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## AADHAAR

**HINDU JUL 12, 2018**

### **Aadhaar must for health mission cover**

The government has mandated the use of Aadhaar card for administering its massive Ayushman Bharat, or National Health Mission, that assures a ₹5 lakh health cover to 10 crore families.

While possessing an Aadhaar card isn't mandatory to avail services, a proof of enrolment, or request for enrolment, is mandatory. The Ayushman Bharat is scheduled to roll out this August.

“...A beneficiary eligible for receiving the benefits under the Scheme shall be required to furnish proof of possession of Aadhaar number or undergo Aadhaar authentication...Any beneficiary desirous of availing the benefits under the Scheme, who is not yet enrolled for Aadhaar, shall have to apply for Aadhaar by 31st March 2019 provided she or he is entitled to obtain Aadhaar,” says a notification by the Health Ministry on July 4.

“...Provided that till the time Aadhaar is assigned to the individuals, benefits under the Scheme shall be given to such individuals, subject to the production of the following documents, namely:–

- (a) (i) if he or she or has enrolled, his or her Aadhaar Enrolment ID slip; or
- (ii) a copy of his or her request made for Aadhaar enrolment and...(one) of a Bank Passbook, Voter id, etc.,” the notification specifies.

Those having trouble verifying biometrics will have the option of getting “face recognition,” a technology that is yet to see the light of day. If nothing works, the patients will be required to get the QR code scanned on their enrolment letter.

## AGRICULTURE

**HINDU JUL 08, 2018**

### **Farm policies off target: study**

#### **Report says it's consumers who benefit from them more than farmers**

Despite the general perception that Indian farmers are beneficiaries of major subsidies, a new report says the overall effect of policy interventions between 2014 and 2016 is, in fact, a 6% annual reduction of gross farm revenues. Consumers, on the other hand, pay an average 25% less for commodities as a result of policy interventions.

According to researchers at the Organisation for Economic Cooperation and Development (OECD) — an intergovernmental body of 36 developed countries — and the Indian think tank ICRIER, who analysed policies that affected the agricultural sector over the two-year period, government interventions were more consumer-centric than producer-centric.

The report “Agriculture Policies in India”, which was released this week, points out that Indian farmers face regulations and restrictions — both in the domestic market and also when they attempt to export their produce — which often lead to producer prices that are lower than comparable international levels. The researchers argue that “despite large subsidies for fertilizers, power and irrigation, which offset somewhat the price-depressing effect of market interventions, the overall effect of policy intervention over the 2014-16 period is a 6% annual reduction of gross farm revenues.”

While consumers have benefited from the government's efforts to keep prices low, a poorly targeted, inefficient and wasteful public distribution system means that malnutrition and food insecurity continue to persist, says the report.

The report has several suggestions for policymakers, including reform of market regulations, strengthening initiatives such as eNAM and allowing private players to play a larger role in the sector.

It also recommends a strengthening of the regulatory environment governing land issues, strengthening access to credit, especially long-term loans, and developing collective-action groundwater and watershed management and correcting measures — including electricity pricing — which incentivise the overuse of water. With regard to the PDS, the report suggests gradual reduction and a move towards cash transfers and allowing the private sector to manage remaining stock operations.

To make trade work for Indian agriculture, import tariffs must be reduced and export restrictions relaxed to create a more stable and predictable market environment.

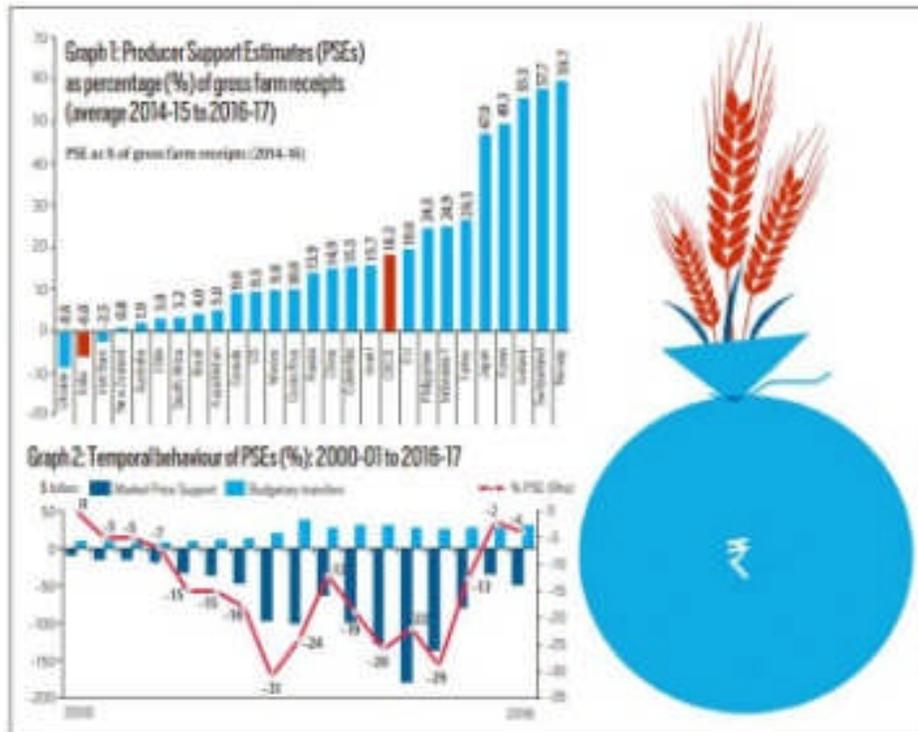
**INDIAN EXPRESS, JUL 09, 2018**

**Resolving the farmer-consumer binary**

Reforms to domestic market regulations and direct benefit transfers for vulnerable sections of the population could be the win-win solution.

Given the overarching food security concern of 1.32 billion people in India, the country's policymakers have a challenging task. On the one hand they need to incentivise farmers to produce more and raise their productivity in a sustainable manner, and on the other, they need to ensure that consumers have access to food at affordable prices, especially those belong to the vulnerable sections. In order to find a fine balance between these twin objectives, India has followed myriad policies that impact both producers and consumers. These policy instruments range from domestic marketing regulations (for example the APMC Act, Essential Commodities Act, ECA), budgetary policies (such as input subsidies), trade policies (such as Minimum Export Prices, MEP or outright export bans and tariff duties) to food subsidies for consumers through the public distribution system. These policies work in complex ways and their impact on producers and consumers are sometimes at variance with the initial policy objectives. So, it is only desirable that policy-making is based on more informed and evidence-based research. What has been the outcome of Indian policies in the agri-food space, since 2000-01?

In order to respond to this question, the OECD and ICRIER jointly undertook research over two years to map and measure the nature of agricultural policies in India and the ways they have impacted producers and consumers. The final report was released on July 5 in Delhi and is available on <http://oe.cd/ag-india>. The report includes key policy indicators like Producer Support Estimates (PSEs) and Consumer Support Estimates (CSEs). The methodology adopted is the standard one that the OECD has applied to measure PSEs and CSEs for 51 countries over the last 30 years. In the case of PSEs, it basically captures the impact of various policies on two components: One, the output prices that producers receive, benchmarked against global prices of comparable products; and two, the various input subsidies that farmers receive through budgetary allocations by the Centre and states. The two are combined to see if farmers receive positive support (PSE) or negative as a percentage of gross farm receipts. A positive PSE (in percentage) means that policies have helped producers receive higher revenues than would have been the case otherwise, and negative PSE (in percentage) implies lower revenues for farmers (an implicit tax of sorts) due to the set of policies adopted. The report estimates these PSEs and CSEs over the 17 year period (2000-01 to 2016-17), building commodity by commodity, for all the major states growing that commodity. It covers about two-thirds of India's agricultural output.



The results of the PSE exercise reveal that India’s PSE, on average, during 2014-15 to 2016-17 was minus 6 per cent of farm receipts. India is very much in the minority in this respect as most of the other countries studied by the OECD have positive PSEs, with the OECD average at 18.2 per cent, the European Union at 19.6 per cent, China at 14.9 per cent, the US at 9.5 per cent, and so on for the same period (see Graph-1).

