robs the state of considerable revenue. The arrest of 15 persons, mostly from Nepal, underscores the transnational nature of this racket. The smugglers' modus operandi, involving clandestine transportation of maple wood across state borders, reflects the challenges faced by the authorities in combating the crime.

Efforts to integrate forest and police outposts, as highlighted by Himachal CM Sukhvinder Singh Sukhu at a meeting of forest officers in Shimla last August, are crucial for tackling timber smuggling. By leveraging modern technology, the authorities can enhance surveillance and clamp down on illegal activities. Further, the collaboration between law enforcement agencies and the Forest Department must extend beyond the mere integration of outposts. Comprehensive strategies involving intelligence-gathering, targeted raids and strict enforcement of laws are imperative to dismantle the entire network of the illegal trade.

It is not just about protecting the state's natural resources, but also about safeguarding the livelihoods of the local communities dependent on the forest ecosystem. The plunder of maple trees disrupts the delicate ecological balance and deprives future generations of these resources. Only through collective vigil and decisive action can we save our natural heritage.

The ossified American electoral system

The seven 'swing states' are all-important for Republicans and Democrats



MANOJ JOSHI
DISTINGUISHED FELLOW, OBSERVER RESEARCH FOUNDATION, NEW DELHI



ARCHAIC: The American system is based on an electoral college, not the popular vote. REUTERS

AMID the election season in the US, it is important to understand that the American electoral system is ossified — the results in certain states are a foregone conclusion and thus they are clearly identified as red (Republican) and blue (Democratic) states. The 2024 presidential election will really depend on the outcome in just seven of the 50 states and about 100,000-200,000 voters.

This archaic system is not based on the popular vote but on an electoral college. When an American citizen votes on the Tuesday following the first Monday of November (this year, November 5), he/she is not voting for the candidate but a slate of electors. Though there is no constitutional compulsion, these electors pledge to vote for one of the candidates when the 538-strong electoral college meets on the first Tuesday after the second Wednesday in December, (this year, December 17). A simple majority of 270 or more electoral votes is needed to win the election. In 2020, Biden won 306 electors against Trump's 232, and he also got 7 million more votes than Trump.

Sparsely populated Wyoming, North and South Dakota have three electoral votes each; California has 54 and Texas 40. As per predictions, California will go blue and Texas red. States can and do flip between blue and red, but no one is expecting that this time around.

The seven 'swing states', where the election will be decided, are Arizona (11 electoral votes), Georgia (16), Michigan (15), Nevada (6), Pennsylvania (19), Wisconsin (10) and North Carolina (16). In 2020, Joe Biden won all of them except North Carolina. Currently, Donald Trump is leading in five of these states and Biden desperately needs to retain Michigan, a state with a significant number of Arab-Americans who are angry with his West Asia policy.

An analysis of the Super Tuesday primaries, along with US census data, tells us that Trump has wide Republican support, but it varies demographically. He has done better in counties with lower levels of college education and lower incomes. His support is strong in rural counties, but not in large metro areas. Also, support is in places with population older than 50; he is less popular with younger voters, who had favoured Biden overwhelmingly in 2020. There is also a gap between those who voted for Haley in the primaries — who tended to be college-educated and against a federal abortion ban and not too happy with Trump's personality.

> An analysis of Super Tuesday primaries, along with US census data, tells us that Trump has wide Republican support, but it varies demographically.

If the Democratic Party is able to convert some of the energy Biden displayed in his State of Union (SOTU) address last Thursday into its campaign hereafter, it will go some way in blunting doubts about his age (81). What is clear, though, is that Biden retains that "fire in the belly" that has made him a successful politician.

However as of now, the opinion polls have been saying something else. A *New York Times*-Siena poll at the beginning of this month said if the elections were held today, 48 per cent would vote for Trump and 43 per cent for Biden. The President's problems have been accumulating — doubts about his fitness, the backlash over US support to Israel, fears over immigration on the southern border and the continuing worries over the impact of inflation. Even as Trump has consolidated his hold over the Republican Party, Biden's Democrats are splintering. He is having trouble in retaining the support of younger voters as well as non-college-educated Blacks and Hispanics.

And then there are third-party candidates. In the US system, it is not easy for such candidates to get onto the ballot, but this time there are three — the well-funded Robert F Kennedy Jr, Jill Stein of the Green Party and Cornel West, the leftist political activist. There is also a threat from No Labels, a political organisation, to come up with a candidate who will target Republican and Democratic votes. They have no chance of winning, but by depriving a candidate of 5-10 per cent of the vote, they can alter the verdict in particular states, skewing the larger result. As of now, their impact is falling heavier on Biden than Trump.

Eight months are a long time in the presidential elections, and the opinion polls are not always accurate. Issues will be rejigged and new ones can surface. The rate of inflation is declining and people's sceptical assessment of the economy could change. A ceasefire in West Asia and even Ukraine could shift views, and a Trump conviction in any of his cases could change perceptions of some swing voters.

A Biden victory would have largely predictable consequences, but what will a Trump win bring? There has been an old-fashioned consistency and achievement in Biden's policies. He has restored the American alliance system and revitalised the US economy, even while maintaining a tough line on China and Russia. He has indicated that the US remains part of the global system by supporting policies to fight climate change and re-engaging with the WHO.

With Trump, it's different. He is now in complete control of the Republican Party and is, in a sense, 'unchained'. At the best of times, he is unpredictable and inconsistent. This time, he is going in with a plan to pack the entire government and the judiciary with his supporters and negate all checks and balances on presidential powers. He could walk out of NATO, abandon Ukraine and give up on free trade. The only comfort is that while his approach to India will be transactional, it will not be hostile and could even be friendly.

THOUGHT FOR THE DAY

Every election is a sort of advance auction sale of stolen goods. — H L Mencken

A sojourn cut short by Mumbai blasts

CAPT DPS AUJLA (RETD)

THE early 1990s witnessed bonhomie between the three defence services. The three service chiefs — Gen SF Rodrigues, Air Chief Marshal NC Suri and Admiral L Ramdas — were coursemates at the Joint Services Wing (National Defence Academy). Their generosity towards each other was legendary. It was during this period that the Army transferred prime land in the national capital for the majestic naval officers' mess on National Highway-8. It is another matter that the mess has since been dwarfed by the flyovers.

The three chiefs decided to spend holidays together at the Bangaram island resort in Lakshadweep. The pristine corals and crystal-clear waters, as seen by our PM recently, are a sight to behold. The chiefs' itinerary was similar to that of former Prime Minister Rajiv Gandhi, who had visited the place with his family in the late 1980s.

Ships of the western fleet were designated for security cover and logistical support. I was detailed as a pilot of the Sea King helicopter to take them from Cochin to the ship and disembark them at Bangaram in the evening after a day at sea witnessing naval drills. The VIPs boarded the helicopter and we proceeded to the rendezvous point with the naval ship about 60 nautical miles westward. The weather radar was kept in the surface-mapping mode for early detection.

As I saw some surface contacts on the radar, the Navy chief, standing behind the pilots, quickly called in the female passengers to showcase the naval capability. It was akin to a schoolboy showing off his toys.

The next day was spent in helicopter visits to various groups of islands. The three chiefs and their wives, dressed in casuals and carrying fishing gear, were in a boisterous mood. In the evening, the helicopter returned to the ship after taking them to the Bangaram resort for the campfire.

