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Wreckers as builders **30**



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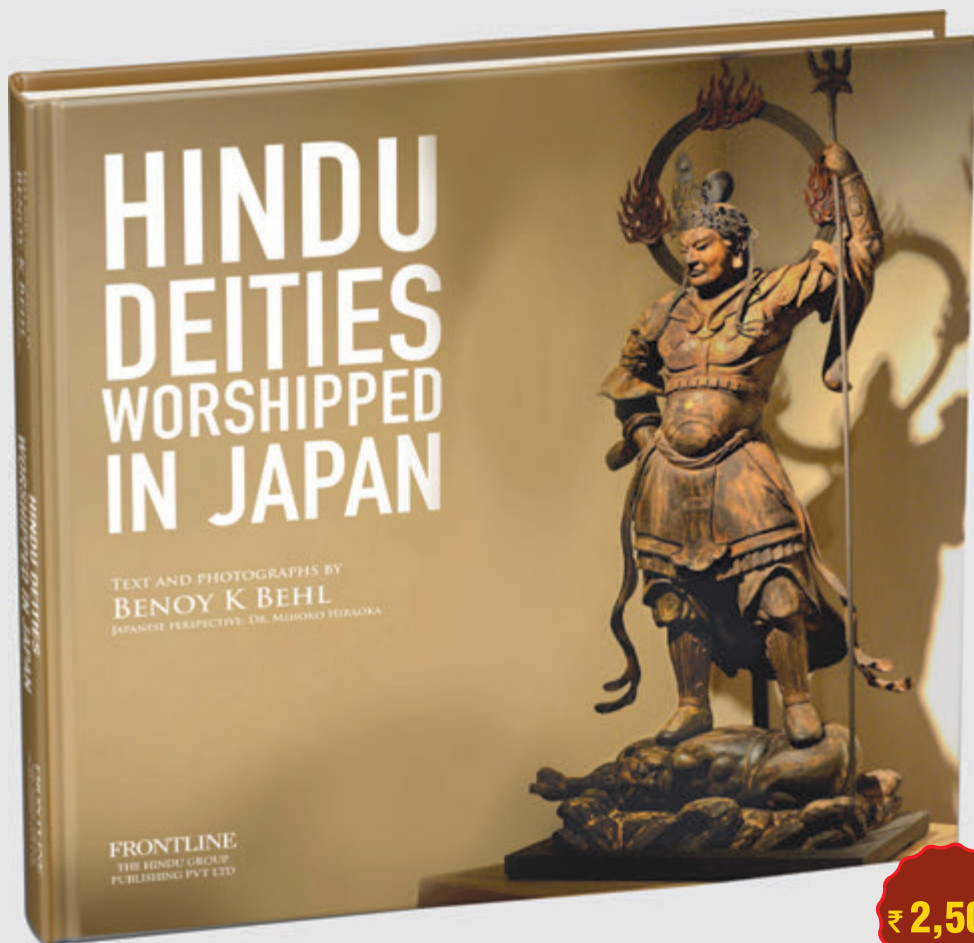


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COVID-19



- Far from herd immunity **34**
- Strategy: Gloating in defeat **39**
- Disease surveillance: **42**
- How the poor die **42**
- Prisons: Breeding grounds for coronavirus **48**
- Controversy: COVID ventilators, who cares? **51**
- Interview: Prof. K. Srinath Reddy **54**
- Communalism: Christians as target **58**
- Global distress **60**

POLITICS



- Ram temple: Wreckers as builders **30**
- Rajasthan crisis: Over to Assembly **67**

SOCIAL JUSTICE

- Interview: Thangam Thennarasu, DMK leader **63**

JAMMU & KASHMIR

- Silent rage **71**

COMMUNALISM



- Delhi riots: Victims twice over **74**
- Interview: Zafarul-Islam Khan **77**

COVER STORY

At the mercy of the market
NEP 2020 greatly increases the scope of private participation in education, ignores the country's pluralistic traditions, and furthers the neoliberal agenda of designing a profit-oriented system that serves corporate interests. **4**



RELATED STORIES

- Decoding the Hindutva agenda **9**
- High on rhetoric **14**
- Interview: Prof. Krishna Kumar **18**
- Timeline worries **21**
- Whose Sanskrit is it anyway? **25**
- Interview: Prof. Shyam B. Menon **27**

On the Cover

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HUMAN RIGHTS

- Bhima Koregaon case: Victims of vendetta **79**

WORLD AFFAIRS

- India&China: Fragile truce **85**
- Latin America: Suffocating democracy in the Andes



- Hagia Sophia issue: Triumph or tragedy? **91**

OBITUARY

- Sa. Kandasamy: Profound yet simple **93**
- C.S. Seshadri: Music of the spheres **95**

CINEMA

- "Run Kalyani": Patriarchy in perspective **99**

CONSERVATION



- Western Ghats: The great Indian hornbill air show **102**

COLUMN

- C.P. Chandrasekhar: Time to overhaul or replace GST **82**

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COVER STORY

AT THE MERCY OF THE MARKET



CHILDREN who missed online classes owing to a lack of Internet facilities listen to pre-recorded lessons over loudspeakers in Dandwal village in Maharashtra on July 23.

NEP 2020 greatly increases the scope of private participation in education, ignores the country's pluralistic traditions, and furthers the neoliberal agenda of **designing a profit-oriented system** that serves corporate interests. BY **MADHU PRASAD**

IT IS AN INTRIGUING, BUT BY NOW HARDLY surprising, fact that on June 24, the Ministry of Human Resource Development finalised a loan with the World Bank as the culmination of a process allowing for its third and final intervention in determining the structure, content and governance of the entire system of school education, from pre-nursery to Class 12, through its Strengthening Teaching-Learning and Results for States (STARS) programme. (The earlier interventions were the District Primary Education Programme or DPEP of 1993-2002 and the Sarva Shiksha Abhiyan since 2002.)

Just a month later, on July 30, Ramesh Pokhriyal, the Minister for Human Resource Development, told mediapersons in New Delhi that the Central Cabinet had passed for immediate implementation the long-delayed New Education Policy or NEP 2020. Both events occurred amid the COVID-19 pandemic that is showing no signs of abating across the nation. A series of lockdowns, in various stages in States, districts, cities, towns and urban localities, has brought the economy to a halt. Lakhs of migrant workers, deprived of even the barest incomes, returned to their home towns and villages in the most atrocious conditions.

Schools, colleges and universities have been closed since March and examinations have either not been held or are being held or are threatened to be held online, creating confusion and panic among the majority of students.

'REFORMS' DURING PANDEMIC

The last thing one would have expected is the Cabinet to pass the NEP without presenting and debating it in Parliament at a time when the people are concerned only with getting their lives back on track and coping with the unprecedented health and economic situation.

But it comes as no surprise, since the Government of India has been utilising the COVID-19 crisis to great advantage by passing several of its "reform" programmes without observing democratic niceties or permitting any democratic resistance.

It has abrogated protective labour laws and collective bargaining, disinvested in the public sector and the Railways, allowed privatisation of the electricity sector, reorganised banks, and cleared environmentally sensitive projects at breakneck speed.

REUTERS

NEP 2020 states that its priority, like that of the World Bank, is ensuring that quality education be made accessible to all children from pre-nursery to Class 12. So, one would be justified in assuming that the World Bank must be providing a hefty grant, or at least a significant loan, to assist in realising this laudable goal.

However, the finalised loan constitutes a mere 1.4 per cent of the total investment required for the Samagra Shiksha Abhiyan of which the STARS programme is a part. The Centre and the governments of States and Union Territories would be contributing 98.6 per cent.

Yet, the STARS programme will focus on the whole school approach and teacher education in the Samagra Siksha Abhiyan in the selected “high performance States” of Kerala, Himachal Pradesh and Rajasthan and the “learning States” of Madhya Pradesh, Maharashtra and Odisha. It will thereby allow the World Bank to acquire an overarching role in influencing the teaching-learning content, practices and outcomes of the entire system of school education; training and monitoring faculty for implementing it; setting up “merit-based” learning assessment systems to measure achievement based on the above; and formulating and implementing governance reforms to cover the training of educational officials and function as an extensive outreach to train parents to participate in implementing the programme.

This raises the next obvious question. Is the World Bank an international educational institution? If not, why is it being asked to design such a comprehensive programme for quality school education in India? Further, what has been the bank’s experience of earlier interventions in India’s school education system?

The World Bank as an international financial institution creates, regulates and safeguards markets for advancing the interests of international finance capital. It is neither concerned with the educational rights and pedagogical concerns of providing quality education to the majority of India’s children who are deprived of the benefits of such education, nor equipped for that.

From the 1980s onwards, the World Bank has concentrated, particularly in former colonies, on persuading governments to withdraw public resources from education and encourage the entry of private investors and a variety of ‘non-state actors’.

As NEP 2020 itself advocates, this omnibus term may include multinational corporations and corporate investors, non-governmental organisation (NGOs), civil society, charitable and/or religious organisations and even “volunteers”.

Under the garb of being “philanthropic” rather than merely “private” partners, the NEP promotes and commends their initiatives and role in sharing resources as well as in synergising the interaction between the public system and private agencies.

“To further enhance cooperation and positive synergy among schools, including between public and private schools, the twinning/pairing of one public school with one private school will be adopted across the country, so that such paired schools may meet/interact with each



AT A NEWLY RENOVATED classroom in a school run by the Delhi government in August 2019. The Delhi government’s substantial allocation to education made such facelifts possible.

other, learn from each other, and also share resources, if possible. Best practices of private schools will be documented, shared, and institutionalized in public schools, and vice versa, where possible,” states the NEP. (7.10)

However, it has become more than evident that with the collaboration of these ‘players’, governments can neither be held effectively accountable nor remain responsible for the state of the education system.

The experience of the DPEP, designed and sponsored by the World Bank, should have made this clear already. Implemented in 18 States and nearly half of India’s districts, it incorporated ‘low-cost’ solutions in government schools to fill the need for greater accessibility and quality.

The rapid deterioration of state-funded primary schools (Classes I-V) and the loss of credibility among those who depended most on the system, such as the Scheduled Castes (S.Cs), the Scheduled Tribes (S.Ts), members of Other Backward Classes (OBCs) and Muslims and other impoverished sections, resulted in the privatisation and commercialisation of school education with the mushrooming of low-budget fee-charging private schools at a faster pace than ever since Independence.

This damaging experience was systematically ignored and the World Bank’s intervention in the Sarva Shiksha Abhiyan from 2002 onwards only carried it further. The Right to Education Act, 2009, which legislated a quota of at least 25 per cent for students belonging to the Economically Weaker Sections in admissions to private schools, functioned as a Trojan horse that set up privately funded school education as a desirable option and failed to emphasise its inherently defective pedagogical character that fuses quality in education with the capacity to pay.

Yet, the Centre has finalised the third intervention with the World Bank.

Therefore, the government’s claim that it has

embarked on a path-breaking direction 34 years after the 1986-92 NEP is misleading. It is only advancing the same strategy as previous governments that followed the perspective and approach of the World Bank model after the adoption of the neoliberal reforms policy in 1991.

Public-private partnership (PPP) strategies, which lie at the core of the World Bank’s approach, do not provide better quality education. They increase the exclusion of the deprived and the marginalised, exploit a highly discriminatory multi-track system of education promoted by the play of market forces and divert from the constitutional goal of establishing a nationwide system of quality education for all.

Although the NEP states that “the aim of the public school system will be to impart the highest quality education so that it becomes the most attractive option for parents from all walks of life for educating their children” (8.9), and the document opens with the assertion that “substantial investment in a strong, vibrant public education system as well as the encouragement and facilitation of true philanthropic private and community participation” will determine government policy, the hackneyed solutions offered by it belie the claim.

It says: “To facilitate learning for all students, with special emphasis on socio-economically disadvantaged groups (SEDGs), the scope of school education will be broadened to facilitate multiple pathways to learning involving both formal and non-formal education modes.

“Open and Distance Learning (ODL) Programs offered by the National Institute of Open Schooling (NIOS) and State Open Schools will be expanded and strengthened for meeting the learning needs of young people in India who are not able to attend a physical school.”

It adds: “NIOS and State Open Schools will offer the following programmes in addition to the present programmes: A, B and C levels that are equivalent to Grades 3, 5, and 8 of the formal school system; secondary education programmes that are equivalent to Grades 10 and 12; vocational education courses/programmes; and adult literacy and life-enrichment programmes. States will be encouraged to develop these offerings in regional languages by establishing new/strengthening existing

State Institutes of Open Schooling (SIOS).” (3.5)

According to the document, “... various successful policies and schemes such as targeted scholarships, conditional cash transfers to incentivise parents to send their children to school, providing bicycles for transport, etc., that have significantly increased participation of SEDGs in the schooling system in certain areas... must be significantly strengthened across the country.” (6.4)

The NEP also declares that to make it easier for both governments as well as “non-governmental philanthropic organisations to build schools, to encourage local variations on account of culture, geography, and demographics, and to allow alternative models of education, the requirements for schools will be made less restrictive. The focus will be to have less emphasis on input and greater emphasis on output potential concerning desired learning outcomes.” (3.6)

Does the much-needed inclusion of the Early Childhood Care and Education (ECCE) programme as an integral part of the school system offer any new directions? For universal access to the ECCE programme, it offers the old idea of strengthening anganwadi centres and equipping them with high-quality infrastructure, play equipment, and well-trained anganwadi workers and teachers.

State governments would be responsible for training those educated up to 10+2 for six months while those with “lower” educational levels would receive training for one year. Anganwadis would be fully integrated in school complexes. (1.5) There is nothing new here, for they would continue to remain under several Ministries such as Education, Women and Child Development, and Health. Their separate functions are still not conceived of as integral parts of a significant and cohesive stage of the education system.

An unexamined proposal for establishing ashramshalas and “alternative schooling” for tribal areas earmarks them for “targeted attention”. The document mentions a plan for “Special Educational Zones” only once and does not elaborate. It is not clear if these are zones, with large populations of the “underrepresented” (a euphemism for the deprived/marginalised) sections, that will be separated from the rest of the system or if they will receive special attention and support.

SERVING CORPORATE INTERESTS

The World Bank’s strategy since 1994 has been based on the promotion of a model of knowledge adjusted to the requirements of corporate job markets and a market model of education delivery that involves the privatisation, commercialisation and corporatisation of education.

The latter model places the entire burden of education on the individual family and fee-paying parents or students. They are the “consumers” who make it profitable for the investor or provider to enter the education market. PPP strategies encourage the transition to a ‘market’ where edu-businesses strengthen their hold over public assets through government

reimbursement and voucher schemes. Governments indirectly further the process by starving and dismantling state-funded education systems through budgetary fund cuts, with subsequent 'rationalisation' proposals for the merger and/closure of crisis-ridden schools. NEP 2020 repeatedly endorses these strategies, which will continue to lead to a massive exclusion from education of backward communities that constitute almost 85 per cent of the population. These strategies leave neither access nor agency for S.Cs, S.Ts, OBCs, Muslims, Denotified Tribes and girls, transgenders and the disabled within these already disempowered categories. The proposed creation of "inclusion funds" for them will neither change the commercialised character of the system nor even provide meaningful relief to individual recipients.

NEP 2020 also shares the main features of the World Bank approach to the model of knowledge. It approves of and promotes a perspective that is detrimental to establishing an equitable system of quality education in India. The contemporary 'merchandisation' of education requires it not only to conform more closely to the needs of the job market, but also to initiate its own transformation into a new and highly lucrative market. Knowledge as a resource for critically comprehending the contemporary world, societies and value systems is now treated as being "too heavy" for current teaching-learning methodologies and curricula to handle. The "skills approach", a functional assembly of performance-oriented qualities that signal their own desired level of achievement, now defines the basic unit, module, and topic of learning.

The "learning outcome" too is predetermined. The teaching-learning process is reduced to acquiring procedural competencies that can be "appropriately" graded for different levels. NEP 2020 is firmly committed to classroom transactions shifting "towards competency-based learning and education". It says: "The assessment tools (including assessment "as", "of", and "for" learning) will also be aligned with the learning outcomes." (4.6)

The proposal for multiple exit and entry points from pre-nursery to Class 12, which begins early with the re-introduction of examinations at classes 3, 5 and 8, is based on the identification of skill levels.

It says: "Specific sets of skills and values across domains will be identified for integration and incorporation at each stage of learning, from pre-school to higher education." (4.4)

However, depriving students of the "content" of formal learning, which not only develops fundamental disciplines, critical thinking and the creativity to innovate and conceptualise opposition to social injustices and all forms of discrimination, makes a mockery of learning as it cultivates conformism in thought and produces citizens only fit to be cogs in the economic and technological machine.

Regulatory centralisation, as achieved through the Higher Education Commission of India (HECI), has

been a long-standing demand of private investors.

The loss of democratic freedoms and academic autonomy, with supreme authority being granted to boards of governors of institutions that must compulsorily become autonomous, is a painful reality.

'IDEA OF INDIA'

The "vision" of NEP 2020 is "to instill among the learners a deep-rooted pride in being Indian, not only in thought, but also in spirit, intellect, and deeds, as well as to develop knowledge, skills, values, and dispositions that support responsible commitment to human rights, sustainable development and living, and global well-being, thereby reflecting a truly global citizen."

To this end, the entire "curriculum and pedagogy, from the foundational stage onwards, will be redesigned to be strongly rooted in the Indian and and ethos.... in order to ensure that education is maximally relatable, relevant, interesting, and effective for our students." (4.29)

The document repeatedly makes such exhortations but the "idea of India" and Indianness that is endorsed appears to be quite distinct from what is usually associated with the plurality and diversity of India.

India has always been identified with being open to absorbing and negotiating with philosophical, religious, cultural and technological knowledge from other parts of the world. NEP 2020 states that the "knowledge of India" will include knowledge from ancient India and its contributions to modern India and its successes and challenges, "and a clear sense of India's future aspirations". (4.27) This leap across centuries misses the changing experiences of numerous tribal communities; the powerful anti-caste cultural ideologies, monotheistic movements and cults; and the philosophical contestations within various sects of Hinduism.

The political, cultural and technological impact of the exposure to central Asia, the arrival of Islam and the richness and complexity of its intellectual, cultural and sociological consequences that surround us in our daily lives, are also absent.

Equally surprising is the neglect of the period of colonial domination and the decades-long struggle of the people, who, united as a nation, survived the tragedy of Partition and emerged as an independent, constitutional republic. India is far greater, far more expansive, far richer in detail and far deeper in its experience of inequality and oppression than the "Sanskrit knowledge systems" (4.17), theory and literature that NEP 2020 attempts to confine it to.

The policy's failure to recognise the worth of the totality of our subcontinental history, culture and lived experience immeasurably diminishes the very idea of India.

An education policy that is unable to reflect this sweep of history does itself and the youth of India a grave injustice. □

Madhu Prasad is with the All India Forum for the Right to Education.

Decoding the agenda

The push for online education is motivated by the need to resolve the crisis of **neoliberal capitalism** which is riding piggyback on Hindu Rashtra forces to loot India's natural and human resources. BY **ANIL SADGOPAL**

THE UNION CABINET'S APPROVAL OF National Education Policy (NEP) 2020 on July 29, was preceded by significant moves by the Government of India, which revealed the ideological framework of the policy.

On May 1, Prime Minister Narendra Modi reviewed NEP 2020 and declared that online education would constitute the core of the education policy because it would improve the quality of education and enable India's education to reach global standards. Two related questions arise. First, is there any credible evidence that online education increases the quality of education? On the contrary, there is ample evidence that without human

agency of the teacher and student-student interaction learning levels deteriorate. Second, what are these global standards and who has set them? It is taken for granted that India's higher educational institutions (HEIs) should be ranked among the top 100. This ranking is done by marketing agencies that apply parameters rooted in market fundamentalism, which are not related to the social purpose of education or its transformative role or constitutional values.

Against this background, the Prime Minister's call for raising the level of India's education to the so-called world class is far from a settled matter. Yet, the NEP does not raise these concerns; instead it promotes the notion of world-class education uncritically. Then why this compulsion to push for online technology? Shortly after the Prime Minister's announcement, Google's chief executive officer (CEO) announced a major investment in Mukesh Ambani's Reliance Industries. This was followed by a marketing agency report that online education would have a market worth \$15 billion in the next four years. Clearly, the push for online education is not motivated by education but by the need to resolve the crisis of neoliberal capitalism.

The Prime Minister gave a call on June 11 to build atmanirbhar Bharat. Within a short span of time, on June 24, the Human Resource Development (now Education) Ministry signed an agreement with the World Bank inviting its intervention in school education in six States of India. If India, the self-assumed 'Vishwa Guru', does not know how to organise its school education, then how will it create an "atmanirbhar Bharat"? More significantly, in doing so, the Government of India ignored the history of the World Bank's District Primary Education Programme (1993-2002), or DPEP, in almost half of India's districts, which led to the dismantling of the primary education system and the consequent creation of a vast market for private schools, which was the core objective of the World Bank. In 2001-02, when the World Bank intervention was at its peak, its loan constituted merely 1.38 per cent of the total expenditure on education incurred by the Central and State governments together. The second intervention of the World Bank was in the Sarva Shiksha Abhiyan (SSA), from



M. PERIASAMY

TRIBAL children at the SSA Nesam Trust residential school in Valparai taluk, Tamil Nadu. The World Bank's intervention in the SSA from 2002 led to a multilayered school system rooted in discrimination and failure to achieve the SSA's goal of universalising elementary education.

2002 to date, which led to a multilayered school system rooted in discrimination and failure to achieve the SSA's mandated goal of universalising elementary education (Class I to VIII) by 2010, a goal that has since been eroded by the national political agenda.

Why then invite the World Bank for a third intervention? Is it because India lacks resources? Like in the case of the DPEP, the World Bank loan for its STARS (strengthening teaching-learning and results for States) programme would comprise only 1.4 per cent of the total public expenditure incurred on education. Clearly, this decision is motivated by neoliberal capitalist forces to create space for non-state private actors (such as non-governmental organisations and edu-tech companies) and a market in elementary education for almost 20 crore children.

On July 6, the University Grants Commission (UGC) issued a notification ordering all State governments and universities to hold final undergraduate and postgraduate examinations online latest by September, least concerned about the impact of COVID-19 on students. Ironically, a few weeks earlier, the UGC had given the State governments freedom to decide whether to hold university examinations or not on the basis of local conditions. In the process, the UGC overruled the decision of seven State governments against holding examinations, as if the States did not matter. The cynical assault by the Central government on the federal structure, sanctified by the Constitution, is now an integral feature of the NEP. The greed of edu-tech companies for the huge market that online examinations would open fits with the Central government's alignment with neoliberal capital, not the people of India.

The aforesaid three examples foreground the neoliberal coordinates that define the government vision of education. The additional ideological orientation of the Rashtriya Swayamsewak Sangh (RSS)-Bharatiya Janata Party (BJP) regime of Hindu Rashtra will be revealed as we further decode the NEP. Brahmanical Hegemony

The NEP's incomplete and misperceived framework of the "rich heritage of ancient and eternal Indian knowledge and thought" reveals its historical prejudices. While it accords adequate attention to the Brahmanical traditions and sources of knowledge, the non-Brahmanical contribution to knowledge and pedagogy of debate and questioning by the Buddha and Mahavira and their challenge to social stratification and hierarchical social order stand ignored. The materialist philosophical treatises of Charvaka or Lokayata rooted in observation, empiricism and conditional inference as sources of knowledge are not just undervalued but entirely erased from the NEP's historical memory. The Brahmanical view failed to accommodate both the rich Tamil literature and its treatises as part of India's rich heritage until there was a protest from Tamil Nadu in mid 2019. The same prejudice is extended to deny its due space to the contributions of Syrian Christians who settled on the Kerala coast in the first century A.D. and became part of the subcontinental socio-cultural landscape. The NEP



B. JOTHI RAMALINGAM

further sidelines the entire medieval period when Islamic traditions interacted with Hindu traditions to create syncretic Sufism and infused new dynamism in India's pursuit of knowledge in various scientific fields, governance, commerce, literature, music and arts. Similarly, the epistemic contributions of the tribal people of central and eastern India as well as those of the north-eastern States to agriculture, forestry and management of natural resources are not recognised as part of the so-called "mainstream" Indian heritage. This skewed perception can only mislead educational planning for the youth of the 21st century India.

CASTE AND PATRIARCHY

The NEP fails to recognise the hegemonic role caste and patriarchy continue to play in circumscribing access to and participation in education, acquisition and production of knowledge and opportunities for socio-economic mobility through higher education. The NEP also ignores the rich legacy of the anti-caste discourse from Savitribai-Jyotirao Phule, Chhatrapati Shahu Maharaj and Dr B.R. Ambedkar (Maharashtra); C. Iyothee Thass, Singaravelar and 'Periyar' E.V. Ramasamy (Tamil

A TEACHER uploading study materials for online class at the Greater Chennai Corporation Higher Secondary School on July 15. The greed of edu-tech companies for the huge market that online examinations would open fits with the Central government's alignment with neoliberal capital, not the people of India.

Nadu); Narayana Guru and Ayyankali (Kerala); Kandukuri Veeresalingam Pantulu and Gurajada Apparao (undivided Andhra Pradesh); Kudmul Ranga Rao and Krishnaraja Wadiyar IV (Karnataka); and, finally, the historic debate between Mahatma Gandhi and Ambedkar on the question of caste in the 1930s. This lack of recognition is reflected in the NEP's flawed understanding of these twin historically embedded issues, when it tries to see caste and patriarchy through the lens of the so-called "merit" and gender sensitisation respectively. Reservation has no space in the NEP, in violation of Article 16 and as denial of all gains made through the struggles for social justice since Independence.

The twin anti-caste and anti-imperialist legacies of the freedom struggle that inspired the defining framework of the Constitution stand cynically replaced by the

World Bank-sponsored United Nations Sustainable Development Goals-4 (STD-4). Even a cursory comparison between the two documents will reveal that the constitutional imperatives constitute a far more empowering framework for educational and other related social rights than the SDG-4. This is why the NEP prefers to rely on STD-4 and undervalues the Constitution. Ambiguity, internally contradictory positions, conceptual blurring of ideas and duplicity mark the NEP. It would refer to fundamental duties but maintains silence on fundamental rights, a practice adopted during the National Democratic Alliance (NDA)-I rule (1999-2004). The concept of 'free' education stands replaced by 'affordability', thereby allowing private institutions to increase the fees as they wish; the distinction between education and literacy-numeracy and similarly between 'informal' and 'formal' education is blurred. The constitutionally legitimised terms of Scheduled Castes (S.C.), Scheduled Tribes (S.T.), Other Backward Classes (OBCs) and religious and linguistic minorities are substituted by "socio-economically disadvantaged groups (SEDGs)" or "under-represented groups", thereby trivialising the historic oppression and exploitation of the Bahujans over centuries.

Article 1(1) of the Constitution states, "India, that is Bharat, shall be a Union of States". While presenting the Constitution to the Constituent Assembly on November 25, 1949, Ambedkar, as the Chairperson of the Drafting Committee, declared, "The basic principle of Federalism is that the Legislative and Executive authority is partitioned between – the Centre and the States. . . . The States under our Constitution are in no way dependent upon the Centre for their legislative or executive authority. . . . Centre cannot, by its own will alter the boundary of that partition." The 13-judge Constitutional Bench of the Supreme Court in the Kesavananda Bharathi case (1973) held that the "federal character of the Constitution is the basic structure". Yet, the NEP proposes to over-centralise all key decision-making "from ECCE [early childhood care and education] to higher education" through a spectrum of new central agencies and mechanisms to be constituted/instituted; for example, the Higher Education Commission of India, the National Research Foundation, the National Curricular and Pedagogical Framework for ECCE, the General Education Council, the National Testing Agency, National Professional Standards for Teachers, and so on. In the process, all the powers and responsibilities of the State/Union Territory governments relating to education as well as those devolved to the Tribal Councils under the Fifth & Sixth Schedules and to village panchayats/zilla parishads and municipalities/municipal corporations by various Acts are destined to be either substantially compromised or withdrawn altogether. This paradigm shift in the constitutional framework calls for a nation-wide democratic debate and for placing NEP 2020 for a thorough scrutiny by Parliament.

The NEP provision that has won acclaim from the media and academia alike is the ECCE provision for the

3-8 year age group. ECCE for the 3-6 age group had been included in all previous policy documents and, since 1974, the Integrated Child Development Scheme (ICDS), popularly known as the Anganwadi programme, has been implemented all over the country. However, it basically remained a nutrition-health care programme, without making provisions for pre-primary education. The Right to Education (RTE) Act, 2009, did not include children in the 3-6 age group. Hence, the NEP's addition of pre-primary education and combining it with the first two years of primary schools (Class I-II) to create a foundational literacy and numeracy programme has attracted public attention. Let us decode the intent and content of the proposal.

Starting from ECCE to senior secondary schools, the NEP proposes an informal role for "trained volunteers from both the local community and beyond, social workers, counsellors and community involvement" in the school system. Who are these people and what is their eligibility for being invited to undertake informal tasks in anganwadis or schools?

The RSS has publicly claimed that most of its "demands" have been incorporated in the policy. It is obvious that the RSS cadre would be assigned the aforementioned informal roles which would be supported by public funds. RSS-allied education-related organisations have been for long advocating that the most effective way of preparing Hindu Rashtra cadre is to instill Hindutva ideas and "ethical" values (read myths, prejudices and superstitions) in the subconscious mind of the 3-6 year age group during which more than 80 per cent of the mind develops, thereby making them integral elements of the future generation's thinking and social behaviour. And this explains why the NEP is insisting on merging the three years of ECCE with the first two years of primary education since it builds a plausible basis for absorbing the new RSS entrants into the permanent primary school cadre itself.