Graph-2 presents the temporal movements of PSE (in percentage) for India component parts, market price support (MPS), which is negative and input subsidies, which are positive. Overall, PSE (in percentage) was negative to the tune of 14 per cent on average over the entire period from 2000-01 to 2016-17 indicating that despite positive input subsidies, farmers in India received 14 per cent less revenue due to restrictive trade and marketing policies. The negative PSEs were particularly large during 2007-08 to 2013-14 when benchmark global prices were high but Indian domestic prices were relatively suppressed due to restrictive trade and domestic marketing policies.

What all this means is that there has been a pro-consumer bias in India’s trade and marketing policies, which actually hurts the farmers and lowers their revenues compared to what they would have received otherwise. Where does one go from here, if the objective is to incentivise farmers to raise productivity, building an efficient and sustainable agriculture that augments farmers’ incomes and fosters rural growth and jobs all along the value chain?

First and foremost, policy change that is needed is to “get the markets right” by reforming its domestic marketing regulations (ECA and APMC), promoting a competitive national market and upgrading marketing infrastructure. India also needs to review its restrictive export policies for agri-products which have inflicted large negative price support to farmers during the period

studied. These changes will reduce and, in time, eliminate the negative market price support to farmers and allow them to earn much improved returns.

Second, the report recognises concerns of policy-makers to protect consumers from potential price hikes when global prices are on the rise. But it argues for switching to an income policy approach through the Direct Benefit Transfer (DBT) targeted to the vulnerable sections of population. The report shows that this would generate better outcomes all round, including for nutrition quality. This can be done gradually over a three-five year period, starting with cities and grain surplus states.

Third, Indian agriculture and farmers would be much better-off if input subsidies are contained and gradually reduced, and the equivalent savings are channelled simultaneously towards higher investments in agri-R&D, extension, building rural infrastructure for better markets and agri-value chains, as also on better water management to deal with climate change.

Fourth, given that agriculture is a state subject, a greater degree of coordination is required between the Centre and states, and also across various ministries (for example, agriculture, food, water resources, fertilisers, rural development and food processing) for a more holistic approach towards reforming agriculture.

We feel these policy changes, many of which are already underway, will make Indian agriculture more competitive, more vibrant, sustainable and resilient, and will also augment farmers' incomes on a sustained basis.

Gulati is Infosys Chair Professor for Agriculture at ICRIER and Cahill is deputy director for trade and agriculture at OECD

## BOOK REVIEW

**HINDU, JUL 08 , 2018**  
**A division of minds**



Back

### **Two doctors trying to make sense of the mental trauma of Partition find even medical care was communalised**

A little over a decade ago, in a series of lectures organised to mark the 60th anniversary of the Partition of India, doctors Alok Sarin, Sanjeev Jain and Anirudh Kala made a joint presentation on a subject that had hitherto remained untouched in our understanding of Partition — the long-term psychological impact of the trauma of the moment and of the processes that followed. Moved, and intrigued, by the many stories they had come to hear from their patients — many of whom had lived through it — the doctors had begun to make initial explorations into the subject.

At first, there was little they were able to find in ‘official’ records, but as their research developed (through a Nehru Memorial Museum fellowship and a Wellcome Trust grant), more and more areas began to open up. Occasional essays and short stories led to deeper explorations and this book, an edited volume that focuses on the psychological impact of that ‘moment’ in our history, is the result.

Partition as ‘madness’

The word Partition is often associated with the word ‘madness’. As we try to make sense of what it was that led people to turn against compatriots, neighbours, friends, and kill and maim and violate in brutal ways, we are constantly faced with many questions: did people just go mad? Are human beings normally like this? What does ‘normality’ actually mean? Do they have such a capacity for violence? What role does the state play in this?

Making sense of what happened is not only an ‘after-the-act’ phenomenon. As the editors show in their introduction and in their individual essays, politicians, bureaucrats, even Gandhi himself, were bewildered by the scale and spread of Partition violence.

As doctors, Sanjeev Jain and Alok Sarin, the two editors, are also troubled with such questions. To these, they add their own, going back into history to explore the setting up of medical establishments in India. What sort of psychiatric care was available, they ask, to deal with the many demons people brought with them? What kind of medical establishments existed at the time? How had they come about?

#### Prejudices and beliefs

Tracing the difficult, sometimes contentious arrival of what came to be known as ‘western’ medical care in India — contentious because it was opposed by those who believed in the more traditional Indian methods — they ask how the universalisation that lies at the heart of medical science, was so vitiated by the prejudices and beliefs of colonial medical practitioners and their assumptions about the capability or otherwise of natives.

Further they explore the sedimenting of identities, in particular religious identities, as both the result of community models of health care where members of a particular community, through their welfare activities, ended up providing care, employing professionals, all from the same community. As well, they demonstrate how even medical services, supposedly premised not on the identity of the person seeking care, came to be communalised, so much that for example, patients in a mental hospital in Lahore were left without care when the nurses and doctors, principally Hindus, left for India.

They note with concern the growing and tragic communalisation of this profession which is meant to transcend the borders of religion and identity.

Other essays in this collection nuance this rich seam of exploration, providing connections and parallels with the impact of terrible violence in former Yugoslavia (where seemingly scientifically minded doctors and psychiatrists enthusiastically joined in the project of the demonisation of the other and thereby implicitly supported the killings), Darfur, and Muzaffarnagar. They point out, with examples, the everyday acts in which the seed of partition already exists in daily life and the ways in which states are complicit in creating partitions and fomenting divisions in order to control populations.

#### Throwing the first stone

The treatment of different forms of madness in literature dealing with Partition is supplemented by work that examines Gandhi's ruminations on the futility of anger as a way of dealing with hurt and violation. A detailed account (by Ayesha Kidwai) of Mridula Sarabhai's work with abducted women explores the discomforts and ambivalences that lie at the heart of a feminist certitude about patriarchy and makes a plea for the early social workers, Sarabhai and others, to be seen as 'women who cast the first stone', no matter that they were also complicit in supporting the nationalist agenda.

Sukeshi Kamra elaborates on the implications of our failure to confront the demons of Partition, our reluctance to historicise it reinforcing the point made earlier by the editors, that confronting partition, and partition violence with honesty, will mean 'a rupture of cherished notions that anchor national identity'.

The book closes, unusually, with an essay that, rather like an introduction, sums up the arguments of each of the chapters and links them to each other.

Like all anthologies, this one too is uneven, but it is rare to find an anthology which is not. What is important though is that it opens up a new area of enquiry. If I was to sum up this book in one phrase I would say that thus far, we have talked of Partition being a division of hearts. This book shows it to be also a division of minds.

## BREXIT

**Hindu July 14, 2018**

**Looking to forge post-Brexit deal with U.K.’**

- U.S. President takes U-turn from his earlier criticism of Prime Minister Theresa May’s Brexit strategy

U.S. President Donald Trump said on Friday that he looked forward to finalising a post-Brexit trade deal with Britain, marking an abrupt change from a newspaper interview when he said Prime Minister Theresa May’s strategy would kill such an agreement.

In an interview the *Sun* newspaper, published just hours before the two leaders held talks, Mr. Trump chided the “very unfortunate” results of the Prime Minister’s proposals for Brexit and her negotiating tactics as Britain prepares to leave the EU in March next year.

However, he later said Ms. May was doing a “fantastic job”.

“Once the Brexit process is concluded and perhaps the U.K. has left the EU, I don’t know what they’re going to do but whatever you do is OK with me, that’s your decision,” Mr. Trump told during a press conference with Ms. May in the garden of her official country residence Chequers.

“Whatever you do is OK with us, just make sure we can trade together, that’s all that matters.”

Last week at the same location, Ms. May finally won agreement for her Brexit plans from her Cabinet but within days, two senior Ministers had quit, departures which Mr. Trump said earlier in the week had left Britain in turmoil.

“If they do a deal like that, we would be dealing with the European Union instead of dealing with the U.K., so it will probably kill the deal,” Mr. Trump said in the interview. Asked about it, he said he did not criticise Ms. May and was gushing in his praise of his host.

Ms. May, likewise, glossed over the comments. “We agreed today that as the U.K. leaves the EU we will pursue an ambitious U.S.-U.K. free trade agreement,” she said. “The Chequers agreement reached last week provides the platform for

Donald and me to pursue an ambitious deal.”

## CIVIL SERVICE

**HINDU JUL 12 , 2018**

**Now, law books in Braille for administrators**



Law books being printed in Braille at the Red

Move comes after two visually impaired youths qualified for the State civil service

For the first time, all law books required by visually impaired administrative officials in Odisha are being printed in Braille format.