As I was getting ready for dinner, there were frantic announcements for me to report to the bridge of the ship. The scene there was sombre. 'There have been some developments in Mumbai and the chiefs have been ordered to rush back,' the captain said. I argued that a dark-night landing on a small helipad with huge coconut trees and without any lights/references was clearly a mission impossible. It was changed to early morning. As we took off from the ship for Bangaram to transfer them to the tiny airstrip of Agatti, three Avro transport aircraft of the IAF were hovering overhead. The chiefs boarded the planes for their respective destinations.

Their trip had been cut short by a major terror attack. The Mumbai blasts of March 12, 1993, were a watershed for us, similar to what the 9/11 attacks meant for the Americans and air travel the world over.

LETTERS TO THE EDITOR

Address underlying issues

Refer to the editorial 'Chit gangs of Nuh'; malpractices have long been common in state boards and CBSE examinations. Students and those involved in enabling the use of unethical means in examinations take advantage of the advancements in technology in recent decades. It is not uncommon to find candidates using Bluetooth or other devices to cheat. There is a need to ensure that no student brings chits, devices or textbook pages to the examination hall. The local authorities concerned must rein in the malpractices. Besides, there is also a need to address other underlying issues that prompt students to use such dishonest means in exams. Many government schools have been reeling from a shortage of teaching staff. Most students enrolled in such institutions cannot afford additional coaching. Hence, they are left with no choice but to cheat.

DILWAR ALI MEERAK, BY MAIL

Authorities to blame

With reference to the editorial 'Chit gangs of Nuh'; it is a matter of grave concern that chit gangs are fearlessly supplying cheating material to students in exam centres. It is alarming that students and gang members often adopt underhanded means with impunity. From Bihar and UP to Haryana, there is no stopping this menace. This points to a systemic failure on the part of the school authorities to tackle the use of unfair means. Such gangs have been successfully operating, probably with the connivance of some of the school officials responsible for holding exams. The need of the hour is to deal strictly with such elements to stem the rot.

MD SHARMA, SHIMLA

Bring culprits to book

Apropos of 'Chit gangs of Nuh'; the scenario in Nuh brings to mind images of the infamous Bihar cheating case some years ago, when parents and friends of students were photographed climbing school walls to pass on answers. But the menace is not limited to a few states. There is no doubt that cheating cannot take place at a massive level without the help of teaching staff members. The gravity of the situation can be gauged from the fact that villagers and gangs are often involved in the practice. Those in power must take concrete steps to not only prevent cases of cheating in exams but also make sure that the culprits are brought to justice so that a strong message can be sent out to criminals.

BAL GOVIND, NOIDA

Weak Oppn bodes ill for nation

Refer to the news report 'TMC snubs Congress, names nominees for all 42 Lok Sabha seats in Bengal'; even if the TMC wins all 42 seats in the state, will Bengal really gain anything at the end of the day? Will the outcome be of any good for democracy? The NDA, with its octopus-like grip on electoral politics, might end up winning the Lok Sabha polls for the third time straight, thanks to a divided Opposition. AAP and the Congress' inability to agree on a seat-sharing pact in Punjab has weakened the foundation of the INDIA bloc. A weak Opposition bodes ill for our democracy.

HIRA SHARMA, BY MAIL

Congress must introspect

Apropos of 'TMC snubs Cong, names nominees for all 42 Lok Sabha seats in Bengal', even loyalists of the Congress are dismayed to see the poor state of affairs. There was a time when the grand old party held sway all over the country. Not only has the Congress' national presence shrunk over the years, but it has also been left at the mercy of regional parties to be able to fight elections. The fact that the Congress is being slighted by state-level parties in one state after another says a lot. The Congress must reflect on the reasons for its downfall instead of sweeping infighting in the Opposition bloc under the carpet.

YOGINDER SINGHAL, LADWA

Act against protesting farmers

Refer to the report 'Farmers squat on rail tracks in Punjab, Haryana; services hit'; it is time for the government to crack the whip to check disruptions caused by farmers' protests. It is disappointing to know that farmers on Sunday squatted on railway tracks at many places in Punjab and Haryana. The agitating cultivators must not be allowed to hold thousands of train passengers to ransom. The Supreme Court should take suo motu cognisance of the matter.

KUMAR GUPT, BY MAIL

Letters to the Editor, typed in double space, should not exceed the 200-word limit.
These should be cogently written and can be sent by **e-mail to: Letters@tribunemail.com**

ON THIS DAY...100 YEARS AGO

The Tribune.

LAHORE, WEDNESDAY, MARCH 12, 1924

Position in the Central Provinces

ALTHOUGH for obvious reasons the battle for Swaraj has to be mainly fought in the Legislative Assembly, so far as the policy of mending or ending the Reforms is concerned, the Provinces offer a certain decided advantage over the central Government. The reason is not far to seek. The soul of the present Reforms is dyarchy, and it is in the Provinces alone that dyarchy exists. It is for this reason that in spite of its comparative unimportance among the Provinces, all eyes in India have now for some time been turned to the Central Provinces. Alone among the Provinces in India, that Province has an absolute majority of Swarajists in the local Council; it is, therefore, the one Province in which the policy of "uniform, continuous and consistent obstruction" can be, as it is being actually, tried under the most promising conditions. If that policy succeeds there, the example is bound to be imitated in other Provinces. Its failure in that Province would similarly be attended with a setback to the Swarajist cause in the whole country, not irretrievable but certainly serious. For this reason, among others, some of us would have preferred the launching of the experiment being deferred until it could be tried simultaneously in several of the Provinces and the electorate itself was better prepared for the trial. But the party most vitally concerned, the C.P. Swarajists themselves, though differently, and doubtless when all is said and done, they have a supreme right to decide for themselves. It cannot be denied that so far things have turned out exactly as they had anticipated. They passed a vote of "no confidence" in the ministry and the latter had to and did actually resign.

Europe loath to learn from past disasters



ABHIJIT BHATTACHARYYA
AUTHOR AND COLUMNIST

In the second half of the 19th century, seven aggressive European imperial states (Portugal, Spain, France, Italy, Britain, Germany and Belgium) divided Africa through 'botanists, buccaneers, the Bible, bureaucrats, bankers and businessmen'. In 1875, less than one-tenth of Africa was colonised by Europeans; by 1895, one-tenth remained unappropriated. In 1916, Lenin termed it 'imperialism, the highest stage of capitalism'.

Before the 19th-century partition of Africa, 5 million sq km of Indian territory was usurped (through the 18th century and later) by the British. State power and responsibility were brazenly bequeathed to a band of businessmen, accompanied by machine-gunners, who forced South Asia to succumb to the lords of London. The operation was outsourced to a private corporation, which went on the rampage on behalf of the Crown through the state-backed 'might is right' policy, supplemented by the unabashed assertion of native panegyrists that the 'King does no wrong'.

Europe of yore also tried proving that whereas non-Europeans are always wrong, Europe is always right because the West is the king and the rest are subservient subjects. Thus, whereas the global expansion of Europe constituted the 'white man's burden' to civilise the non-white, the opposite is strictly 'no-no' and a 'no-go' for 'others' without the pleasure of the King.