LANGUAGES AND MEDIUM OF EDUCATION

The question of making "mother tongue/home language" the medium of instruction at the primary level or even beyond has been debated ever since Mahatma Jyotirao Phule extolled the significance of the mother tongue being the medium of education before the Hunter Commission (1882) – an idea that has been endorsed by educationists and linguists globally and practised in all economically advanced countries. Both Gandhi and Rabindranath Tagore were ardent advocates of the mother tongue as the most potent cognitive medium for acquiring knowledge as well as for laying the foundation for learning any other language proficiently, including English. This rational and internationally accepted principle is rejected in India by the narrow interests of the upper castes and classes. It is nobody's case that children should not learn fluent English. What is being debated is whether English or any other alien language is best learnt by using it as a medium of education or learning it as a subject on the strong foundation of the child's mother



NISSAR AHMAD

tongue. According to a 2017 British Council study, "There is little or no evidence to support the widely held view that EMI (English as Medium of Instruction) is a better or surer way to attain fluency in English than via quality EaS (English as Subject) . . . A move to EMI in or just after lower primary, commonly found in South Asia and Sub-Saharan Africa, yields too shallow a foundation of English to sustain learning across the curriculum from the upper primary years onwards. Early introduction of EMI is thus viewed as impairing learning in the formative years and limiting educational attainment."

The NEP's proposal on the mother tongue/home language issue is not just deliberately ambiguous and confusing; it also overburdens the child with the language curriculum, which includes the emphasis on learning a classical language (read Sanskrit) at all stages of education, including higher education, even as classical and rich languages such as Tamil, Pali and Persian are accorded step-child status. Nor does the NEP take any stand against Brahmanical Sanskritisation of Indian languages – a phenomenon that is partly responsible for the massive exclusion of the Bahujan children constituting 85 per cent of the child population.

HIGHER EDUCATION

The NEP's higher education proposals imply:

- (a) Starving government degree colleges and State universities of funds, forcing them to become indebted to the market, eventually leading to their closure;
- (b) Incrementally handing over higher education institutions (HEIs) to private capital under the pretext of promoting philanthropy, which is yet another neoliberal

CHILDREN of the Bakarwal community attend an open-air community school in Doodpathri in Budgam district in Jammu and Kashmir on July 27. The constitutionally legitimised terms of S.Cs, S.Ts, OBCs and religious and linguistic minorities are substituted by "socio-economically disadvantaged groups" or "under-represented groups".

excuse to pass on public funds to India Inc. under the modified PPP, that is, Public Philanthropic Partnership;

(c) Exacerbation of the present rate of exclusion of Bahujans and the disabled (even higher rate for girls in each of these sections) from higher education by not just giving freedom to the HEI to hike up their fees but also by essentially withdrawing the social justice agenda, especially reservation, and distortion of the concept of scholarships/fellowships by linking it to the so-called "merit" which sociologically implies "privileges, rooted in class, caste and patriarchy, on the one hand and linguistic and metropolitan hegemony" on the other;

(d) Reducing knowledge to mere skills under the pretext of vocational education from "ECCE to higher education", despite the repeated claims of "no hard separation between . . . academics and vocational education", thereby diverting Bahujan students from academics to parental caste-based occupations and other low-wage skills; viewing critical thinking, creativity and scientific temper as mere skills; distorting knowledge-related parameters to those of Skill India's notions (Section 18.6);

(e) Demolishing the research-based knowledge production in HEIs by over-centralisation of the research

agenda through the National Research Foundation, that is, taking away the excitement of research; and

(f) Establishing the hegemony of online education to homogenise knowledge as per market requirements; reducing knowledge to mere skills – both low-wage earning (as in the unorganised sector) and high-wage earning (as in Silicon Valley/National Aeronautics and Space Administration), the latter category being entirely enslaved to the global market framework; and dehumanising education by eliminating human interaction both between teacher and students and among students themselves, thereby also depoliticising the education system.

INVITING FOREIGN UNIVERSITIES

The obsession of the ruling elite with "foreign universities" does not permit them to see the "satya". The joint document of the World Bank and UNSECO (The Task Force, 2000) reported "There are prestigious universities from developed nations offering shabby courses in poor and developing countries, using their renowned names, without assuring equivalent quality." The great universities of North America and Europe have earned their reputation by building upon their rich intellectual legacy over 100 to 150 years. It would be naive to assume that this inherent epistemic legacy can be just mechanically transposed to their Indian campuses. The only option for us, denied by the NEP, is to build our own intellectual legacy, just like several of our post-Independence universities have been able to do and win laurels globally, despite being discredited by the present regime.

PROBLEMATIC AREAS AND ISSUES

i) The NEP fails to commit itself to a common school system based on neighbourhood schools for all children, irrespective of their socio-economic status;

ii) It has no plan to do away with the discrimination-based multi-layered school system;

iii) It does not commit to replace contract and ad hoc teachers with dignified service conditions; nor does it take a stand against their deployment in census, election (from village panchayat to parliament), and disaster-relief duties;

iv) It does not call for amending the RTE Act, 2009, to include children in the 3-6 and 14-18 age groups, thereby denying statutory status to both ECCE and secondary-senior secondary;

v) It refuses to ban commoditisation of knowledge and trade in education; and

vi) It takes no stand against the intervention of the World Bank in school education and the World Trade Organisation's regime in higher education.

In this background, it would be justified to surmise that "neoliberal capital is riding piggyback on the Hindu Rashtra forces in order to loot India's natural and human resources!" India needs Ambedkar, Gandhi and Shaheed Bhagat Singh today more than ever before. □

Anil Sadgopal is founder-member of the All India Forum for Right to Education and former Dean, Faculty of Education, Delhi University.

COVER STORY

High on rhetoric

The NEP makes tall promises, but there is **no clarity of vision** regarding actual translation of the goals of equity into reality. BY T.K. RAJALAKSHMI

AT A TIME WHEN ALL EDUCATIONAL institutions remained practically shut because of the still raging COVID-19 pandemic, the Union Cabinet on July 29 approved National Education Policy 2020. Prime Minister Narendra Modi tweeted that it was a long-overdue and much-awaited reform in the education sector and would transform millions of lives. “The era of knowledge, where learning, research and knowledge are important, the new policy would transform India into a new knowledge hub,” he tweeted. The draft policy, according to Ramesh Pokhriyal, Union Human Resource



PRIME MINISTER Narendra Modi at a conclave on higher education via videoconferencing in New Delhi on August 7. He has said that the new education policy will make India a knowledge hub.

Development Minister, had received over 2.25 lakh suggestions after it was put in the public domain. He tweeted that the policy was “in line with” the Prime Minister’s vision of making India a global knowledge superpower.

Modi’s tweet said that the NEP was based on “pillars of access, equity, quality, affordability and accountability”. “May education brighten our nation and lead it to prosperity,” he added, like a prophet. However, a close look at the policy belies his claim.

The 66-page policy document is a slim version of the voluminous draft prepared by a committee headed by K. Kasturirangan, former chief of Indian Space Research Organisation (ISRO). The last education policy was framed in 1986 and updated in 1992. This policy was left untouched in the first tenure of the National Democratic Alliance government under Atal Bihari Vajpayee, though many changes were made in the school textbooks, especially history textbooks. The exercise to prepare a new policy was initiated in 2016, during Modi’s first tenure as Prime Minister. The late T.S.R. Subramaniam, who was also a former Cabinet Secretary, was made the chairperson of a “Committee for the Evolution of a New Education Policy”. The Ministry prepared an initial draft based on the committee’s report. A new committee, headed by Kasturirangan, finalised the draft in May 2019. This was placed in the public domain and inputs and suggestions were invited.

In essence, the policy is top-down in character. Its proposals range from a single regulator for higher education institutions, multiple entry and exit options in degree courses, discontinuation of M.Phil programmes, setting up of school and university complexes, multidisciplinary universities, online school and college education and common entrance examinations for universities. Any policy aimed at universal quality education must also make education affordable, but the new policy has little to say on this aspect. The policy envisions education as “a key to India’s continued ascent and leadership on the global stage”, whereas the aim of education should be promotion of critical thinking and furthering of social and economic equality. The goal of “cultural preservation”, as listed at the outset, points to the Sangh Parivar’s agenda of cultural nationalism. The underlying “politics” of the policy is apparent in the long paragraph



AN ANGANWADI centre in Mulastanam panchayat in East Godavari district in Andhra Pradesh, a file photograph. The policy proposes to develop anganwadis as nodal institutions for imparting early education and care.

on the glory of ancient India where everything was picture perfect and where “seamless accessible knowledge” was available to all.

A key aspect of the new policy is the disproportionate focus on “high quality” educational opportunities for the individual’s growth. It is the process by which quality education is sought to be provided that is questionable.

‘COMPLETE RECONFIGURATION’

On the face of it, the policy seems to have been drafted with the objective of achieving the educational goals laid down in the agenda for the 2030 Sustainable Development Goals. According to the policy, a “complete reconfiguration” of the education system is needed to reach these goals. It identifies multiple challenges at the global level, including the need for skilled labour, and advocates multidisciplinary institutions and courses. The policy presupposes a new “knowledge and an employment landscape” for which Indian education must prepare itself and where “how to learn” is more important than “what

to learn”. The policy is replete with meaningless statements put together. For instance, education will have less content but must also promote critical thinking and help people to solve problems and be creative.

It says the gaps between objective and outcome need to be bridged with reforms, but there is no critical assessment of what leads to these gaps. The policy speaks of revising and revamping all aspects of education structure, though its key emphasis is on removing existing regulatory aspects.

The policy talks about recruiting teachers and encouraging the best and the brightest to enter education. Teachers are to be the “centre of the fundamental reforms, in the education system”, it says. The policy promises to secure teachers’ livelihoods and ensure their dignity and autonomy and at the same time make sure that there is quality control and accountability. Yet, there is no acknowledgement that thousands of teachers work in *ad hoc* capacity at both school and university levels, all recruited over the past several years, even in States ruled

The vision of the new education policy does not encompass a common school system where children from all social and economic backgrounds receive the same quality of education.

by the Bharatiya Janata Party (BJP). Notwithstanding the rhetoric on the “dignity, respect and autonomy” of teachers, this government paid scant heed to concerns raised by teachers’ associations and federations regarding the holding of examinations by September-end. The government also completely ignored the concerns that the teachers raised about the difficulties and ethical issues involved in online and open-book examinations.

The policy lists 22 apparently harmless fundamental principles. These include a focus on “extensive use of technology in teaching and learning”, a “light and tight regulatory framework”, “rootedness and pride in India and its rich diverse ancient and modern culture, knowledge systems and traditions” and “investment in a strong vibrant public education system” accompanied by encouragement of “true philanthropic, private and community participation”. The emphasis on the use of technology has led to genuine apprehensions that the government wants to push online education as a dominant method of teaching and learning. In the allusion to the rich heritage of India, the medieval period has been conspicuously omitted.

STATE: TRIMMED RESPONSIBILITY

The document observes that quality early childhood care and education is not available to crores of children. But nowhere does the policy recommend that it is the state’s responsibility to fulfil the mandate of quality, affordable and accessible education for all. The delivery of early childhood care envisaged in the policy is problematic. Under the policy, the Integrated Child Development Scheme (ICDS) centres or anganwadis will be developed as nodal institutions for achieving universal early childhood care. The policy gives little thought to the already existing work that the ICDS is entrusted with—providing nutritious food and care to children between three and six years of age. There is no thought on the workers and helpers of these centres, who get a meagre honorarium for the crucial services that they render. There is no effort to address the proliferation of private child care centres or private schools in small towns and rural areas. In

short, the vision of the new policy does not encompass a common school system where children from all social and economic backgrounds receive the same quality of education. Children attending schools in anganwadis or those attached to anganwadis are definitely at a disadvantage in comparison with privileged children in towns and cities.

The policy says that in tribal areas early childhood care and education will be introduced in “ashramshalas”, the Sanskrit term for schools and learning centres. Why tribal areas with their distinct local and cultural traditions (and tradition is a hobby horse of this government) should have schools called ashrams defies logic. But, of course, it is commensurate with the Sangh Parivar ideology.

Further, the suggestion of peer tutoring in order to meet the gaps in attaining universal literacy and numeracy in effect frees the state from any financial or other responsibility. The policy talks about achieving 100 per cent gross enrolment ratios in primary and secondary stages of schooling, but it liberalises the requirements and standards for schools. Rather than bridge the schism between economic and social classes and adopt the principle of “taking the school” to the child, the policy openly advocates non-formal systems of schooling for those who are unable to attend a “physical school”. The policy describes forms of schooling as “multiple pathways” to learning.

The policy recommends reducing the “curricular content”, a goal that all National Democratic Alliance governments pursued in varying degrees. Each subject will only have “core essentials” in order to “make space for more holistic-based, inquiry based, discovery based and analysis-based thinking”.

The policy’s latent bigotry is revealed in the section on languages. India’s languages, it says, “are among the richest, most scientific, most beautiful and most expressive in the world with a huge body of ancient as well as modern literature (prose and poetry), film and music written in these languages that help form India’s national identity and wealth”. The exclusion of the medieval period and its contributions to language, arts, music and aesthetics is clearly deliberate, as is the exclusion of Urdu from the list of classical and regional languages that the policy purports to offer as an option in schools. In the list of foreign languages, Mandarin does not feature but Russian, French, Spanish, Japanese, Portuguese, German, Korean and even Thai are included. While the policy steers clear of mentioning Hindi as one of the three languages in its proposed three-language formula for school education, the insistence on Sanskrit as one of the three languages has raised the hackles of some governments, especially of States that follow the two-language formula and States where Sanskrit is not the “base” language.

The policy has outlined big plans to revamp the curricular framework for school education prepared and designed by the National Council of Educational Research and Training (NCERT). In the section on cur-



SHIV KUMAR PUSHPAKAR

AT THE DELHI UNIVERSITY’S Arts Faculty, North Campus, a file photograph. Higher education institutions are to become multidisciplinary under the new policy.

ricular integration, a sub-section on “Knowledge of India” says that knowledge from ancient India and its contributions to modern India will be included in the curriculum. The policy once again leaps from ancient to modern India without any reference to the medieval period and its contribution to knowledge systems. It proposes to include a course on “Indian Knowledge Systems” that will include “tribal knowledge and indigenous and traditional ways of learning” which will be used as pedagogical tools for various subjects ranging from mathematics to engineering to linguistics, throughout the school curriculum.

On higher education, the policy begins by taking away the role that universities and university faculty have in the examination system right from the stage of framing questions for the university entrance examinations for undergraduate and postgraduate courses. Aiming to reduce the burden on students, teachers and universities, the policy aims to set up a National Testing Agency (NTA) that will have a common aptitude test. It will conduct examinations for undergraduate and graduate admissions and for grant of fellowships in higher educational institutions. Universities, it says, will be free to use the NTA assessments for admissions.

PUSH FOR PRIVATE/PHILANTHROPIC SECTOR

The policy makes a case for promoting education in the private sector. While it proposes a centralised examination system for admissions to undergraduate and graduate course, it is also sharply critical of the Department of School Education, which deals with governance and regulation of all schools. According to the policy, the present system has led to “conflicts of interest, excessive central-

ised concentration of power, inefficient management of the school system”. It says the current regulatory regime has failed to check the commercialisation of education and economic exploitation of parents and has also “inadvertently discouraged public spirited/ private philanthropic schools”. The policy says that there was “therefore far too much asymmetry between the regulatory approaches to public and private schools”. The policy lays bare its intent to “encourage the private/philanthropic school sector” to enable them to play a significant role. This is the first time that an education policy has so brazenly advocated the private school system.

ONLINE IS THE WAY

The policy aims to make all higher educational institutions (HEIs) multidisciplinary by the year 2040 with enrolment running into thousands. Single-stream institutions will be phased out. But for enrolment to run into thousands, the gross enrolment ratio for students in secondary and higher education levels will also have to be in thousands. Perhaps realising that there was a long way to go before such a goal is reached, the policy says that “as the process would take time, HEIs will firstly plan to become multidisciplinary by 2030 and then gradually increase student strength to the desired levels”. The aim will be to increase the gross enrolment ratio in higher education from 26.3 per cent (2018) to 50 per cent by 2035. In a bid to push online teaching, higher educational institutions will be encouraged to promote open distance learning and online programmes.

The policy aims to increase online learning in school and higher education, thereby creating more categories of educational access that will not necessarily bridge the social and economic divide the policy claims to address. Instead of offering universal and undifferentiated access to education, the policy aims to create multiple streams—formal, non-formal, mainstream, alternative, online and offline education. It proposes to encourage higher educational institutions to offer freeships and to set up a “fee determining mechanism” that would enable “reasonable recovery of cost while ensuring that HEIs discharge their social obligations”.

The proposal of online training of teachers completely ignores the digital divide that exists in India, more so in the tribal and remote parts. Like health, education in India is hugely privatised. Nearly 45.2 per cent of college enrolment is in private unaided colleges, while 21.2 per cent of enrolment is in private aided colleges. More than 60 per cent of enrolment in professional courses is in aided and unaided private institutions. Earlier, public institutions used to dominate university enrolment.

In a discussion on a television channel on the National Education Policy, an academic described as a representative of the “Right” let on that the government had “committed itself to the World Trade Organisation” and that the NEP proposals were in line with that commitment. The philosophy that informs the new policy views education as a commodity rather than as a service. □

'It offers more of the same remedy'

Interview with **Professor Krishna Kumar**, former director, National Council of Educational Research and Training. BY **DIVYA TRIVEDI**

AFTER BEING IN THE PIPELINE FOR MANY years, the National Education Policy (NEP) 2020 is finally here at a time when educational institutions are shut for the foreseeable future owing to the coronavirus pandemic. Does the NEP match up to the demands of the times or does it threaten to entrench the age-old hierarchies of caste and other inequities? Professor Krishna Kumar, who served as the Director of the National Council of Educational Research and Training (NCERT) from 2004 to 2010 and who was awarded the Padma Shri in 2011, spoke to *Frontline* on some of these issues.

Excerpts from the interview:

Coming as it does during the pandemic, the NEP does not fully acknowledge the COVID-19 situation. How feasible would it be to implement such a document now?

It is astonishing that the ground realities created by COVID-19 find no significant acknowledgement in the NEP, although the word "pandemic" is used a few times in passing. Several international organisations concerned with children and education have issued elaborate advisories. They have asked member states to recognise the problems that education systems will have to face in the coming years. These are not merely financial, but finances to redesign institutions will also constitute a major challenge.

The document talks about the familiar 6 per cent of the gross domestic product (GDP) being spent on education. If the GDP itself contracts, an increased educational spending may not be substantial enough to compensate for the losses that have already been incurred. Consider just one example. We have no estimates at the moment as to how the closure of cooked mid-day meals has affected children's nutrition levels over the recent months. Grain and money have been used to substitute cooked meals. Any estimation must take into account the impact of prolonged hunger on children's health in different age-bands of infancy and early childhood.

The COVID-19 pandemic has had specific impacts on later stages of childhood, such as adolescence, that no one



R. RAVINDRAN

can claim to grasp today. It is related to the economic conditions their parents are facing. A recent study of artisans indicates how severe their losses are and how much support they will require if crafts as a source of livelihood are to survive the COVID-19 crisis. For their children, too, the crisis could have irreversible consequences.

What will happen to Right to Education (RTE) Act and all the progress that was made under it? The NEP offers a new structure for children from ages three to six. How feasible is this structure?

This is a serious concern. The document does not

seem to recognise the shift that RTE, its enactment as law, signified. When it was promulgated a decade ago, complying with its demanding norms and applying them to the burgeoning private sector were major tasks for Central and State governments. Many States had a seven-year [school] cycle, involving a four-year primary stage. It took considerable effort to persuade these States to move to an eight-year cycle with a five-year primary stage. The financial implications of this move are still waiting to be addressed.

The RTE Act basically envisaged the acceptance of an elementary stage, grounded in sound psychological and pedagogic imperatives. Progress towards this systemic adjustment will now be hampered by the introduction of yet another structure that the NEP proposes, clubbing the first two years of primary schooling with three years of nursery. This clubbing will encourage people to formalise the nursery period, which is unfortunate for children. This has already been happening on a large scale.

There are infrastructural issues too. The NEP mentions anganwadis and nurseries in the same breath. Anganwadis represent a childcare system. Their workers have been struggling for recognition, dignity and reasonable emoluments. The NEP does not clarify whether the new 5+3 structure will bring in new salary scales. Apart from anganwadis, there are lakhs of privately run nurseries where unrecognised teachers work in exploitative conditions. The NEP says a curriculum will be drafted for the new composite stage, but a curriculum alone cannot deal with the anomalies this step entails.

Apart from this, the NEP attempts to revive the pre-RTE era parlance of non-formal instruction which featured the involvement of local community volunteers to help children. In the background of this revival, quality becomes a matter of judging by outcomes of a curtailed curriculum. This outcome-driven strategy needs to be read against a scenario formed by curricular minimalism which hits the poorest sections hardest. Financially, too, there was pressure to reduce the curriculum mechanically; now it has got into a policy document in the form of emphasis on old basics like literacy and numeracy. The RTE had kindled the hope that norm-governed schooling with a comprehensive child-centred curriculum would be made available to all children. The NEP does not want us to sustain that hope.

The RTE is facing another challenge today. Millions of children have gone back to villages this summer with their parents. They have been studying in far-off cities in different linguistic regions. Back in their villages, they might remain out of school unless proactive measures are taken to enrol them in local schools, with specific measures taken to address their linguistic needs. Since their parents are struggling for a livelihood, these children are exposed to the danger of joining the child labour market. It is disappointing that the NEP does not address their particular vulnerability. The financial problems of implementing RTE have been growing over the years, especially in the northern belt. With the difficulties that low-fee private schools are facing because parents are

unable to pay on account of job loss, the RTE's hope is getting thinner. I expected the NEP to address this.

VOCATIONAL EDUCATION

In a departure from the current practice where vocational education begins at Class 11, the NEP proposes the inculcation of vocational education from Class 6 onwards.

RTE laid down eight years of compulsory schooling for all, with a comprehensive curriculum that includes science, health and arts education, apart from language and math. The NEP talks about an exposure to skill-centric experience, starting with the upper primary level. The integration of productive skills in the academic curriculum is hardly a new idea. By delaying the introduction of vocational learning, the Kothari Commission and other older policy documents attempted to give sufficient time to children from all social strata to attain an all-round academic exposure.

This was deemed important in a social set-up where hierarchies rooted in a knowledge versus skill binary are very sharp and deeply entrenched in the caste system. Reluctance to acknowledge the role of caste does not help. Letting vocational opportunities be introduced from Class 6 runs the risk of resuscitating entrenched hierarchies, especially at a time when unemployment might be high, traditional livelihoods are under severe strain and the mindless adoption of new technologies is deskilling people.

In general, does the NEP fulfil the expectations it created through the long period of its gestation?

Documents of educational policy are usually difficult to decipher, and this is no exception. I can empathise with those involved in the exercise of formulating a policy in our times. They had to balance so many contradictory demands and trends. Since the early 1990s, educational planners have been in a dilemma. Economic policy demanded opening up education to private investment while social policy demanded that emphasis on equity and social justice should continue. This is not a simple binary and its implications differ according to region and stage. Over the years, the education bazaar has become increasingly cluttered. In higher education, tools like accreditation and licensing were applied, but these tools could hardly cope with the scale and diversity of the market. The NEP negotiates the task of balancing between public funding and private investment with the customary instruments of generalised hope and distant time horizons. The text carries many signs of an overconscious attempt to balance the awareness of a slippery reality and the necessity to sustain the hope of radical reforms.

For handling the tension between Centre-State orbits, the NEP presses old remedies into service. One is the three-language formula. Since the time it was first proposed, its meaning has remained ambiguous. Within the Kothari Commission report, its deceptive attraction was

duly indicated. Yet another instrument to keep systemic functioning in order has been the good old examination system controlled by boards, one at the Centre (in addition to a private one) and one in each State. Board exams handle and hide social disparities (between the clientele of State boards and the restricted all-India clientele of the Central board) by upholding the regime of merit. This arrangement has discouraged significant curricular pedagogic reforms. Failure rates have been high in many States. Shortly before the NEP's public arrival, syllabus cuts were announced as a special measure for the COVID-19 situation. Now the NEP also indicates curricular shrinking in the name of efficiency. These ideas are not compatible with concern for quality.

The abolition of M.Phil, multiple exit points for certificate, diploma and degree courses and the one-year integrated Masters programmes are being hailed as innovative steps. The document emphasises controlling dropouts. But would such a system not encourage more dropouts?

One does not expect a macro policy to come down hard on a specific degree course. The case of M.Phil is a bit surprising, given the NEP's fondness for flexibility, choice and exits. The M.Phil course suited students who could not commit themselves to the length of a doctoral programme. Why it has been axed is puzzling.

Barring this exception where an alternative degree is being banned, the NEP shows its preference for a United States-type self-tailored academic trajectory. Elements of this shift from the old British-type frozen degree programmes to a U.S. model have been gathering favour over the recent years. Experience shows that this transplanting has not proved easy or fertile. Even the semester system has not enhanced academic rigour, mainly because the exam pattern has remained unreformed and the infrastructure has not expanded. The four-year B.A. programme at Delhi University proved a failure. The NEP wants to make it the norm. Let us see where it finally germinates.

A host of new frameworks and bodies have been

“Foreign universities are going to be allowed now—which is surprising, given the avowed preference for indigenous resources—and they will pose another challenge for regulation.”

envisaged in the policy, such as Special Education Zones; School Quality Assessment and Accreditation Framework; Performance Assessment, Review and Analysis of Knowledge for Holistic Development (PARAKH); and National Curricular and Pedagogical Framework for Early Childhood Care and Education (NCPFECCE). How would they integrate with the existing system?

These kinds of remedial regulatory measures have been in fashion for some time. They illustrate the scale of the problem our [educational] system is facing. Its historically shaped character continues to exert resistance and one expects national policies to recognise it. Since its birth in the 19th century, the system evolved in response to provincial diversity and demands. Later a Central layer was put in place. Mitigating the friction between the two has constituted the core policy space.

With the entry of commercial players, regulation replaced administrative control as the preferred instrument for maintenance of standards. The question is not how centralised the regulatory mechanism may be; more important is the question whether it works. From capitation fee to single entrance tests, so many issues have demonstrated the vulnerability of regulatory mechanisms, not to mention the endemic corruption that the judiciary has noted with distress several times in professional education. The NEP offers more of the same remedy, indicating that the box has no innovations for now.

Foreign universities are going to be allowed now—which is surprising, given the avowed preference for indigenous resources—and they will pose another challenge for regulation. I suppose a basic division of labour has been accepted: social justice is for the public system to handle, while its private counterpart handles the interface with economy and industry.

In higher education, the focus is more on regulation by a centralised board of governors more accountable to the Central government than to the autonomous university system. While the NEP talks about teachers, it does not address their precarious conditions.

Yes, these difficulties are there, partly because no recovery plan is offered. The system has been functioning with a range of tacit policies. Vacancies in the higher education system became endemic more than two decades ago. The Fifth and Sixth Pay Commissions were anticipated to bring in a reduction in staff size, but the speed and extent of the growth of ad hoc appointments proved remarkable, destroying countless careers and pushing a vast talented pool of young people away from teaching. I had expected the NEP to present a recovery plan, but all it offers is a time-bound recruitment promise.

Disseminative use of technology may further deplete real academic strength. Few private institutions adhere to salary norms, and public institutions have learnt to function with chronic shortages. Both teaching and research have suffered though the inner reality remains invisible to the world outside. □

Timeline worries

The time frames of several provisions of National Education Policy 2020, designed in a pre-pandemic situation, make it **difficult to figure out their implications** in a rapidly changing, unpredictable world. BY **KUMKUM ROY**

THE NATIONAL EDUCATION POLICY (NEP) 2020, approved by the Union Cabinet and announced on July 31, has evoked a variety of responses. Immediately afterwards, Education Secretary Amit Khare announced speedy implementation of its provisions that would not have immediate financial implications (August 1, 2020, *The Times of India*). This, in itself, raises questions. If educational institutions mobilise and/or are taken over by those who can afford to do so, the ongoing process of privatisation will probably proceed at breakneck speed. These possibilities are worrying, to say the least.

As many as a hundred recommendations are appar-

ently in the pipeline, many of which are to be initiated/implemented within a month. Therefore, examining the provisions and implications of the policy acquires a certain urgency. Here I focus on two issues—timelines and traditions, even as there is much more that deserves, and will hopefully receive, attention.

First, Khare's immediate timeline. This pertains primarily to higher education. Academic credit transfers are expected to be put in place by December 2020 for select institutions; multiple exit and entry points into higher education will be available from 2020-21; the four-year degree programme will be introduced by 2021

C. VENKATACHALAPATHY



AN ANGANWADI in Kagithapattarai, Vellore district, Tamil Nadu, a file picture. The NEP proposes to formalise Early Childhood Care and Education “no later than 2030”.

The priorities for implementation seem to begin midstream in the life of the learner, with the transformation of high school and HEIs targeted within the next two years. The logic behind these choices is not apparent.

for Central universities and for others by 2022. Common entrance tests will be worked out by February-March 2021, and administered, possibly, by May 2021.

This speed does not factor in the enormous strain that most higher educational institutions have faced during the pandemic, which is by no means over. This strain has been particularly severe on the vast majority of the diverse student population that finds a space, not necessarily ideal, within public universities, both State and Central. This space will probably be transformed beyond recognition. Apart from the human cost, there are likely to be financial costs as well.