The law books are being transcribed into Braille and then printed at the Red Cross Computerised Braille Press in Berhampur, the only Braille press in the State. Till now 20 volumes of law books have been printed in Braille, including books on basic laws as well as service rules of government servants.

According to Braille press manager Prakash Narayan Rath, 17 more law books would be printed in Braille in the coming months.

“Last year two visually impaired youths qualified for the Odisha Administrative Service. There was a need for law books in Braille for their training and future operation. So in December last year, the Social Security and Empowerment of Persons with Disabilities Department ordered printing of all law books of concern to administrators in Braille form,” said Mr. Rath.

The law books that have been already been transcribed into Braille include the ones related to law and order like the Indian Penal Code, Code of Criminal Procedure, Dowry Prevention Act and Orissa Police Act. To help visually impaired administrators in revenue matters, Braille books on Manual of Tahsil Accounts, Orissa Survey and Settlement Manual, Orissa Government Land Settlement Act, Orissa Mutation Manual, Orissa Moneylenders Manual and Orissa Law of Mines and Minerals have been printed.

Braille law books also include Prevention of Corruption Act, Essential Commodities Act, Orissa Irrigation Act, Orissa Schedule Areas Transfer of Immovable Property Act and Orissa Panchayat Samity Manual. The compilation of Government of Odisha Service Rules in four volumes and Orissa Civil Service Rules-1962 in two volumes have also been printed in Braille.

According to Mr. Rath, transcribing law books into Braille will have long-lasting benefits. “In the computerised Braille press, we have saved the e-version of all these books and whenever the need arrives we can easily reprint them,” he said.

Former Ganjam Bar Association secretary Manoj Patnaik welcomed the decision, saying it will encourage more and more visually impaired persons to take up government administrative jobs.

## CONSTITUTION

**HINDU JUL 12 ,2018**

**Fall of Section 377 will embolden LGBTQ community: CJI Dipak Misra**

**Fight against Act sees a cross-section of people approach Supreme Court.**

Chief Justice of India Dipak Misra indicated that collapse of the citadel of Section 377 IPC will open the gates for people from the LGBTQ community to come to court to overcome discrimination and claim their individual rights.

“A declaration from the court will remove the ancillary disqualifications for people joining services, contesting elections. It will no longer be seen as moral turpitude,” Chief Justice Misra, leading the Constitution Bench, observed on Wednesday. Justice D.Y. Chandrachud said any law criminalising a community for their sexuality was an example of “social disdain.”

The court was reacting to arguments made by advocate Jayna Kothari, representing Dr. Akkai Padmashali and two others, on the branding and ostracisation suffered by the transgender community from both law and society. She said laws like the Andhra Pradesh (Telangana Area) Eunuchs Act still criminalised transgender persons. Ms. Kothari said Section 36A of the Karnataka Police Act of 1963, which was amended only in 2016, saw transgender persons as a criminal class.

These Acts were identical to the notorious Criminal Tribes Act of 1871, which branded a number of marginalised population groups like transgenders as “innately criminal”. The Criminal Tribes Act was repealed in 1949 but Section 377 continues to survive in the statute book, Ms. Kothari argued.

The fight against Section 377 has seen a cross-section of people approach the court. Navtej Singh Johar, a Sangeet Natak Akademi Award winning Bharatanatyam dancer; Sunil Mehra, a senior journalist; Ritu Dalmia, a famed restaurateur; Aman Nath, an expert on Indian art, culture who established Neemrana hotel chain; and business executive Ayesha Kapur are prominent among them.

Arguing through senior advocate Mukul Rohatgi and advocate Saurabh Kirpal, they contended that “we are not seeking protection only as sexual minorities but recognition of characteristics that inhere to all human beings.”

Hotelier Keshav Suri, through senior advocate Arvind Datar, has argued that right to sexuality, sexual autonomy and freedom to choose a sexual partner forms the cornerstone of human dignity. Section 377 criminalises a section of people. It is wrong to say that it only punishes the act and not the people.

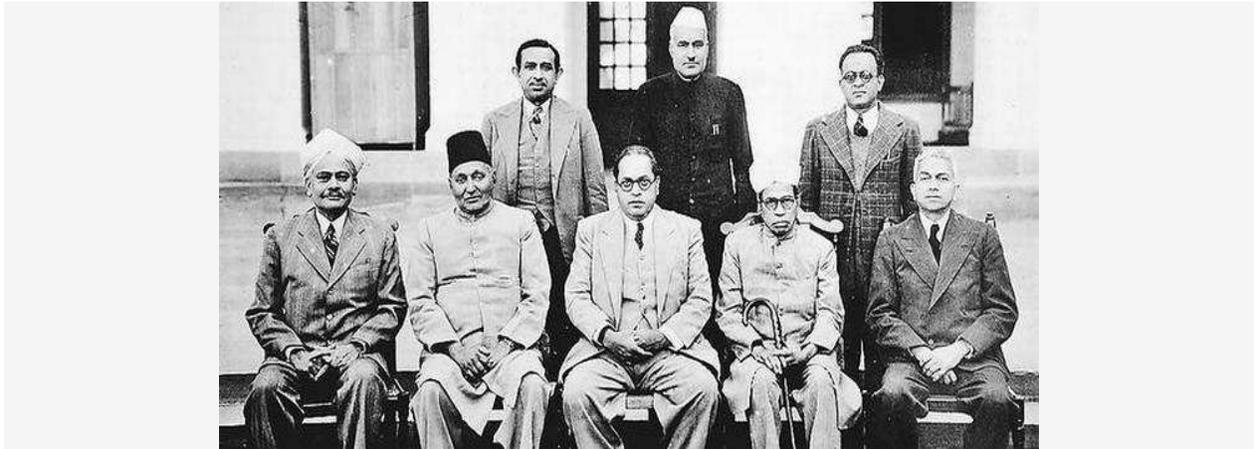
Twenty IITians represented by advocate Menaka Guruswamy argued that Section 377 violates Articles 15 (discrimination on sex), 14 (equality), 19 (liberty) and 21 (life and dignity) of the Constitution. Ms. Guruswamy portrayed it as a terrible colonial legacy which has a “chilling effect.”

Appearing for the Voices against Section 377, senior advocate Shyam Divan urged the court to declare a ‘right to intimacy’. He said the LGBTQ people find it difficult when they accompany a loved one to the hospital for an emergency or while opening a bank account.

Senior advocate Anand Grover argued that the LGBTQ community was reluctant initially to approach the court, but now felt the court is sympathetic.

## HINDU JULY 08 ,2018

### Why we need a Constitution



Constitutions are needed not only to limit wielders of existing power but to empower those traditionally deprived of it

The recent judgment by the Supreme Court clarifying the respective jurisdictions of Delhi's Lieutenant Governor and its elected representatives and specifying the limits of their powers once again underlies how fortunate we are to have the Constitution. Why should gratitude be expressed for living under a constitutional democracy? Why do we need a Constitution?

Since an individual's own personal power is severely limited, nothing valuable can be attained without the collective effort of individuals. A boulder cannot move a centimetre if one individual pushes it, but when pushed by dozens it goes places. Most human goods — health, education, infrastructure, peace and harmony, economic growth, leisure and enjoyment, art and literature, narratives of self-understanding and collective heritage — are realised by assembling power. However, once constituted, this indispensable collective power to do or achieve things can be used not to realise the collective good but for one's own exclusive advantage, to secure things only for

oneself. This can be done by forcing others to do what they would not otherwise do, to get them to act against their will, for one's own benefit.

It is a feature, particularly of modern societies, that this public or collective power is largely vested in the state relatively separate from society. It follows that state power meant for everyone's good can be used by some over other members of society, to benefit just a few of its functionaries and their friends. Since the formation of states, therefore, humans have felt the need to not only garner collective power but also limit it, so that it is not exercised whimsically, arbitrarily, for self-aggrandisement and against the basic interests of the people. This is the key reason why we have a Constitution, which is not just any odd assortment of law and institutions but a framework of ground rules that acts as a bulwark against the tyrannical use of state power to dominate and oppress others.