Then came the 20th century, and Europe's power started waning despite the fruits of the Industrial Revolution. The faultlines emerged fast and furious in the European mainland. With opportunities for overseas expansion drying up, colony-championing Western imperialists fought the bitter intra-Europe World War I of 1914-18 (like today's Russia-Ukraine war and the divided Europe). Though World War I exhausted, crumbled and shrank Europe, it couldn't stop another savage civil war, euphemistically referred to as World War II (1939-45), which dragged all continents into one continent's issues. Thus, both wars proved to be a true precursor of globalisation, reflected in global violence because of interdependence and interconnection between the biggest and the smallest and the richest and the poorest nations.



LIMITATION: US President Joe Biden (left) with his Ukrainian counterpart Zelenskyy (centre) and Canadian PM Justin Trudeau. NATO's 'common security threat' clause is a stumbling block. REUTERS

Ironically, despite being a conglomeration of a handful of small duchies and dukes and princes and principalities — possessing limited land with few feudal landlords, serfs, bourgeoisie and proletariat — Europe, with its bloody past, still mesmerises most Third-World rulers. Hence, whatever the economic, political or diplomatic proposals emanate from there, many non-Europeans are overawed, little realising that the imperial grandeur of the West has faded and it's now in decay.

> Europe's combat cacophony is reaching a crescendo. No one is interested in ceasefire and peace talks.

Nevertheless, mainland Europe's rulers also fear the East. Anything from there is looked upon with scepticism. This inexplicable psyche could be caused by the fear of the ethnically different and robust Mongols' short-lived presence in the West. Hence, Russophobia exists in the official blue book of the West, and the mutual suspicion and hatred gave birth to war in eastern Europe in February 2022.

Two years of intra-Slav manslaughter have already created multiple crises, ranging from economic to agricultural, military, industrial and political. The 27-member European Union (EU) is against Moscow, but perhaps no longer unanimously. There are differences between France and Germany. Besides, whereas farmers of EU nations are on the streets, fighters of non-EU Ukraine face bullets from the EU's 'common enemy', Russia. Thus, amid the war between two belligerent non-EU Slav states, the business of firearm-makers prospers.

Owing to the declining demography of virtually all 27 EU nations, none of them today can join Ukraine on the ground. Further, NATO's 'common security threat' clause makes it well-nigh impossible for anyone to join the fight because that is bound to result in an all-out intra-Europe war — the fire will burn all, from Madrid to Moscow, Stockholm to Stalingrad, London to Leningrad. But still, the EU is yelling and itching for war from outside the battlefield.

Surely, Europe hasn't learnt any lesson from its past disasters and the colossal loss of around 6 crore people in six years (1939-45). Russia lost three crore soldiers, Germany 70 lakh, Poland 62 lakh, Yugoslavia 17 lakh, Hungary 8.5 lakh, France 8.2 lakh, Austria 4.8 lakh and the UK four lakh. Even distant India lost around one lakh soldiers fighting abroad under British masters, who created a man-made famine, conniving and conspiring with a section of native traders to kill lakhs of Indians at home through forced starvation.

Today, Europe's orchestrated cacophony for combat is reaching a crescendo. No one is interested in ceasefire and peace talks. The situation has reached such a sorry state that even United Nations Secretary-General Antonio Guterres deplored the deadlock over the Russia-Ukraine war and Israel's pounding of Gaza since October 2023. He publicly concedes that the 194-member world arbitration organisation is now 'fatally undermined'. Can it then be said that the two non-EU combatants are more powerful than the 194-member UN club? Let the UN then at least give its tacit approval to a European civil war to push the whole world into the jaws of a nuclear Armageddon. It seems that be it the US or the UK, France, Poland and Russia, all are bent on escalating the Russo-Ukraine 'local' war into an international conflict. Does Europe want to repeat its history and now kill 60 crore, 10 times more than the death toll in the 1939-45 war? Deplorably, the influential and powerful Europeans appear to be in a trance and, hence, unable to comprehend the mistakes of their predecessors, whose collective stupidity and arrogance arguably resulted in the most gory and blood-curdling chapter in the history of Europe, which globalised the business of murder for money.

Despite dip in violence, India must keep its guard up in J&K



LT GEN SK SAINI (RETD)
FORMER VICE CHIEF OF ARMY STAFF

PRIME Minister Narendra Modi visited Jammu on February 20 and Srinagar on March 7. During these visits, his first to J&K since the abrogation of Article 370 in August 2019, he inaugurated and laid the foundation stone of development projects in sectors such as education, railways, aviation, roads and skilling infrastructure. The Election Commission is holding meetings to assess whether Assembly elections can be held in the union territory (UT) alongside the Lok Sabha polls. These reflect positive changes in the security dynamics in J&K. Of particular significance is the PM's visit to Kashmir, perceived to be the hub of separatism and terrorism. Meanwhile, the composition of terrorist cadres in J&K has gradually mutated yet again, and it will throw up fresh challenges for the security forces.

The J&K DGP, during his annual press conference on December 30, 2023, said: "Local terrorists are gasping for breath, while foreigners are taking the lead in numbers. It becomes clear that the future fight will be against those who infiltrate into Jammu and Kashmir." As per official data, out of the 91 active terrorists in 2023, 61 were foreign and 30 of local origin. At present, foreign terrorists (FTs) are mostly Pakistani nationals recruited and trained in that country, while local terrorists (LTs) are Indian nationals, some of whom travel to Pakistan for training.

In recent years, this ratio was in favour of LTs, but it started reversing in 2022. According to figures from the Army, in April 2022, the ratio of local and foreign militants operating in Kashmir was 50:50. At that juncture, out of the 156 militants active in the Kashmir valley, 79 were locals and the rest foreigners. Between 2019 and 2022, around 750 militants were killed in the erstwhile state, 83 per cent of whom were locals. This ratio has inversed many times since 1990, and it has had a profound impact on the intensity and violence levels.

Terrorism in J&K has passed through a series of distinct stages. Till 1993, the bulk of the terrorists were locals, with minimal induction of terrorists into their ranks. Their training threshold was notably low, resulting in high attrition rates. Though there were a few instances of the use of improvised explosive devices (IEDs), the terrorists could not employ them effectively. That period was marked by large-scale targeting of Kashmiri Pandits and the conspicuous absence of suicide attacks. The activities of the terrorists remained confined to J&K.



KEY: The security forces have a critical role to play in the coming months to ensure normalcy. FILE PHOTO

The next phase can be broadly classified from 1994 to 1999, which witnessed an increased use of IEDs. The rank and file of Kashmiri terrorist cadres were strengthened by inducting foreign terrorists due to their availability from Afghanistan. They started operating as part of Pakistani terrorist organisations such as Hizbul Mujahideen, Lashkar-e-Taiba and Harkat-ul-Jihad-al-Islami. This gave a bigger religious dimension to terrorism in J&K amid efforts to club it with the larger jihadi movement in the world. The period 2000-03 was undoubtedly the time when terrorist violence in J&K peaked. Infiltration of terrorists increased significantly after the Kargil War. Pakistan-based terrorist groups took over the mantle of conducting their deadly business, resulting in the marginalisation of Kashmiri terrorist groups. Their tactics were marked by an increased reliance on remote-controlled IEDs, targeting of minority communities in isolated areas and the introduction of suicide terrorism.

> Terrorism in J&K has passed through a series of distinct stages. Till 1993, the bulk of the terrorists were locals.