There are other far-reaching changes envisaged within a year or two. These include “The formulation of a new and comprehensive National Curricular Framework for School Education, NCFSE 2020-21” [NEP 4.30], as also a Curriculum Framework for Teacher Education [NEP 5.28]. By 2022, we may expect National Professional Standards for Teachers to be laid down [NEP 5.20] and the assessment system for schools may be transformed by the academic session of 2022-23, in accordance with the proposed NCF 2020-21 [NEP 4.39]. Thus, the next two years will see far-reaching changes in both higher education and high school education.

Subsequently, the proposed pace of change slows down a bit. Also noteworthy is the shift in priorities. So, although declared to be “the highest priority of the education system”, the target of achieving “universal foundational literacy and numeracy in primary school” is set for 2025 [NEP 2.2]. And it is by that year that “at least 50% of learners through the school and higher education system shall have exposure to vocational education” [NEP 16.5].

The next significant year is 2030. Interestingly, extending support for Early Childhood Care and Education (ECCE), which has earned considerable appreciation and applause, “must thus be achieved as soon as possible, and no later than 2030” [NEP 1.1]. That is also the year proposed to attain 100 per cent gross enrolment ratio (GER) in preschool to secondary level [NEP 3.1] and by when a new integrated B.Ed degree is expected to become the universal norm [NEP 5.23]. Also, by then we may expect at least one large multidisciplinary higher education institution (HEI) in or near every district [NEP 10.8]. Further, we learn that “Since this process will take time, all HEIs will firstly plan to become multidisciplinary by 2030, and then gradually increase stu-

dent strength to the desired levels” [NEP 10.7].

The next landmark year is 2035, by when the GER in higher education, including vocational education, is expected to reach 50 per cent [NEP 10.8]. It is also the year by when affiliated colleges are to be phased out [NEP 10.12] and “all HEIs in India will aim to become independent self-governing institutions”, having Boards of Governors in place [NEP 19.2].

It is only in 2040 that we can expect “an education system...that is second to none, with equitable access to the highest-quality education for all learners regardless of social or economic background” [NEP, Introduction, page 3].

Several provisions are introduced without mentioning any time frame. Consider two examples: “All scholarships and other opportunities and schemes available to students from SEDGs [socially and economically disadvantaged groups] will be coordinated and announced by a single agency and website to ensure that all students are aware of, and may apply in a simplified manner on such a ‘single window system’, as per eligibility [NEP 6.18].... HEIs will have the flexibility to offer different designs of Master’s programmes: (a) there may be a 2-year programme with the second year devoted entirely to research for those who have completed the 3-year Bachelor’s programme; (b) for students completing a 4-year Bachelor’s programme with Research, there could be a 1-year Master’s programme; and (c) there may be an integrated 5-year Bachelor’s/Master’s programme. Undertaking a Ph.D shall require either a Master’s degree or a 4-year Bachelor’s degree with Research. The M.Phil programme shall be discontinued” [NEP 11.10].

Notice a certain brisk breathlessness in the way in which these provisions are enumerated. Some of these, such as the discontinuance of the M.Phil programme, have also been announced over the media, and one is left wondering about the proposed pace of transformation and the logic behind them.

Where do the presence/absence of timelines lead us? For one, the “flexibility” with which the timelines are drawn, or their absence, makes it difficult to track them and figure out their implications. In some cases, such as school curriculum, we are likely to see rapid changes. In other instances, such as ECCE, changes may be much slower, and again may seem to correspond with the timeline. In yet other instances, where there are no timelines, or there are relatively long timelines, we may encounter rapid implementation, even before the implic-

ations of the provisions have been absorbed, understood and responded to. This will possibly happen in the case of HEIs.

The impact is likely to be felt most sharply by those making the transition from school to HEIs in the next few years, in a situation where the pandemic and the preceding and succeeding economic downturn have destabilised the intertwined worlds of education and employment in unprecedented ways. A degree of deliberation and care would perhaps make for a far more humane response, rather than adding to the enormous stress being faced by young people by briskly announcing and implementing policies designed in a pre-pandemic situation, whose implications are uncertain in a rapidly changing, unpredictable world.

Second, one would expect that the changes in ECCE, which have been widely welcomed, would have been prioritised. But, as noted above, the priorities for implementation seem to begin midstream in the life of the learner—with the transformation of high school and HEIs targeted within the next two years. The logic behind these choices is not apparent.

TURNING TO AND AWAY FROM TRADITIONS

I would also like to draw attention to the relationship between the NEP and two different traditions—one ancient and the other modern.

First the ancient. An examination of the lists of lan-

guages mentioned in the NEP reveals the special place accorded to Sanskrit. To cite one instance: “Due to its vast and significant contributions and literature across genres and subjects, its cultural significance, and its scientific nature... Sanskrit will be mainstreamed with strong offerings in school—including as one of the language options in the three-language formula—as well as in higher education.... Sanskrit teachers in large numbers will be professionalised across the country in mission mode through the offering of 4-year integrated multidisciplinary B.Ed. dual degrees in education and Sanskrit.” [NEP 22. 15]

There is also a recurrent claim about the 64 arts mentioned in Sanskrit literary traditions as somehow providing the roots of a liberal education [for example, NEP 11.1]: “... among these 64 ‘arts’ were not only subjects, such as singing and painting, but also ‘scientific’ fields, such as chemistry and mathematics, ‘vocational’ fields such as carpentry and clothes-making, ‘professional’ fields, such as medicine and engineering, as well as ‘soft skills’ such as communication, discussion, and debate.” The very idea that all branches of creative human endeavour, including mathematics, science, vocational subjects, professional subjects and soft skills, should be considered “arts” has distinctly Indian origins. This notion of a “knowledge of many arts” or what in modern times is often called the “liberal arts” (that is, a liberal notion of the arts) must be brought back to Indian education, as it is exactly the kind of education that will be required for the 21st century.

We have now become accustomed to claims that are reiterated time and again acquiring a certain currency, so it may be useful to revisit this list of 64 from the *Kamasutra* (1.3.15): “Singing, playing musical instruments, dancing, painting, cutting leaves into shapes, making lines on the floor with rice powder and flowers, arranging flowers, colouring the teeth, clothes and limbs, making jewelled floors, preparing beds, making music on the rims of glasses of water, playing water sports, unusual techniques, making garlands and stringing necklaces, making diadems and headbands, making costumes, making earrings, mixing perfumes, putting on jewellery, doing conjuring tricks, practising sorcery, sleight of hand, preparing various forms of vegetables, soups and other things to eat, preparing wines, fruit juices and other things to drink, needlework, weaving, playing the lute and the drum, telling jokes and riddles, completing words, reciting difficult words, reading aloud, staging plays and dialogues, completing verses, making things out of cloth, wood and cane, woodworking, carpentry, architecture, the ability to test gold and silver, metallurgy, knowledge of the colour and form of jewels, skill at nurturing trees, knowledge of ram-fights, cock fights, and quail fights, teaching parrots and mynah birds to talk, skill at rubbing, massaging and hairdressing, the ability to speak in sign language, understanding languages made to seem foreign, knowledge of local dialects, skill at making flower carts, knowledge of omens, alphabets for



VOCATIONAL skill training in progress at Gopal Boro School in Guwahati, a file picture.

RITU RAJ KONWAR

On recent traditions enshrined in the Constitution, including directive principles and fundamental rights ... the NEP maintains a studied silence.

memorising, group recitation, improvising poetry, dictionaries and thesauruses, knowledge of metre, literary work, the art of impersonation, the art of using cloths for disguise, special forms of gambling, the game of dice, children's games, etiquette, the science of strategy and the cultivation of athletic skills."

I leave it to the reader to decide whether this assortment of skills can be described as liberal arts and if this is what needs to be imparted to learners in the 21st century.

This turning to the past is accompanied by a tendency to turn away from more recent traditions, such as those enshrined in the Constitution, including the directive principles and the fundamental rights, on which the NEP maintains a studied silence. That both teachers and the taught should ideally be aware of these seems to be either taken for granted or ignored. As is well known, there have been robust discussions and debates around fundamental rights, and these are the cornerstone of the Constitution. They include guarantees of equality, freedom of expression, freedom from exploitation, freedom of religious belief and practice, and the rights to education as well as constitutional remedies. Knowledge and access to these is by no means automatic, and for future generations for whom critical thinking may be crucial for survival, awareness of these rights acquires a special importance.

SOCIALLY AND ECONOMICALLY DISADVANTAGED GROUPS

Within educational policy, moreover, the National Policy on Education 1986, along with the Programme of Action (POA) 1992, could have laid the foundation for a different tradition, even as, like all policy documents, these may seem dated. One of the salient features of these documents was detailed discussion on what NEP 2020 classifies as the SEDGs.

In the 1986/1992 set of documents, it was recognised that if implemented with sensitivity, vigour and persistence, the proposals contained in the POA regarding re-orientation of the whole system to promote women's equality, special provisions for the Scheduled Castes, the Scheduled Tribes, other educationally disadvantaged sections, minorities, and the physically and mentally handicapped, and for the areas that need special attention will enable the educational system to move towards

the democratic and socialist ideals enshrined in the Constitution [Introduction, paragraph 7].

Further, the document contained special sections outlining the perceived needs and possible policy measures for each of these categories [pages 101-106 for women and women's studies; pages 106-109 for S.C./ S.T. and other backward sections; pages 109-116 for minorities' education and pages 116-23 for "education of the handicapped"].

In contrast to these detailed provisions, these categories, now grouped together as SEDGs, receive cursory attention in NEP 2020. Interestingly, section 6.2 of the NEP has been expanded by adding clauses 6.2.1 to 6.2.6 to "include" women, S. Cs, S.Ts, Other Backward Classes, minorities and children with special needs. While this seems an afterthought—forethought would certainly have been preferable—it opens a tiny window for thinking about the implications of the policy for all these groups.

It is also worth looking at the context in which NPE 1986/ POA 1992 discussed the issue of ECCE. The first paragraph in the section reads: "1. Some of the significant parameters of the quality of life of any nation are the infant mortality rate, incidence of malnutrition, the morbidity picture and the literacy rates. The infant mortality rate today stands at 104 (1984). The rural-urban IMR differential is striking, being 113 and 66."

I searched for some mention of the skewed sex ratio in several parts of the country, revealed in census after census, which could have informed and animated the present policy, but, unfortunately, found none.

And where are the Chinese?

Finally, it is curious that the NEP chooses to ignore the Chinese completely, in contexts where one would expect them to feature. For instance, we are told: "In addition to high quality offerings in Indian languages and English, foreign languages, such as Korean, Japanese, Thai, French, German, Spanish, Portuguese, and Russian, will also be offered at the secondary level, for students to learn about the cultures of the world and to enrich their global knowledge and mobility according to their own interests and aspirations" [NEP 4.20].

The Chinese are also, curiously, absent from statements such as the following: "Indeed, some of the most prosperous civilisations (such as India, Mesopotamia, Egypt, and Greece) to the modern era (such as the United States, Germany, Israel, South Korea, and Japan), were/ are strong knowledge societies that attained intellectual and material wealth in large part through celebrated and fundamental contributions to new knowledge in the realm of science as well as art, language, and culture that enhanced and uplifted not only their own civilisations but others around the globe" [NEP 17.1].

An educational policy that ignores the past, present and future of our largest neighbour will deny learners of the 21st century access to crucial resources. One wonders what Kautilya would have thought of such a policy. □
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Whose Sanskrit is it anyway?

By homogenising India's past under the arch umbrella of Sanskrit, the **plurality of Indian culture and the knowledge systems** and cultural expressions produced in other languages will be effectively erased from view for a political agenda that seeks to appropriate not just the present but the past, too. BY **MUNDOLI NARAYANAN**



S.R. RAGHUNATHAN

ONE MAJOR ASPECT OF THE NARENDRA Modi government's National Educational Policy, which has raised quite a few eyebrows, is its rather strident emphasis on Sanskrit. The policy states that along with the other "classical languages", the importance of which "cannot be overlooked", Sanskrit "will be offered at all levels of school and higher education as an important, enriching option for students, including as an option in the three-language formula". It rationalises the decision on the basis that Sanskrit "possesses a classical literature that is greater in volume than that of Latin and Greek put together, containing vast treasures of mathematics, philosophy, grammar, music, politics, medicine, architecture, metallurgy, drama, poetry, storytelling, and more (known as 'Sanskrit Knowledge Systems'), written by people of various religions as well as non-religious people, and by people from all walks of life and a wide range of

A CLASS in session at The Madras Sanskrit College, Chennai. In endeavouring to resurrect Sanskrit in a selective manner in the present, it becomes emblematic of a political culture that has clear designs on the present and the future.

socio-economic backgrounds over thousands of years."

Now, what is wrong with learning a language that has such a long, hoary tradition and is a rich repository of some of the greatest treasures of human thought and expression, some may ask in all innocence. They may add that it is the language from which most Indian languages have either descended or drawn profusely at various crucial points of their development. Some others may venture to say, without being quite sure of their sources or the full veracity of their claim (Whatsapp being the culprit at large), that quite a few Western languages owe their origin to Sanskrit, if not directly, at least indirectly.

There is nothing wrong with learning Sanskrit or any language for that matter. Languages are windows to cultures, histories and ways of life. Learning a new language opens a whole new world of experience and expression, which otherwise one will never get to know. Languages also initiate one into new ways of thinking and new perspectives arising from the particular life environment in which they developed. Languages thus open up the world for us, showing us its infinite variety and plurality. Coming to Sanskrit specifically, as one who grew up in an environment that was to a great extent suffused with Sanskrit, in the form of poetry and performance, and as one whose ears have been attuned from infancy to the rhythmic, musical cadences of recited *slokas*, I would hardly be averse to the idea of learning it. Further, although it is the English language that puts food on my plate, as a theatre student whose major area of research is Sanskrit theatre and performance, particularly its Kerala variety, Kutiyattam, I would be the last person to deny its richness or its knowledge value.

However, when it makes its appearance in a national policy on education in the manner in which it has, as a language to be “mainstreamed and prioritised” at all levels of school and higher education, then the question assumes very different dimensions. We are no longer then in the realm of personal interests or individual choice or even the simple matter of learning or teaching a language. On the contrary, we are in the thick of a political agenda that seeks to appropriate and lay its stamp on not just the present but the past, too.

PICTURE OF THE PAST

What is the picture of the past that this policy presents us with? It says, “The rich heritage of ancient and eternal Indian knowledge and thought has been a guiding light for this Policy. The pursuit of knowledge (Jnan), wisdom (Pragyaa), and truth (Satya) was always considered in Indian thought and philosophy as the highest human goal. The aim of education in ancient India was not just the acquisition of knowledge as preparation for life in this world, or life beyond schooling, but for the complete realisation and liberation of the self.” Sanskrit then appears not just as a language but as the very lingua franca of this venerable past. However, even a cursory look will make it evident that this is at best a fabricated past, a past attributed with an imposed homogeneity that is far from the truth. On the one hand, in depicting the past in such glorious terms, this discourse effectively effaces from view the deeply riven social divisions and conflicts that characterised Indian society. It attributes to that past a false homogeneity wherein the divisions and differences of caste and community are glossed over and ignored. Any reasonably informed student of history will be able to tell you that this celebrated heritage was the prerogative of a select few and that the great majority was forcibly excluded from the so-called Sanskrit knowledge systems. In addition, in thus homogenising India’s past under the arch umbrella of Sanskrit, the immense plurality of Indian culture and the knowledge systems and cultural

expressions produced by other communities and in other languages are effectively erased from view.

There also seems to be a complete lack of understanding that vast segments of the Indian population do not see this past in a favourable light, given that their forefathers were subjected to the most inhuman and horrendous structures of exclusion and oppression as a result of the Sanskrit knowledge systems that this policy document looks up to. Their real response to this “classical tradition” would probably be best exemplified by B. R. Ambedkar’s burning of the Manusmriti. That Sanskrit was part and parcel of, indeed the medium that provided the discursive rationale for, the structural institution of graded inequality, in the form of the social philosophy of *chaturvarna* (the system of four varnas), that condemned more than half of the population as untouchables or outcasts seems to have been forgotten or missed by the keen eyes of the policy drafters. That this is not an inadvertent omission is clear in the epithets heaped on “Bharat” and its illustrious heritage.

Obviously, for the policymakers, Sanskrit is not merely a language or a set of knowledge systems; it is emblematic of a way of viewing the past, of understanding it in partial terms. More importantly, in endeavouring to resurrect it in a selective manner in the present, it becomes emblematic also of a political culture that has clear designs on the present and the future. The British political theorist Roger Griffin’s concept of “palingenetic ultranationalism” assumes tremendous significance here. It is an extreme, quite often violent, form of nationalism that bases itself upon a promised return to a “golden age” in the country’s history, and the rebirth or recreation of a society that is supposed to have existed earlier. Such a selectively represented, often fabricated, past thus becomes a guidebook to a better tomorrow and the template of a social order in the making.

The focus on Sanskrit then turns out to be far from innocent, and deeply rooted in the very ideology that spurs the right-wing forces that have laid siege to the political sphere of the country. It is also part of a large package that has the brand “Hindutva” writ large on it and includes yoga, astrology, irrational beliefs and veneration of ‘godmen’. More than anything else, it is the grounding rationale for a particular kind of political power that is fascist, dictatorial and exclusionary, and if permitted to take its natural course it will result in the loss of freedom and lives of millions of people. Acceptance of it can only be at the peril of the democratic, multicultural fabric of the country. So, my answer to the question in the title? Sorry, no, this is not my Sanskrit. Mine is more in the tradition of the iconoclastic Bhasa, the questioning protocols of the Lokayata, the biting sarcasm of the Chakryars, and the subversive subtexts of the Mahabharata because that is what I understand my India to be—critical, plural and irreverent. □

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For the middle class and the market

Interview with **Prof. Shyam B. Menon**, former Vice Chancellor of Ambedkar University of Delhi. BY **DIVYA TRIVEDI**

THE NATIONAL EDUCATION POLICY (NEP) ruffled more than a few feathers with its contentious recommendations on medium of instruction, revamp of the education system, and emphasis on rhetoric rather than detail. *Frontline* spoke to Prof. Shyam B. Menon, former Vice Chancellor of Ambedkar University of Delhi, to understand the broader implications of the policy. He has had a distinguished career spanning more than three decades as an educationist. Excerpts from an interview:

Is the intent behind the NEP more political than pedagogical?

To answer your question, I need to first try and locate the policy in a context. In a sector like education where the bulk of the operations are within the domain of the States, a national policy should be seen for what it is: it is merely a statement of intention promulgated by the Union government. Operationalising a national policy in education is a vicarious exercise—it involves a complex process that also comprises in a big way persuading the State governments to implement the provisions of the policy.

As it stands now, it is actually even difficult to call NEP 2020 a truly “national” policy. It was never debated in and approved by Parliament. I am not sure whether it had been examined and deliberated on in the CABE [Central Advisory Board of Education] with any application of mind. Actually, it baffles me why the legitimacy of approval by Parliament was denied to this policy. This undermines both the policy and Parliament. There may not be a constitutional requirement for it. But there is definitely a set convention. It would have been easier to take the States along in the implementation of the policy, had NEP 2020 been taken through Parliament.

Every policy document has essentially two parts. The first part is the vision that sets the stage by painting the big picture as a backdrop. The second is the substantive part that sets out more specifically the intentions of the government. While setting the stage, usually some recollection of history, sometimes somewhat selective, happens. Also, as props for the stage would be a few



BY SPECIAL ARRANGEMENT

keywords, often drawn from the Constitution, strung together and woven into the document as a background tapestry. The political messaging is located here, not just in the usage of particular keywords but also in the omission of certain others.

It appears to me that the utility of a national policy in education is primarily as a political document addressing particularly the core constituency that the dominant political formation draws support from. There are of course conflicting interests within this core constituency. I see two distinct segments that see a common cause with each other and at the same time have conflicts of interest. One, the market forces and an upwardly mobile and fiercely aspirational middle class whose fortunes are critically aligned with those of the market forces; and two, those who are ideologically oriented towards cultural

nationalism. It becomes imperative for a policy not to explicitly go against the ideological segment while painting the big picture. At the same time, the specific provisions of the policy, although couched in rhetoric, will need to give scope for multiple interpretations, ensuring that in practice these will not go against the interests of the middle class and the market. Ambiguity and vagueness are thus a virtue in policy formulation.

How does the NEP fare when compared with the earlier policies on education? Does it intend to replace scientific and secular principles with traditional Indian value systems?

It is not that NEP 2020 is totally at disjunction with the earlier national policies on education. There is continuity as well as shift of emphasis. Several key concepts invoked in NEP 2020 are similar to the ones used in NPE 1968 and NPE 1986. For instance, when envisaging an educated individual, scientific temper and ethical/moral values are categories that are used by all three policies. On the other hand, when it comes to citizenship, NEP 2020 talks about “engaged, productive and contributing citizens” (p.4), while the earlier policies talked about “creating a sense of common citizenship and culture and strengthening the national integration” (NPE 1968, p.2), and “contribut(ing) to national cohesion ... and independence of mind and spirit” (NPE 1986/1992, p.4). NPE 1986/1992 is explicit in its invocation of democracy, socialism and secularism (p.4), and NPE 1968 has a clear mention of “realising the ideal of a socialist pattern of society” (p.2). However, these categories are conspicuous by their absence in NEP 2020.

Does this mean that NEP 2020 has jettisoned democracy, secularism and socialism from public discourse? Perhaps not. But, it is definitely attempting to normalise a discourse that does not display these categories prominently. That is how the present is sought to be depicted as distinct and disjointed from the past. These constitute posturing, and that is presumably what the core constituency wants to see in the policy.

My sense is that NEP 2020 steers clear of being seen as tilted too much to one or the other of the two segments of the core constituency that I mentioned earlier. This tightrope walk is evident not merely in the vision or posturing part of the policy, but in its substantive part as well. The ambiguity and the reluctance to get into details are indicative of this. There is also no mention of a strategy for financing or implementing the policy, not even a strategy to arrive at strategies in various contexts (a meta-strategy if you like).

So, in response to your question, I would not say that NEP 2020, as a document per se, has the potential to replace the secular and scientific values with traditional values. It is seldom that an education policy left to itself creates major social transformations. If it could, then because of NPE 1968, we would have been a socialist society by now. Secular and scientific values are more likely to be undermined by political processes than through an education policy.

Of course, a whole lot depends on which provisions of

the policy get activated, negotiated, pruned and adjusted in the process of implementation, and when and in what sequence it is likely to happen. And, more important, it depends critically on what other major political and economic disruptions are likely to unfold in the next few years in the larger arena. Anyway, it is going to be one long-drawn process and perhaps quite a messy one at that.

ON MEDIUM OF INSTRUCTION

One of the major polarising ideas in the NEP is around the medium of instruction: “...uptil grade 5 and preferably till grade 8 and beyond will be home language/mother tongue/local language.” What might be the implications of doing away with English as a medium of instruction?

The paragraphs on Multilingualism and Power of Language make interesting reading to students of education policy. It is clear that the formulations in these paragraphs are carefully crafted, leaving enough scope for multiple interpretation and vagueness. They have inserted the phrase “wherever possible” in a few places, vesting the onus of interpreting the implications of this provision on the States and the school systems. So, I don’t see any clear position as regards English as a medium of instruction. While the policy makes postures in favour of home language or mother tongue, in the letter of the policy there is still enough ambiguity that leaves several backdoors ajar for English to sneak in.

As I said earlier, it is quite unlikely that a national policy on education in this epoch will go against the market forces and the interests of the middle class. History teaches us this very clearly. The Education Commission (1964-66) recommended the establishment of a “common school system of public education” and the “neighbourhood school” as a single site of education for both the poor and the rich, implying that there would no longer be multiple channels of education for children from varying backgrounds. However, by the time it was incorporated in NPE 1968, the term “neighbourhood school” had been dropped. At the level of political posturing there was enormous support for a common school system. All the same, a system of schools that were common for the poor and the rich could never become a reality, thanks to a powerful and determined nexus of elites—within the government, in the professions, in business—and the upwardly mobile middle class, who together quietly ensured the subversion of this policy initiative which had held enormous potential for social transformation.

CASTE AND RESERVATION

Is the absence of terms caste and reservation from the NEP document a matter of worry?

NEP 2020 is reticent on the subject of equality as a guiding principle. It does not acknowledge the enormous inequality in Indian society and its historical roots, nor

does it envisage education as a potential equaliser in a normative sense. It is as though the policy uncritically accepts inequality as a given.

The terms “SEDG” [socio-economically disadvantaged groups] and “under-representation” hide the structural and historical exclusion and injustice that the S.C., S.T., OBC [the Scheduled Castes, the Scheduled Tribes and the Other Backward Classes] and women have suffered. I see this as an attempt to create and normalise a new discourse that views every social category through the empirical lens of under-representation, and does not recognise the structural dimensions and the historical roots of exclusion and marginalisation.

The social policy of reservation, however, has deeper roots and a greater political significance. It is secured in terms of constitutional provisions. So, I am not too worried that it does not find mention in NEP 2020. In fact, reservation had not been mentioned explicitly in the earlier policies as well.

What is your view on the revamping of the higher education system by the abolition of M.Phil, one-year integrated master’s degree, and options for opting out?

While envisaging structures and programmes in higher education, the default template is often natural sciences and engineering. NEP 2020 found M.Phil redundant essentially because of a lack of appreciation of how this programme plays a meaningful role in preparing researchers and practitioners in some of the best known institutions of social sciences and humanities. The nature of initiation into research is very different in these disciplines, and therefore needs a different imagination of a pre-doctoral programme.

Another problem with the discontinuation of M.Phil is that it is based on the false assumption that people pursue pre-doctoral and doctoral studies only as a requirement for an academic position. In the social sciences and humanities, there are a large number of M.Phil graduates who have got into positions in development sector, journalism, market research, corporate sector, government, etc. These are people who did not want to get into academic research through a doctoral programme, yet wanted a research orientation and deeper understanding of a specialised area, something more than what they got at the master’s level. In some universities, there are special M.Phil programmes in areas like development practice, psychotherapy and social entrepreneurship for preparing master’s degree holders to become practitioners after advanced training, internship and a dissertation. Such programmes are stacked above the master’s degree, but do not lead to a doctoral programme.

In any case, a national policy should not get into micromanagement. They should leave some of these innovative ideas to be pursued by universities which have the capacities to do so. It would have been better for the policy to stick to broad structures and talk in terms of an expansive space of choices for universities than to specify which programme is in and which is out. After all, there

are regulatory bodies that the policy has envisaged for thinking in those terms.

To your general question on the revamping of higher education, I have a short answer. Flexible templates of integrated programmes with multiple exit options can be quite useful for an innovative university to build some of their academic programmes on.

PUBLIC FUNDING

While it has progressive ideals such as universalisation of education, controlling dropouts and increasing the Gross Enrolment Ratio (GER), how easy will it be to implement the NEP? Given the COVID pandemic, universities have cut the salaries of teachers citing unavailability of funds. Some have even said they might not be able to pay the salaries beyond two months. Where will the funds to implement the NEP come from?

Implementing most provisions of NEP 2020 will need substantial increase in public investment in education. The policy reiterates the commitment made in the previous national policies to increase public funding on education. This is one place where NEP 2020 invokes partnership with the States. “The Centre and the States will work together to increase the public investment in education sector to reach 6 per cent of the GDP at the earliest” (p.61). But, how may this be achieved and how soon? Already there is an educational cess being levied, which now goes into the budget outlay for education. In spite of this, the public expenditure on education incurred by the Union government has been declining proportionately and in absolute terms for the past few years. Given the state of the economy, not to mention the contraction that it has suffered because of the pandemic and the lockdown, it cannot be a realistic expectation that there will be any enhancement in public spending on education for the next few years. Also, there are other competing sectors like health and defence that may receive greater priority in these difficult years.

NEP 2020 talks somewhat vaguely about public institutions mobilising funds from private philanthropic sources. While this may be helpful, this is no substitute for the grant-in-aid that supports them. It may be possible for private players to set up institutions, but the education they offer will in all likelihood be unaffordable and inaccessible to young people from the social and economic margins. The huge additional intake of students on account of the increase in GER in higher education targeted by NEP 2020 will largely become the responsibility of public institutions.

It will need substantial transfer of funds from the Centre to the States for the next five years or more in the form of grants or through Centrally sponsored schemes for the States to increase public investment in education and to begin to implement the provisions of NEP 2020. But, will the Centre be capable of and willing to do so? That is a question to which one does not have a definite answer for the present. □

Wreckers as builders

The bhumi puja for the Ram temple at Ayodhya on August 5 is one of the high points of the Sangh Parivar's agenda to dismantle the pluralistic foundational values of the country. And the opposition is at its obsequious best. BY VENKITESH RAMAKRISHNAN

AT its core, the August 5 bhumi puja ceremony for the Ram mandir at Ayodhya marks yet another definitive political step by the Rashtriya Swayamsewak Sangh (RSS)-led Sangh Parivar towards its long-held objective of dismantling the pluralistic foundational values and structures of India as a country and as a sociopolitical entity. That Prime Minister Narendra Modi himself officiated at the evidently partisan, Hindu religious function underlined the brazen manner in which the Sangh Parivar is pursuing this objective, riding on the overwhelming sway its political arm, the Bharatiya Janata Party (BJP), has at the national level and in many State legislatures, including Uttar Pradesh, where Ayodhya is situated. Along with the Prime Minister's direct involvement, the manner in which the event was organised, the State government's sponsorship of the bhumi puja in blatant violation of the Supreme Court's directives, the narratives at the venue, which went to the extent of equating the Sangh Parivar's agitation for the Ram Mandir with the country's freedom struggle, signified the depravity quotient of this episode.