In short, constitutions strive for a delicate balance to ensure that the collective power of society invested in the state is neither dissipated or fragmented to become ineffective (for this results in lawlessness and anarchy detrimental to the realisation of the good life), nor so tightly organised and untrammelled that it takes away our freedoms, becomes oppressive. The potential to abuse public power is inherent in the very exercise of it, an ever present possibility in all states. Thus, the earliest constitutions of the world developed to check the tyranny of our rulers.

This idea of the Constitution presupposes an unbridgeable distance between people and the state; a powerless people who need the help of constitutional law to control state power. But what if people themselves wield state power? What if the power of the state comes from an originary power that resides in the demos, the people? State power might be limited not by some higher law but by the power of the people. Democracy, it might be argued, can function as an alternative to constitutions. When then have a Constitution?

This is an attractive but flawed idea. It is flawed because in practice, democratic power never really resides in all the people but largely, at the very least, in a temporarily constituted majority. Sometimes these majorities can even become permanent. Here, the tyranny of a ruler is replaced by the tyranny of the majority group. If so, we need constitutions to check the tyranny of a majoritarian, democratic state. This entails that very important issues pertaining to minority groups be freed from the contingencies of majority will, taken out of the decision-making arena of electoral democracies and made more or less non-negotiable. This is the point behind rights — rights of individuals and minorities must not be trumped by majority preferences. This is the second reason why we need constitutions, or constitutional democracies.

But constitutions are required for a third reason: to protect everyone against human vulnerability in general. It is important not to forget that human beings are fallible, that they sometimes forget what is really good for them; they yield to temptations that bring them pleasure now but pain later. It is not unknown for people to act in the heat of the moment (out of anger, fear or intense hatred) only to rue the consequences of the decision later. Electing a person with strong authoritarian traits, for example. By providing a framework of law culled over years from collective experience and wisdom, constitutions prevent people from succumbing to currently fashionable whims and fancies, anticipating and redressing the excessively mercurial character of everyday politics. The guardians of India's Constitution have ensured that destabilising swings of legislative moods generated by ephemeral passion or myopia do not alter its basic structure.

India provides a particularly instructive case of another valuable function of constitutions: to provide a moral framework for profound, non-violent social transformations. Of course, this is Ambedkar's great contribution. But Nehru was equally eloquent: "The Constituent Assembly is a nation on the move, throwing away

the shell of its past political and possibly social structure, and fashioning for itself a new garment of its own making.” The Indian Constitution was designed to break the shackles of traditional social hierarchies and to usher in a new era of freedom, equality and justice. Thus, by disempowering states from doing certain things, constitutions enable them to do other, important things. Once restrained, public power can be deployed to achieve the good life. Thus, constitutions are needed not only to limit wielders of existing power but to empower those traditionally deprived of it, to give vulnerable people the power to help realise an inclusive, collective good.

## DEMOCRACY

### INDIAN EXPRESS JULY 09, 2018

#### A judicial coup

For the first 23 years after independence in 1947, Pakistanis were denied the right to vote. Since 1970, they have been allowed to vote intermittently but they are still denied the right to vote freely. The upcoming July 25 election in Pakistan has been marred by a series of attacks, some by the judiciary and others by the country's ubiquitous military-intelligence machinery, aimed at politically decapitating former Prime Minister Nawaz Sharif and his Pakistan Muslim League (PML-N).

Sharif was disqualified a few months ago by the Supreme Court for not fulfilling the constitutional criteria for honesty and sagacity. Few, if any, prominent Pakistani politicians fulfill that vague requirement. It was inserted into the constitution by Sharif's original mentor, General Zia ul Haq, precisely because its vagueness enabled unelected branches of government to choose who could or could not run for elected office.

Ironically, Sharif refused to support other political parties in deleting the articles of the constitution that were used to disqualify him just a few years ago. His trial, and conviction last week for possessing assets beyond his means, seems like poetic justice to those who hate the fact that he started his career as a military protege, amassed considerable wealth while in office, and went on to build an independent political base in the Punjab province with the help of that wealth. But those who can rise above their pique at Sharif or other individual politicians realise that no politician in Pakistan is ever punished for corruption and Sharif is no exception. Sharif's career affirms the unwritten law of Pakistani politics: A politician can be corrupt or he/she can oppose the military-led Pakistani establishment but he cannot be corrupt and anti-military at the same time.

In the 1990s, when Sharif and the PML-N were backed by the military, the institutions of state (including the judiciary) found nothing wrong with their acquisition of wealth. The focus then was on the alleged corruption of Benazir Bhutto's husband Asif Zardari. Sharif supported selective accountability against Bhutto and Zardari and the latter spent 11 years in prison without being convicted.

But General Musharraf's 1999 coup transformed Sharif. He was now anti-establishment and critical of the military and that is what seems to have cooked his goose. Since his return from exile after Musharraf's downfall, Sharif made no effort to partner with the Pakistan Peoples Party of Bhutto and Zardari to undo the legal regime that allows the judiciary to intervene in political matters.

Sharif himself took petitions to the Supreme Court against the Zardari government, including the so-called Memogate case that affected me personally. I was accused of writing a memo inviting US support against an impending coup. There was no coup in the works at the time and I wrote no memo of the sort that was alleged. But I was supposed to rebut the story woven by a Pakistani-origin businessman living in Monaco to "clear" my name. This inverted the normal system of criminal law, which requires prosecutors to prove guilt beyond doubt at trial. Instead of being the court of final appeal, the Supreme Court acted as the court of first instance.

Sharif himself became a victim of this perverted system of justice when, after the appearance of his name in the Panama Papers, the Court insisted that he prove the provenance of his properties

in London. The former PM was disqualified before he was tried. Even at trial, the judge concluded that the ownership of the London properties in question could not be ascertained. He still went on to convict Sharif for failing to prove where he got the money to buy these properties. One need not be convinced of Sharif's innocence to observe that he was a victim of less than transparent legal proceedings. His downfall started when the military got upset with an article in Dawn suggesting that the civilian government wanted to act against the jihadis but the military did not.

Corruption is a painful reality of Pakistani politics but so is the fact that it is Pakistan's military that decides who remains in politics and who is ousted through court judgments. After 60 years of direct and indirect meddling in politics, the military has not been able to create its ideal polity and Pakistan remains unstable and mired in corruption.

For the last three years, Sharif has been the target of a relentless propaganda war and the shenanigans of Pakistan's invisible government. Just as Sharif was the beneficiary of similar manoeuvres against Bhutto in the 1988 and 1990 elections, cricketer-turned-politician Imran Khan is the intended beneficiary of the campaign against Sharif. Apart from judicial rulings, Khan is being aided through coerced changes in loyalty of locally influential politicians and pressure on the media to black out anything that disfavors the preferred candidate in the coming election.

A civilian leader must deliver a measure of prosperity and economic development to maintain political support. Contrary to the military's narrative, the major reason for Pakistan's economic difficulties is not just corruption; it is lack of investment and expansion of productivity resulting from the country being seen as a jihadi safe haven.

Even in this election, several groups of jihadis and assorted extremists have been allowed to participate. One of them — Khadim Husain Rizvi of Tehrik Labbaik Ya Rasool Allah — told an election rally recently that he would nuke the Netherlands if someone there ever published a cartoon of Prophet Muhammad. Tolerance for and mainstreaming of such dangerous individuals is unlikely to bolster Pakistan's image or economic prospects.

Civil-military tension is built into Pakistan's current structure of state. If civilians defer to the military leadership without any questions, they lose popular support and have to face all the blame that comes with supporting the military's monochromatic policies. If, however, they dare to disagree like Nawaz Sharif did, they would lose the institution's backing just as Sharif lost it over the years. Then we would see them becoming targets of similar viciousness and possibly adverse judicial verdicts.

Unfortunately, the election on July 25 will not rid Pakistan of that tension

## EDUCATION

**HINDUSTAN TIMES JUL 8, 2018**

### **Six colleges set to get Institutes of Excellence status, incentives**

The University Grants Commission (UGC) is likely to take up the proposal of approving on Monday the names of six educational institutes that will be designated Institutes of Excellence (IoEs), entitling them to special incentives.

The move is part of a scheme of the human resource development (HRD) ministry to select 20 IoEs — 10 public institutions and 10 private — that will enjoy complete academic and administrative autonomy. The 10 government ones would also receive special funding.