From 2004, the violence levels started reducing considerably. The Line of Control fence was erected that year, accentuating the difficulties for terrorists to infiltrate. Agitational resistance manifested in protests, and stone-pelting and bandhs started in 2008, with the ISI of Pakistan attempting to replicate the tactics seen in Intifada II of Palestine. The composition of terrorist cadres also started changing progressively in favour of LTs. After the abrogation of Article 370 and reorganisation of J&K in 2019, there has been a discernable positive change in the security environment and local support for terrorists.

The decline in violence witnessed in J&K, especially after 2019, can be attributed to Pakistan's compulsions arising out of its domestic challenges, fragile economy, unfavourable geopolitical situation and the success of the counter-terrorism strategy adopted in the UT.

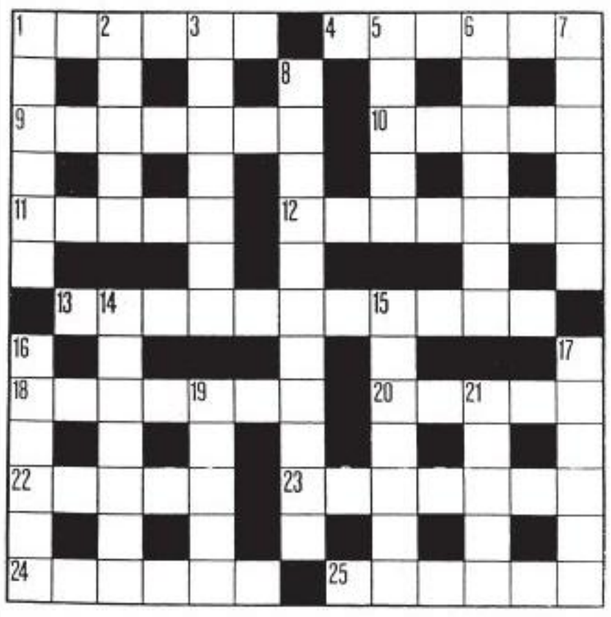
Does diminishing local recruitment and public support for terrorists indicate that we are on the cusp of ending militancy in J&K, as some claim? We need to expect and plan for a long struggle, despite a dip in violence. Pakistan is likely to calibrate the number of FTs through enhanced infiltration attempts to keep the pot boiling and engineer incidents within J&K to alienate the youth to fortify local support.

As the combat potential of the terrorists reduces, they are likely to modify their modus operandi. There may be attempts to create communal hatred between religious groups. Targeted killings are likely to increase. Engineered mass protests against the security forces over alleged human rights violations and the demand for the withdrawal of the Army and the Armed Forces (Special Powers) Act are likely to rise. During such protests, provoking the security forces to retaliate, resulting in collateral damage, will further the nefarious designs of the terrorists.

It would be naïve to expect that the new government in Pakistan would desist from the use of terrorism as an instrument of state policy. National interests and policies do not change with a new government or leaders. However, under an increasingly adverse geo-strategic environment, Pakistan has been forced to scale down terror activities. The present restraint can be called a tactical pause, with the option to increase the intensity of terrorism at a later stage when the domestic, regional and global environment is favourable. However, this is unlikely to happen in the near future, providing us with a window of opportunity to further improve governance, give a fillip to job creation, create sustainable tourist infrastructure and ultimately hold elections in J&K.

The security forces have a critical role to play in the coming months, especially during the General Election, to continue to ensure normalcy. The gains of the past few years need to be consolidated. Any dramatic action to create a short-term effect or give the impression of decisive action usually proves counterproductive and should be avoided.

QUICK CROSSWORD



ACROSS
1 Europe's second longest river (6)
4 Get to the bottom of (6)
9 Country of east Europe (7)
10 Tract of flat open country (5)
11 Predominant (5)
12 Lessen monotony of (7)
13 Treat as unimportant (4,5,2)
18 Chorus (7)
20 Cloth used for drying (5)
22 Cast (5,2)
23 Expedite (5,2)
24 Make nervous (6)
25 Tight-fisted (6)

DOWN
1 Person with menial work (6)
2 Coolness in danger (5)
3 Show anger (7)
5 Dismay greatly (5)
6 Bring ship to a stop (5,2)
7 Feeding trough for cattle (6)
8 Testify (4,7)
14 Culpable (2,5)
15 Position of uneasy responsibility (3,4)
16 Like better (6)
17 Hanging down loosely (6)
19 Financial backer in theatre (5)
21 Expand (5)

YESTERDAY'S SOLUTION

Across: 1 Forfeit, 5 Poser, 8 Commit oneself, 9 Tenet, 10 Any more, 11 Oyster, 12 Scotch, 15 Treadle, 17 Awful, 19 Machiavellian, 20 Musty, 21 Discern.

Down: 1 Facet, 2 Reminiscences, 3 Epistle, 4 Thorax, 5 Piety, 6 Step out of line, 7 Refresh, 11 Optimum, 13 Chablis, 14 Fervid, 16 Daily, 18 Lenin.

SU DO KU

1			4					9
2	7	6				3	5	
				5	3		7	
	2	9	1	3		7	4	
6								5
	8	7		9	4	6	1	
	4		8	2				
	3	5				2	9	7
9					5			1

V. EASY

YESTERDAY'S SOLUTION

7	8	1	9	2	3	4	6	5
2	3	6	8	4	5	1	7	9
9	5	4	6	1	7	8	3	2
3	2	5	4	8	1	6	9	7
6	4	7	3	5	9	2	8	1
8	1	9	7	6	2	3	5	4
5	7	2	1	3	8	9	4	6
4	9	3	2	7	6	5	1	8
1	6	8	5	9	4	7	2	3

CALENDAR

MARCH 12, 2024, TUESDAY

Shaka Samvat	1945
Phalgun Shaka	22
Phalgun Parvishte	29
Hijari	1445
Shukla Paksha Tithi 2, up to 7.14 am	
Shukla Paksha Tithi 3, up to 4.04 am	
Shukla Yoga up to 7.53 am	
Brahma Yoga up to 4.08 am	
Revti Nakshatra up to 8.30 pm	
Moon enters Aries sign 8.30 pm	
Panchak ended 8.30 pm	

FORECAST

SUNSET: TUESDAY 18:28 HRS
SUNRISE: WEDNESDAY 06:35 HRS

CITY	MAX	MIN
Chandigarh	29	13
New Delhi	32	13
Amritsar	28	13
Bathinda	28	11
Jalandhar	27	10
Ludhiana	27	13
Bhiwani	27	11
Hisar	27	11
Sirsa	27	14
Dharamsala	21	13
Manali	19	09
Shimla	19	08
Srinagar	15	05
Jammu	26	13
Kargil	03	–05
Leh	03	–05
Dehradun	28	13
Mussoorie	21	07

TEMPERATURE IN °C

NEW DELHI | TUESDAY | MARCH 12, 2024

the pioneer

Opinion 06

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PAPER WITH PASSION

Foreign wand

One million new jobs likely as European Free Trade Association signs 'watershed' pact with India

Bringing to life the 'Better late than never' adage, India and the European Free Trade Association (EFTA) have sealed a groundbreaking agreement after 16 long years of negotiation. The $100bn treaty with the four-member European bloc --- comprising Switzerland, Norway, Liechtenstein and Iceland --- marks a significant milestone in bilateral trade relations. As part of the deal, India will lift most import tariffs on industrial products from these countries in return for investment over 15 years. The agreement, termed 'watershed' by analysts and Prime Minister Narendra Modi himself, includes trade in goods, services, investments and intellectual property rights. It aims to dismantle trade barriers, streamline regulatory frameworks and foster a more conducive environment for commerce between India and the EFTA member States. The culmination of this prolonged negotiation process has far-reaching implications, particularly in terms of job creation in India. With an estimated one million jobs likely to be created across sectors, the agreement holds immense promise for the Indian workforce, especially at a time when the global economy is facing a variety of challenges. The job creation potential stems from several factors embedded in the pact. The agreement provides Indian businesses with enhanced access to the markets of EFTA countries, facilitating increased exports of goods and services. This expanded market reach is expected to spur demand for Indian products, consequently leading to the creation of employment opportunities. By fostering a conducive environment for investments, the deal would attract greater foreign direct investment (FDI) into India. The increased investment inflows have the potential to catalyse economic growth, stimulate industrial development.