The responses that all of this generated in other mainstream political organisations, including the principal opposition Congress, also scaled a new high of crassness, with many of its top leaders complaining about not being invited to the distinctly sectarian function. The return

of the BJP to Ayodhya for the bhumi puja also helped its governments at the Centre and in the States divert attention from their failures in controlling the COVID-19 pandemic.

SUBJUGATION TO MAJORITARIANISM

However, there is little doubt about the cumulative effect of the bhumi puja ceremony on the sociopolitical firmament of the country, particularly its politics. It has signalled an abject subjugation to the Hindutva-oriented majoritarianism that the Sangh Parivar has honed and propagated consistently over several decades.

Indeed, the history of the Sangh Parivar and its parent organisation, the RSS, right from its formation in the 1920s, is replete with many such political and organisational offensives against the tenets of pluralism, democracy, equality and communal harmony. This streak manifested itself in horrific deeds such as the assassination of Mahatma Gandhi in 1948 and the demolition of the Babri Masjid in 1992. The periodic forays of the Sangh Parivar's political instruments, the BJP and its predecessor Jan Sangh, into power in the post-Independence period were also marked by overt and covert manoeuvres to undermine the ideals and spirit of the Constitution and the national institutions founded on its principles. The bhumi puja of August 5 at Ayodhya is veritably one of the high points of this sustained "op-

eration sabotage" of the Sangh Parivar.

The historical connect of this agenda can be deduced right from early responses of the Sangh Parivar leaders to the Constitution. Even as the final version of the Constitution was being put together by the Constituent Assembly towards the end of 1949, Madhav Sadashiv Golwalkar, the then RSS chief, castigated it, saying that it contained nothing from Manusmriti, 'Bharat's own code of laws'. He branded the work of the Constituent Assembly as "just a cumbersome and heterogeneous piecing together of various articles from various Constitutions of Western countries".

Golwalkar said the views on egalitarianism expressed by B.R. Ambedkar, the principal architect of the Constitution, were not acceptable to the Sangh Parivar. He repeatedly questioned Ambedkar's emphasis on equality accorded by the Constitution to all communities and castes. He went on to argue that "Muslims, Christians and Communists were the internal enemies of the country" and that Ambedkar's idea of equality was not condoned by Manusmriti and would not be condoned by Hindus who followed Manusmriti.

True to form, throughout the history of independent India, there were recurring attempts by the political instruments of the Sangh Parivar to redefine and recast Indian history on the basis of the precepts of

Hindutva. This also formed a key component of these "sabotage manoeuvres". There were repeated since the mid-1960s, when the Jan Sangh acquired political significance, especially in a number of northern and western States. These attempts continued, in fits and starts, through the next few decades, but gathered momentum with the Raj Janmabhoomi movement in the 1980s and 1990s and reached the climax in 2014, when the BJP got a single-party majority in the Lok Sabha under Modi's leadership. The party's return to power in 2019 with a bigger majority made these ventures even more in-

tense. Thus, on August 5, 2019, the BJP government steamrolled one of its core Hindutva-oriented policies by abrogating Article 370 of the Constitution according a special status to Jammu and Kashmir. The bhumi puja for the Ayodhya Ram mandir, the construction of which was another core component of the Hindutva agenda, was carried out on August 5 this year, on the first anniversary of the move on Kashmir.

FALSIFYING CONTEMPORARY HISTORY

Almost all the components of "operation sabotage" came into play at the

bhumi puja ceremony. Modi led it from the front when he likened, in the early parts of his speech, the country's freedom struggle with the agitation for the Ram Mandir. Striking his usual rhetorical posture he stated: "Several generations devoted themselves completely during our freedom struggle. There was never a moment during the period of slavery that there was not a movement for freedom. There was not a place in our country where sacrifices were not made for the freedom. August 15 is the embodiment of sacrifices of the lakhs of people and a deep yearning for the independence.... Similarly, several generations have made selfless sacrifices for several centuries for the construction of the Ram Temple. Today marks the culmination of that centuries-old penance, sacrifices and resolve. There was sacrifice, dedication and resolve during the movement for the construction of the Ram Temple and that dream is being realised today because of their sacrifices and struggle. Buildings collapsed, every attempt was made to erase the existence ... but Lord Ram is fully embedded in our hearts. Lord Ram is the foundation of our culture; he is the dignity of India. He personifies dignity. It is with this splendour that the 'Bhumi puja' ceremony of the grand temple of Sri Ram has taken place."

He went on to add that "this day is a unique gift from the law-abiding India to truth, non-violence, faith and sacrifice". In its essence, the rhetoric swept aside the tumultuous history of Ayodhya, and even the observations the Supreme Court made on November 9, 2019, when it awarded the land on which the Babri Masjid stood to the Hindu side for the construction of the temple. The apex court's judgment had drawn attention to the turbulent happenings since the 1940s and, in particular, the demolition of the Babri Masjid on December 6, 1992, by Hindu kar sevaks and described them as criminal actions. Contemporary history is testimony to the fact that the Sangh Parivar's Ram Janmabhoomi campaign spearheaded by the Vishwa Hindu Parishad (VHP) since the



PRIME MINISTER Narendra Modi performing a religious ritual during the bhumi puja ceremony of the Ram temple in Ayodhya on August 5.

AFP PHOTO/INDIAN PRESS INFORMATION BUREAU (PIB)

mid-1980s, leading to the demolition of the Babri Masjid, had seen sustained violence and communal riots that left thousands of Indians dead. By equating this sectarian history with the freedom struggle, the Prime Minister was plainly advocating communal polarity and ascribing a high value to Hindutva politics. This is certainly bound to acerbate Hindu-Muslim communal divisions across the country, especially in sensitive Hindi heartland States such as Bihar, Uttar Pradesh, Madhya Pradesh and Rajasthan.

SMUG REACTIONS

While several political observers in Ayodhya and outside viewed the positions taken by the Prime Minister as criminal, voices within the Sangh Parivar found it completely in order and in keeping with the larger, historical precepts and style of functioning of the Hindutva outfits. Talking to *Frontline* after the bhumi puja and with particular reference to Modi's speech, Vinay Katiyar, the founding president of the Bajrang Dal, known as the militant wing of the VHP in the 1980s and 1990s during the peak of the Ram Mandir agitation, said that overlooking many tussles, losses and sacrifices was in the interests of the future. "After all is said and done, the Muslim community in general has accepted the November 2019 Supreme Court verdict handing over the land to Hindus, though the Babri Masjid Action Committee [BMAC] continues to raise some reservations over the verdict and its implementation. But the fact of the matter is that large sections of the Muslim community are silent. There is no point in pushing them further and if glossing over helps tide over discontents of the past, it is the duty of the rulers to pursue that path."

Katiyar added that the Prime Minister's participation in the Hindutva event was also in keeping with the larger Sangh Parivar agenda on politics and governance. He reminded this writer what the late Mahant Ramachandra Paramahansa, the then president of the Sri Ramajnanabhoomi Nyas, the VHP-led trust of



A. M. FARUQUI

KAMAL NATH (right), former Madhya Pradesh Chief Minister and State Congress president, offering prayers at his residence in Bhopal on the eve of the bhumi puja at Ayodhya.

the Mandir agitation days, said in 1993 after the shock defeat in the Uttar Pradesh Assembly elections that year at the hands of the Samajwadi Party (S.P.)-Bahujan Samaj Party (BSP) alliance that the Sangh Parivar would wait for greater political power to accrue to it to fulfil its plans.

Katiyar also pointed out that even former Prime Minister Atal Bihari Vajpayee, often described as the "moderate face" of the party, had asserted in Parliament his commitment to the core Hindutva agenda. "If you remember, Vajpayeeji was Prime Minister for a mere 13 days in 1996. In his May 28, 1996, speech in the Lok Sabha just before resigning he had stated that his government had not pursued components of the core agenda such as Ram temple, Article 370, and Uniform Civil Code only because we did not have a majority then. Vajpayeeji stressed he would gladly own up to this core agenda once there was a majority.

Now, we have that majority and Narendra Modi need not have any compunctions about owning up the agenda openly and in front of the whole world. We are not duty-bound to follow the path of the 'nastik' [non-believer] Prime Minister Jawaharlal Nehru, who admonished President Rajendra Prasad for attending the inauguration of the rebuilt Somnath temple in Gujarat." When this correspondent pointed out that despite the Supreme Court's specific mention that the construction of the Ram Mandir was to be done by a special trust formed for that purpose, the whole bhumi puja function was being sponsored by the State government, Katiyar laughed it off saying, "Is anyone talking about this?"

Katiyar's derisive laughter and rhetorical question could well be seen as a commentary on the response of the major opposition parties, especially the Congress, to the bhumi puja event. The top lead-

ers of the Congress virtually fell over one another in applauding the ceremony and indirectly expressing wish to be part of it, betraying the ludicrous levels of political obsequiousness. It all started with two leaders from Madhya Pradesh—former Chief Ministers Kamal Nath and Digvijaya Singh—seeking to take credit for the Congress as the original proponent of the Ram mandir idea. Kamal Nath argued that it was Prime Minister Rajiv Gandhi of the Congress who opened the locks of the Babri Masjid in 1986 and allowed Hindu worship on its precincts. Digvijaya Singh pointed out that Rajiv Gandhi had performed the original Shilanyas for the mandir in 1989. He even complained about not being invited for the August 5 bhumi puja ceremony.

The utterances of these senior leaders were soon followed up by former Congress president Rahul Gandhi and his sister and party general secretary Priyanka Gandhi, who also welcomed the bhumi puja. Priyanka Gandhi said she hoped that the bhumi puja became an occasion of national unity, fraternity and cultural congregation and spread the message and blessings of Lord Ram all across.

Rahul Gandhi came up with platitudes that Lord Ram is for all and that he is a god of peace. He tweeted: "Maryada Purushottam Lord Ram is the ultimate embodiment of supreme human values. He represents the core of humanism embedded deep in our hearts. Ram is love, he can never appear in hatred. Ram is compassion, he can never appear in cruelty. Ram is justice, he can never appear in injustice."

While this banal line was the hallmark of the Congress in most parts of the country, some party leaders from south Indian States such as Kerala and Tamil Nadu questioned it. Mani Shankar Aiyar, former Union Minister and a close associate of Rajiv Gandhi, was the most vocal among these. He refuted almost all the points Kamal Nath and Digvijaya Singh made.

In an article in *The Hindu*, he said rather than competing with the

BJP to determine who is more Hindu, the Congress should be asking "who is more secular.... We would be better advised to fight for our own principled 'Idea of a secular India', whatever the perceived electoral cost. We can only justify our existence in the eyes of the nation as an alternative to the BJP, not as a pale imitation."

Other opposition parties with significant stakes in Uttar Pradesh, such as the S.P. and the BSP, also steered clear of highlighting the controversial aspects of the event, such as the open advocacy of sectarian religious points of view by the Prime Minister and the violation of the Supreme Court directives. Some leaders of these two parties told *Frontline* that large sections of the minority Muslim community, the aggrieved party in Ayodhya, wished to let bygones be bygones and wanted to look towards a peaceful future.

CRITICISM FROM THE LEFT

However, the Left parties led by the Communist Party of India (Marxist) and the Maharashtra-based the Nationalist Congress Party (NCP) raised critical points on the bhumi puja event as a whole and the Prime Minister's participation in it. Sitaram Yechury, CPI(M) general secretary, pointed out that the event was an open violation of the Supreme Court's directives and constitutional norms. Senior NCP leader Sharad Pawar iterated that it would have been in the fitness of things if the Union government had given priority to the fight against the COVID pandemic at this moment in time.

But these voices are a minority even within the largely depleted and ineffectual opposition ranks. The stark fact is that the leadership of almost all major opposition parties are scared of the sway that majoritarian Hindutva politics has on the ground. They seem to have come to the conclusion that taking principled positions on questions of secularism and constitutional norms and propriety are not politically expedient.

An year ago, when Article 370 of the Constitution was abrogated, the dominant voices in the opposition

had at least taken a stance highlighting the gross human rights violations that had accompanied the move, though there were some confusions regarding its political import and ramifications. But the opposition leaders, barring a few exceptions, are literally tongue-tied in the face of the majoritarian Hindutva push by the Sangh Parivar and its representatives in the government.

SENSE OF RESIGNATION

At Ayodhya and its twin town of Faizabad, barely eight kilometers away, members of the minority community watched this aggression of the Sangh Parivar and the political ineptitude of the opposition with a sense of resignation. Latheef Ali Siddiqui, a resident of Faizabad who is in his early thirties, summed up the plight of the minority community thus: "Twenty-eight years ago, as a child of four, one had seen these roads getting blocked by rampaging crowds who burnt huge mounds of tyres, build makeshift stone barricades and intermittently set up human walls to stop the movement of security forces, who they thought could curb the vandalism on and around the Babri Masjid. Those karsevaks were considered to be indulging in illegal, criminal activity at that time. Nearly three decades later, those rioters have become the authority, the ones who wield political authority. And once again, there are roadblocks coming up, but this time they are being set up by the security forces to facilitate the movements of the erstwhile rioters towards the area where once the Babri Masjid stood. The movement this time is to start the construction of the Ram Mandir at that very place. Yes, the lawbreakers have turned the custodians of power. Indeed, that is a life-changing turnaround. But the message of the roadblocks, whether put up by the lawbreaking rioters or by the law-enforcing rulers, is the same. They merely signify marginalisation of us minorities, loss of our lives and livelihoods and self-esteem as citizens." No other voice could have explained this shameful slice of history as aptly and powerfully as Siddiqui's. □

FAR FROM HERD IMMUNITY

Now that there is some data in the public domain about the seroprevalence of COVID-19 in India, it is possible to say that about one out of four to five individuals in major cities has been infected, but the Indian population is still nowhere close to achieving herd immunity.

BY R. RAMACHANDRAN

IN THE LAST 10 DAYS OF JULY, DELHI, MUMBAI and Ahmedabad, three of India's major cities, released the results of COVID-19 seroprevalence surveys that their respective municipal corporations had conducted in association with research institutes. In the absence of any published countrywide sero-survey results, these studies, notwithstanding their limitations, are the only ones that give us information about the prevalence of COVID-19 infection in the general population of these cities, and possibly also give us some insight into the infection prevalence in typical urban Indian populations.

It should be borne in mind that sero-surveys, by testing for IgG antibodies to the infection that form around two weeks after infection, identify people who had been infected in the past and would have since recovered. So, such surveys identify only infected people who have circulating antibodies and only give an estimate of the prevalence of infection about two weeks before. Also, migrant workers, who constitute a good chunk of the population in Indian cities, possibly get missed out in these surveys as they are likely to have left for their hometowns during the lockdowns.



HEALTH WORKERS taking blood samples from local residents at a serological survey site in New Delhi on August 6.

As reported earlier (“COVID cover-up” and “Chinks in the armour”, *Frontline*, July 3 and 17 respectively), the Indian Council of Medical Research (ICMR) conducted a nationwide cross-sectional sero-survey in mid May that covered over 70 districts, including only the containment zones of the 10 cities reporting the highest number of cases as of April 25, and tested over 26,000 individuals. Although the results of this national survey are yet to be published, the ICMR stated in a press briefing that the seroprevalence rate found among the general population, that is, excluding the hotspot zones of the 10 cities, was only 0.73 per cent. Since this survey was conducted in mid May, it gives the seroprevalence rate of April-end.

On the basis of leaked information, some news reports said in June that the ICMR study had found over 30 per cent prevalence in the cities. The actual findings, however, remain unknown as the ICMR has not made the results public. In the absence of the ICMR data, these city-specific surveys conducted in June-July, give us a more recent picture of seroprevalence in these three cities. This article discusses the data released by these surveys and also looks at, for what it is worth, the nationwide seroprevalence data gathered by the private diagnostics company Thyrocare Technologies Ltd. Neither the scientific community nor the Ministry of Health and Family Welfare has taken note of this private effort as it falls well short of being a properly conducted survey.

DELHI

In a press release dated July 21, the Health Ministry said it had commissioned the seroprevalence study for Delhi as a follow-up to the sero-survey the ICMR carried out in the containment zone of Delhi's South East district. The National Centre for Disease Control (NCDC), an institution under the Ministry, in collaboration with the Delhi

government carried out the community-based cross-sectional sero-survey in all the 11 districts of Delhi between June 27 and July 10. The IgG antibody tests were done using the ICMR-approved indigenous COVID KAVACH IgG ELISA (enzyme-linked immunosorbent assay) kit.

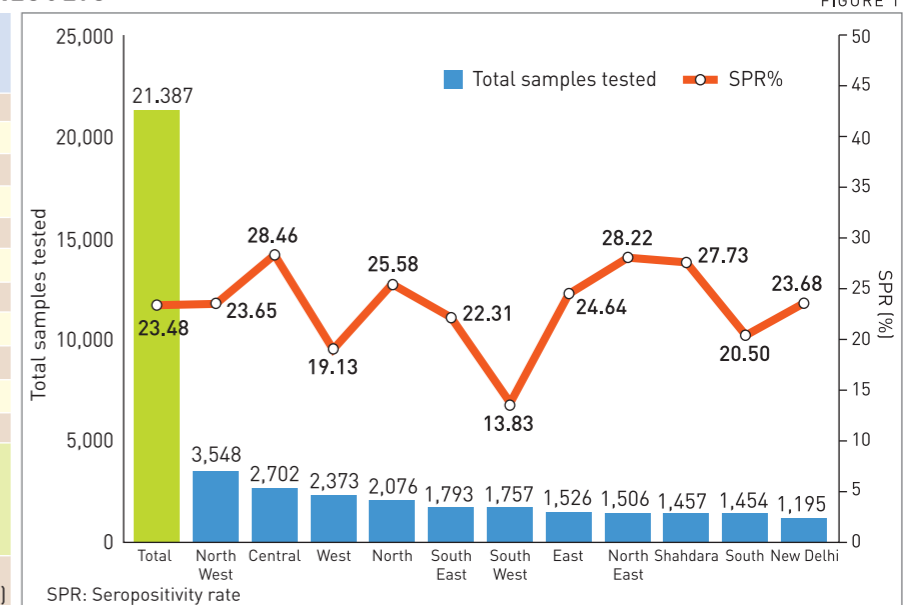
Following a “multistage sampling study design”, 21,387 sera samples were collected. The results of this seroprevalence study (Figure 1) show that the (population-weights adjusted) average infection prevalence across Delhi (from mid June to the third week of the month) was 22.86 per cent. According to the Ministry, a large number of infected people were asymptomatic. Given the current population of Delhi (over 20 million), this means that about 4.6 million people were infected in mid to end June. However, the official data for the number of confirmed cases in Delhi for that period was 43,000 to 82,000.

While this clearly indicates a gross failure of the testing strategy, the Ministry, however, in its usual self-congratulatory style, said: “Nearly six months into the epidemic, only 23.48 per cent [unweighted average] of the people are affected in Delhi, which has several pockets of dense population. This can be attributed to the proactive efforts taken by the government to prevent the spread of infection including prompt lockdown, effective containment and surveillance measures, including contact tracing and tracking...”

In an article in *The Financial Express* (August 1), Padam Singh, a former head of the ICMR's medical statistics division and former Additional Director General at the ICMR, and Davendra Verma, former Director General of the Central Statistics Office of the Ministry of Statistics and Programme Implementation, wrote a severe critique of the sampling design and survey methodology even as they gave some additional data about the

DELHI SERO-SURVEY RESULTS

District	Weighted prevalence (95%CI)
South East	22.12
Shahdara	27.61
North West	23.31
New Delhi	22.87
Central	27.86
South West	12.95
North East	27.70
East	23.90
North	25.26
South	18.61
West	19.13
Sensitivity: 92.1%	
Specificity: 97.7%	
(as per kit literature provided)	
Adjusted prevalence	22.86
	(22.24, 23.50)



Source: PIB/Ministry of Health and Family Welfare

Delhi survey that had not been made public. The survey had found that the seropositivity rate (SPR) among females (24.2 per cent) was higher than among males (21.63 per cent) and that the SPR among the younger age group (<18) was 23.13 per cent, while that among the higher age group (>18) was 22.86 per cent. They also expressed surprise at the large variation in the SPRs between districts, ranging from 12.95 per cent to about 28 per cent.

While remarking that the above data were somewhat strange and unlikely, the authors pointed out that the SPRs found would actually be underestimates because the detection kit used had a low sensitivity of 92.1 per cent, and the NCDC data analysis had not accounted for this. In the main, Padam Singh and Davendra Verma criticised the survey for its faulty four-stage sampling design. They pointed out that the inclusion of dispensaries as the primary sampling units in the third stage appeared to be basically because of administrative convenience. The selection of individuals at the fourth stage, which was left to the dispensaries, was, therefore, not random. "Thus, there is no sampling of wards and obviously there was no multistage sampling. The question is how dispensaries became part of the primary sampling units if they were not part of the sampling frame," they wrote.

Meanwhile, despite this erroneous sampling methodology, the second round of sero-surveillance in Delhi has already begun.

A MORE SOUND SURVEY IN MUMBAI

The design and conduct of the Mumbai survey was perhaps technically more sound as it involved many front-ranking research institutions and a larger group. Its limitation was its relatively (as compared with Delhi and Ahmedabad) smaller sample size as it covered only three of the city's 24 wards, though this choice was made with some scientific rationale. It is also the only one among the three surveys whose summary report with all the relevant data has been made public.

This sero-survey, which used the random sampling methodology, is the first stage of a bigger project undertaken by a joint venture between the Tata Institute of Fundamental Research (TIFR), Mumbai; the Translational Health Science and Technology Institute (THSTI), Faridabad, Haryana; the University of Chicago, United States; Duke University, North Carolina, U.S.; A.T.E. Chandra Foundation, a Mumbai-based philanthropic organisation; Kasturba Hospital, Mum-

bai; and the IDFC Institute, a Mumbai-based public policy think tank. The project, which was launched on June 29, aims to conduct the survey at two time points to infer the trajectory of the epidemic in the city. The NITI Aayog, the Brihanmumbai Municipal Corporation (BMC) and the TIFR jointly conducted the initial stage of the survey from June end up to mid July.

The strengths of the study are the use of chemiluminescence immunoassay (CLIA) IgG antibody detection kits with high specificity (100 per cent) and high sensitivity (93 per cent). To gain insights into seroprevalence, the data captured was stratified in terms of slum/non-slum areas, age (in four groups: 12-24 years, 25-39 years, 40-60 years and over 60 years) and gender. In particular, the sampling methodology took into account the number of reported cases and population sizes in each of the wards and, significantly, for slums and non-slums separately. Sampling included people who had been symptomatic but recovered at the time of the survey or were asymptomatic without distinction. The sampling did not include active containment zones. The larger study also includes a survey of health care workers, assessment of the impact of risk factors on prevalence and determination specifically of the presence of neutralising antibodies (as against binding antibodies). These components of the study are still ongoing.

The selection of the wards was based on the following criteria: coverage of city and suburban areas, east, west and north areas and representation of localities with low to high caseload as on June 2. The selected wards were R North (Dahisar region, low), M West (Chembur region, average) and F North (Matunga region, high). Significantly, the chosen wards did not include the Dharavi slum, which lies close to F North and is supposed to be the largest slum in Asia.

"We chose 3 wards out of 24 for many reasons," said Sandeep Juneja of the TIFR. "Our sampling budget was somewhat limited. It made sense to focus on geographically limited diversity so that our estimates given the sample sizes are more meaningful. Further, this way we make better conclusions about the differential in population density (slums and non-slums) leading to different prevalence rates. There is a large set-up cost involved in going to each new ward. So, from the logistics point of view, this was more manageable."

Out of an estimated sample size of 8,670 individuals, the first round could gather only 6,936 samples because, strangely, while the participation from slums was 100 per cent, the turnout from non-slum areas was only 70 per cent (Table 1). "Nonetheless," says the survey report, "the sample size relative to the prevalence is adequate to draw statistically meaningful conclusions." Sample analyses were done at Kasturba Hospital and the THSTI.

The study has estimated an average prevalence of 56.5 per cent in slums and 15.5 per cent in non-slums in the three wards selected (Tables 2 (a-c) and 3 (a-c)). Assuming that 42 per cent of Mumbai's population lives in slums, this works out to an overall seroprevalence rate of about 33 per cent for the entire city, which is signifi-

Mumbai sero-survey: Number of participants recruited and samples analysed

	Start date	End date	Target	Per cent recruitment	Final number of samples analysed*
FN slum	29-06-20	13-07-20	2,249	101	2,144
FN non-slum	04-07-20	19-07-20	2,249	52	1,183
MW slum	29-06-20	14-07-20	1,622	99	1,518
MW non-slum	08-07-20	18-07-20	1,622	59	942
RN slum	30-06-20	09-07-20	564	103	572
RN non-slum	03-07-20	16-07-20	564	101	577

*After excluding samples for (a) insufficient volume (b) not part of the study design (c) other technical errors.

FN: F North; MW: M West; RN: R North

Source: The report of the Mumbai sero-survey, Tata Institute of Fundamental Research/NITI Aayog, available at www.tifr.res.in

cantly higher than the value of about 23 per cent found for Delhi. Also, according to the report, the seropositivity for females was marginally higher than for males, but the age-wise prevalence in both males and females was comparable. However, since the data have not been corrected for the lower sensitivity of 93 per cent of the CLIA kits, these figures represent a conservative lower estimate, notes the report.

On the basis of the results, as in the case of Delhi, the authors of this study too have inferred that asymptomatic infections are likely to be a high fraction of all infections. While the higher prevalence in slums could be due to the higher population density and shared common facilities such as water points and toilets, the lower prevalence in non-slums points to better adherence to physical distancing, wearing protective masks and access to better hygiene and sanitation coupled with the other

SARS-CoV2 prevalence in slums in Mumbai

(in per cent) TABLE 2 (a-c)

a) **Ward-wise estimate of prevalence in slums**

Ward	Prevalence
F North	57.8
M West	56.7
R North	51.0
Average	56.5

b) **Gender-wise estimate of prevalence in slums**

Gender	Prevalence
Female	59.3
Male	53.2
Average	56.5

c) **Age-wise estimate of prevalence in slums**

Age bracket (years)	Prevalence
12 to 24	56.1
25 to 40	52.9
41 to 60	59.6
Above 60	62.6
Average	56.5

SARS-CoV2 prevalence in non-slums in Mumbai

(in per cent) TABLE 3 (a-c)

a) **Ward-wise estimate of prevalence in non-slums**

Ward	Prevalence
F North	17.4
M West	15.6
R North	11.4
Average	15.5

b) **Gender-wise estimate of prevalence in non-slums**

Gender	Prevalence
Female	16.8
Male	14.9
Average	15.5

c) **Age-wise estimate of prevalence in non-slums**

Age bracket (years)	Prevalence
12 to 24	18.8
25 to 40	15.8
41 to 60	15.9
Above 60	12.6
Average	15.5

Source: The report of the Mumbai sero-survey, Tata Institute of Fundamental Research/NITI Aayog, available at www.tifr.res.in

non-pharmaceutical interventions by the BMC. On the basis of the survey-estimated prevalence in the three wards and the BMC's records of reported deaths, the infection fatality rate (IFR) has been estimated to be a low 0.05-0.1 per cent as against the case fatality rate (CFR) of 5-6 per cent. The low IFR is perhaps a reflection of active measures the BMC has taken to isolate symptomatic cases immediately. "These results," says the report, "will be valuable to learn more about herd immunity. Although it is still unclear what level of prevalence leads to herd immunity, our findings indicate that at least in slums this could be attained sooner [rather] than later, if the immunity exists and persists in a significant proportion of the population." It is even likely that slum pockets may have already attained herd immunity. If, as mentioned in COVID-19 literature, we assume that R-nought (the average number of people that an infected person can pass on the infection to) to be 2 to 3, a near 60 per cent SPR would be close to the required value to achieve herd immunity. It is interesting to note that at the time of the Mumbai survey, Dharavi (which was not included in the survey) was already seeing a rapid downward trend in its caseload, and as Juneja concurs, Dharavi may indeed have a higher SPR than the other slum areas surveyed.

SECOND ROUND OF SURVEY

According to Juneja, the planned repeat survey (the second round) is expected to begin in one or two weeks' time. "Since the intent is to measure change in prevalence, we will be going to the same wards," he said.

Analysing the Delhi and Mumbai sero-survey data for theWire.in, Murad Banaji, a mathematician from Middlesex University London, wrote: "Limitations aside, the data suggest two things: that the virus has spread wide and the fatalities have been relatively low." According to Banaji, when the epidemic in London and New York City (NYC) was in its downward trend, the seroprevalence rates in the two cities had been estimated to be 17.5 per cent and 23 per cent respectively. An SPR of about 23 per cent for both Delhi and NYC works out to about 4.4 million and 1.9 million infections respectively shortly after the respective surveys. However, the fatalities in the two cities were drastically different: 3,200 in Delhi and 15,000 in NYC. If you compare the IFRs calculated from this data, it means that COVID-19 was 10 times deadlier in NYC than in Delhi, says Banaji.

Similarly, following Banaji, if you compare Mumbai and London, which had recorded a similar number of deaths (of 5,500) at the time of the surveys, their respective SPRs of 33 per cent and 17.5 per cent work out to 4.5 million and 1.6 million of infected people. On the basis of this data, the rough values of IFRs for the two cities work out to 0.12 per cent and 0.34 per cent respectively. So, the virus was three times deadlier in London than in Mumbai. Of course, it must be pointed out here that Banaji has not accounted for the demographic difference in the cities being compared, with Indian populations being skewed in favour of younger age groups. One of the important factors in the COVID-19 pandemic is that younger people

All surveys seem to indicate that seropositivity in women appears to be higher than in men.

are not affected as severely by the virus as the elderly are. If you take that into account using age-stratified data, the differences should reduce significantly.