According to persons familiar with the development, only three government and three private institutes are likely to be announced on Monday, including two leading Indian Institutes of Technology (IITs), a university to be set up by Reliance Foundation, the philanthropic arm of Reliance Industries, and the Birla Institute of Technology and Science (BITS), Pilani.

Existing, new, and even private universities at the conceptual stage were eligible to apply.

“The committee that was tasked with the job of selecting the institutes has zeroed in on six institutes and it will be tabled in the meeting on Monday for clearance,” said a senior UGC official who asked not to be identified

**HINDUSTAN TIMES, JUL 13, 2018**

### **Centre may cap school fee hikes at 10% per year**

RELIEF Top panel proposal to cover private, unaided schools

NEWDELHI: Bringing relief to parents beset by frequent and arbitrary increases in school fees, a government commission is likely to suggest a 10% yearly cap on the fee hike permissible by private, unaided schools, with provisions for penalties in case of violations, two officials familiar with the development said.

The National Commission for Protection of Child Rights (NCPCR), a statutory body, is in the process of making a recommendation to that effect to the human resource development (HRD) ministry, the officials said on condition of anonymity.

Although fixing school fees is the domain of state governments, in the absence of a standard fee policy for unaided schools, there has been a growing clamour for central regulations. An HRD ministry official said they would “examine the proposal once we get it”.

India has 350,000 private, unaided schools — 24% of all schools — where 75 million children, or 38% of all students, study. Such schools do not receive any grant from the government and have to generate their own revenue for suste-

nance. Many cities across India have of late seen parents protest arbitrary fee hikes by such schools. In Delhi and Mumbai, for instance, the fee hike in private, unaided schools in last year varied between 10 % and 40 %.

Inundated with complaints from parents, NCPCR, the country’s apex child rights body, has drafted regulations to put in place a uniform fee framework for unaided private schools. It will

propose setting up a district fee regulatory authority in states to monitor school fee increases. The draft regulations will also

suggest a formula for determining fees, based on a school's location, costs incurred, revenue earned, student strength, and other parameters.

"We will send the draft regulation to HRD ministry shortly for action," said a senior NCPCR official. According to the draft regulations, if a school violates the norms provided in the uniform fee framework, it will be fined 1% of the revenue it generates in the first instance, which will increase to 2% and 5% for a second and third violation.

**HINDU JULY 12, 2018**

### **The problems with the HECI draft Bill**



#### **The Higher Education Commission of India is likely to overregulate and micromanage universities**

The draft Higher Education Commission of India (Repeal of University Grants Commission Act) Bill, 2018 (HECI), aims to replace a historical statutory body, the UGC; push for more government control; and stifle critical thinking on campuses. As the education system is the most potent instrument for shaping a country's future, and given India's massive youth population, reframing the education system in a manner that will reflect the government's agenda is clearly imperative for it.

That the government is in a hurry to pass this Bill in Parliament is reflected in the fact that Human Resource Development Minister Prakash Javadekar gave merely 10 days to stakeholders to submit their feedback on the Bill (the last date was July 7). This is

worrying and definitely not the way a massive reform such as this should be deliberated.

Mr. Javadekar argues that the draft Bill is in accordance with the government's commitment to reform the regulatory mechanism to provide "more autonomy" to higher education institutes. He believes that the HECI will cater to the changing priorities of higher education. The UGC, it is argued, is preoccupied with disbursing funds and is unable to concentrate on mentoring higher education institutes, focus on research, and implement other quality measures required in the education sector. So, the HECI will focus solely on academic matters while grants will be issued by the Ministry.

The argument is perplexing as what is expected of the higher education system as envisaged by Mr. Javadekar can very well be done by the UGC. To do so, the UGC needs to be restructured in a manner that will ensure that its autonomy is strengthened without any scope for patronage politics and political interference. However, no such restructuring has been attempted, taking into account the UGC's founding goals, achievements, shortcomings and the reasons for such shortcomings.

Instead, as the HECI draft Bill is already up on the Ministry's website, it is important to dwell upon at least six of the concerns that are being expressed by the media and by academics.

One, Mr. Javadekar tweeted that the transformation of the regulatory set-up is based on the principles of minimum government and maximum governance, separation of grant functions, the end of inspection raj, powers to enforce 'Saaf Niyat, Sahi Vikaas', and focus on academic quality. This is clearly a case of doublespeak. The nature of the structure of the commission and its advisory council shows that they are bound to have more "government" in decision-making processes rather than academics.

Two, sweeping powers render the HECI more authoritative than the collective strength of campus authorities. The powers and functions of the HECI trivialise the concept of autonomy, not the least because "non-compliance (of directions of the HECI) could result in fines or jail sentence." This means that the authority of the HRD Ministry will be strengthened. Also, under the new terms of engagement, universities will have to take the concurrence of the HECI before offering a course. This restricts the freedom of a university's Board of Studies. The draft Bill states: If any University grants affiliation in respect of any course of study to any institution in contravention of the provisions of the regulation/rule/recommendation issued by the Commission...the Commission... may impose a penalty on such University and/ or on such Institution which may include fine, or withdrawal of power to grant

degrees/diplomas or direction to cease operations.” If there is a threat of academic functions being usurped through this legislation, it calls for reflection.

Three, with its mandate of improving academic standards with a specific focus on learning outcomes, evaluation of academic performance by institutions, and training of teachers, the HECI is likely to overregulate and micromanage universities.

Four, the proposal to empower the Centre to remove the HECI’s chairperson and vice-chairperson for reasons including “moral turpitude” will again curtail the regulator’s autonomy, which in turn will impact the autonomy of universities.

Five, instead of allowing institutions to evolve over time based on their specific needs, focussing on homogeneous, one-size-fits-all administrative models will go against the ethos of academic freedom, diversity, and knowledge production, and will help attempts to corporatise the education sector.

Six, the move to replace the UGC with the HECI points to the Centre’s aim to restrict the role of the States in matters relating to education. Strangely, this legitimate apprehension has been articulated by only one politician, Kerala Chief Minister Pinarayi Vijayan, even though others have been voicing concerns that the Terms of Reference for the 15th Finance Commission will weaken federalism.

Mr. Javadekar’s sudden decision to opt for the HECI is attributed to Prime Minister Narendra Modi’s lament in October 2017 that no Indian university figures among the world’s top 500. However, Mr. Modi’s worries are misplaced. This is because one, the bigger concern for India is that despite being a country with a huge young population, higher education remains a privilege; many do not yet have access to it, mainly because it is not affordable. Also, those who do have access attend universities to further their life chances; aiming to get their university in the world’s top 500 list is not their priority. Two, education is a continuum from lower to higher. The quality of higher education is determined by the quality of lower education, which is extremely poor, and that should be our focus. Three, despite the Modi government’s slogan, ‘Sabka Saath Sabka Vikas’, the fact is that the number of Scheduled Castes, Scheduled Tribes, and Muslims who have access to even basic education, let alone higher education, remains abysmal. The Prime Minister should concentrate his energies on improving this dismal scenario rather than lamenting about India not figuring in the world’s top universities list. Even the poorest child in India should have access to the best education that will benefit and improve his or her future. Education must serve as ladder for those in the lower rungs of society. In India there is no such ladder, and many children continue to lead a poor quality life with no access to education. Seen from this perspective, the fact that there is no reference to expand the higher education sector such that it will reach the marginalised and the

poor is what is actually a “blot”. Including the excluded should be India’s goal, and reservation and affirmative action are the way forward.

**HINDU JULY 10,2018**

## **The good and the bad in Bengal’s primary education**

**Report, to be released by Nobel laureate Amartya Sen today, reveals a mixed bag of achievements and failures**

In one of rural Bengal’s schools, a girl, whose identity has not been disclosed, had learning problems. Her teacher reported that she had no idea about counting and used to gaze at the field outside during her arithmetic classes. One day, she saw a man on stilts in the field during one of her classes and shouted: “*Ran-pa, ran-pa, ami chorbo* (Stilts, stilts: I’ll ride on them).” The teacher later arranged for a stilt and voila!

“I would bring [the *ran-pa*] and ask her to count the steps she took. What a surprise! Her progress in counting was unbelievably quick. In a few months she met all the requirements of her course,” the teacher said.

A few years ago, discussions on such anecdotes from parents, teachers, educationists, students and field notes from researchers brought together a group which sought to understand the achievements and failures of the primary education system in Bengal.