One of the biggest advantages for India would be in technology transfer: Collaboration with EFTA member States could facilitate the transfer of advanced technologies and best practices to India. This transfer of knowledge and expertise has the potential of enhancing the skill sets of the Indian workforce, opening up employment avenues in high-value sectors. As SMEs constitute a significant portion of India's economy, the expansion of their business operations would invariably lead to job creation at the grassroots. The provisions related to agricultural trade and market access could provide the much-needed stimulus to rural economy with emphasis on farming, agri-business and related industries. However, the successful implementation of the pact hinges on effective policy coordination, institutional capacity building and stakeholder engagement. Addressing logistical challenges, ensuring compliance with regulatory standards and promoting inclusive growth will be imperative to fully harness the benefits. Moreover, it is essential to monitor the socio-economic impacts of the agreement to ensure that the benefits are distributed equitably. Efforts should be made to mitigate any adverse effects on vulnerable groups and to promote sustainable and inclusive development.

PICTALK



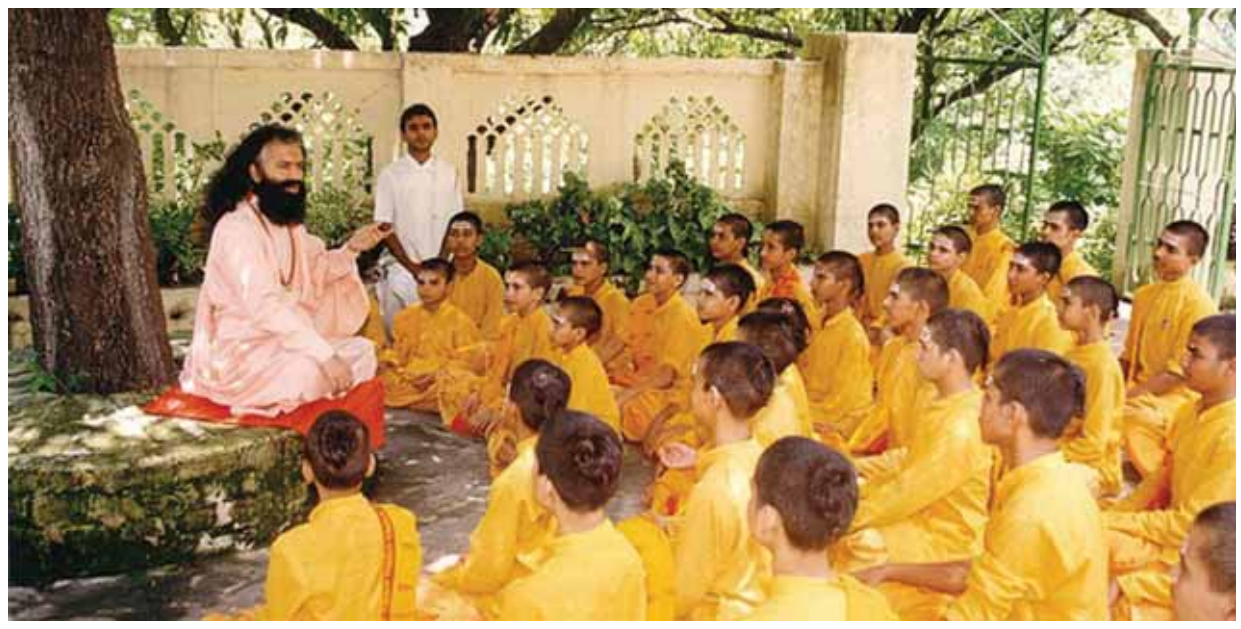
Women play with colours ahead of the festival of Holi, in Nadia PTI

Educational traditions for future preparedness



VINAYSHIL **GAUTAM**

Traditional systems, like the Gurukul method, stand juxtaposed against modern approaches, typified by the English education system



Everyone tries to prepare for the future. Most futures are difficult to foresee and preparing for them can only be based on some assumptions. The veracity of such assumptions is always open to doubt. Hence, preparing for the future, by definition, becomes one of the most conjectural efforts, several of whose assumptions need to be first checked out.

Yet, this cannot become an argument for not preparing for the future. It requires, therefore, foreseeing the future as a factor of continuing the present state of affairs in their logical linear sequence. It is another matter that the linearity of any process, be it technological, or even contextual, may be in doubt. Yet, this approach stands in its own right. Thus, it is that school curriculum is preparation for the future because it teaches you the basics of reading, writing and arithmetic, all of which will, in some manner, help you cope with the future. As one grows, maybe through the curriculum system of schools, college or university, there are assumptions and there are logical flows. The logic of these sequential learning processes can be open to serious questions, and sometimes it becomes counter-productive by being out of sync with the requirements of the times.

That is a risk one has to take. Preparing for the future, therefore, can have its own hazards. Within the framework of the hazards, some assumptions could hold some truth. One of the assumptions is the need and the ability for strategic thinking. One also needs the skills to cope with an evolving environment and meet the requirement to achieve what one may set as one's goals be they financial or professional.

One thing which cuts across all variations is the need to be a constantly evolving and growing person. Data and information are one of the coping stones of this learning process. Hence, it follows that one of the basic skills a person requires is identification of data and understanding of what constitutes information. This may require some rethinking on the elements and the parameters of formal education at the school level. One is fortunate if one is mentored properly during this phase, and this is where the Gurukul system, which India practiced till not so long ago, had at its core the mentorship of a wise, knowledgeable, and learned person who could impart only information but insights. The difference between what is now popularly termed as "English education" and the Gurukul system has become so wide that it is difficult to find distinguished learning institutions in sufficient numbers of the Gurukul tradition.

In an era of job markets and benchmarking of skills, the certification process which the so-called English education system follows comes in very handy. Hence, its relevance remains in the job market, and many jobs are open only to certain qualifications such as secondary certificate, bachelor certificates or the master certificate of the so-called university system. The parallel Indian system also has certain benchmarks such as a person could be a Kavya Teerth. This means that the person with the title of Kavya Teerth had proficiency in poetry and poetics. This would entitle him to be ranked as a person who has achieved excellence of a proficiency equivalent to a Teerth. The concern is that the job market does not often advertise for a person with the proficiency of a Teerth qualification in poetry and poetics.