A POLITICALLY MOTIVATED SURVEY?

The Ahmedabad Municipal Corporation (AMC) claimed that the sero-survey conducted in the city was the world's largest, but it released only just as much information about the results as the Delhi survey. In fact, the AMC did not even share the identity of the research institution/laboratory with which it had associated to carry out the survey. According to the AMC press release, the survey was conducted from June 16 to July 11 and 30,054 samples that were "fully distributed [*sic*]" among the seven zones of the city were collected. For a city with a population of 6.3 million, this works out to a sample-to-population ratio of 4,770 per million. Comparing this with the Spanish sero-survey whose ratio was 1,302 per million and a U.S. study in six of its States whose ratio was 255 per million, the release claimed that this was the most extensive sero-survey study in the world so far.

Alongside this claim, the release also seemed to take a swipe at the ICMR, whose as-yet-unpublished sero-survey of May, which was conducted with just 496 samples from containment zones only, had a "minuscule" ratio of "just 79 per million". It was rumoured in early July that the ICMR had not been allowed to release its sero-survey results for political reasons because its survey had found a very high SPR in Ahmedabad, something that would not have been palatable to the powers that be. Thus, the Ahmedabad survey and the tenor of its press release smack of a politically motivated study, especially when even the institution involved in the study has not been named.

According to the information put out by the AMC, the SPR in Ahmedabad (during June) was 17.61 per cent. The release further said: "Some sections of media have reported about a study by ICMR showing around 49 per cent seropositivity in Amdavad.... [The ICMR study] is not at all representative of [the] actual existing situation and cannot be relied upon for any conclusion (the AMC's latest study is 60 times larger)."

Like in Delhi, the AMC survey too seems to have found variations in the SPR between different zones of Ahmedabad, with the Central Zone having the highest SPR (28.43 per cent), followed by the North Zone (27.42 per cent) and then the North-West Zone (6.43 per cent). Significantly, like in Delhi and Mumbai, this study too found that the SPR among females (17.98 per cent) was a little higher than among males (17.29 per cent), but the release noted that "the difference is not statistically significant".

PRIVATE 'SERO-SURVEY'

Thyrocare Technologies Ltd has been collecting seroprevalence data since the beginning of July and has made this data public through tweets of A. Velumani, its chairperson and founder, who is a scientist-turned-entrepreneur. Although this cannot be termed a proper study because it is not a randomised survey, nevertheless, one

has to accept that the data collection strategy was novel and innovative, the data collation and its classification too was pretty quick and the dissemination of information immediate.

Velumani offered antibody tests at a very low cost and, using the vast network of Thyrocare diagnostic laboratories across the country, gathered seroprevalence data from corporate houses, apartment buildings and individuals who came to have themselves tested in more than 600 pin codes across the country. "We have not chosen whom to test; we have only tested those who wanted it. Eighty per cent was the requirement of the corporates, 15 per cent was the requirement of residential societies and 5 per cent was the demand of individuals. We covered pin codes from Nariman Point to Jamshedpur, so big and small cities are all covered," Velumani told the online news website thequint.com in an interview.

So, in that sense, the sampling is not random at all; it is highly biased and leaves out the large number of people from the lower strata of society to whom the survey did not offer the test. In fact, there is no statistical sampling at all because there is no defined sampling frame to begin with. Therefore, statisticians and medical experts, perhaps, would not even give this survey a second look. Nevertheless, the data from this private survey (which seems to be ongoing), given in age- and gender-stratified form, does perhaps offer some insight into infection prevalence across the country that is most recent.

As of August 4, Thyrocare had tested 1,51,588 individuals (across all age groups), of which 28,347 were seropositive for IgG antibodies. This works out to a crude SPR of 18.7 per cent, albeit in a significantly biased population, across the country. Of course, this should not be immediately taken to mean that 240 million people of the country were infected, but it probably gives a very rough idea of prevalence. The data of July 29 shows that more males (about 2.5 times more) got themselves tested than females. Interestingly, even this biased survey found a higher SPR among females than males, 20.02 per cent compared with 17.62 per cent. Also, if you look at the SPRs for the three cities discussed above, Thyrocare's figures are roughly in the same ballpark, notwithstanding the much smaller numbers it tested in these cities compared with the population sizes that were sampled in the sero-surveys. If there is something significant in these numbers, it is for the experts to glean from them.

What the city sero-surveys, at least, tell us is that about one out of four to five individuals in major cities has been infected, but this is still far removed from what is required for herd immunity to set in. However, if any part of a city is to become "herd immune", it will be the slums first, as the Mumbai survey shows. And, it is quite likely that Dharavi may have already achieved herd immunity given its recent caseload trend. Asymptomatic infections seem to constitute a significant proportion of all infections. All surveys seem to indicate that seropositivity in women appears to be higher than in men. This may be an interesting aspect for virologists, medical experts and epidemiologists to look into. □

Gloating in defeat

The government continues to **harp on its successes** even as it bumbles on testing methods and life-saving equipment and the confirmed cases and daily deaths hit new highs. BY T.K. RAJALAKSHMI

THE INDIAN HEALTH ESTABLISHMENT IS sparing no effort to convince everyone that the government's strategy to control the spread of COVID-19 infections has been a success, but the reality on the ground proves otherwise.

In the first week of August, almost a week after the third phase of a gradual unlocking was announced, Chief Ministers of at least two States reporting fairly large COVID-19 numbers tested positive.

While Shivraj Singh Chauhan in Madhya Pradesh and B.S. Yeddyurappa in Karnataka were the high-profile COVID-19 cases, at the Centre, Home Minister Amit Shah too was diagnosed with COVID-19. On August 2, Kamal Rani Varun, a 62-year-old Cabinet Minister in

the Uttar Pradesh government, succumbed to the disease.

India today has the third highest number of COVID-19 infections after the United States and Brazil and the fifth highest number of deaths after the U.S., Brazil, Mexico and the United Kingdom.

During the period from July 5 to August 5, the daily number of confirmed cases more than doubled from 23,942 to 56,626. On July 25, the daily number of cases touched 50,000 for the first time and has been on the rise since then. A record 57,486 confirmed cases were reported on July 31, the highest in the month. By August 6, this figure had gone up to 62,000.

On two consecutive days, India even surpassed the



COVID-19 TEST KITS and ventilators donated by France arrive in New Delhi on July 28. Even as cases and deaths are rising, the Centre has allowed the export of ventilators.

U.S. and Brazil in the largest single-day spike of cases and deaths. With around 40,000 deaths so far, India can hardly boast of having controlled the spread of the virus.

On August 4, a day when 51,282 cases were reported, senior Health Ministry officials urged the media to look at the “biggest news”, which was that nearly two crore tests had been done till date and that more than six lakh tests had been conducted in the previous 24 hours.

The other “big news”, of daily infections crossing 50,000, was not mentioned at all. At a briefing on that day, Rajesh Bhushan, the newly appointed Health Secretary, told mediapersons that the total number of recovered cases was double that of active cases.

This line of presentation was nothing new; each time a briefing was held, media officials always talked about the high recovery rates. It was not mentioned that the total number of recoveries was the cumulative figure, that is from March onwards, while the number of active cases indicated those currently active, that is, in the past 14 days.

The two were not comparable metrics from any standpoint, yet in each press conference health officials were self-congratulatory about the recovery figures. The number of active cases was by no means small: it was over six lakh.

At the briefing on August 4, there was no reference to the two days when India recorded the largest number of cases and deaths in the world.

TESTING METHODS

Of the 1,370 laboratories in the country, 698 were conducting tests using the gold standard Reverse Transcription Polymerase Chain Reaction (RTPCR) method. Of the 1,370 laboratories, 921 are run by the government and 449 are in the private sector.

Apart from these laboratory tests, the Rapid Antigen Tests (RAT) method was also used but considered less reliable than the RTPCR, which is known to have higher sensitivity and specificity.

Although some mediapersons had repeatedly made inquiries about the proportion of antibody tests to the total number of tests, the government issued a reply only on August 4. The Director General of the Indian Council of Medical Research (ICMR), who was present at the Health Ministry briefing, said that 30-40 per cent of the total tests were done using the RAT method.

This was interesting as the ICMR had, in guidelines issued in May, stated that rapid antibody or antigen tests should not be used for diagnostic purposes. This was also in line with the guidelines of the World Health Organisation (WHO).

The problem with this method is that a positive test would indicate exposure to COVID-19 but a negative test would not overrule the presence of the infection.

If there were false positives, then these tests would have to be followed up with the RTPCR method. Given

PEOPLE waiting for rapid antigen tests in Jahangirpuri in north Delhi on August 7.

that there are only 698 laboratories using the RTPCR method for a population of 1.3 billion, it is impossible for every false negative case to get tested again using the gold standard method.

Besides, if 30-40 per cent of the total of two crore tests were done using the RAT method, many possible carriers of the infection were going undetected and undetected.

The government and the Health Ministry have been sensitive to the criticism regarding the low rates of testing. They have been at pains to convince critics that India was testing far beyond the WHO standard on the optimum number of tests that need to be done a day per million, which is 140, according to the Health Ministry.

However, the cases per million in most countries are well over 140, often running into thousands, so it was unrealistic that a mere 140 tests a day per million would suffice.

RISE IN CASES AND DEATHS

On August 6, the Health Ministry announced that a new record had been set with 6,64,949 tests in the previous 24 hours and that it was the third consecutive day that the number of tests a day had crossed six lakh. The tests per million had also crossed 16,000, the Ministry said in a release. However, it did not mention that in the previous 24 hours, India had taken the top spot in the highest single-day spike of confirmed cases, touching almost 62,000 and surpassing even the U.S. and Brazil in daily numbers.

August 6 was a milestone as the 60,000 mark had been breached. It was apparent that as more tests were being conducted, the number of confirmed cases were

also going up. Also, India topped in the number of COVID-related new deaths. A day before, it was in the second place. On August 6, as many as 888 people in India succumbed to the virus, compared with 829 in Mexico, 416 in the U.S. and 274 in Brazil.

According to Health Ministry officials, the case fatality rate—the number of deaths as a percentage of the number of people who have tested positive—was at its lowest since March. But they did not offer any explanation on why the number of fresh daily cases (61,000 plus) was far higher than those reported in the U.S. (22,858) and Brazil (10,543).

The positivity rate over the weekly seven-day average was close to 11 per cent, which was high, although the cumulative positivity rate was around 8.89 per cent. The positivity rate indicates the percentage of positive samples out of the total number of samples tested.

According to the WHO, a positivity ratio of less than five was desirable and an indication that testing was adequate. A high positivity rate showed that testing was not adequate and that the infection was being chased, which was the case in India. According to the government, the positivity rate was high because of some States.

The Health Ministry said that some 28 States and Union Territories were testing more than the WHO's guideline of 140 tests a day per million. The all-India average was 479, which the government considers robust. However, several countries are testing far greater numbers on an average.

Goa, Delhi, Tripura, Jammu & Kashmir and Tamil Nadu had increased their testing capacity and were testing more than the nation's average.

Although the daily testing numbers had gone up, it

India has the third highest number of COVID-19 infections after the United States and Brazil and the fifth highest number of deaths.

was clear that India had woken up rather late to the ‘test, treat and track’ approach, as a result of which infections were far ahead of testing capacities.

Maharashtra, Tamil Nadu, Andhra Pradesh, Karnataka, Delhi, Uttar Pradesh, West Bengal, Telangana, Bihar and Gujarat accounted for the bulk of the caseload, but there is hardly any State left where no fresh cases are being reported.

Uttar Pradesh, for instance, was at the bottom of the list of States contributing to the caseload for many months. With over one lakh confirmed cases, it is now in the sixth place.

EXPORT OF VENTILATORS

On August 4, even as the Health Secretary declared that there had been a progressive decline in the case fatality rate since June, he also announced that the government had decided to lift the ban on the export of ventilators.

The formal decision came in the form of a notification from the Directorate General of Foreign Trade in the Department of Commerce, which stated that “all ventilators, including any artificial respiratory apparatus or oxygen therapy apparatus or any other breathing appliance or device” whose export was prohibited under the existing policy could now be exported.

The lifting of the ban defied logic given the rising number of cases and daily deaths.

The Health Secretary also gave a presentation on “Make in India” ventilators in which he said that India was now self-sufficient in the production and supply of ventilators.

The Indian ventilator market had grown from 8,510 units to 18,000, all of them domestically produced. They had been supplied to States and were being installed in more than 700 hospitals. The government had placed orders for the domestic production of a total of 60,000 ventilators, which was the projected demand during the pandemic, he said.

Two public sector units had been given the charge to produce 43,500 ventilators and Maruti Suzuki was to supply another 10,000.

The government has been in denial mode for a long time now. Its recent discovery of the merits of aggressive testing and contact tracing should be complemented with adequate health infrastructure and life-saving equipment. □



SUSHIL KUMAR VERMA

How the poor die

More than 15 years into its existence, the country's "revamped" public health surveillance still lacks coordination and adequate resources and is ridden with significant gaps in the monitoring of many infectious diseases. BY MAYA JOHN

FOR THE HUMAN RACE THAT HAS SEEN approximately 100 billion of its species die in the past 50,000 years, death is an inescapable reality. What has changed now is its enhanced ability to systematically track down death to specific causes. With its national-level tracker for COVID-19 deaths, India has perhaps for the first time launched a daily tracker for deaths caused by a disease. However, the current conjuncture reveals an unsettling fact: while certain diseases gain singular prominence by attracting funds for exhaustive scientific research and treatment, many others are neglected as "ordinary". In this light, the actual disease burden of a population is highly underexplored because several ailments and illnesses fail to be identified as specific diseases with a definitive cause (aetiology). Given the darkness surrounding many illnesses, it is essentially symptomatic treatment that is administered to patients.

CONSPIRACY THEORIES

The identification of diseases and the spread of old as well as new diseases requires robust disease surveillance and expansive public health-care facilities. Unfortunately, there are systemic problems with the existing disease surveillance. Piecemeal disease surveillance often paves the way for conflicting assessments and opacity about the origins of disease outbreaks so much so that conspiracy theories soon take root. It is in this regard that even certain reactions to the COVID-19 outbreak may be contextualised.

For instance, shortly after the United States saw a spurt in COVID-19 cases earlier this year, President Donald Trump unleashed a bitter volley of accusations against China that it had concealed information about the novel coronavirus outbreak in Wuhan (China). In some quarters, COVID-19 has been projected as an engineered outbreak and the virus as one that has been produced in a laboratory. Considering that this is the U.S. presidential election year, many political commentators have labelled Trump's accusations as part of an unsa-

voury attempt at jingoistic politics and to divert attention from his mismanagement of the COVID-19 outbreak in the country.

The allegations were accompanied by Trump's formal announcement about ending the U.S.' membership in the World Health Organisation (WHO) and withdrawal of \$450 million in grants to the WHO as financial support. Accusing the WHO of being "controlled" by China, the U.S. government claims it will channelise its funds towards other global public health organisations. Such aggressive posturing by the U.S. conveniently sidesteps the important contribution of the Chinese disease surveillance system in identifying the new disease. What if China had not identified the virus strain and derived a definitive aetiology for the new disease from amidst a host of symptoms that are common to other known contagious and severe respiratory diseases?

Moreover, it is important to recognise the most recent compromises the U.S. government has made with respect to disease monitoring, such as a two-third deduction in funding for the country's Global Health Security Agenda, which was introduced in 2014 with the aim of setting up an early-warning system for infectious diseases across the world. Likewise, the Trump administration almost discontinued the \$200 million epidemiological research programme, PREDICT, that is funded by a grant from the United States Agency for International Development (USAID), but the COVID-19 pandemic compelled it to extend funding temporarily for six months beyond March 2020.

By then the damage had been done, with many scientists, including those researching in China, been laid off just before the Wuhan outbreak. Set up in 2009, PREDICT, with its focus on locating viruses with the potential to cause human disease and pandemics, has been engaged in regions like the Amazon Basin, South and Southeast Asia, and the Congo Basin. All these recent measures stand to affect not only the American population but also weaken ongoing intergovernmental disease

monitoring tie-ups across poorer regions of the world.

Class, region and other social dynamics are crucial factors that steer the thrust of disease monitoring/surveillance across the world. The adverse medical conditions prevalent among the labouring poor and the less-wealthy regions do not get adequate attention because of their insufficient signalling effect on private pharmaceutical companies, and also because governments do not assign priority to the general health care and diseases of the poor. The profit-oriented pharmaceutical industry controls the lion's share of funding for scientific research. Its funding priorities determine the quantum of funding and thereby shape the scientific community's interest in certain diseases over others, stunting in the process the potential and quality of research carried out by the majority of scientists. In other words, the pharmaceutical industry tends to set the health agenda for intergovernmental agencies and influence the institutional priority of governments with re-

spect to the scope and direction of scientific research.

This unfortunate reality is best captured by the growing dominance of the *vertical* model of health intervention wherein powerful donors (internationally recognised foundations), intergovernmental agencies and pharmaceutical companies, eager to promote certain drugs, dictate what constitutes as health exigencies for a country. The vertical health model propagates a surgical mode of intervention on a singular disease, leaving the collateral damage unaddressed, i.e. increasing fatality rates of numerous other debilitating diseases and illnesses prevalent within a population, which only *horizontal* health intervention or an expansive public health-care system can resolve. The fallout of this is that while some diseases gain *singular prominence* and are declared epidemics/pandemics by the scientific community, scores of infectious diseases and illnesses affecting largely the poor are brushed aside as "ordinary". As the U.S.-based medical practitioner Siddharth Mukherjee aptly puts it in his award-winning book, *The Emperor of All Maladies*, "A disease must win politically to win scientifically."

NARROW FOCUS

Given the increasingly narrow focus on specific communicable diseases and the consequent skewed channelisation of resources, the process of neutral discovery of a disease rarely unfolds. For one, a significant number of clinical cases that can be captured by a disease surveillance system are not even made out, considering that the infected poor and marginalised people do not necessarily report their condition to certified doctors; they fall prey to quacks who are more easily accessible to them.

The dismal scenario with respect to fake doctors was exposed in a 2016 WHO report, which claimed that 57 per cent of the allopathic "doctors" in India in 2001 did not have any medical qualifications. The report further said that 31 per cent of the allopathic "doctors" in urban India were educated only till Class 12, while rural India had access to only 18.8 per cent allopathic doctors with proper medical degrees.

Even when infected persons report their ailments to public health institutions, an overburdened system often averts the essential testing of their blood/serum, throat swab, sputum, stool, urine, and so on, and restricts diagnosis to symptomatic treatment. If clinical cases lead to microbiological or cytological investigations, the tendency for pathology laboratories to categorise diseases on the basis of pre-given classification and parameters is so predominant that differentiating and separating pathogens on the basis of variations in groups, subgroups, and strains in genotype is minimal.

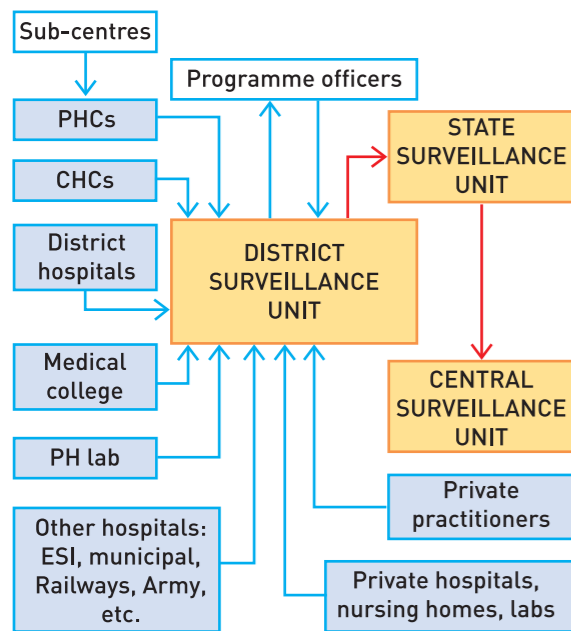
This way many pathogens are wrongly categorised into existing classificatory schemes, and the specific cause behind numerous diseases and ailments fail to be identified and differentiated. Many ailments are then simply clubbed together under catch-all categories such as "Respiratory Tract Infection", "Urinary Tract Infection", "Fever of Unknown Origin", and "Acute Febrile



ANUPAM NATH/AP

AT A TUBERCULOSIS HOSPITAL in Guwahati, a file picture. With four to five lakh persons succumbing to the disease every year in India and with more drug-resistant cases being reported yearly, TB has had not only a higher mortality rate than COVID-19 so far, but is clearly an undeclared persistent silent epidemic.

Flow of information on weekly basis under IDSP



PHC: Primary health centre; CHC: Community health centre
PH lab: Public health lab

Illness". Some of these diseases are on the rise, and many are more contagious and fatal than diseases that gain prominence. However, given the incomplete diagnosis, it is at the most symptomatic treatment that is made available to the common masses, leading to the persistent spread of the disease and continuous heavy loss of life.

TB, AN UNDECLARED SILENT EPIDEMIC

Even when the aetiology of a contagious disease and its treatment are well known, the disease's prevalence does not generate adequate reaction among the people concerned. Tuberculosis (TB), a disease generally associated with the poor, is an apt example. Sources highlight that every 10 seconds a person contracts TB, pointing to a very high RO (basic reproduction number) for the disease. With four to five lakh persons succumbing to the disease every year in India and with more drug-resistant cases being reported yearly, TB has had not only a higher mortality rate than COVID-19 so far, but is clearly an *undeclared persistent silent epidemic*. Furthermore, there is an urgent need to recognise the issue of comorbidity, that is, the possible combination of preexisting medical complications with diseases that plague the majority of Indian people. Expectedly then, an eventuality of the ongoing pandemic is dying *with* rather than of COVID-19. The other eventuality is the neglect of coexisting diseases, which points to a situation where many poor people, if not succumbing to COVID-19, are dying from the rising fatality rates of other diseases. Evidently, the Indian population is falling prey to the sinister synergy between *coexisting* diseases and the vulnerability fostered by the overall functioning of our socio-economic system.

Considering the social dimensions impacting scientific inquiry and the resulting prevalence of undifferentiated and downplayed diseases, what could have unfolded if the Chinese disease surveillance system failed to tap the outbreak of the novel coronavirus and differentiate the aetiology of the outbreak? Among the most probable consequences would have been the misidentification of the disease's symptoms and aetiology with existing severe and acute respiratory diseases that otherwise trigger mass hospitalisations and a significant number of deaths in many parts of the world. Case studies from Italy and the U.S. highlight that the COVID-19 death toll has been predominantly confined to elderly persons of the *same* age group who usually succumb to influenza (flu), pneumonia and similar diseases. For a typical flu season, COVID-19 nonetheless quickly caught the attention of governments in the West mainly because the population that was infected initially turned out to be well-to-do travellers. If this had not been the case and if China had not identified and differentiated COVID-19 from a host of similar diseases, COVID-19 would have in all probability gone under-reported as a somewhat unusual long spell of flu or pneumonia deaths.

THE SURAT OUTBREAK

Outright non-identification, mistaken or undifferentiated identification of diseases, and downplaying of disease outbreaks are the ingrained reality of the existing disease surveillance systems. In turn, the opacity bred by mainstream epidemiology and disease surveillance systems allows for marked contestation. We have seen this in the context of recent and older disease outbreaks. The so-called "pneumonic plague" outbreak in Surat, Gujarat, in September 1994 is an important instance of the ambivalence that accompanies disease analysis and the conflicting interests that play themselves out in disease outbreak reporting.

The Surat outbreak reflected the frictions that exist between member-states and the WHO. At that time, the WHO was carving out a new role for itself in the context of the growing dominance of economic liberalisation policies which pushed for less public involvement in health-care services, the shrinking of the WHO's traditional funding sources, and the competition posed by well-funded health programmes of the World Bank and the United Nations Children's Fund (UNICEF). Through a somewhat unprecedented interventionist role in Surat, triggered by the pressure mounted by India's affluent trading partners, the WHO sought to make an example of the epidemic and assert the importance of enhanced disease surveillance at the global level. Interestingly, WHO officials maintained a relatively ambivalent position on the cause of the outbreak. The WHO Team Executive Report claimed: "*Yersinia pestis* is the likely causative agent of the Surat outbreak... [However] the identification of plague as cause of the outbreak cannot be established in the absence of confirmed isolation... from clinical materials..." Meanwhile, the National Institute of Communicable Diseases, New Delhi,



THE HINDU ARCHIVES

SURAT, 1994: The so-called "pneumonic plague" outbreak in Surat, Gujarat, is an important instance of the ambivalence that accompanies disease analysis and the conflicting interests that play themselves out in disease outbreak reporting.

confirmed that the outbreak was the plague whereas the Gujarat Chief Minister denied the plague thesis, claiming that it was more likely to be pneumonia.

The Indian government interpreted the WHO's intervention as the undermining of the sovereign realm of state authority. It set up its own Technical Advisory Committee (TAC) that ran a parallel investigation to that of the international team constituted by the WHO on October 7, 1994. The TAC attributed the aetiology of the so-called pneumonic plague to *Yersinia pestis*, although it had to also acknowledge that its assessment was based on preexisting and contaminated cultures. It also sought to establish that the genetic mutation indicated the *external* origin of the strain, thereby projecting the emergence of a new disease whilst challenging the notion of poorer countries being the sites of disease and contagion. The outbreak was consequently connected to the enhanced mobility of disease vectors in a highly globalised world of trade, business and commerce, as well as to a possible act of bioterrorism. The politics of locating the origins of the outbreak stemmed from the Central government's preoccupation with regional tensions involving hostile South Asian neighbours, who were allegedly antagonised by India's bid to integrate with the globalised world economy.

The Gujarat government tabled a different assessment. The Gujarat Expert Plague Committee's report questioned the Indian government's assessment of the plague diagnosis and attributed the origin of the outbreak to *internal* issues of hygiene, unplanned industrialisation and social deprivation. Interestingly, conflicting assessments allowed for the labelling of over 6,000 cases as plague cases whereas they were actually due to *other* diseases. Taken together, the diversity of

views revealed the ambivalence surrounding the origins of the disease outbreak and the inadequacy of sample data, both of which highlighted the acute need for a more robust disease surveillance system. Not surprisingly, the Surat outbreak became a crucial example worldwide and compelled the TAC itself to acknowledge the need for a new, integrated surveillance and response network in the country.

CHALLENGES OF DISEASE SURVEILLANCE

A dedicated disease surveillance programme in India was established in 1997 under a pilot project known as the National Surveillance Programme for Communicable Diseases (NSPCD), which started off in five districts and was later expanded to 101 districts by 2004. The nodal agency of the NSPCD was the National Centre for Disease Control (NCDC), New Delhi, and the implementing agencies were States/Union Territories. The programme was based on weekly reporting of outbreaks of epidemic-prone diseases (including nil reporting) directly from districts to the higher centres. However, the NSPCD failed to give a complete picture of disease burden in the country, given its limited coverage of districts and inadequate resources for the creation of an expansive database of diseases and epidemic outbreaks. In 2004, the country's disease surveillance transitioned into the Integrated Disease Surveillance Programme (IDSP), which was initiated under the World Bank's financial assistance of \$68 million. By 2012 the World Bank's funding for the programme was stopped, after which the IDSP continued under the Twelfth Plan as part of the National Health Mission with a budget estimate of Rs.640 crore. The annual budgetary allocation from 2012-13 to October 2017 has varied from approximately Rs.33 crore to Rs.65 crore.

More than 15 years into its existence, the country's "revamped" public health surveillance still lacks coordination, adequate resources, and is riddled with significant gaps in the monitoring of many infectious diseases. Even in the ensuing context of the COVID-19 pandemic, disease reporting under the IDSP has floundered as the Central and State governments have enforced singular focus on COVID-19. Out-patient department (OPD) services and surgeries were drastically reduced in March 2020 when there were only a few hundred cases of COVID-19 in the country, and disrupted public health-care services have persisted despite the realities of comorbidity and actual disease burden of the common masses.

Ironically, in a country reeling under malnutrition and delayed treatment of the sick, among other adverse effects of a lengthy and poorly managed lockdown, the IDSP has failed to trace the actual disease burden of the population, as is evident in its lack of reporting of disease outbreaks since March 22, 2020. The IDSP's inadequacies are linked to the *general* limitations of the country's public health policy and overburdened public health-care infrastructure. For one, centrally-implemented health programmes continue to focus on vaccine-pre-

ventable infectious diseases even as other infectious diseases fail to be systematically controlled. As noted in the Draft National Health Policy (2015), the communicable diseases that national health programmes seek to address represent less than 25 per cent of all the communicable diseases in existence and less than 6 per cent of overall reported fatalities.

This apart, the country's disease monitoring is hampered by *specific* problems such as limited funding; a scattered and inadequate laboratory network; lack of trained manpower; insufficient use of ICT (information and communications technology) for data collection, analysis and transmission; existence of a number of parallel systems under various vertical health programmes; inadequate use of routine data; and limited use of non-specific health indicators or proxy measures like trends in drug sales, use of emergency services, etc., which some health experts consider as an important back-up to laboratory-testing surveillance.

In the IDSP's own annual reports, the inadequacy of funds gets reflected in the diversion of funds from other accounts/heads to the IDSP and vice versa from the IDSP to other programmes under the National Health Mission. For example, in 2010-11 an additional grant-in-aid was extended by the IDSP to the north-eastern States by diverting Rs.5.40 crore from the Rural Family Welfare Services head, indicating a reallocation of resources from an equally fundamental civic welfare programme. The limited funds for what needs to be a much more expansive and vigilant disease monitoring system has resulted in inadequate strengthening or upgrading of laboratories that are linked to the IDSP network. To date only 114 laboratories at the district level have been strengthened for diagnosis of epidemic-prone diseases.