“These collective efforts constitute *Shiksha Alochana*,” says Nobel laureate Prof. Amartya Sen, who will release the findings of these efforts in Kolkata on Tuesday in the form of a report titled “Primary Education in West Bengal: The Scope for Change” brought out by Pratiche Institute and *Shiksha Alochona*. The report marks the high points of the Bengal government’s achievements in the area of primary education, while underscoring the failures.

One achievement that the report of Pratiche Institute, founded in 1999 by Prof. Sen, unequivocally indicates is that access to primary education in West Bengal “has increased substantially”. Besides, the average pupil-teacher ratio has “dramatically improved” to 23:1. “...the State required a total of 217,320 teachers, whereas the actual number, including para-teachers and instructors, is 235,445. In other words,

there are almost 8.3% more teachers than the minimum requirement..." the report notes. Yet, the ratio of teacher to students ranges from 1:14 to 1:44.

"Administrative failure in rationalising their distribution has resulted in shortage of teachers in almost 20% of government primary schools," the report notes. Even worse, the proportion of single teacher schools "increased from 3.3% in 2014-15 to 4% in 2015-16".

The other key problem, noted by the report, is access to schools. The government's guideline suggests that the distance between a student's residence and school has to be one kilometre in rural areas and 0.5 kilometre in urban areas.

"However, in West Bengal, and perhaps in many other States, these aspects seem not to have been considered while establishing new schools," the reports notes. The reason, as explained by a senior Education Department official, is alarming. The decision to establish a new school "depends more or less on what the political leaders, across party affiliations, want. They like to establish a school in their own backyard." As a result, 847 villages in the State "do not have a government-run primary school".

Regarding the midday meal, the report notes that while "a decent meal would cost at least ₹ 7.17 per child per day, the present allocation is only ₹ 4.13. "There is thus a deficit in conversion cost of ₹ 3.04 per child per day," the report notes.

The report highlights another half-a-dozen serious problems ailing the State's primary education, including severe inadequacy of fund for schools to "feeble academic planning" and the "menace of private tuitions". Additionally, there are "constraints" in public participation and "uneven distribution of resources".

But Prof. Sen is hopeful. "The progress of primary education in West Bengal gives us grounds for some satisfaction, but we cannot escape the diagnosis of a number of serious gaps, telling us about additional things that have to be done," he says and concludes with his trademark caution: "Much would depend on the involvement and commitment of the teachers and their sense of confidence, and here we could not but observe a wide variation.

## GAYS RIGHTS

HINDU JUL 12, 2018

### Govt. leaves decision on Section 377 to the court

The question is protection under the fundamental right to life, says SC

The government chose not to take sides on the question of the legality of Section 377 IPC, a provision which criminalises homosexuality, leaving the decision entirely to the Supreme Court.

“We leave it to the wisdom of the court,” Additional Solicitor-General Tushar Mehta told a Constitution Bench led by Chief Justice Dipak Misra on Wednesday.

Centre’s caveat

The government’s decision to not contest writ petitions against Section 377 however came with a rider that the court should specify that the freedom to choose a partner does not extend to perversions like incest.

“My choice of partner should not be my sister...That is prohibited under the Hindu marriage law. Allowing the choice of a partner should not extend to incest... sado-masochism...,” Mr. Mehta said.

In a sharp retort, Justice D.Y. Chandrachud said the Bench is not here to adjudicate on any “kinky notions.”

Justice Chandrachud addressed Mr. Mehta to say that the prerogative of this hearing was to understand the nature of a relationship and bring it under the protection of Article 21 (fundamental right to life) of the Constitution. Justice Rohinton Nariman intervened to observe that the Bench was delving into the ‘content’ of the fundamental right.

Chief Justice Misra said the court is considering the issue of “protecting the relationship.”

Larger issue

He said the court was not confining its ambit merely to LGBTQ or sexual orientation. It is examining the aspect of two consenting adults who should not be liable for criminal action for their relationship.

“Mr. Mehta, we are not even on the sexual act. We are examining whether the relationship between two consenting adults is itself a manifestation of Article 21...We are on the nature of the relationship and not going to talk on marriage, etc,” Justice Chandrachud explained. “It should not come to a situation where two homosexuals enjoying a walk on the Marine Drive are disturbed by the police...we want to protect the relationship,” Justice Chandrachud observed

## GOVERNMENT & POLITICS

HINDU JUL 09, 2018

### The democratic mandate in Delhi



Credit:

**India is fortunate that its courts have not had to resort to the doctrine of necessity**

“Nations fail when institutions of governance fail. The working of a democratic institution is impacted by the statesmanship (or the lack of it) shown by those in whom the electorate vests the trust to govern,” writes Justice D.Y. Chandrachud in his concurrence to the Supreme Court’s judgment in *Government of NCT of Delhi v. Union of India*. A story from across the border illustrates precisely what the judge means.

The Indian company Mahindra & Mahindra is today well-known for its rugged vehicles. The enterprise began when two brothers with engineering backgrounds and bureaucratic careers quit to form a company to manufacture the American Willys jeep on license in India. That jeep has had several avatars and its descendants, the Scorpios

and the XUVs, still rule Indian roads. The company however began as Mahindra and Mohammed.

The Mohammed in question was Sir Malik Ghulam Muhammed. A chartered accountant who looked after the financial side of the enterprise, he was formerly a civil servant of the Indian Railway Accounts Service. After Partition he left the company for Pakistan and became its first Finance Minister under Liaquat Ali Khan. When Liaquat was assassinated, Pakistan's Governor General, Khawaja Nazimuddin, became Prime Minister and Mohammed, Pakistan's next Governor General.

Unlike India, which had adopted its Constitution in 1950, Pakistan had not succeeded in framing a Constitution. The Government of India Act 1935 and the Indian Independence Act 1947 continued to operate. When language riots broke out in East Pakistan in the 1950s, Governor General Ghulam Mohammed dismissed Prime Minister Nazimuddin, resorting to reserve powers under the colonial scheme of the Government of India Act of 1935. When the Constituent Assembly of Pakistan sought to limit the Governor General's powers, he dismissed the Assembly in 1954.

The Assembly petitioned the Sindh High Court, which ruled in its favour, but the decision was overruled by a split decision in the Pakistan Supreme Court by a bench headed by Chief Justice Muhammad Munir. Justice Munir had held that it was necessary to go beyond the constitution to the common law, to general legal maxims, and to English historical precedent. He had relied on Bracton's maxim, "that which is otherwise not lawful is made lawful by necessity".

An appointed Governor General thus effectively became the ruler of Pakistan. Ghulam Muhammed however fell ill, and appointed another former bureaucrat, Iskander Mirza, as acting Governor General. In 1955 Mirza dismissed Ghulam Muhammed, to become Governor General himself. Later when Pakistan's Constitution was finally adopted in 1956, Mirza became President. In 1958 he was

overthrown by his own hand-picked army commander, General Ayub Khan. When martial law was challenged in the Supreme Court in 1958, the doctrine of necessity was again used to repel the challenge. Judicial interpretation thus made necessity the mother of martial law.

In recent times, Najeeb Jung and Anil Baijal, as Lieutenant Governors of Delhi, seemed to play Governor General. They overruled the elected government of Arvind Kejriwal (himself another former bureaucrat) on almost every issue of administration. They relied on a proviso to Article 239AA of the Constitution, which provides that “in the case of difference of opinion between the Lieutenant Governor and his Ministers on any matter, the Lieutenant Governor shall refer it to the President for decision and act according to the decision given thereon by the President and pending such decision it shall be competent for the Lieutenant Governor in any case where the matter, in his opinion, is so urgent that it is necessary for him to take immediate action, to take such action or to give such direction in the matter as he deems necessary.”

Thus in almost all administrative matters of consequence, the Lieutenant Governor acted as though he was the final word and that it was not necessary for him to seek the aid and advice of the elected government. A government for 20 million residents of Delhi was told that it could not govern if the Lieutenant Governor chose to not let them govern. Last week’s Supreme Court judgment in the *Government of the NCT of Delhi* has finally put an end to such constitutional coups. Cutting to the heart of all the political and constitutional wrangling, the judgment unanimously affirms the principle of an elected representative being vested with the power to administer democratically. It negates the bureaucratic usurpation of power that sought to operate in constitutional interstices, at the instance of an inimical central government.