> DEVELOP INTENSIVE EDUCATIONAL INSIGHTS WHICH ENABLE A PERSON TO UNDERSTAND WHICH PHILOSOPHY OF EDUCATION AND WHICH METHOD OF LEARNING PRODUCES BETTER PREPARATION FOR THE FUTURE

Thus, the issue arises of calibrating the job qualifications requirements to a degree or the proficiency certificates being awarded by educational institutions. Unless this issue is addressed with a single-minded devotion of finding solutions, the present contradictions between the English system of education and the Gurukul system of education will continue to be loaded in favour of the University or the English system of education.

By all estimates, the Gurukul system of education was never loaded in favour of numbers, and as such, institutionalization of the Gurukul system seldom,if ever took place on the scale at which the English or the university system operated.

Further, the Gurukul system of education seldom had the kind of timetable which the English or the university system thrives on. Be it at the school level or the higher education level, in the English/University system of education a six-day week always had variations of subjects and inputs.

As compared to this, a Grurukul system of education may expect six months of intensive training, learning, and more in one subject, say geography, mathematics or whatever. It is easy to talk of "Indianness" and easier to sloganise it. The need, however, is to develop intensive educational insights which enable a person to understand which philosophy of education and which method of learning produces better preparation for the future.

To sum it all up, preparing for the future, in part, involves knowing methods of creating competencies for the unknown. It also requires creating some applicable assumptions. Whether the English or the university system of education can do it better, or can the Gurukul system do better, is a consideration which requires a lot more thinking and analysis than what it has merited so far. Mercifully, the National Education Policy has already planted the seeds by talking of "Indian educational system". The seed has to sprout, be nurtured and allowed to grow before the fruits start coming in.

(The writer is a well-known management consultant of international repute. The views expressed are personal)

Conservation techniques for sustainable farming



HIMANSHU **VERMA**

In the face of challenges posed by soil erosion, water scarcity and ecological imbalance, farmers worldwide are turning to Conservation Agriculture

To fulfil the demands of the expanding global population, farmers must overcome obstacles such as soil erosion and water loss from conventional agricultural production. Conservation Agriculture (CA) makes effective use of natural resources to provide a sustainable solution. CA techniques raise revenue, boost resource efficiency, and enhance soil fertility. A traditional farming method called tillage involves adjusting the soil by ploughing, harrowing, and ploughing to attain the ideal tilth and friability.



Despite its advantages, tillage faces problems such as declining soil fertility, ecological imbalance, loss of sustainability, and water scarcity. Among its disadvantages are the depletion of soil organic matter brought on by exposure to air and sunlight, the breakdown of soil aggregates more frequently, soil erosion, increased production costs as a result of fuel consumption and wear and tear on machinery, and greenhouse gas emissions from the burning of fossil fuels, which contribute to global warming. Sustainable farming strategies, which preserve resources without endangering the environment, have been introduced in response to the negative effects of conventional agricultural processes.

CA eschews ploughing and other soil disturbance practices in favour of little soil mechanical interference. With the use of sophisticated zero-tillage seeders known as zero ferti-cum-seed drills, crop seeds are directly dispersed into undisturbed soil. Herbicide application and weed-slashing/rolling are part of land planning. Organic agricultural leftovers are more likely to be deposited on untilled fields, where they form mulch that protects the soil from wind and rain, evens out soil temperature, and encourages the growth of microorganisms. This strategy distributes the best use of goods and services with less expensive production, lowering the usage of fossil fuels and greenhouse gas emissions.

The main goals of conservation agriculture are to maintain a permanent organic soil cover to shield against the damaging effects of sunlight and rain, to supply nutrients for the quick growth of soil micro- and macroorganisms, and to modify the soil's microclimate for ideal development.

However, since burning or removing leftovers can hurt the fertility and health of the soil, residue management poses a threat to crop output in India. In CA, crops are rotated sensibly to give soil fauna and microflora a varied diet and to take advantage of soil strata for the cycling of nutrients and water. More diversified crop rotations encourage stable root channels and macropores, optimal water infiltration and a decrease in insect incidences. Crop rotation, organic residue integration, and tillage technique modifications can significantly impact soil fertility by increasing soil aggregate and nutrient availability. Organic crop residue management raises soil microbial biomass and nitrogen levels compared to no-till systems. CA is a sustainable crop-production technique that reduces soil erosion, water and land degradation, and dependency on foreign inputs. By using less petroleum, CA enhances ecosystem quality and soil and water quality, reduces greenhouse gas emissions, and helps reduce global warming and air pollution. It also reduces labour, time and production expenses for farmers.

To encourage CA adoption, farmers, researchers, and technicians must change their perspectives on sustainable production strategies, such as minimal or no tillage combined with proper residue management. Socioeconomic barriers to CA adoption include inadequate residue management and sowing device selection. Farmers often burn leftover crop residue during crop rotation, contributing to environmental degradation and loss of sustainability.

(The author is an assistant professor at Agronomy College of Agriculture and Environmental Technology Surajmal University; views are personal)

LETTERS TO THE EDITOR

HUMAN LIFE MATTERS

Sir — This refers to Hiranmay Karlekar's article, "Giving stray dogs a bad name" (March 9, 2024). India has around 20,000 rabies deaths a year which according to the World Health Organisation, "accounts for 36 percent of the world's deaths." Most of the victims of rabies in India are under the age of 15 years. This fatal disease has been eliminated from many countries. It is a challenging job in a country like India where dogs are allowed to roam freely. Rabies can be eliminated by vaccinating all dogs for a number of years and by sterilising the stray dog population. Bhutan has successfully sterilised and vaccinated its entire stray dog population after pursuing a 14-year-long programme. Bhutan sets an example which India needs to follow.

Most of the victims of dog bites and rabies belong to the poor working class of our society as they have to work in the open to build our roads, bridges and houses for all of us and to serve everything at our doors starting from morning newspapers to food packets. It is really perplexing that their deaths evoke little public sympathy and a lukewarm response from the authorities. I love dogs as much as I hate insensitive attitudes towards poor workers. All stray dogs must immediately be sterilised and kept in an enclosed area to minimise colossal loss of human lives.

Sujit De | *Kolkata*

RISING SUICIDE CASES

Sir — Between 2018 and 2022, 64 MBBS students reportedly took their own lives and 58 postgraduate students followed suit, ostensibly due to severe anxiety and depression. Also, 1270 students discontinued their studies midway. These are unwanted numbers not only for the students, who have high hopes of becoming doctors but also for the government and the society that faces an acute paucity of qualified doctors. A methodical study to pinpoint reasons for the burnout of medicos was the need of the hour. The National Medical Commission(NMC) has put in place a 15-member task force to address the issue. It has rightly asked the task force to study existing literature and data on mental health and suicide incidents among medical students.

Evidence-based strategies to boost the mental health of medical students cannot be overstated. At present, both the UG and the PG students are overburdened with syllabus and work. The result of all this is a high prevalence of anxiety, depression, fear of failure and suicidal thoughts. The mental health plan layout of the task force asked to report by May 31, may or may not bring about a radical shift in the thoughts and actions of the medical students. However, it is heartening that a start has been made by the NMC.