Needless to say, the practice of upgrading district public health laboratories in a "phased manner" has meant additional burdening of established laboratories of medical colleges and other major centres in the States/ Union Territories. Of course, the focus on district public health laboratories also tends to overlook the need for vigilant community level disease monitoring, for which neither can primary health centres (PHCs) and community health centres (CHCs) be left out from the necessary upgradation process, nor can the existing training of overburdened front-line health workers such as auxiliary nurse midwives (ANMs), multi-purpose health workers (MPHW) and accredited social health activists (ASHAs) be considered adequate for extensive and accurate data collection. Upgraded PHCs and CHCs as well as adequately trained front-line health workers mean better equipped local level disease surveillance.

Importantly, studies have identified that the lack of adequately trained front-line health workers and tech-

AT A PRIMARY HEALTH CENTRE at Pazhavangadi in Pathanamthitta district, Kerala. Upgraded public health centres and community health centres as well as adequately trained front-line health workers mean better equipped local level disease surveillance.

nical staff clearly affects the alertness of the surveillance system. A 2014 study published in the *Journal of Family Medicine and Primary Care* examined 24 sub-centres that come within the rural field practice area attached to the Post Graduate Institute of Medical Sciences, Rohtak, Haryana. It was noted that 70 per cent of the staff could not expand the abbreviation "IDSP"; 91 per cent were unaware of trigger levels; 93 per cent were not aware of nil reporting; and only half the number of sub-centres were actually filing written records according to defined syndromes, indicating the lack of awareness among the staff about the utility of their reporting.

LACK OF EXPERTISE

From the IDSP reports it is also evident that district laboratories themselves lack trained manpower, i.e. microbiologists, epidemiologists, technicians, laboratory assistants, and so on. This worrying lack of expertise is the fallout of the long-standing trend of inadequate state investment in the education sector which generates skilled human resources for the economy and society. The country lacks dedicated educational programmes and institutions that can produce trained epidemiologists, among other specialists, for data analysis of diseases and policy framing, which are crucial components of an efficient disease surveillance system. Since the launch of the IDSP under World Bank funding in the early 2000s, the acute shortage of epidemiologists has been met by appointing personnel with an educational background in public health, statistics, communicable diseases, and social work, who are then subsequently trained in the working of the IDSP. Usually medical graduates with a postgraduate degree or work experience in public health, preventive and social medicine or epidemiology are preferred for positions of epidemiologists.

The lack of dedicated educational programmes is aggravated by interdisciplinary rivalries between medical sciences on the one hand and public health and community medicine on the other. The Medical Council of India (MCI), for instance, recognises the Masters in Public Health (Epidemiology) course of solely two institutions in the entire country; namely, the National Institute of Mental Health and Neurosciences, Bengaluru (offering 10 seats), and the All India Institute of Hygiene

and Public Health, Kolkata (offering seven seats). Meanwhile, a handful of other private and public-funded institutions that do not feature in the MCI's database offer this particular master's programme and a diversity of allied courses.

Overall, the existing structure hints at the serious lack of standardisation in the educational training of epidemiologists, which is detrimental to the growth of such expertise, especially when combined with the relatively low remuneration for epidemiologists. Recent news reports on the country's ill-preparedness for tackling the COVID-19 pandemic have rightly highlighted that the lack of experts such as epidemiologists is linked to the IDSP's preferred practice of recruiting for non-tenured positions. Such non-tenured positions allow for low-paying, unrewarding work conditions, and trigger the preference among qualified experts for employment in private pharmaceutical companies and global agencies.

CONCLUSION

Some experts have rightly emphasised the embedded proximity of several microorganisms to human life. In the case of disease-causing microbes or pathogens, this means that infectious diseases and their outbreak have been an intrinsic part of human civilisation. However, human society has increasingly learnt to liberate humankind from disease, and its corollary, death. Unfortunately, the endeavour is often compromised by systemic reasons and the biases integral to the dominant socio-economic system within which scientific research is carried out. We are constantly confronted by the lack of preparation in meeting the challenges posed by diseases and their outbreaks.

The ill-preparedness can be addressed by augmenting the health conditions of the common masses and the health-care facilities of the country. It is also imperative to question the existing parameters of disease monitoring, which is currently far from an objective exercise. Many diseases plaguing the working masses and backward regions are not even differentiated and identified by the existing scientific community. Even if a disease is discovered with a definitive aetiology, we find that the order of priority given to it and the launch of appropriate disease control are based on whether it has a certain signalling effect for the scientific community. In a large number of instances, it is only when there is a threat of transmission to the well-to-do sections of society or wealthier regions that the disease actually has such a signalling effect.

Science does not exist in isolation but is actively shaped by contemporary social dynamics. Professional scientists do not pursue research in a bubble, and their subjective biases negate the very idea of the self-sufficient character of science. Controlled by increasing specialisation and growing demands for funding and output, only a limited number of scientists build conceptual frameworks and pursue empirical research with an ear to the ground. It is thus imperative to bring the social question back into science for which we need greater interface

List of diseases/syndromes under IDSP*

Communicable diseases/syndromes

1. Acute diarrhoeal diseases (cholera, shigella, rotavirus, acute gastroenteritis)
2. Acute respiratory infections (pneumonia/ILL)
3. Fever of unknown origin
4. Enteric fever
5. Meningitis
6. Malaria
7. Dengue/DHF/DSS
8. Chikungunya
9. Viral hepatitis
10. Acute flaccid paralysis (< 15 years of age)
11. Diphtheria
12. Measles
13. Pertussis
14. Chickenpox
15. Plague
16. Japanese encephalitis
17. Yellow fever
18. Leptospirosis
19. Any other State-specific disease
20. Unusual syndrome not captured above

Non-communicable diseases/syndromes

1. Snakebite
2. Dog bite

*Certain diseases/syndromes are not listed in the syndromic, presumptive and laboratory surveillance forms circulated through the Integrated Disease Surveillance Programme (IDSP) website. This is largely owing to the fact that data on diseases like tuberculosis and HIV/AIDS are collected through separate vertical disease programmes such as Revised National Tuberculosis Control Programme and National HIV/AIDS Control Programme. However, as part of the IDSP, certain States are also collating data on sexually transmitted diseases (including HIV/AIDS), tuberculosis, cardiovascular-related risk factors, and complications stemming from water and air quality.

ILL: Influenza-like illness; DHF: Dengue haemorrhagic fever
DSS: Dengue shock syndrome

between scientists and social scientists, as well as between the existing health-care establishment and people's movement. These interfaces are crucial for de-linking scientists from prevailing prejudices and for asserting the marked distinction between the "specialist and a real seeker after truth" (Albert Einstein, 1944). It is through these interfaces that we can lay bare the skewed relationship between social epistemology (ways of knowing) and epidemiology in order to build pressure on state agencies to take active cognisance of diseases and illnesses that they have been neglectful of. □
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BY SPECIAL ARRANGEMENT

Tinderbox prisons

Overcrowded prisons across India have become fertile breeding grounds for the coronavirus. BY DIVYA TRIVEDI

AS EARLY AS MAY, THE INTERNATIONAL Legal Foundation, which has two decades of experience in protecting detainees impacted by infectious diseases, warned that it was not a question of if, but when, COVID-19 would overwhelm incarceration facilities.

When 57 girls became COVID-positive in a shelter home in Kanpur, and seven of them were found to be pregnant, it shook the administration's complacency and turned the spotlight on the spread of the virus in closed facilities such as detention centres.

A number of prisons across India have emerged as COVID-19 hotspots. These include prisons in Delhi, Jaipur, Puzhal Central Prison Chennai, Cuddalore Central Prison, Rajamahendravaram Central Prison Kakinada, Warangal Central Prison, Sangli District Prison, prisons of Behrampur circle, Rourkela Jail, Agra Central Jail, Jhansi Prison, Ballia district jail, Arthur Road Jail Mumbai, Nagpur Central Prison, Yerwada Central Prison, Guwahati Central Jail, the district jail in South Kashmir's Anantanag, Pratapgarh Jail in Udaipur, the Vadodra Central Prison and Bareilly sub-jail of Madhya Pradesh. The Delhi Prison has 16 jails spread across three complexes in Tihar, Mandoli and Rohini; more than 220 inmates and staff members of Delhi Prison have tested positive.

Unsanitary conditions, overcrowding, poor nutrition, co-morbidities and a shortage of hygiene products in these confined spaces have rendered inmates vulnerable to disease outbreaks even in normal times. Indian prisons are overcrowded by upto an average of 150 per cent, which makes social distancing impossible to maintain. Legal researchers have pointed out that in some prisons, there is not enough space for all the prisoners to even sit comfortably, let alone sleep at the same time.

On June 16, large-scale violence broke out inside Delhi's Tihar Jail. Apparently, foreign inmates were protesting against an order that prevented them from getting interim bail. Such protests have increased in the months after the pandemic erupted, but the authorities quickly suppress them. The June 16 incident came to light when Pinjra Tod (an autonomous collective of women students) member Natasha Narwal alleged that inmates were prohibited from getting in touch with fam-

ily members via videoconferencing because of the violence. Narwal is one of several student activists arrested during the lockdown for her role in the anti-Citizenship Amendment Act (CAA) protests.

At a time when prisons are being decongested the world over in view of the pandemic, and even the Supreme Court of India has ordered the release of prisoners, Indian investigating agencies are working overtime to fill prisons with more arrestees.

Several States have introduced punitive measures for citizens who fail to comply with lockdown rules. United Nations High Commissioner for Human Rights Michelle Bachelet expressed deep concern that some countries were threatening to impose prison sentences on those who failed to maintain physical distancing. Such actions were likely to exacerbate the grave situation in prisons and would do little to halt the disease's spread. "Imprisonment should be a measure of last resort," she said.

The prison population is not static. Though prisons are opaque facilities, there is a considerable traffic of people entering and exiting them. Every week thousands of people are arrested and released and transferred between jails, creating a floating pool of prisoners. Moreover, the cumulative number of staff employed by the prison-industrial complex is also substantial. Prison administrations across India have stopped meetings between prisoners and their friends or families (*mullaqats*). But there is still frequent movement of prison staff, visitors, vendors, service providers and prisoners that threatens to endanger communities inside and outside prisons.

COVID DEATHS

In June, Kanwar Singh, 62, who did not have any symptoms, died in his sleep at the Mandoli Jail in Delhi. He was later found to be COVID-positive. A judge of the Karkardooma District Court who examined his body for inquest proceedings had to go into home quarantine. The senior citizens' barrack where Kanwar Singh had been lodged had 29 other inmates. All of them were tested after Kanwar Singh's death, and 17 of them tested positive. One of them was Mahender Yadav, 70, a former Congress MLA, who developed symptoms and suc-



PRISON REFORMS PROGRAMME, COMMONWEALTH HUMAN RIGHTS INITIATIVE

UNSANITARY CONDITIONS and overcrowding make prisons extremely vulnerable to disease outbreaks.

cumbed to the infection soon after. His family alleged that the police did not inform them of his hospitalisation after he tested positive. The Supreme Court had refused to entertain a plea for interim bail on the grounds that Mahender Yadav was in intensive care (ICU) after testing positive.

Mahender Yadav's was the sixth reported COVID death in an Indian prison. Four deaths were reported from prisons in Maharashtra, the worst affected State. So far, 2,191 COVID-19 cases have been identified in prisons across India. But the actual numbers of cases and fatalities are suspected to be much higher, according to the Commonwealth Human Rights Initiative (CHRI).

A legal expert speaking on condition of anonymity spoke of how intertwined communities inside and outside prisons were with each other. "It is all the more reason why policymakers should take care of the prison population. If not from the angle of humanitarian concern, then at least out of self-interest," the legal expert said.

THE CASE OF GUWAHATI CENTRAL JAIL

The situation is especially bad in Guwahati Central Jail, where as many as 435 inmates have been infected. The entire prison was declared a containment zone in the second week of July. Soon after, a letter written in Assamese by an inmate describing conditions in the jail was thrown outside prison gates from a bus that was transporting COVID-positive prisoners to another facility. The writer, who identified himself as Dudul Das, claimed that though 95 per cent of the inmates were infected not all of them were tested. "Even after we tested positive, nothing has been done regarding treatment or diet...Both

positive and negative patients are staying together. Two people are sleeping in a two-foot space. More than 50 inmates have been made to sleep in a single room...When asked, the jail authorities said they knew nothing [about it]..." he wrote. The letter concluded in English, "Please save us, we are also human being and not a bluddy [*sic*] ghost!"

Dissatisfaction among prisoners was high even before this call for help surfaced. In the last week of June, almost all inmates of Guwahati Central Jail went on a two-day hunger strike after several letters to the jail authorities demanding better health-care facilities went unanswered. They demanded that new inmates be quarantined before they were assigned cells to share with existing inmates. They also demanded regular supply of clean drinking water and visiting rights for lawyers and others to be restored with COVID-19 protocols.

POLITICAL PRISONERS

Several political prisoners, including Krishak Mukti Sangram Samiti (KMSS) leader Akhil Gogoi, his associates Bittu Sonowal and Dhajjya Konwar and Jawaharlal Nehru University student Sharjeel Imam, are incarcerated in the same prison as Dudul Das is. All of them have reportedly tested positive for COVID. Sharjeel, who was to be brought to Delhi by the Special Cell of Delhi police, will now not be transported until he is cured of the infection. Manas Konwar, president of the student wing of the KMSS, who was released on bail, told the press that the prison conditions were deplorable. In December 2018 the prison had an occupancy rate of 93.5 per cent, but the inmate population had surged in the past two years. It currently operates at more than 100 per cent of its capacity, which is for 1,000 inmates.

Eight of the 12 accused in the Bhima Koregaon case—Mahesh Raut, Anand Teltumbde, Sudhir Dhawale, Vernon Gonsalves, Arun Ferreira, Surendra Gadling, Gautam Navlakha and Rona Wilson—are in Taloja Jail in Mumbai where a thousand inmates have reportedly displayed COVID-like symptoms. Professor Hany Babu, who is currently in NIA custody, is expected to be transferred to Taloja Jail. But in the absence of systematic testing and information sharing with the lawyers, family members of the accused are a worried lot.

On March 23, the Supreme Court directed the States and Union Territories to constitute a high-powered committee to determine the categories of prisoners to be released on interim bail, parole or furlough to reduce overcrowding in prisons. While Assam said it would release 3,550 prisoners in order to decongest, it had released only 722 prisoners until July 23, according to CHRI.

Sanjoy Hazarika, who is CHRI's International Director, took up the issue of the delay in arranging medical help for human rights defenders, including Akhil Gogoi and Varavara Rao in Maharashtra. He said: "Both had known existing ailments and co-morbidities and were hospitalized only after they tested positive. Till that time, they had been held inside prisons without adequate pre-

cautions. This is part of a larger wave of infections affecting other prisoners, who are similarly placed and continue to be at risk of contracting COVID-19. Factors like confined space, overcrowding, poor health and sanitary conditions, underlying health conditions like TB, HIV, hepatitis make the prison population extremely vulnerable to contracting and spreading the virus.”

Prof. G.N. Saibaba, who is lodged in Nagpur Central Prison, informed his family that despite preventive measures undertaken by the prison authorities, there had been an uncontrolled outbreak of COVID-19 with hundreds of prisoners, both convicts and undertrials, and even jail guards getting infected. His family was quoted in the media as having said that the infection was widespread and that “barrack after barrack” was infected. The family also reportedly said that one prisoner tested positive after all 20 prisoners of the jail’s “Anda” cell were tested on July 8. The family says that it is only a matter of time before Saibaba gets infected. Saibaba was convicted in 2017 for having Maoist links.

The National Platform for the Rights of the Disabled (NPRD), a non-governmental organisation, sought the National Human Rights Commission’s intervention to shift Saibaba to a hospital for treatment. NPRD general secretary Muralidharan said in a letter to the NHRC that Saibaba, who was 90 per cent disabled, was highly susceptible to the virus and that a COVID infection might prove dangerous and fatal for him.

EXPERTS’ OPINIONS

Dr Lokendra Dave, a pulmonologist from Bhopal, said prisoners in general did not enjoy good health because of undernutrition. “Tuberculosis, respiratory diseases like asthma and COPD [chronic obstructive pulmonary disease], diabetes and cardiac issues are widely prevalent in the prison population. Mental issues like depression and suicidal tendencies and poor immune response of the body are also common. It is important that their nutritional needs, co-morbidities and immune status are addressed, apart from overcrowding, in order to curb the pandemic in jails,” he said.

He proposed that the following steps should be taken: a daily record of prisoner health should be maintained; CBNAAT (Cartridge Based Nucleic Acid Amplification Test) laboratory facilities should be installed on prison premises to ensure fast testing; pool sampling should be applied for tests; a diet high in proteins and Vitamins C and D should be provided to prisoners; co-morbidity analysis should be undertaken for inmates and safety protocols such as physical distancing, wearing of masks and washing of hands should be enforced. (In pool sampling, samples from a group of people are tested together in a single tube; the samples need to be individually tested only if the result is positive.)

Dr Gagan Shrivastava, a cardiac anaesthetist from Fortis Hospital in Delhi, echoed these views and said that barracks should be regularly cleaned and prisoners should be asked to sleep head to toe rather than mouth to mouth. Periodic health check-ups of prisoners with regu-

lar monitoring of their health status should also be undertaken by the prison authorities, he said. While it was nearly impossible to maintain social distancing or hygiene measures as ordered by the government or World Health Organisation, it was important to segregate new entrants for ten to 14 days before allowing them to mingle with other prisoners, he said.

Prison administrations are taking standard precautionary measures, but these are inadequate. Dr Gagan felt that preventive measures such as stopping the *mulaqat* altogether further compromises prisoners’ mental well-being. Not allowing prisoners visits by their lawyers or loved ones creates anxiety, especially in a situation of confinement. Dr Gagan suggested that visiting hours could be specified and the meetings regulated with certain protocols in place, he said.

After the Supreme Court’s directive on the decongestion of prisons, States such as Chhattisgarh, Goa, Haryana, Kerala, Karnataka, Punjab, Uttar Pradesh and Delhi took proactive steps to address the issue. But some States, Bihar for instance, did not act on the directive. The prison administration in Bihar created sub-jails to isolate new entrants.

CHRI and the Madhya Pradesh Prisons & Correctional Services organised a “virtual” national consultation on “Prisons and Ensuring an Effective Response to Covid-19”. Prison administrators from 15 States shared their strategies and challenges on combating the virus. Restricting or altogether stopping the *mulaqats*, spraying disinfectants, providing *kaadha* (ayurvedic drink) and homoeopathy medicines and mass screening (in Punjab) were some of the steps taken by them.

Pravin Kumar Sinha, Additional Director General of Prisons, Punjab, said that social distancing could not be maintained in prisons. “The only way to control the pandemic was to chase the virus,” he said. Sandeep Goyal, Director General of Prisons, Delhi, said that the pandemic had showed that the concept of barracks was now obsolete and it was time to think of single cells for prison inmates.

APPEAL, a non-profit organisation dealing with legal issues, has demanded temporary or early release of prisoners convicted of non-violent offences whose appeal applications have passed the single judge screening stage (via bail); prisoners on remand charged with non-violent offences; prisoners aged over 70; prisoners with pre-existing serious health conditions, including heart or lung disease, diabetes; immuno-suppressed prisoners suffering from cancer, HIV, or autoimmune diseases; pregnant women prisoners; prisoners in Mother and Baby units; and all prisoners in Category D minimum security open prisons with staff deployed to other prisons to boost capacity.

According to India Justice Report 2019, much of the overcrowding in prisons is on account of the presence of undertrials. If anything, the pandemic makes a strong case for the Indian justice system to review its prison policies and release low-risk prisoners who pose no threat to society. □

COVID ventilators: Who cares?

Ventilators funded with government money do not seem to meet the required standards, and the way they were procured point to **violations of rules** and norms at multiple levels.

BY **VENKITESH RAMAKRISHNAN** AND **SHEETAL P. SINGH**

“NEVER LET A GOOD CRISIS GO TO WASTE.” This quote, attributed to Winston Churchill’s motivational public engagements during the Second World War, has once again come into wide circulation against the background of the COVID-19 pandemic in India. The bon mot has been repeated with diverse emphases in different contexts. But sections of the Indian business class, officialdom and political apparatus seem to have taken it to heart in a totally mercenary manner and exploit the health crises caused by the pandemic to enhance their financial resources through means that are legal, extralegal or even illegal. Several key public health initiatives of the government, such as the Prime Minister’s “special package” to reduce dependency on imported APIs (active pharmaceutical ingredient) and drug intermediates and “allotments from PM CARES Fund to expedite the purchase of ventilators required for critical care of acute patients”, seem to have been tainted by questionable financial deals. Notably, many of these deals seem to have been done without due diligence and appropriate processes and the deciding factor appears to be the proximity of the business class beneficiaries of the schemes to the political leadership, including Prime Minister Narendra Modi (see “A scam in the making”, *Frontline*, July 31, 2020).

The *Frontline* expose showed how B.R. Shetty, a business tycoon based in the United Arab Emirates and a self-proclaimed “blind diehard follower and disciple” of Prime Minister Modi, was the closet beneficiary of the private-public partnership scheme to reduce dependence on imported APIs and drug intermediates, which was launched amidst the pandemic. Some discrepancies with regard to the purchase and deployment of ventilators had already come out in the open, particularly in relation to the ventilators that were procured for the Ahmedabad

General hospital from Jyoti CNC Automation Ltd, a Rajkot-based firm, whose owners are close to both Prime Minister Modi and Gujarat Chief Minister Vijay Rupani. However, a perusal of the details of the purchase of ventilators at the national level makes it clear that the Ahmedabad story may well be just the proverbial tip of the iceberg. Using the Right to Information (RTI) Act and other means, social activists and independent investigators have sought clarifications on the ventilator deals. The responses from several government and quasi-government agencies to these queries have been marked by systematic denial of information, indicating a possible cover-up.

THE PROCUREMENT STORY

The national level procurement and deployment of ventilators was done on the basis of the recommendation of the “Special Empowered Group” (SEG), which the Union government set up in the third week of March under the chairmanship of NITI Aayog CEO Amitabh Kant, to urgently procure ventilators in the months of May and June. When the SEG was set up, it was estimated that over two lakh ventilators would be required by mid May,

New advisories by the Union Ministry of Health and allied agencies are underplaying the importance of ventilators in treating COVID patients.

whereas only 19,398 high-end ventilators were available. The Union government cited this shortfall when it earmarked Rs.2,000 crore under the PM CARES Fund to procure some 60,000 ventilators. On March 27, the SEG floated tenders for the procurement of 20,000 ventilators, one-third of the total number identified as needed urgently.

The SEG's frame of reference had the clear objective of developing collaborations with the private sector, non-governmental organisations (NGOs) and international agencies and overseeing and guiding cross-sectoral dialogue on production of health equipment and personal protective equipment (PPE).

HLL Lifecare Limited was eventually designated as the sole agency to carry out ventilator procurement. By the last week of April, however, the estimate for the total number of ventilators to be bought was revised to 60,884. Additional tenders for as many as 40,884 ventilators were issued separately; this includes a tender issued on April 18, 2020. At the end of all this, on May 1, HLL Lifecare Ltd placed orders to procure 60,884 ventilators, of which 59,884 ventilators were to be ordered from Indian manufacturers.

The following Indian companies were also among those that got orders to manufacture ventilators: joint venture of Bharat Electronics Limited (BEL) and Skanray Technologies Private Limited, Mysuru, Karnataka, for 30,000 ventilators; joint venture of AgVa Healthcare and Maruti Suzuki Limited, for 10,000 ventilators; Andhra Pradesh MedTech Zone (AMTZ), a medical devices manufacturing initiative of the government of Andhra Pradesh, for 13,500 ventilators; Allied Medical Limited (AML), Gurugram, Haryana, for 350 ventilators. The deadline for delivery was June 30. However, only AML had supplied the full order of 350 ventilators by the first week of July.

In response to an RTI query filed by the social activist Saket Gokhale, BEL stated on June 15 that it had produced 4,000 BEL-Skanray ventilators against an order of 30,000. However, in a press note on June 23, the Prime Minister's Office stated that only 2,923 ventilators had been manufactured until then. BEL-Skanray's claim in the last week of June was that 15,000 of the order for 30,000 ventilators had been delivered. As of the first week of July, AgVa Healthcare and Maruti Suzuki Limited delivered 1,500 of the order for 10,000 ventilators. Details of deliveries by AMTZ are not available.

Significantly, AML has a track record of having supplied more than 2,000 ventilators to many State governments and hospitals in the public sector, including Army hospitals, over a considerable period of time. The BEL-Skanray collaboration and the AgVa Healthcare-Maruti Suzuki association were stitched up after the COVID-19 outbreak. According to technology specialists focussing on the clinical equipment industry, AgVa and AMTZ have no prior experience in manufacturing high-end ventilators. These experts, who did not wish to be named, pointed out that manufacture of high-end ventilators was time-consuming and that the government had either



SAKEER HUSSAIN

A DOCTOR demonstrating non-invasive ventilation using a helmet interface meant for patients with severe COVID-19, at Christian Medical College, Vellore.

misjudged the capacity of these companies to deliver or had misrepresented facts about them deliberately.

Even more significantly, of the ventures that received the orders, only AML seems to fulfil the certification and accreditation requirements specified in the tenders floated for the ventilator contracts. Certification bodies in India are accredited by the National Accreditation Board for Certification Bodies (NABCB). Globally, accreditation is done by a member of the International Accreditation Forum (IAF). An important requirement in the tender was that the ventilators must be certified by the United States Food and Drug Administration (FDA) or they must have European Union standard of CE marking. (CE marking is a certification mark that indicates conformity with health, safety and environmental protection standards for products sold within the European Economic Area (EEA). The CE marking is also found on products sold outside the EEA that have been manufactured to EEA standards. Governments within the EEA framework as well as outside periodically insist on CE certification. There are authorised agencies that can provide this certification.) No Indian manufacturer has an FDA-certified ventilator, though AML has ratified CE certification. Medical equipment specialists and researchers at different levels have questioned Skanray's claims about having CE certification. AML's director, Aditya Kohli, has also expressed doubts on Skanray's claims.

PROBLEMS IN THE TENDER AND CERTIFICATION

Separately, KEN, the niche portal primarily focussing on technology issues, pointed out in early July that apart from non-compliance of these firms with the specific parameters mentioned in the tender, there were funda-

mental problems with the tender itself. According to KEN, the open tender released by HLL was based on the specifications of AgVa's ventilator. KEN claimed that that the minutes of an HLL meeting that it had obtained proved this. The portal further pointed out that the tender specifications were released in the public domain a full 18 days after they were decided. "So, while AgVa sat pretty, nailed on to win the tender, other manufacturers were at a disadvantage," the KEN article said. KEN said that HLL did not respond to questions sent by email.

The portal has pointed out other issues related to certification. AgVa apparently has a certificate from a third-party company that says it is FDA-compliant. The portal says: "There are two problems with this. The FDA doesn't certify companies, just products. And the FDA compliance can only be issued by the FDA itself. In 2018, AgVa was certified by Unitas Certification Services, a company with a UK-based address. Unitas, incidentally, doesn't appear to exist beyond its website. As recently as last month (June), AgVa received an IEC 6,0601 compliance certificate from NFI Certifications Ltd, another UK-registered entity, which appears to be a shell company. According to company filings, it has assets worth £1 (\$1.25). AgVa did not respond to questions sent by email." The KEN article went on to add that the absence of relevant laws had not just led to a rise in the importance of accreditation bodies but had also spawned an entire industry of opportunistic and unscrupulous certification companies (<https://the-ken.com/story/ventilator-procurement-problems>).

UNANSWERED QUESTIONS

Saket Gokhale's pointed RTI queries on the pricing of ventilators elicited obfuscatory responses from these entities, including BEL. Gokhale had sought information on the number and price of ventilators bought with funds from PM CARES and asked for copies of invoices. BEL rejected the query saying that the request was "non-specific with regards to time". Saket Gokhale pointed out that the PM CARES purchase was billed as a one-time order to be delivered by June 30. Gokhale had also asked how many BEL-Skanray ventilators were bought between March 25 and June 18 at what cost and which hospitals these were supplied to. This question was not answered on the grounds that "giving this info would harm the competitive position of BEL". Gokhale wonders how a "a public authority" can argue about harming its competitive position. He says that BEL is not in the ventilator business and that the ventilators it is manufac-

turing along with Skanray constitute only a COVID-related government project funded by PM CARES. More importantly, he notes, a government-owned company cannot suppress information on the prices at which it sells to the government.

On pricing, too, Saket Gokhale has raised pertinent questions. He points out that PM CARES has allocated Rs.4 lakh for every ventilator. According to the company's own publicised claims, AgVa Healthcare ventilators are priced at Rs.1.5 lakh. The designer of BEL-Skanray ventilators, Dr Hiremath, said on record that their price was under Rs.1 lakh. "So, where is the extra money going?" asks Saket Gokhale.

Amidst all this, new advisories by the Union Ministry of Health and allied agencies are underplaying the importance of ventilators in treating COVID patients. According to the findings of some of these agencies, most patients in India require only simple oxygen delivery through nose prongs, using non-invasive ventilation (NIV) or BiPAP mode. Only 5 per cent of COVID patients need ventilators for invasive ventilation, they claim.