The majority judgment of Chief Justice Dipak Misra says: “There is no room for absolutism. There is no space for anarchy... Ours is a parliamentary form of government guided by the principle of collective responsibility of the Cabinet. The Cabinet owes a duty towards the legislature for every action taken in any of the Ministries and every individual Minister is responsible for every act of the Ministry... This principle of collective responsibility is of immense significance in the context of ‘aid and advice’. If a well deliberated legitimate decision of the Council of Ministers is not given effect to due to an attitude to differ on the part of the Lieutenant Governor, then the concept of collective responsibility would stand negated.”

Justice Chandrachud in his concurrence holds that, “In a cabinet form of government, the substantive power of decision making vests in the Council of Ministers with the Chief Minister as its head. The aid and advice provision contained in the substantive part of Article 239AA(4) recognises this principle. When the Lieutenant Governor acts on the basis of the aid and advice of the Council of Ministers, this recognises that real decision-making authority in a democratic form of government vests in the executive. Even when the Lieutenant Governor makes a reference to the President under the terms of the proviso, he has to abide by the decision which is arrived at by the President.”

Justice Ashok Bhushan while broadly concurring with the other two judgments holds that the “LG has to be kept informed of all proposals, agendas of meeting and decisions taken. The purpose of communication of all decisions is to keep him posted with the administration of Delhi. The communication of all decisions is necessary to enable him to go through the proposals and decisions so as to enable him to exercise the powers as conceded to him under 1991 Act and Rules 1993... the purpose of communication is not to obtain his concurrence....”

Three and a half years of a five-year term have been lost in a constitutional wrangle, caused as much by the bureaucracy as by the politicians. Apart from administration, what has suffered is the reputation of the bureaucracy for impartial, apolitical governance. Bureaucrats have picked sides in the political battle and have lost, in court and in public esteem. Administrative paralysis has been used for political chokeholds.

I leave you with one last story of Pakistan. In 1958 the President responded to a state of political chaos by declaring martial law, and calling out the army. A section of the public punned on the term 'martial law', saying, "Pakistan *mein ab toh mashallah ho gaya* (by the grace of God, things in Pakistan are well now)." We in India are fortunate that our courts have not had to resort to the doctrine of necessity. Our politicians and bureaucrats may have in this instance failed, but the Supreme Court has, for the moment, delivered us from mischief. Amen to that, and may our quasi-federal Union long endure as a democratic polity.

*Sanjay Hegde is a senior advocate of the Supreme Court*

## INTERNATIONAL RELATIONS

**HINDU JUL 10, 2018**

**Living in uncertain times**

### **India needs strategic cohesion, and Government-Opposition dialogue is vital for this**

Given the uncertain times we live in, nothing can be taken for granted. Much of the world seems to be in a state of bewildering confusion. Across the spectrum, people appear euphoric, angry, fearful or confused. Many do not even want to think of what lies ahead. Therein, perhaps, lurks the biggest danger. Not wanting to understand what is taking place has its own perils.

Disruption is the dominant sentiment today. It is leading to major political upheavals. It has resulted in escalating levels of violence. Technology is the biggest disruptor of all. Many large firms are being challenged by start-ups. Artificial Intelligence is threatening everything that we are aware of. This breeds uncertainty, apart from confusion.

How else can anyone explain the extraordinary spectacle of a U.S. President effecting a meeting with a North Korean leader. Till very recently, North Korea was seen by the U.S., and much of the West, as the principal part of the “axis of evil”. Not only has this been exploded with the leaders of the U.S. and North Korea meeting in Singapore in June, but the U.S. has announced that North Korea no longer poses a nuclear threat, nor is it the “biggest and the most dangerous problem” for the U.S. No diplomatic rigmarole, no joint communiqué on the details and guarantees, just a simple endorsement that North Korea would eschew the use of nuclear weapons and dismantle its nuclear arsenal is considered enough.

The rest of the world, meantime, is in various stages of disarray. Russia’s Vladimir Putin is pitted against almost the entire Western world, and is being blamed for an array of human rights violations. Several regions of Asia are akin to powder kegs waiting to blow up. Afghanistan is rocked almost daily by terror attacks by the Taliban, the Tehreek-e-Taliban Pakistan, or the Islamic State. West Asia is embroiled in several wars. Syria is the worst-affected and has almost ceased to be a state. Tensions between Iran and Saudi Arabia have intensified. Tensions between Israel and the Muslim world have peaked. The war launched by the Saudi Arabia-led alliance of Arab States against Yemen is turning into a war without end. In South Asia, even tiny countries like the Maldives are challenging bigger neighbours like India.

Europe may not be convulsed with the same degree of violence, but political uncertainty is the prevailing order. Germany, which appeared the most stable of European countries till recently, is in deep crisis politically and Chancellor Angela Merkel’s government hangs by the proverbial thread. In France, despite President

Emmanuel Macron's reassuring presence, strong undercurrents of political disruption are evident. A fluid political situation prevails across much of southern Europe.

In a topsy-turvy world, it would appear that autocracies or dictatorships remain more stable, while democracies seem increasingly dysfunctional. Under President Xi Jinping, China, for instance, is making steady progress, despite the occasional dip in economic forecasts. The party remains in tight control of affairs. Mr. Xi and the Chinese Communist Party have on their radar milestones such as 'wiping out poverty and becoming a moderately prosperous society by 2021' (100th anniversary of the founding of the party); a 'Made in China target to be completed by 2025'; and turning 'China into a fully developed nation by 2049' (100th anniversary of the founding of the People's Republic of China). No hiccups are in sight.

Russia is, again, not constrained by contrarian pulls and pressures. It has entered into a strategic relationship with China, is seeking to consolidate its influence in Eurasia, and has been able to stand up to the North Atlantic Treaty Organization and the West. Its economy is also on the mend. Other dictatorial regimes, such as Turkey, are proving more resilient than democratic regimes across the world, and better able to manage turmoil within and outside their borders.

Most democracies, on the other hand, reveal a far from homogeneous state of affairs, with ruling and opposition parties increasingly working at cross purposes. Germany's plight today is largely due to Ms. Merkel's Christian Democratic Union and coalition partner, the Christian Social Union, pulling in different directions. Such trends are a common occurrence today.

Equally disconcerting is the plight of political parties themselves in many democracies. Many act in a manner that appears like an indictment of democratic politics. In the U.K., for instance, the Conservative and Labour parties face serious internal divisions. In the U.S., both Republicans and Democrats appear in poor shape. Political parties in France are hardly better situated. What all this presages for the future of democracies is a matter of conjecture.

Indian democracy, unfortunately, is not an exception. The Bharatiya Janata Party (BJP) currently projects an image of a strong centralised party. Most other parties are riven by internal dissensions. Yet, the BJP has been unable to ensure the smooth functioning of Parliament. The BJP's inability, despite its brute majority in the Lok Sabha, to 'manage' a determined Opposition is a serious chink in its armour. More unfortunate, it has resulted in a paralysis of informed discussion and debate. Absence of a debate of this nature in Parliament has a direct impact on the conduct of affairs of state.

For example, there had existed for a long time a broad consensus among parties in Parliament about the conduct of foreign affairs. Today, the consensus appears to have broken down. This has happened precisely when India's external policies have come under strain. The nation, however, has the right to know the correct state of affairs, which is possible only through a detailed discussion in Parliament. The ruling party seems in no hurry to restore the consensus.

Without this, it will be difficult for the nation at large to discern why India-U.S. relations, after more than a decade and half of steady improvement, seem to be slowing down. It was only early this year that U.S. President Donald Trump had announced suspension of military aid to Pakistan, and pointed an accusing finger at it for backing terror. All of a sudden, whether due to U.S. imperatives in Afghanistan, or some other reason, there are signs of renewed engagement between Pakistan and the U.S. This cannot but adversely impact India's position in the region. Simultaneously, the U.S. has of late taken to upbraiding India on trade issues, lecturing it on reducing military ties with Russia, and insisting that it abide by U.S. sanctions on Iran. It also peremptorily postponed the 2+2 dialogue. Without a serious debate in Parliament, it would be difficult for the government to reach a consensus on how to deal with this situation.

This applies in equal measure to the state of India's relations with China. Despite the Wuhan summit, our relations with China remain equivocal. There has been no give by China on contentious issues such as the border. The Doklam stand-off has yet to be resolved. Further, China continues to aggressively cultivate countries in India's neighbourhood to India's detriment. Nepal and the Maldives are conspicuous examples. It is little understood, again, why many of our neighbours seem to be drifting away from India.