Ganapathi Bhat | *Akola*

BAN HOT FOOD IN PLASTIC BAGS

Sir — Despite the ban on plastic bags and compostable plastic bags for carrying or dispensing commodities across the country, they are still extensively used, especially for packaging food in hotels. Items like tea, coffee, milk, sambar, rasam, and hot curry are commonly packed in plastic bags in hotels. Many doctors cite a worry that there is an increase in the number of people suffering from kidney and throat ailments, cancer, and infertility in the city due to the consumption of hot food items carried in low-quality plastic bags or boxes. When hot food or liquid is packed in a plastic bag, toxic chemicals like styrene and bisphenol can leach into the food, potentially leading to cancer, heart disease and other reproductive problems.

Therefore, the Department of Food Safety must enforce a ban on packing hot edible items, including beverages, in plastic bags and harmful containers, particularly in cities. Hoteliers and owners of tea and coffee shops should be instructed not to use plastic bags or containers for packing hot edible items. Additionally, traders should prominently display announcements in their business establishments, urging customers to bring their vessels for purchasing any hot edible items.

Vijaykumar H K | *Raichur*

Election Commissioner resigns



The resignation of Election Commissioner Arun Goel from the Election Commission of India has become sensational news due to its timing and causes a lot of doubts in the minds of many on the possibility of holding a fair and free election. The news is sensational because electons are to be announced very soon. In this critical hour, the resignation of Election Commissioner would indeed be a setback for the Election Commission. The reason for tendering resignation in such a hurry needs to be explained as speculations are doing rounds in the media.

Two prominent reasons placed by the debates are either serious differences within the official circle or to contest elections. Differences in the official circle need not be kept a secret, at least, after tendering resignation. Now the doubt about the free and fair poll is because the vacancies will be filled by the selection committee, which has two from the ruling party and one from the opposition. It is easy to conclude that the selected candidates will enjoy the support of the ruling dispensation and are bound to serve their cause. The erosion of democracy begins from here.

A G Rajmohan | *Anantapur*

Send your feedback to:
letterstopioneer@gmail.com

NEW DELHI | TUESDAY | MARCH 12, 2024

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analysis 07

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FIRST COLUMN

COMBATING THE RISE OF CYBERBULLYING

Facilitated by digital platforms, it is becoming increasingly pervasive



SHAINY **SHARMA**

The internet today has created an entirely new world of social communications, particularly for youth. No one can deny that technology has come a long way to make the lives of humans easier but at the same time, the negative aspect of it cannot be ignored. Over the years, the advancement in technology has caused a severe rise in health issues among individuals and above all has cut off people from society at large rather than connecting them. Gen Z, who are often sleep-deprived nowadays are affected due to online bullying i.e. cyberbullying. This type of bullying is rising drastically as more and more users are victimised by this.

There are numerous ways to define cyberbullying. But most importantly, it is the use of digital technology to intentionally hurt, harass, or intimidate others online. It is often regarded as one of the serious offences that can harm the online reputation of everyone involved.

Cyberbullying comes in various forms and doesn't necessarily mean hacking someone's profile or posing to be someone else but it could be flaming, trolling, harassment, denigration, and many more. Once something is over the internet it is out forever and can lead to depression, anxiety, and sometimes fear of using the technology. It can affect young minds in a very negative way so it can go up to the threat of death. The victim's ability to focus and achieve their personal goals also decreases.

To promote better mental health among the youth, it becomes important to raise awareness about issues arising from the cyber world. Today, cyberbullying prevention is the utmost need of the hour. It needs to be monitored constantly and put an end to. Adopting various ways



such as no sharing of personal information (home address, phone numbers, and bank details) online, avoiding posting photographs of self and others, and discussing personal matters over social media. Avoiding sharing the internet password and account details with anyone and not clicking mysterious links or SPAM are a few measures one can adopt to prevent being the victim of cyberbullying.

At the same time, parents too need to educate their children about this type of bully. Gone are the days when children and teenagers were troubled by school bullies. Today, they are targeted via the internet which proves to be more dangerous than traditional forms of bullying.

Parents should install parental control applications to keep monitoring their child's online activities and at the same time, they must also establish communications with their child so that they open up to them when faced with such bullying. Most importantly, parents too need to familiarise themselves with various online facilities such as social networking, chatting, and many more.

In the times of artificial intelligence, one needs to be extra cautious to protect oneself from any cyber-attack. The effect of getting bullied through this mode is highly detrimental and may lead to fatal consequences.

There is no denying the fact that technology has brought ease to learn and earn for everyone but at the same time learning to use it properly and wisely is far more important.

Remember, try not to be the victim of the same. Treating everyone you meet online with respect is the only way to prevent yourself from being the victim of cyberbullying. It is not a form of fun or entertainment, but a serious issue that can cause lasting emotional and psychological harm.

(The writer is an educator; views are personal)

Empowering MSMEs through timely payments



MANOJ KUMAR **ANAND**

Recognising the need to strengthen the MSME sector, the Govt has introduced innovative measures aimed at enhancing their financial resilience



Micro, Small and Medium Enterprises (MSMEs) constitute a vital sector of the Indian economy, actively engaged in both the service and manufacturing industries. Their significance lies in their substantial contribution to India's GDP, and the Government aims to elevate this contribution to 50 per cent in the foreseeable future. Consequently, MSMEs are rightfully considered the backbone of the nation's economy, playing a pivotal role in its growth trajectory by employing millions of unskilled and semi-skilled workers.

In terms of economic output, MSMEs play a significant role. They contribute over 29 per cent to the GDP and account for half of the country's total exports. Additionally, they are responsible for approximately one-third of India's manufacturing output. With an employment base exceeding 11 crores, there's a concerted effort to elevate this figure to 15 crores in the coming years.

Acknowledging the critical role played by MSMEs, both the central Government and the Reserve Bank of India (RBI) have rolled out several schemes to support MSME entrepreneurs. Some notable initiatives include MSME Samadhaan, Udyog Aadhaar, Mudra, ZED Scheme, Make In India, and Stand-Up India.

Despite the provisions outlined in the Micro, Small and Medium Enterprises Development (MSMED) Act of 2006, MSMEs often faced challenges, particularly concerning timely payments from larger enterprises. To address this issue, an innovative provision was introduced in the Finance Act 2023 under section 43B(h) by the then Finance Minister, Nirmala Sitaraman. This provision aimed to strengthen MSMEs by ensuring timely payments from buyers, underscoring their status as growth engines of the economy.

During the COVID-19 pandemic, MSMEs were severely impacted due to constrained credit cycles. To facilitate their recovery post-pandemic, the Government has implemented continuous measures to bolster the MSME ecosystem in India. Notably, the Finance Act 2023's provision, section 43B(h), extended to amounts payable to micro and small enterprises covered under the MSMED Act 2006. This move was geared towards enhancing the credit cycle of MSMEs, ensuring smoother business operations.

> WHILE SIGNIFICANT STRIDES HAVE BEEN MADE TO BOLSTER THE MSME SECTOR IN INDIA, THERE'S A CONTINUOUS NEED FOR PROACTIVE MEASURES TO ADDRESS EVOLVING CHALLENGES AND UNLOCK THE SECTOR'S FULL POTENTIAL

Section 15 of the MSMED Act stipulates the time limit for payments to MSMEs by buyers, emphasising timely settlements. However, the non-utilisation of these provisions in the past was often attributed to the vulnerability of micro and small enterprises vis-à-vis medium and large enterprises. The introduction of section 43B(h) sought to address this disparity, mandating timely payments and penalising delays beyond specified limits.