In the light of this new understanding, estimates for the number of ventilators required are set for a drastic revision from the original estimate of two lakh instruments. Even so, questions on the pricing, certification, underproduction and inadequate delivery of ventilators remain, as do questions on their quality and functional efficiency. Doctors at the Postgraduate Institute of Medical Education and Research (PGIMER), Chandigarh, rejected, in the last week of July, 10 ventilators delivered to the institute. The machines, bought with PM CARES funds, were found to be "not effective" and "faulty".

Sources at the institute revealed that a total of 20 ventilators were sent to two health care facilities in Chandigarh. Ten were given to Government Medical College and Hospital and the other 10 were sent to PGIMER for its COVID-care hospital. Sources at the hospital said that a team of doctors—pulmonologists, anaesthesiologists and intensive care experts—carried out regular and mandatory checks on the ventilators. The majority opinion of the team was that the ventilators were not up to the mark. "We cannot use these substandard machines and put patients, especially COVID patients, at risk," a senior doctor said.

A couple of weeks earlier, doctors at Ahmedabad General hospital had rejected many of the ventilators bought from Jyoti CNC Automation Limited for the same reason.

These rejections highlight the flagrant violations, mismanagement and suspected underhand dealings in the procurement and deployment of ventilators funded by PM CARES. An investigation seems to be in order. However, the Prime Minister and his government have steadfastly ruled out any sort of inspection of PM CARES funds and what it spends on.

The ventilator story gets curiouser and curiouser. □
Sheetal P. Singh is a freelance journalist and social activist. He is co-founder of the Satya Hindi web portal.

Questions on the pricing, certification and inadequate delivery of ventilators remain.

'Swinging from lockdown to laxity'

Interview with **Professor K. Srinath Reddy**, President, Public Health Foundation of India, and member of the ICMR's high-level technical committee of public health experts on COVID-19. BY **T.K. RAJALAKSHMI**

THE CONTINUED UPWARD TRAJECTORY OF COVID-19 infections in India is a matter of concern. After the United States and Brazil, India has the third largest number of confirmed cases in the world. On August 3, India's daily COVID-19 count surpassed that of the U.S. and Brazil. Even though the fatalities as a percentage of the confirmed cases are low, the alarmingly high positivity rate is an added cause of concern. The lockdown period was an opportunity to aggressively test, track and treat and fill the gaps in public health infrastructure, but that opportunity seems to have been frittered away. Professor K. Srinath Reddy, a public health expert and member of the Indian Council of Medical Research's (ICMR) high-level technical expert committee on COVID-19, spoke to *Frontline* on India's contribution to the global pool of knowledge on COVID-19, the reasons for the virus extending to new territories and the lessons learnt. He underscored the need for doubling India's health expenditure and for a drastic reduction in out-of-pocket expenditure from its current levels. He also said there was a serious shortage of personnel at all levels of care and that investing in expansion of the health workforce was both a health system imperative and an economic opportunity for job creation. Excerpts from the interview:

What explains the fact that even after a long period India continues to have an upward trajectory of confirmed and active cases? Why is it that India has not been able to reverse this trend as has happened in several other countries?

Our story has been one of the pendulum swinging too widely from lockdown to laxity. The COVID-19 virus exploits every weakness in containment measures. It is active again even in countries that had achieved good control earlier. This is now evident from Spain to Germany and Hong Kong to Japan. This sends a clear mes-



G. RAMAKRISHNA

sage that we cannot take this virus for granted and must maintain vigil for several months more. The weakness of our public health systems came to the fore after we opened up. Early detection of cases through symptom-based syndromic surveillance of households, prompt testing and isolation of suspected cases and close contacts, accompanied by vigorous contact tracing, are measures that are essential components of a sound surveillance and containment strategy. These have not been implemented adequately as a full package. The virus was also given ample opportunities to spread. Large gatherings were allowed for social or religious reasons. Masks came in late and have not always been worn properly, failing to prevent effective transmission.

However, it must also be noted that India is a vast country with a large population. The roll-out of the epidemic here has geographic and time dimensions that differ from [those of] a small country. If each of our States had acted with alacrity and efficiency from early on, rather than being dependent on Central directives, we may have seen more vigorous control. Within the

States, district-level decision-making would have been needed from the very beginning, given the size of our districts. Even now, that is the level at which the response must be shaped, with monitoring at the State level and support from the Central level.

When is this likely to change and what would be the additional measures needed to achieve this?

The virus is now extending its presence to new territories even as those affected earlier are battling it out. So we will see different calendars for the epidemic in different parts of the country, with a landscape of many peaks and undulating hills portraying the infection.

We need to vigorously contain the transmission within the already affected urban zones while we energetically block passages of entry into villages and small towns. We have to step up the frequency of primary health care personnel-led household surveillance of symptomatic persons and close contacts for early testing and isolation, followed by energetic and extensive tracing of all named or indicated recent contacts. Citizen volunteers and elected local bodies can add to the strength of the formal primary health care system in performing these functions. Mild cases may be isolated, cared for and monitored at home, while persons with moderate or severe illness must be hospitalised without delay.

We need to develop integrated data systems that combine socio-demographic profile, emerging epidemiologic information, health workforce availability, health care facility capacity and readiness, supply chain status and transport data to quickly profile local area challenges and resources for a swift and contextualised response. While such data may be transmitted to higher levels of district, State and Central administration, village and ward-level data must be readily available to local implementers for responding without undue delay. So, people-partnered public health and decentralised data-driven decision-making must become the main engines of our epidemic response from now on.

SPREAD IN SOUTH INDIA

Within India, the number of cases were low in the southern States (except for Tamil Nadu) earlier but are now accelerating. What explains this trend, especially as the lockdown and the easing of lockdown happened uniformly across the country.

More travel into and within these States is a likely cause. The virus hitch-hikes with asymptomatic or pre-

"The need to observe public health measures for containment is still very high."

symptomatic travellers and spreads to more people in new areas. It is also possible that reports of good control in these States gave both the administrators and the public a false sense of assurance that the epidemic has ended locally, leading to a lowering of the guard. Bengaluru is a classic example of how public health failure has been snatched from the jaws of victory. If you give this virus an inch, it will take a yard. I do hope, however, that the well-earned reputation of the southern States for efficient administration will help them to quickly course-correct and regain control over the virus.

Are we clear about the reasons for the spread to new areas?

The virus moves with people and celebrates with crowds. Initially it entered via the international airports. Now it moves through road, rail and air to other parts of the country. If asymptomatic and pre-symptomatic persons are carrying the virus as they travel, neither do they know this nor can thermal screening detect it as they start their journeys. Physical distancing and masks can help cut the transmission but they are not universally followed. During travel, physical distancing becomes difficult. However, crowded events should certainly be avoided. Unfortunately, they have not been prevented in several areas.

Given the Indian experience, what have we contributed to the global pool of knowledge on the virus, treatment, and so on?

We could have done more by way of organised research on clinical manifestations, outcomes and their determinants in different age groups. Our vaccine development efforts have been quite successful and clinical trials have begun to assess safety and efficacy. Characterisation of the virus strains and some mutations have been reported by Indian scientists. India is part of the World Health Organisation's ongoing Solidarity trial on treatments, and other treatment trials, too, are under way in different parts of India.

This experience reinforces the need to build good epidemiological and clinical research capabilities in medical colleges across India. Presently, we depend only on a few elite medical colleges and research institutes. Many government and private hospitals are out of this circuit. The ICMR, State Health Departments and the National Board of Examinations (which affiliates private hospitals providing post graduate medical education) must build countrywide capacity for collaborative research and develop protocols which can be quickly implemented.

Among the COVID-19 patients who have died, there were those who did not have any co-morbidity. What does this imply?

There are several possible explanations for this. First, several of them may have been repetitively exposed to a very high viral load under stressful conditions which sap immunity. This applies to health care providers and other front-line workers who come into contact with

“Investing in expansion of the health workforce is both a health system imperative and an economic opportunity for job creation.”

many patients and also to family members who have been in close and unprotected contact with a sick person. Second, several persons with co-morbidities may not have been diagnosed earlier. It is well recognised that many persons with diabetes, hypertension or coronary heart disease in population surveys are unaware of their condition.

Third, risk factors such as high blood sugar and high blood pressure have a continuous relationship with blood-vessel damage and cause some harm even below the cut-off levels used for clinical diagnosis. This results in subclinical co-morbidity. Pre-diabetes, for example, has been found to be widely prevalent and carries the risk of vascular and renal disease. Fourth, high levels of air pollution may have already damaged many lungs. Fifth, malnutrition may have compromised immune status. Sixth, delays in diagnosis, transport, admission and treatment contribute to preventable deaths. The contribution of each of these factors would probably vary across different locations in India.

ACQUIRED IMMUNITY

Earlier, we were told that once infected with the virus, a person was not likely to contract it again. What is the current status of evidence from India about how long immunity lasts among people who have recovered from the infection?

Acquired immunity, arising from infection, has two components. “Humoral immunity” is conferred by antibodies produced in response to viral invasion. “Cellular immunity” is conferred by thymus-derived T lymphocytes which mount additional defence. It has been recently reported that the anti-COVID-19 antibodies produced by an infected person decline by three months. However, it is believed that T cell-mediated immunity lasts longer.

Since this is a novel virus, the extent and duration of immunity conferred by each of these pathways are still under investigation. Some stray cases of clinically manifest reinfection have been reported internationally but these appear to be very few. Most of the reports of positive viral tests in recovered persons have been attributed to “dead viruses”. It is possible that persons with low immune status could get reinfected. The Indian experience of such cases is very limited.

The ICMR sero-surveillance in May had suggested that 0.73 per cent of the population had been exposed to the infection. Since then the number of cases has multiplied

manifold. Delhi’s surveillance data show 23 per cent exposure. What percentage of the population now is likely to have been exposed?

The ICMR report was on district-level surveillance data, reflecting rural and small-town populations surveyed in mid May. The Delhi survey was from June to July and covered a large city. So, differences are bound to be there. The sampling methods of each survey will have to be carefully examined to assess both internal validity and comparability. In general, the rates of viral exposure will vary across the country, being the highest in the big cities and the lowest in the villages as of now.

It must be recognised, though often not adequately publicised, that antibody tests can yield “false positive” test results too. This is because other coronaviruses, including those which cause common cold, can contribute cross-reactive antibodies. We do not know to what extent they are prevalent in our population at different times of the year. For statistical reasons, these false positive results get amplified when the test moves from a laboratory or hospital setting, where its accuracy was assessed in clinically proven cases, to the field setting, where the prevalence of infection is lower. So the 23 per cent positivity rate in Delhi is likely to be an overestimate of the true prevalence. Even if we think it will be 15 per cent instead of 23 per cent, that is a high number. So the virus has spread with ease. The good news is that most of the persons found positive were asymptomatic. The sobering news is that even at 20 per cent, Delhi will be below the herd immunity threshold, variably estimated to be at 50-70 per cent. The need to observe public health measures for containment is still very high.

INDIA’S TESTING RATE

Has India’s testing rate grown too slowly? Has it ended up chasing the spread of the infection or helped us to get ahead of the infection and help control its spread?

Our testing rates have varied over time. Low testing rates in the beginning were both due to operational constraints of testing kit availability and low numbers of people meeting the criteria for test eligibility. The testing rate picked up as kits, labs and eligible persons rose in number. They were still considered inadequate by international comparison, though there is no correlation between different testing rates and mortality rates per million population in any geographic zone of the world. Otherwise, the U.S. should have had far fewer deaths than most countries.

The need for increased testing is for quickly identify-

ing cases and contacts for isolation. Since the real-time polymerase chain reaction (RT-PCR) test has only around 60 per cent sensitivity, it should be complemented with clinical and contact information for making decisions on isolation. It should not be assumed that a negative RT-PCR test rules out infection. Such expanded case definitions were not followed in practice. As criticism of low testing rates mounted, antigen tests were introduced. They had even lower sensitivity than RT-PCR and would miss more than half the infected persons. While testing rates went up and test positivity rates came down with these tests, the numbers of missed cases rose. We need to judiciously combine information from clinical data, contact history and RT-PCR or antigen tests to guide our strategy for identifying infected persons for isolation. Case identification must also lead to efficient contact tracing. The media, the public and even some policymakers are too fixated on testing numbers alone to recognise this composite template. That blinkered view, too, is as unhelpful as low testing rates.

Should not the lockdown period have been used to ramp up testing faster than we did? Did we lose an opportunity there?

During the full lockdown period, testing numbers were less important than preparing for larger scale testing as the lockdown ended. This is because the principal purpose of testing is to identify cases and isolate them as well as their close contacts. In the first 21 days of strict lockdown, this purpose was served even at low levels of testing as all potential cases and contacts were already isolated at home and symptomatic cases reached health care facilities. It is when that phase ended that testing and contact tracing should have been ramped up.

There were shortages of testing kits initially, in India and even globally, but the lockdown period gave time to fill those gaps. If symptom-based syndromic surveillance of households was routinely conducted by primary health care teams and citizen volunteers, more suspected cases would have been identified for testing.

Stigma and fear also kept people reporting for testing. Efficient and empathetic primary health care services would have countered that hesitancy too.

It must be recognised that a testing strategy must not merely chase numbers and do haphazard testing. It must be based on clear criteria. Once those are defined, all those who meet those criteria must be tested through active search strategies. Lag times in these could have been cut down through stronger primary health care services. Lamentably, our urban primary health care services are mostly absent or very feeble. Different States pursued different strategies for identifying persons to be tested, leading to missed cases and contacts.

Given that there is no specific “cure” for the virus and many therapies are listed as investigational therapies, what is your opinion on a definite treatment protocol?

It bears repeating that this is a new virus and large clinical trials are still under way to identify which drugs

can effectively reduce deaths in infected persons with different levels of clinical severity. So far, dexamethasone has been shown to reduce deaths in patients who require oxygen or mechanical ventilation. Others are still being evaluated for their impact on mortality. Some drugs have shown effects on the viral load or the duration of hospital stay, but not on mortality. Until we are better informed by ongoing clinical trials, clinicians will use their best judgement to manage patients under their care, by choosing among the various options available. It is too early to lay down a single evidence-based protocol for all clinical situations. Research in this area is still in a fluid state and science has not yet crystallised in the form of definitive recommendations.

As the number of cases is growing and the demand on the health system is increasing, do we not have a problem of inadequate personnel? While beds and infrastructure can be ramped up, are there not constraints even now regarding the availability of health care professionals?

We do have a serious shortage of trained personnel at all levels of care. From contact tracers in the field to intensive-care doctors, nurses and technicians who can confidently provide ventilatory support, we have the challenge of low numbers and low skill levels. This is where our long neglect of the need to build a sizeable, multilayered and multiskilled workforce is biting us now. Investing in expansion of the health workforce is both a health system imperative and an economic opportunity for job creation. We should learn this lesson at least now and start investing in creating an adequate health workforce which is also well distributed across the country.

From the COVID-19 experience in India, do you think that it is appropriate that such a large proportion of its health care facilities lie in the private sector? And should there not be significantly greater public investment in health?

I believe that a strong public sector should lead the way, even in a mixed health system that has grown by default rather than by design. This applies to all levels of care but is especially essential in primary and secondary care where most of the health care needs of the population must be met. Such transformation calls for higher levels of public financing for health, by both Central and State governments.

Whether for effectively combating public health emergencies like COVID-19 or for efficiently delivering universal health coverage, a strong public sector has to lead the way. It will not happen with only 1.2 per cent of the gross domestic product being spent on health. We need a doubling of that figure in three years and a further steady annual rise until we can reduce out-of-pocket expenditure on health to less than 20 per cent from the present 62 per cent. These additional resources must be used for strengthening both rural and urban primary health care, district hospitals, medical college hospitals and government laboratories. □

Christians as target

Christian institutions allege **increase in violence** against their members during the lockdown. BY **ZIYA US SALAM**

AT LEAST TWO REPORTS BY CHRISTIAN organisations in India say that life has been precarious for the members of the minority community during the lockdowns imposed because of COVID-19. They were ostracised, threatened, intimidated, harassed, and in some cases fatally assaulted, the reports say. There were even instances of prayers being disrupted.

According to a report released in mid July by the Religious Liberty Commission of the Evangelical Fellowship of India (EFI), there were 135 cases of attack against Christian houses, churches and individuals until June this year. The EFI, founded in 1951, is an umbrella body of more than 65,000 churches across the country.

Says Vijayesh Lal, its general secretary: "We thought attacks on Christians would die down during the lockdown when nobody would venture out. But we were mistaken. The attacks on Christians increased during the lockdown. There were 33 attacks in March and 21 in June. There has been a further increase in July."

A few days after the EFI released its report, Persecution Relief, an organisation that aims to protect the right to worship guaranteed by the Constitution, released its half-yearly report stating that hate crimes against Christians in India had risen by an alarming 40.87 per cent in spite of the nationwide lockdown. It records 293 cases of hate crimes against Christians, including five rapes and six murders, compared with 208 incidents last year.

According to Shibu Thomas, founder of Persecution Relief, the aim of the report is to draw attention to the "intensifying hostility against the Christian minority in India which has become progressively common. The cases chronicled in this report are only a fraction of the actual violence perpetuated and reported on the ground."

According to Thomas, six murders, "influenced by religious bigotry", were recorded in Jharkhand, Chhattisgarh and Odisha in the last three months. He says hate crimes have been committed against Christians in as many as 22 States in the country.

According to the Persecution Relief report, the maximum number of attacks against Christians (63) has been in Uttar Pradesh. Tamil Nadu came second with 28 cases, including two hate crimes resulting in death, and the burning of a church structure. Chhattisgarh accounted for 22 cases, including a rape and the murder of a

widow, and Jharkhand closely followed with 21 cases and one murder. Karnataka recorded 20 cases of attacks against Christians in the first half of 2020.

The report mentions 51 hate crimes of heinous nature against women and children, of which five were rape cases. There were 37 cases of boycott and ostracisation, rendering many Christian families homeless and forcing them to hide in jungles or stay at temporary shelters or safe houses. There were 130 cases of harassment, threats and intimidation and 80 incidents of physical assault, according to the Persecution Relief report.

"Over the past seven years, India has risen from No. 31 to No. 10 in the 'Open Doors' World Watch List, ranking just behind Iran in persecution severity. As of 2020, the USCIRF [the United States Commission on International Religious Freedom] has listed India as a Country of Particular Concern," says Thomas. Open Doors, its website says, is an outreach to persecuted Christians in the most high-risk places.

The EFI has sought the immediate arrest of the purveyors of hate violence. It turned down as false the allegations of coercive conversion, which is often cited as the reason for the violence. The EFI report states: "The absolute sense of impunity generated in the administrative apparatus of India by the lockdown during the COVID pandemic, and the consequent absence of civil society on the streets, has aggravated the environment of hate and violence against Christians in major states and the National Capital Territory."



VIJAYESH LAL, general secretary of the Evangelical Fellowship of India.

BY SPECIAL ARRANGEMENT

The reports suggest that crimes against Christians are under-reported. The police are not willing to register complaints in some cases and when they do so, the incidents seldom get reported in the media, the reports say. "With the courts being virtually closed and the police failing to record all complaints, the access to justice is severely restricted," the report says.

Incidentally, both reports claimed that the most number

of attacks against Christians took place under Yogi Adityanath's rule in Uttar Pradesh. The EFI report put the number of attacks against Christians in the State at 32. In early July, one Vikash was assaulted in Azamgarh at the residence of Sunita Maurya during a prayer service. Last year, Sunita Maurya was herself subjected to physical abuse, with a hot cup of tea poured on her allegedly at a police station.

"The poison has reached very deep, right up to the grass-roots level. Until a few years back, there was only the Bajrang Dal whose members were often involved in such attacks. Now new bodies have mushroomed," says Lal. Apparently, groups like Abhinav Bharat, Modi Sena, Amar Sena and Dharm Sena have a crucial role in many of the recent incidents. Their volunteers go to almost every lane, every village, and speak about conversion to whip up an anti-minority atmosphere.

The atmosphere of hatred generated by these groups, says Lal, has resulted in attacks on not just Christian houses and churches but in the disruption of private prayers too. Says Lal: "The RSS [Rashtriya Swayamsewak Sangh] has percolated to the grass-roots level. Until 1990 or so, the term conversion was not heard of in everyday life except maybe in the Sangh circles. But today, a mere mention of the word Christian evokes images of conversion. It is due to sustained indoctrination over a long period of time. The lockdown attacks are a manifestation of that indoctrination."

The worst manifestation of hatred came on June 4, when a group of people crushed to death with a stone a 14-year-old boy at Odisha's Kenduguda village in Malkangiri district and then chopped the body to pieces before burying them in several places. In the first information report (FIR), the police noted that the victim and his family had adopted Christianity three years ago and that since then, a few villagers had been harassing them. He had been attacked in February this year.

The EFI suggests that the increase in number of anti-Christian violence in Jharkhand and Chhattisgarh is because of the greater confidence among the minorities to report the crime thanks to the change in political dispensation in these States. "In Chhattisgarh, now at number three from its earlier sixth position (in the crime list), the rise is attributed to Christians more willing to report violence in the Bastar region where there had been so far a blanket of fear of both underground militant Maoist forces and the armoured police," the EFI report says. According to it, Chhattisgarh saw six cases of targeted violence against Christians in April alone. This happened after Christians who were summoned to village meetings refused to participate in religious rituals against their conscience. They were under pressure to recant, and when they refused to do so were assaulted.

In three separate incidents on May 5, May 7 and May 18, in Bastar and Dantewada districts, Christians faced stiff opposition to bury their dead. They were told that since they had not followed village religious rituals, they could not bury the dead there. "There have been 15 such confirmed incidents in these districts since 2019," ac-



BY SPECIAL ARRANGEMENT

JOHN DAYAL, activist.

"The government is not just in denial, but positively on the side of the assailants, it would seem," he said.

May ordered the Christian converts to rejoin their parent faith on pain of being denied water from the community well and other penalties."

The attacks on Christians are becoming increasingly common. "While the churches have often been attacked in the past, now it is becoming increasingly difficult even to offer prayers even in private. There are objections to Sunday prayers at home. The malaise is much deeper in the interiors and tribal areas. Even a regular prayer is considered a step towards conversion. First a prayer is attacked. Then a social boycott follows," says Lal, adding that "most of the attacks are by local people. They are mostly OBCs [Other Backward Classes] who have been brainwashed by self-styled outfits like the Abhinav Bharat and the Modi Sena, besides the Bajrang Dal."

Said activist and veteran journalist John Dayal: "Five murders of Christians in the COVID-impacted first six months of 2020 mark a new high in the viciousness of targeted hate against the community. Not since the pogrom in 2007-08 in Kandhamal district of Odisha have so many people died for professing the Christian faith. That they include pastors, young boys and women adds to the tragedy. The half-yearly reports by Persecution Relief and Evangelical Fellowship of India spell out the gravity of the targeted violence against Christians in India. The government is not just in denial, but positively on the side of the assailants, it would seem. The ruling party's cadres where it is in power enjoy immunity, but surprisingly even where other ideologies govern States, the Sangh and its groups are aggressive and seem to defy the law. The international organisations, including the U.N. bodies, seem helpless in the face of government obduracy and the ruling party using the nationalistic rhetoric and sovereignty argument to insulate itself from all international inspection and exhortation."

Lal says there have been instances when policemen have asked worshippers not to go ahead with their meeting, saying it is not allowed in "Hindu Rashtra". "Are we still ruled by the Constitution or the mob which attacked houses, desecrated churches, objected to gospel-sharing even during the lockdown?" he asks. □

ording to the EFI report.

Things were worse in neighbouring Jharkhand, which had earlier reported a spate of lynching incidents targeting Muslims. The EFI report says: "Jharkhand saw four major assault cases in May alone. Though no one was killed, women were molested. On May 25, local authorities had banned Christians in Pundiguttu village from getting ration from the government outlet. In Jharkhand too there were cases of Christians being socially ostracised. The Pundiguttu village panchayat in

Global distress

Some six months after the WHO declared the coronavirus outbreak to be a pandemic, **the infection is raging on in full fury** in South Asia, North America and Africa. And many countries that had seemed to have contained the virus are witnessing a resurgence. **BY JOHN CHERIAN**

THE WORST PANDEMIC TO HIT HUMANITY IN a century shows very little signs of ebbing. In fact, it was only six months ago that the World Health Organisation (WHO) declared the outbreak of the novel coronavirus a public health emergency of international concern (PHEIC). There were only around 8,000 confirmed cases at the time and only 82 confirmed cases of COVID-19 outside mainland China. Tedros Adhanom Ghebreyesus, Director-General of the WHO, said at the time that the PHEIC was issued to warn the international community of the danger the new virus posed to countries “with weaker health systems” that were ill-prepared to deal with it.

The spread of the virus since then graphically illustrates the fact that the international community did not pay sufficient heed to the WHO’s warning. It was only on March 11 that the WHO deemed the epidemic to be a pandemic. It has now conceded that governments around the world were slow to implement a comprehensive strategy to effectively combat the virus. By July, the pandemic had made a comeback in countries and regions where authorities had seemed to have successfully contained it. The daily cases of COVID-19 had reached a record global weekly average of 260,000 by the end of July, with 665 people dying daily around the world and the numbers of cases rising.

Australia, Japan and South Korea are witnessing a resurgence of the virus. Vietnam ordered a lockdown in the city of Da Nang in July as coronavirus cases were detected there for the first time since February. The country seemed to have successfully tackled the pandemic when it first struck the region. The Central government closed down the country to international travel and introduced strict quarantine restrictions in the third week of March.

Vietnam is heavily dependent on the tourist sector.

OUTSIDE ISRAELI PRIME MINISTER Benjamin Netanyahu’s residence in Jerusalem on August 1, protesters demanding his resignation for his government’s handling of the pandemic.

The latest developments do not bode well for its economy. The World Bank has forecast that annual economic growth this year will be around 2.8 per cent. With coronavirus cases having been detected in the capital, Hanoi, and in Ho Chi Minh City, the country’s two major cities, the Vietnamese government will face an uphill battle this time. Like most governments in the region, it has limited testing facilities. The government has had a field hospital built inside a soccer stadium in Da Nang. Prime Minister Nguyen Xuan Phuc told his countrymen that they had to move quickly to prevent a catastrophic spread of the virus. He said that the “early August period” would be decisive in the fight against the virus.

The Philippines, too, is facing a renewed spurt in infections. President Rodrigo Duterte has reimposed a lockdown in the capital, Manila, and surrounding areas.

Leaders of over a hundred medical associations in the country issued a warning that the health system, overwhelmed by the spike in coronavirus cases, was on the verge of total collapse. The number of those affected by the virus in the Philippines was officially said to be around 107,000 in the first week of August. There have been 5,302 deaths so far. The country is the second most affected in the South-East Asian region after Indonesia. The Indonesian government reported a total of 113,134 coronavirus infections and 5,302 deaths up to early August.

‘STATE OF DISASTER’

In Australia, the State of Victoria declared “a state of disaster” for six weeks. Major cities, including Melbourne, are under a strict lockdown. Australia was relatively successful in halting the spread of the pandemic in the first phase but is now facing a new challenge as it grapples with higher numbers of community transmissions and cases of unknown origin. After reporting new cases of infections, the South Korean government is now saying that the situation is under control as there is a downward trend of locally infected patients. The country has reported only 301 deaths in the past six months.

North Korea, which had been insisting that it was pandemic free, announced that a former “defector” who re-entered illegally from South Korea in the last week of July had COVID-19-like symptoms. North Korean leader Kim Jong-un immediately declared a state of emergency and ordered a lockdown in the border city of Kaesong. He warned that the development could lead to “a critical situation in which the vicious virus could be said to have entered the country”. North Korea has received thou-

sands of coronavirus testing kits from Russia and other countries.

Japan was also initially successful in curbing the spread of the virus but now figures among the growing list of countries where there has been a resurgence of the pandemic. The infections were largely concentrated in the capital, Tokyo, but have now spread to different parts of the country. More older people are getting affected. The country is home to the world’s oldest population. According to critics of the government, Prime Minister Shinzo Abe was more focussed on reviving the economy than combating the virus. Although the Japanese government had imposed a state of emergency in the initial months of the pandemic in the effort to combat the virus, it had kept the economy more or less open. Offices, bars and restaurants were not shut. Now, Japan is reporting more than a thousand infections every day.

In Okinawa prefecture, where residents have been resenting the continued existence of a United States military base on their island, the Governor unilaterally imposed a state of emergency for two weeks in early August. The local administration is holding the U.S. base responsible for the rise in coronavirus infections. More than 248 U.S. soldiers and their dependants on the base have contracted the virus.

In Israel, thousands of people took to the streets of the capital, Tel Aviv, and cities such as Jerusalem to protest against the government’s handling of the pandemic. Twice a week throughout the summer, protesters have been gathering outside Prime Minister Benjamin Netanyahu’s office and residences, both public and private, and calling for his immediate resignation. The police have had to use water cannons and have made arrests, but the protests have continued. The Israeli government has assumed special powers until the end of 2021 under cover of tackling the pandemic. Many Israelis believe that the Netanyahu government opened up the economy too quickly, allowing the virus to resurface with lethal impact. The country is now dealing with a record number of coronavirus cases. The unemployment rate has surged up to 20 per cent.

Meanwhile, the pandemic is raging on in full fury in South Asia, North America, Latin America and Africa. When western European countries such as France, Spain, Italy and the United Kingdom tried to reopen their economies, the virus resurfaced, forcing governments to reintroduce quarantine measures. By early August, the numbers of those affected had crossed the 18 million mark with nearly 700,000 deaths recorded worldwide. India is the worst affected country in the South Asian region, with the COVID-19 deaths per million of the population exceeding that of neighbouring Pakistan.