A debate in Parliament would be even more critical to understand where our relations with Russia stand today. On the surface, India-Russia relations remain unaffected, but there are enough signs that the nature of the relationship has undergone a change, even though defence ties may be unaffected. If the U.S. continues to insist that India resile from its commitment to buy the Triumf missile defence systems from Russia, we will have a first-rate crisis on our hands. India needs a national consensus to tide over the crisis and withstand U.S. pressure, since succumbing to it would be detrimental to our claims to 'strategic autonomy'.

Some of the policy imperatives of recent years, including possibly the current transactional nature of India's foreign policy, may well need to be reformulated, given the present state of affairs. This cannot happen without a detailed debate in Parliament. The time has, hence, come for the government to seek out the Opposition to debate some of these issues inside Parliament, so that foreign policy, at least, remains on an even keel and is not buffeted by the cross-winds of adversarial party politics in the country.

*M.K. Narayanan is a former National Security Adviser and a former Governor of West Bengal*

## NON RESIDENCE INDIAN

**HINDU JUL 10, 2018**

### **Change in visa rules to aid Indians marrying abroad**

- Government is changing the visa rules to help Indians who get married on foreign soil.

Foreigners getting married to Indian nationals abroad will no longer have to get their tourist visas converted into dependent visas, as the Union Home Ministry is set to change the rules.

The decision came after a Filipino, who married an Indian outside the country, ran into difficulties in converting her tourist visa into a X2 visa (dependent visa) as the rules did not permit it.

The husband brought the issue to the notice of Home Minister Rajnath Singh on Twitter.

“We are doing away with the particular rule and simplifying it so that irrespective of the place of wedding, foreign spouses can convert their tourist visas to dependent visas,” a senior official of the Ministry said.

According to the visa manual, a tourist visa can be converted into a X2 visa only when a marriage takes place in India.

With the amendment of the rules, the conversion of tourist visa to X2 will be allowed even if the marriage takes place on foreign soil. However, the facility will not be offered to the nationals of Pakistan, Afghanistan, Sudan and Iraq, and people of Pakistani origin and stateless persons.

## POLITICAL PARTIES

**HINDU JUL 08 , 2018**

**Privatise all political parties**



**After all, India is the fastest growing political market in the world**

The NITI Aayog chief recently made a brilliant suggestion that, I am sorry to say, has been widely unappreciated. Instead of gratitude for expressing a bold idea, his comments provoked outrage. Everyone apparently thought he wanted to sell India's family jewels to the cheapest crony capitalist.

Nothing could be closer to the truth. The outrage is as misplaced as a fish on a bicycle. Or a prime minister on a rock. People were worried that the family jewels in question could end up with someone like Nirav Modi, a famous jeweller with a magical passport that keeps working no matter how many times it's revoked. According to my sources in the MEA, the passport is immune to revocation because of its special powers derived from the Tesseract.

There is only one way to definitively kill Nirav Modi's passport: the MEA must get one of its agents in London to steal it, and on the next available Amavasya, at the stroke of midnight, soak it in a vat of organic urine sourced from a cow bred on a pure Panchatattva diet containing the correct proportions of Prithvi, Jal, Vayu, Agni and

Aakash. Then it must persuade one of the Avengers, preferably either the Hulk or Thor, to perform a yajna where each page of the passport is torn one by one, coated thickly with clarified Gowardhan ghee, and dropped into the sacrificial fire while three MEA officials with the rank of Joint Secretary and above chant shlokas from the *Niravathiruttupaya Samhita*. Only then will the passport stay dead. I know this is a tough and complicated challenge. But then, so is getting people to voluntarily starve to death unless their fingerprints match the preferred rangoli pattern of an artificial intelligence. And we're managing that quite well, aren't we?

Coming back to the NITI Aayog chief, all he said was that India should hand over its schools, colleges and jails to the private sector — something long overdue. If at all he must be criticised, it should be for stopping short of advocating the one truly big bang reform that can transform India's fortunes forever: privatisation of all political parties.

Frankly, I am surprised that I am the first private intellectual to publicly propose this idea, given that it has been staring us in the face, neck and shoulders for quite some time. Thanks to electoral bonds and last year's amendments to the Finance Act, today any money bag anywhere in the world can anonymously invest any amount in the Indian political market through the BOOT model — Build up a politician, Own him, Operate him, and Transfer black money abroad.

What the whole world knows but few Indians recognise is that India is the fastest growing political market in the world. Political parties spent a total of ₹10,000 crore in the 2009 Lok Sabha polls — more than double the ₹4,500 crore that was spent in the 2004 elections. If you thought that was a lot, they spent in the 2014 parliamentary elections three times what they did in 2009, burning up an estimated ₹30,000 crore.

Clearly, electoral politics, along with the allied industries of tax evasion, black money generation, and money laundering, is one of the best performing sectors in the Indian economy. Since elections these days take place round the year, our much maligned

political parties are actually the country's biggest job creators, with millions of people finding year-round employment as social media trolls, fake video producers, WhatsApp admins, lynch mob coordinators, offence-takers, rally audiences, cash dispensers, alcohol distributors, etc.

If we want to preserve these jobs and create millions more, in addition to encouraging FDI in Indian political parties, we must also allow foreign political parties, such as Trump's Republicans, for instance, to contest in Indian elections. Just as a company's biggest shareholder becomes its chairman and managing director, similarly the biggest investor in a winning party, regardless of his nationality, should be allowed to become the Prime Minister of India. Imagine an election where the prime ministerial candidates are Modiji, Trumpji, Zuckerbergji and Sequoiaji! It would be worth its weight in Nirav Modi (I mean the branded diamonds, not Nirav bhai) just for the TRPs it would generate.

All said and done, privatising political parties, though a major reform, is still only the first step. The ultimate goal must be to privatise the state itself. Our passports should start saying 'India Inc.' instead of Republic of India. But in order to make it happen, the Indian government should first hire a top consulting firm, say, a McKinsey or a PwC, and ask them to review the Constitution from the perspective of ease of doing business. Their recommendations can then be converted into amendments that will suitably update the Constitution into a more market-compatible version. In the unlikely event of there being too much opposition to these constitutional amendments, they can always be passed as money bills — after all, politics is all about the money.

## **PROPERTY**

**HINDUSTAN TIMES JULY 12,2018**

### **Noida circle rates to remain unchanged, relief to homebuyers on fee for common facilities**

Rates of common facilities in Noida's group housing societies and of different floors of commercial premises will come down following the decision to keep the circle rates unchanged in the district.

Updated: Jul 12, 2018 15:35 IST

the Gautam Budh Nagar district administration has proposed to keep the circle rates unchanged in the district for homebuyers as well as for commercial and institutional buyers.

However, waiver in charges on common facilities in group housing societies and the rateable value of different floors of commercial premises will give relief to applicants while executing registries of their properties.

The new circle rates will come into effect from August 1.

### **Common facility charges**

The administration used to charge 15% extra for flats having common facilities such as lifts, gymnasium, swimming pool, power backup and community centre or club from buyers in group housing societies.

On Wednesday, district magistrate BN Singh informed that the administration has decided to reduce this to 6%.

Terming facilities such as lifts and power backup 'a necessity', the administration these from the list of facilities in group housing societies. The charges of the other three common facilities such as swimming pool, community centre/club and gym have been reduced from 3% to 2%

## TRANSPORTATION

**HINDUSTAN TIMES JUL 12, 2018**

### **Govt nod to run 1,000 electric buses in city**

NEW DELHI, July 12 -- The Delhi government on Wednesday gave its in-principle approval to run 1,000 lowfloor AC electric buses in the national capital and appoint Delhi Integrated Multi-Modal Transit System (DIMTS) as the project's consultant.

The approval was given in a cabinet meeting chaired by chief minister Arvind Kejriwal, who called it a "big step" in a bid to modernise Delhi's public transport system and reduce pollution.

Deputy chief minister Manish Sisodia said once the project is finalised, Delhi will be the only city, other than China's Shenzhen, to have the biggest fleet of electric buses.

"The top five countries, other than China, that have pure electric buses are United Kingdom (191buses),Germany(176),Netherlands( 296),Lit...