Under this provision, any sum payable by the assessee to a micro or small enterprise beyond the time limit specified in section 15 of the MSMED Act 2006 would be subject to disallowance. Additionally, interest for delayed payment, set at three times the Repo Linked Benchmark Lending Rate (RBLR), compounded monthly, as per section 15 of the MSMED Act 2006, would also be applicable. It's crucial to note that the registration of the buyer under the MSMED Act, 2006, is a prerequisite to avail the benefits under section 43B(h). However, this provision does not extend to dues outstanding to traders as per the MSMED Act's definition of enterprise.

The practical implications of section 43B(h) are manifold. Firstly, it ensures a smoother payment cycle for MSMEs, incentivising large entities to settle dues within the stipulated time frame. This not only ensures their financial stability but also fosters their growth. Secondly, it empowers MSMEs with better bargaining power when negotiating payment terms with larger counterparts, minimizing disputes and legal complexities.

To qualify as micro, small, or medium enterprises under the MSMED Act 2006, specific criteria must be met regarding net investment in plant and machinery or equipment, as well as net turnover. It's noteworthy that only micro and small enterprises are considered suppliers for section 43B(h), whereas medium enterprises are excluded from its ambit.

The effective implementation of section 43B(h) hinges on various factors, including clear communication between buyers and suppliers, adherence to agreed payment terms, and compliance with regulatory requirements. Furthermore, the provision mandates timely disclosure and reporting by auditors, ensuring transparency and accountability in financial dealings.

In conclusion, section 43B(h) represents a significant step towards bolstering the MSME sector in India by promoting timely payments and strengthening their financial position. However, its successful implementation necessitates collaboration between stakeholders, proactive compliance, and robust enforcement mechanisms. By fostering a conducive environment for MSMEs to thrive, India can unleash their full potential as an engine of economic growth and job creation.

Despite the progressive measures introduced, such as the Finance Act 2023's provision under section 43B(h), challenges persist in ensuring comprehensive compliance and effective enforcement mechanisms. It's imperative for stakeholders, including MSMEs, large enterprises, regulatory bodies, and auditors, to collaborate closely to address these challenges and realise the full potential of the MSME sector. Furthermore, the transition from Udyog Aadhaar Memorandum (UAM) to Udyam Registration has been a significant regulatory change impacting MSMEs. The mandatory conversion to Udyam Registration underscores the Government's commitment to streamlining registration processes and enhancing transparency in the MSME ecosystem. However, ensuring widespread awareness and seamless implementation of this transition remains a critical task.

The availability of financing options tailored to the unique needs of MSMEs is another area requiring concerted efforts. While initiatives like the Mudra scheme have aimed to address the financing gap for MSMEs, there's a need for continued innovation and expansion of financial instruments to support their growth ambitions effectively. Fostering an ecosystem conducive to innovation and technological adoption is essential for enhancing the competitiveness of MSMEs in a rapidly evolving global landscape. Initiatives like Make In India and the ZED Scheme provide valuable support in this regard by encouraging domestic manufacturing and promoting quality standards.

In conclusion, while significant strides have been made to bolster the MSME sector in India, there's a continuous need for proactive measures to address evolving challenges and unlock the sector's full potential. By leveraging technology, fostering financial inclusion, and promoting an enabling regulatory environment, India can further strengthen its MSME ecosystem and propel economic growth and job creation.

(The writer is a Chartered Accountant & Insolvency Professional; views are personal)

India's semiconductor quest amid geopolitical dynamics

In the global arena, semiconductor chips have emerged as critical assets shaping geopolitical strategies



ISHOO RATNA **SRIVASTAV**

Semiconductor chips are posited as the new oil by some; some see them as a threat to national security, while others view them as a passport to economic prosperity. Dominated by companies from the United States, Taiwan, South Korea, Japan, and the Netherlands, the semiconductor industry is seen as the new oil, serving as a fulcrum of future geopolitical strength for these nations. Similarly, traditional military combat is no match for AI-enabled missile attacks, quantum computer-driven decision-making, drone swarms, and cyberattacks powered by state-of-the-art semiconductor chips, the manufacturing capabilities of which bestow power and influence.

They are embedded in our lives, from coffee machines and mobile phones to electric vehicles and health equipment, offering an industry potential of trillions of dollars by 2030, according to McKinsey. India's ambition to ascend the pecking order of global superpowers by building advanced technology manufacturing capabilities, including semiconductor chips, is aptly based on a bold vision, the realization of which requires careful analysis of the following:

Complex value chain: The three core verticals of Design, Fabrication, and ATP form one of the most diverse supply chains in the world, crossing as many as 70 borders before reaching the consumer. US companies dominate the design of advanced chips, capturing ~47 per cent of the value. Foundries manufacture the designed chips operating at subatomic-level precision, capturing ~24 per cent of the value. ATP is a relatively automated and lower-value business but is now changing with advanced packaging techniques. Precision: The advanced chips, benchmarked below 7 nanometers (nm), are the true test of technology manufacturing capabilities, currently largely vested with Taiwan and South Korea. These foundries require facilities 10,000 times cleaner than a hospital surgical room, and the purity standards of some of the 300 different materials needed to produce an advanced semiconductor are 1,000 times higher than for solar energy panels.

Geopolitics: The US continues to control key choke points of the global supply chain and retains the ability to influence other nations that wrest control over manufacturing processes. Samsung's decision to diversify its manufacturing to Vietnam signals the unfolding of opportunities for other nations from a technological decoupling with China.

Technological Catchup of



South Korea and Taiwan: In less than twenty years, Taiwan and South Korea displaced the technology leaders like Germany and climbed the patent charts on semiconductors from zero to 386 and 267 respectively in the late nineties. In South Korea, the chaebols led vertical integration from the design to the testing of chips and anchored R&D, whereas a network of specialised firms and Government-supported institutions developed the R&D capabilities and acquired foreign technologies in Taiwan. Though they followed different evolutionary paths in the development of the semiconductor industry, both leveraged inter-country mobility of experts wherein return of foreign-educated nationals provided significant transfer of best practices and state-of-the-art knowledge.

India's moonshot at becoming a Semiconductor Hub: The recent promise of $10 billion under the Semicon India programme, the PLI scheme, and the separate Design-Linked Incentive (DLI) scheme aspires to build India's muscle across the semiconductor value chain. Its international strategic partnerships as part of the QUAD, India-US iCET, and investment interests from leading US firms like Micron are aimed at exploiting opportunities in technology, resourcing, talent, and research. However, in a complex industry such as Semiconductors, only industrial cooperation can do so much. Talent is identified as one of the top three risks for the industry, whereas India's skilled workforce can at best claim expertise in Chip design. India is said to be two decades behind the Chip curve, and some of the most developed nations in advanced manufacturing have struggled to establish prominence in the field.

India's attractiveness therefore needs to extend beyond the availability of cheap land and capital and instead emerge as an attractive destination for the highly specialised global knowledge workers who relocate with their families and participate in the country's ambitious journey of development. It's also important to grab the opportunities offered by the decoupling that allows India to find value-aligned international partners, who, knowing its history of respectful coexistence and burgeoning economic prominence, bridge the R&D and execution gaps. India's success with Chandrayaan-3, 5G, and Digital technologies does offer optimism with respect to its ability to realise its formidable vision.

(The writer is Deputy Chief Mechanical Engineer, North Western Railway, views are personal)