The real numbers of those affected and dead are much more than is being reported in South Asian countries. Globally, India continues to occupy third place as the worst affected country behind the U.S. and Brazil. Mexico witnessed a huge spurt and has overtaken the U.K. as the country with the third highest mortality rate.



ODED BALILTY/AP



KYODO NEWS/AP

IN TOKYO on August 2, a Sunday. The Japanese government had imposed a state of emergency in the initial months of the pandemic, but offices, bars and restaurants were not shut. Now, Japan is reporting more than a thousand infections every day.

By early August, the number of those dead was fast approaching the 50,000 mark. The U.S. had already recorded 156,000 deaths by the first week of August, followed by Brazil with more than 95,000 deaths.

LATIN AMERICA'S PLIGHT

The pandemic has profoundly affected Latin America and the Caribbean region. By the end of July, more than 180,000 people had died in the region because of the virus. Cases have doubled in the past one month to more than 4.7 million infections. Brazil, Mexico and Peru are listed among the top 10 countries worst affected globally. The death toll in Colombia has already passed 10,000, and the infection rate is climbing fast. Economies have been devastated, leaving millions of people unemployed and starving. According to the United Nations, 16 million people in Latin America are expected to fall into extreme poverty as a result of the pandemic, reversing all the gains made in the past two decades.

Authoritarian regimes and corrupt elites are using the pandemic to undermine the democratic gains that people in countries such as Bolivia, Ecuador, Haiti and Brazil had made (story on page 88).

In Brazil, President Jair Bolsonaro has not changed even after contracting the virus himself. He continues to rail against social distancing, the wearing of masks and quarantine measures as the mortality rate in his country is on the verge of touching the 100,000 mark. In the last week of July, the Union of Brazilian Health

Workers ("UNI Saude") complained to the International Criminal Court at the Hague accusing the Brazilian President of "committing crimes against humanity". The union, which represents tens of thousands of Brazilian health workers, accused Bolsonaro "of serious and deadly failures" in the effort to tackle the pandemic. Bolsonaro's "negligent and irresponsible actions", the union said, amounted to "genocide". In April, the Brazilian Association of Jurists for Democracy accused Bolsonaro of crimes against humanity. Brazil's death toll is rapidly closing in on the U.S.' death toll.

In the first week of August, the U.N. released a report that said that the closures of schools and other learning spaces since the pandemic struck have affected 94 per cent of the world's student population and up to 99 per cent in low- and middle-income countries, causing the "largest disruption" in the field of education ever witnessed in history. More than one billion students have been affected according to the U.N. When U.N. Secretary-General Antonio Guterres released the report, he said that the reopening of schools "must be the top priority" once the pandemic is under control. A report the international charity Save the Children published in July states that 10 million children may never go back to school because of deep budget cuts and rising poverty resulting from the pandemic.

Taming the pandemic may yet take quite some time to achieve. Reports have emerged that a few countries are getting ready to vaccinate their people against the virus. During a media briefing on COVID-19 on August 3, the WHO chief warned: "A number of vaccines are now in phase three clinical trials and we all hope to have a number of effective vaccines that can help prevent people from infection. However, there's no silver bullet at the moment and there might never be." □

'The fight for reservation is not over'

Interview with **Thangam Thennarasu**, DMK leader and former Education Minister. BY **R.K. RADHAKRISHNAN**

ON July 27, the Madras High Court created history when it ruled that there was no impediment, constitutional or legal, for extending the benefit of reservation to Other Backward Classes (OBCs) under the all-India quota (AIQ) of seats in State government-run medical and dental colleges in Tamil Nadu. It asked the Centre to constitute a committee to arrive at the percentage of seats and address other issues relating to the OBC quota from the next academic year. The Medical Council of India (MCI) argued against reservation in AIQ seats, relying on a rather strange logic that since the Supreme Court had created the AIQ in 1984, only it could give an order in the matter.

The significant verdict was delivered by Chief Justice Amreshwar Pratap Sahi and Justice Senthilkumar Ramamoorthy, on a batch of writ petitions filed by the State government, the ruling All India Anna Dravida Munnetra Kazhagam (AI-ADMK), the Dravida Munnetra Kazhagam (DMK), the main opposition party in the State, and a host of others. The prayer was uniform: 50 per cent reservation for OBCs in 15 per cent of undergraduate and 50 per cent of postgraduate seats in the AIQ in State-run government colleges.

Tamil Nadu's has a long history of fighting for and providing reservation. Both the DMK and the AI-ADMK, which have ruled the State alternately for over five decades now, have been in the forefront of the fight

for reservation in jobs and education as a measure to ensure social justice. The State has taken steps to create reservation within the reserved quota in some cases. It is a pioneer in extending reservation to the OBCs, Most Backward Classes (MBCs), Backward Classes (B.Cs) and other special categories of people. These measures were based on the socio-economic conditions of the people and have helped contribute to the development of a social fabric whose fundamentals rest on equity in education. The Supreme Court laid down in *Indira Sawhney vs Union of India* (1992), or the Mandal judgement, that the total quantum of reservation should not exceed 50 per cent, but Tamil Nadu had been approaching the apex court every year since then for a breather—and had

obtained it—to protect 69 per cent reservation in the State. Later, a constitutional amendment gave legal sanctity to this.

Thangam Thennarasu, DMK leader and former Education Minister, who is well-versed in theoretical and contemporary issues facing the State, said the High Court verdict was a victory for the DMK and its leader, M.K. Stalin, as the party had been raising the issue ever since the AIQ came into force. A Member of Legislative Assembly representing Tiruchuli constituency, he said that whenever a problem arose with regard to reservation in any sphere, particularly education, the DMK had always been the first political party to take up the issue and ensure that the rights of the oppressed and the backward classes were established. Thennarasu, who was Minister for School Education in the erstwhile DMK government, said the fight for reservation was in a continuous mode because the forces opposed to it were constantly trying to undo the gains made for the people by the DMK. He said that despite several differences, most of the political parties in Tamil Nadu had steadfastly remained on the same page with respect to the issue of reservation when it mattered. Thennarasu, who is DMK's Virudhunagar North district secretary, said the party remained extremely vigilant in the case of reservation, and that was why Stalin directed that a caveat be filed before



L. SRINIVASAN

DMK MLA Thangam Thennarasu.

the Supreme Court. In this interview to *Frontline*, he traces the history of reservation in Tamil Nadu and places the current court battle in context. Excerpts:

In the OBC quota case, what was the main contention of the DMK and other political parties that demanded reservation in the AIQ for medical seats?

The Supreme Court permitted reservation in the AIQ, “including” reservation for Scheduled Caste/Scheduled Tribe, in the Abay Nath case on January 31, 2007. The line of judgments in *Pradeep Jain* and thereafter on AIQ stands modified by *Abay Nath & Ors vs University of Delhi & Ors*. While this is the reality, the Central government, using the 2006 Central Act, implemented 27 per cent reservation for OBC, 10 per cent for the economically weaker sections [EWS] and 5 per cent for persons with disabilities [PwD] in AIQ seats contributed by Central educational institutions without approaching the Supreme Court in view of the order in the Abay Nath case before the 2019 Lok Sabha election. But, the position of the government changes only in the case of OBC reservation. In the Gulshan Prakash case [2009] the Supreme Court held that the Abay Nath case’s clarification relating to reservation applied to seats in AIQ only. The ratio laid down is that the State has complete control over reservation and Central reservation does not apply to seats surrendered by the State. This is the most important issue that had to be raised.

The four MCI and Dental Council of India [DCI] notifications enabled application of State-specific reservation in medical and dental seats. Hence, the State reservation of 69 per cent under the TN Reservation Act 45 of 1994 shall stand automatically applied. The regulations never categorised seats as ‘All India Quota seats or States filled up seats’ for the purpose of reservation. The Director General of Health Services [DGHS], under these regulations, is to hold counselling for AIQ and is an agent /trustee to handle seats con-

tributed by the State to AIQ. The DGHS has just that role and cannot dictate to a State government or the Central government in the matter of reservations or reduce or deny the same after enabling MCI and DCI regulations granting State-specific reservation in all seats without any demarcations.

The problem here is the DGHS overstepping its remit. Although the DGHS is not applying the 50 per cent OBC reservation formula to the seats contributed by the State to the AIQ, contrary to the orders of the Supreme Court in the Gulshan Prakash case, it has been currently applying a wrong reservation scheme to State-surrendered seats in Tamil Nadu insofar as reservation to S.C./S.T./PwD is concerned. Such wrong application of reservation by the DGHS is illegal and against the MCI and DCI regulations and the State’s reservation policy.

What was the crux of the argument of the DMK and other parties?

The total reservation granted by the Central government in Central educational institutions is as follows: S.C. 15 per cent; S.T. 7.5 per cent; OBC 27 per cent and EWS 10 per cent. After the EWS category was added (and there is a long discussion on the whys and ifs of this), the total in the reserved quota exceeded the 50 per cent mark and now stands at 59.5 per cent. Thus, when Central government grants more than 50 per cent of reservation, it is not proper to dictate terms to the State government to restrict all reservation to 50 per cent. Such a stand of the Central government runs counter to the principles of natural justice, is certainly against the letter and spirit of the federal structure established under the Indian Constitution, and is in violation of the MCI and DCI regulations. It has to be remembered that medical and dental education seats are State resources. The principle of reservation as per the Tamil Nadu Act applies to the seats surrendered by the State to the AIQ. It is a fact that the State seats do not get de-reserved merely because it is in the hands of the DGHS while it is hand-

ling the AIQ as these seats are filled in State educational institutions only. In fact, if the State-contributed seats are not filled up by the DGHS after the second round of counselling, it comes back to the State to be filled up by it. Hence, the character of the seat as the State seat is not lost merely because it is handled by the DGHS under a scheme because there is no law that dereserves the seat in the hands of the DGHS. Such an interpretation is against the letter and spirit of Article 15 and is impermissible in law. Reservation is a means to achieve equality. Social justice is a fundamental right and equally economic empowerment is a fundamental right to the disadvantaged people of India. Right to reservation backed by reservations laws is certainly a fundamental right. The Central government gave 10 per cent reservation for the EWS category while for OBC candidates, for the past four years, it is not abiding by its own affidavit filed before the Supreme Court.

The High Court has ordered the formation of a committee to look into the issue of granting reservation from next year. Is the issue settled now?

We will be watchful. If there is an appeal on the part of the MCI, then we will have to again fight it in the Supreme Court. It is easy to settle this issue right here in the High Court, if the AIADMK and the BJP want to. The BJP government just needs to direct the MCI to not go in for an appeal.

Is there any difference in stance between the AIADMK and the DMK on the issue?

On the question of reservation, both parties have been on the same page. But in this case, it was clear that the AIADMK had some hesitation in taking on the issue at hand, possibly because it is beholden to the BJP. This is the issue of a State’s rights. The AIADMK, which runs the government, should have been the first one to fight for it in all fora possible—courts, legislature and even the streets—when the need



THE MADRAS Medical College building in Chennai. “The principle of reservation as per the Tamil Nadu Act applies to the seats surrendered by the State to the AIQ also.”

arose. Take NEET for example. They did not fight. In this [AIQ] case, it was Stalin who took the issue seriously and fought all the way and finally got this verdict. Like all other issues, this is not a single day’s battle, and the fight is not yet over. Every time there is an assault on the rights of the State, we need to stay together and fight as one. The problem in this case was some political parties thought that it was better to fight for 27 per cent reservation, instead of Tamil Nadu’s right of 69 per cent. This is a wrong approach; 69 per cent is what we have arrived at after a long fight stretching over decades. Why should we settle for anything else? We see the fruits of this move in society, and we need to preserve it because of what it has achieved for Tamil society.

Both the DMK and the AIADMK accuse each other of politicising this issue. Why does this happen when they are largely on the same page?

The problem here is the BJP. If the BJP so wishes, there was no need to go to court. When we filed a writ, the BJP could have said that this was a fact and agreed to implement the reservation. What is the MCI? Or the DCI? Are these bodies outside the control of the Central government? No, right? When that is the case, why

is the Central government not directing both the bodies to implement the reservation as it exists in each State? What stops the BJP? This is clearly a case of double standards of the BJP.

The AIADMK is an ally of the BJP. The Chief Minister, the Deputy Chief Minister and others routinely meet the Prime Minister and several other Ministers of the Union Cabinet. Why is it that they are unable to press this issue, though they keep saying that they will preserve reservation? This is actually the problem with the AIADMK. They adopted the same stand on NEET. Finally, they let down the entire State.

Tamil Nadu has a long history of fighting for reservation. The Communal Order of 1921 and the subsequent attempts at affirmative action are public knowledge. Where and when does the struggle begin? Why is it important? And where is it now?

This has been a long-drawn-out fight and it still continues. Tamil Nadu’s struggle for reservation is spread over three centuries and predates our independence struggle—19th century, 20th century and the current struggles in the 21st century. Each generation has a major history and context of why the fight happened and how it progressed.

The first recorded instance of a fight is in 1854. A survey at that time found that one community, which constituted about 3.5 per cent of the population, was occupying all positions of power. There are instances where members of one family occupied all positions of government power in a given geography. In 1854, a government order, numbered 138, was issued, which directed that key positions in a district should be distributed among communities. You can say that the seeds of the concept of reservation were sowed at that time. The Census of 1871 reaffirmed these facts.

Subsequently, there were efforts to distribute government positions on the basis of the ratios of the populations of communities. In 1891, Iyothee Thassa Pandithar, the pioneering anti-caste activist, managed to highlight the problems faced by the S.Cs, and set in motion a thought process on the need to address the issues of those who were ostracised in society. All this crystallised in 1916, when Sir P.T. Theagarayar, one of the founders of the Justice Party, brought out the non-Brahmin manifesto when the party was formed. This was the first time that a formal demand for reservation was voiced.

The Justice Party was the precursor of the Dravidian movement.

“Wrong application of reservation by the DGHS is illegal and against the MCI and DCI regulations and the State’s reservation policy.”

In 1920, the first Justice Party government was formed. Soon after, the first legal attempt at reservation was made via the communal G.O. The G.O. held that students from the oppressed sections should be given reservation in educational institutions. In 1928, again, after Justice Party came to power, Muthiah Mudaliar was responsible for consolidating all the thoughts and actions of the movement until then, and a comprehensive communal G.O. No. 1021 was brought for reservation in jobs, too. This G.O. was in operation until India attained freedom. In 1950, this G.O. was struck down by the Supreme Court, with the ruling that the Indian Constitution did not provide for reservation on the basis of caste.

A large section in the Indian National Congress backed this move. After the reservation was denied to the oppressed classes, a massive agitation was launched by the pioneers of the Dravidian thought and movement. ‘Periyar’ [E.V. Ramasamy] launched an agitation and gave a call to observe August 14 as ‘vaguppurimai naal’ [reservation rights day]. C.N. Annadurai [the founding father of the DMK, who later became Tamil Nadu Chief Minister] wrote on the issue and began a campaign on how rights of the oppressed classes were snatched away.

At this time, Congress leader K. Kamaraj, endorsed the struggle, which became a shot in the arm for the movement. So, on one side, there was a powerful campaign launched

by Periyar and Annadurai, and on the other, there was a section within the Congress that endorsed the stand of these two leaders. The series of agitations attracted the attention of New Delhi and a constitutional amendment was enacted in 1951 for reservation on the basis of caste. In independent India, this was a major turning point. Soon after Kalaingar [M. Karunanidhi] assumed office as Chief Minister, the Sattanathan Commission was constituted to study the situation of the B.Cs and make appropriate recommendations. On the basis of the Commission’s report, the government increased the reservation quota of the B.Cs in educational institutions and government employment from 25 per cent to 31 per cent and for the S.Cs from 16 to 18 per cent. Karunanidhi appointed, for the first time, a Minister for Backward Classes.

The M.G. Ramachandran [MGR] government, which succeeded the DMK government, changed the community-based reservation into economic status-based reservation. MGR capped the upper income limit at Rs.9,000 per annum for reservation. But after his party lost the 1980 Lok Sabha election, many in the party claimed that the change in the reservation policy was responsible for the defeat. MGR took this view seriously and increased the reservation to 50 per cent for the B.Cs. Representatives of some communities approached the court, and the court directed the State to appoint an independent body to study the order. The independent body, headed by an Indian Administrative Service officer, gave a report in favour of the government.

To cut the long story short, there were two developments at this juncture. One is the demand for implementation of the Mandal Commission recommendations, and two, the Vanniyar agitation in Tamil Nadu, led by Dr S. Ramadoss. MGR passed away [in 1987] and the Kalaingar [Karunanidhi] Ministry took charge in 1989. Kalaingar [Karunanidhi] as the Chief Minister introduced 20 per cent reservation for the MBCs. Later, during the chief

ministership of J. Jayalalithaa, the total percentage of reservation was increased to 69, which was challenged in the court. Finally, because of combined efforts, a constitutional amendment was moved to secure 69 per cent reservation. This is not there in any other State. Only people of Tamil Nadu have the privilege of this provision. Here, B.Cs enjoy 26.5 per cent reservation, MBC 20 per cent, Muslims 3.5 per cent, S.Cs 18 per cent and S.Ts 1 per cent. Within the S.C. reservation, Kalaingar provided 3 per cent reservation to the Arundhadhiyar community—who are among the most backward among the S.Cs. Now, there is a new criterion, the EWS, for whom there is a 10 per cent reservation.

Why are political parties opposed to the creamy layer concept?

Economic prospects change with time but the social status of a person does not change. Economic indicator fluctuates. MGR brought a criterion of Rs.9,000 annual income for reservation in 1980. This was opposed because economic situation can never be a measure. You can only have a classification for socially and educationally deprived sections.

The word ‘economic’ was sought to be included during Jawaharlal Nehru’s time. It was rejected then. We have had this debate since then. I am exasperated; how many times and across how many decades should we have the same arguments over and over again. Taking into account all the recent policies of the Centre on education—EWS reservation, the New Education Policy [NEP] and NEET—do you think the government is serious about upholding the hard-fought gains of reservation and education for the deprived sections?

It does not appear so. In the NEP for example, there is simply no mention of reservation. Why is this? I can only conclude that this is because the BJP is not concerned about social justice or uplift of the depressed and poorer sections of society. If you do not have any interest in social justice, then any policy that is drawn up will not benefit the backward and depressed classes. □

Over to Assembly

The political crisis in Rajasthan is headed for a climax in the special Assembly session scheduled for August 14, which is likely to decide the fate of the Congress government and the rebel legislators.

BY T.K. RAJALAKSHMI

POLITICAL developments in Rajasthan have rarely been as interesting as the drama that has been on in the last one month. The saga of the rebellion within the State unit of the ruling Congress, which had threatened to split the party and bring down the government, is not over as yet. At the moment, the focus is on an unusual Assembly session scheduled to be held on August 14.

The session comes in the backdrop of an intense factional fight between Chief Minister Ashok Gehlot and Sachin Pilot, former Deputy Chief Minister and erstwhile president of the party's State unit. The dramatis personae in this entire saga also include the supporters of Gehlot and Pilot, apart from the office of the Governor and the courts.

The office and powers of Rajasthan Governor Kalraj Mishra became a talking point when he repeatedly turned down Gehlot's request to convene an Assembly session. It took three letters to the Governor and a dramatic sit-in protest by Gehlot and his legislators on the lawns of the Raj Bhavan to force Mishra to convene an Assembly session.

The Bharatiya Janata Party (BJP), which has all along denied any role in the crisis, sharply criticised Gehlot for his "language" and actions against the Governor. Mishra finally relented after much prevarication and it was mutually agreed that the Assembly would convene on August 14, although Gehlot had stated July



ROHIT JAIN PARAS

CHIEF MINISTER Ashok Gehlot at Sanganer airport in Jaipur on July 31, from where Congress MLAs left for Jaisalmer.

31 as his preference. As soon as the date was announced, Gehlot, who had housed his supporters in a hotel in Jaipur to prevent poaching, shifted them to Jaisalmer. Pilot and his faction stayed put in a hotel in Haryana, where they had moved to in July.

There were some indications from the Pilot camp that they would attend the Assembly proceedings. Pilot also congratulated Govind Singh Dotasara who replaced him as Pradesh Congress Committee president.

In the 200-member State Assembly, the undivided Congress has 107 legislators; the opposition BJP 72; the Rashtriya Loktantrik Party (RLP) three; the Bharatiya Tribal Party (BTP) and the Communist Party of India (Marxist) two each; and the Rashtriya Lok Dal (RLD) one. There are 13 independent MLAs, 12 of whom supported the Congress—along with the BTP and the RLD—in the Rajya Sabha elections.

GENESIS OF CRISIS

Turmoil began in the Congress after the party accused Pilot and his supporters of conspiring against the government in collusion with the BJP, a charge the rebels denied.

The party issued show-cause notices after the rebels stayed away from two successive meetings of the Congress Legislature Party (CLP) that were convened to discuss the charges of conspiring to topple the government. The conspiracy, according to the Gehlot camp, had been brewing since the Rajya Sabha elections.

The party sent notices to all the legislators with the warning that not attending the CLP meetings without justification would invite action under Constitutional statutes.

The Rajasthan Police had already initiated inquiries against several people in the government, including Pilot and the Chief Minister, to investigate a conspiracy against the government. The impartiality of the move was questionable as Gehlot is also the Home Minister and the police report to him. For Pilot, this was the last straw.

Matters came to a head when Pilot and his supporters refused to reply to a notice issued on July 13 by the Chief Whip directing them to attend the CLP meeting on July 14 or to the show-cause notice from Speaker C.P. Joshi subsequently under Article 2(1)(a) of the Tenth Schedule of the Constitution.

In the notice of July 13, Chief Whip Mahesh Joshi said that “in view of the exigencies of the prevailing political situation in the State on account of repeated defections and to discuss and draw out a political strategy”, a CLP meeting had been called at Hotel Fairmont on July 14.

The letter also expressed displeasure with the absence of some legislators at a similar meeting called the same day. The letter made it clear that absenteeism without valid and adequate reasons would be interpreted as evidence of their “intention to dissociate from the Indian National Congress and its ideology” and would invite action as per the relevant statutes of the Constitution of India.

When Pilot and his 18 supporters abstained once again, the Chief Whip filed a complaint under Paragraph 2(1) (a) of the Tenth Schedule and petitioned the Speaker claiming that 19 legislators had tried to topple the government. He added that by doing so, they had voluntarily given up membership of the Congress party, which was actionable under the anti-defection law. The Speaker promptly issued disqualification notices to the 19 legislators, asking them to reply by July 17.

AUDIO CONTROVERSY

There was further drama as some audio clips with controversial content surfaced. They involved three persons, one of whom was allegedly a BJP Union Minister from Rajasthan and another a Congress legislator close to Pilot.

The All India Congress Committee removed Pilot from the posts of State president and Deputy Chief Minister. Two of his Cabinet colleagues were also removed.

The 19 rebels then petitioned the High Court on July 16. Their lawyers

argued that the Chief Whip’s complaint was full of surmises and assumptions and that it lacked factual ground to support the apprehensions. They added that none of the MLAs had declared their intention to leave the Congress or voluntarily give up their party membership and that there was no utterance that indicated they were out to destabilise the government.

The lawyers also said that just because an elected representative sought to express disagreement with policies, it did not tantamount to acting against the interests of the party or the government.

According to them, not attending two party meetings or voicing a difference of opinion outside the House could not be brought under the purview of the Tenth Schedule. They added that no reasons were recorded in the show-cause notice.

The lawyers pointed out that a complaint alleging defection by Bahujan Samaj Party (BSP) legislators was made in September 2019 but no action was taken by the Speaker. The rebel MLAs also said that they had apprehensions that the Speaker, without following the procedure of law, would disqualify them under pressure from the Chief Minister.

The matter was first heard by a single Bench, which referred it to a double Bench after amendments were made to the original petition whereby the constitutionality

of the anti-defection law was challenged on grounds that it was against the “basic structure of the Constitution”.

The basic structure referred to in this context was the right to freedom of speech and expression, which the petitioners claimed they had. The counsel representing the Rajasthan government vehemently opposed the inclusion of the additional parts, restating that the basis for incorporating the parts had been rendered untenable by the Supreme Court itself.

The writ petition was also non-maintainable as it was a qua timet (an action or injunction against an apprehended act) action, which was not allowed as per the judgment of the Constitution Bench in the Kihoto



ROHIT JAIN PARAS

SACHIN PILOT, former Deputy Chief Minister and Rajasthan Pradesh Congress Committee president, addressing a press conference in Jaipur on May 7.



ROHIT JAIN PARAS

SPEAKER C.P. JOSHI announcing his decision to move the Supreme Court against the High Court’s order, at a press conference in Jaipur on July 22.

Hollohan vs Zachillu & Ors (1992) case.

There were also no provisions in the Rajasthan Legislative Assembly (Disqualification) Rules that stated that the Speaker had to record reasons in a disqualification notice.

COURT DIRECTIONS

Meanwhile, the High Court directed the Speaker to defer the proceedings against the rebel legislators as the matter was being heard in court.

As there were repeated deferments, the Speaker moved the Supreme Court with a plea that he should be allowed to proceed with the disqualification notices, but the Supreme Court turned down the request on the grounds that the High Court was yet to give a verdict.

On July 24, the High Court ruled that the status quo would prevail on the disqualification notices issued by the Speaker but declined to give a fresh date to hear the challenge to the constitutionality of the Tenth Schedule.

The double Bench framed a series of 13 questions pertaining mostly to Paragraph 2(1)(a) of the Tenth Schedule, queries similar to those raised in the amended petition of the 19 legislators.

The Speaker withdrew his petition from the Supreme Court and it appeared that the Congress would fight it out politically, considering it had received two setbacks consecutively, first when the Supreme Court declined to stay the High Court’s proceedings and second when the High Court restrained the Speaker from proceeding on the disqualification notices.

BACK TO COURT

Things took a fresh turn on July 29 and 31 when both the Speaker and the Congress’ Chief Whip in the State approached the Supreme Court separately challenging the High Court order of July 24.

In a special leave petition (SLP), the Speaker said that the High Court’s order was unconstitutional

and was “a direct intrusion into the domain exclusively reserved for the Speaker under the Tenth Schedule of the Constitution”.

He also said that the order was in contravention of the settled legal position with a reference to the order in Kihoto Hollohan vs Zachillu, which held that a judicial review could not be made available at a stage prior to the decision made by the Speaker or Chairman and qua timet action would not be permissible, nor would interference be permissible at the interlocutory stage of proceedings.

The only exception, as per the Kihoto order, was when the Speaker passed an order disqualifying or suspending a member. In his SLP, the Speaker said that he had only issued a notice and not passed any adverse order.

The High Court did not give any reasons for passing the order. The effect of the order was to “efface Para 2(1)(a) of the Tenth Schedule from the Statute book”, he said.

He submitted that “a mere chal-

lenge to the validity of the constitutional provision could not result in the provision itself being inoperable till the court decided the same”.

The SLP also stated that the High Court had acted in “gross judicial indiscipline” and impropriety by re-opening issues that were settled by a Constitution Bench of the Supreme Court.

In the Kihoto Hollohan judgment, it was settled that the Tenth Schedule did not violate the basic structure or the freedom of speech and expression.

The petitioners were, therefore, “seeking to achieve indirectly” what they could not achieve “directly”, the SLP said. The High Court had granted “extraordinary indulgence” to the petitioners by listing the writ petition on a day to day basis. The SLP said that only the Speaker could settle the issue of whether the conduct of the legislators was “democratic dissent” or was tantamount to crossing over.

The 13 questions framed by the Division Bench of the High Court were already settled in law, the SLP said, with a prayer to the Supreme Court to ensure that all Constitutional authorities including the judiciary exercised their jurisdiction within their “Lakshman rekhas”.

CHIEF WHIP’S PETITION

In his SLP, similar to that of the Speaker, the Chief Whip contended that the High Court order had the “effect of emasculating the provisions of para 2(1)(a) of the Tenth Schedule of the Constitution itself”.

Under the Tenth Schedule, para 2(1)(a) allows for disqualification proceedings against a person who has voluntarily given up membership of his political party.

The Chief Whip petitioned the Supreme Court to declare the High Court order *ex facie* (on the face of it) illegal and unconstitutional. The High Court had “exceeded its jurisdiction in issuing a status quo” on the disqualification proceedings, the Chief Whip said in the SLP, adding that the “exclusivity of the Speaker’s power under the Tenth Schedule” had been upheld in the Keisham

Meghachandra Singh vs Speaker of Manipur Assembly (2020) judgment, wherein it was held that interlocutory orders by courts interdicting the Tenth Schedule proceedings were not permissible.

This judgment had also referred to the Kihoto Hollohan case, where the Constitution Bench had made it amply clear that no judicial review was available at a stage prior to the making of a decision by the Speaker either by a *qua timet* action or by interlocutory orders.

Among other things, the petition said that “grave and sinister attempts” were made to break the ranks of the Congress party and topple the elected government. It said that the legislators had deliberately absented themselves from two crucial meetings despite numerous reminders and notices and that they had, through the media, demanded a floor test and alleged that the Congress had cheated the people.

It also said that the rebel MLAs had become inaccessible and incommunicado and, despite repeated requests, did not return to the parent State or meet the leadership in Rajasthan or Delhi.

It also mentioned the audio conversations with references to bribes and allurements.

Apart from referring to the Kihoto Hollohan order, the Chief Whip’s petition alluded to recent Supreme Court judgments in Shrimanth Balasaheb (2020), Ravi S. Naik vs Union of India (1994), and Jagjit Singh vs State of Haryana (2006), all of which upheld the Speaker’s decision pertaining to various disqualification orders.

In Ravi S. Naik, the SLP said, the Supreme Court had ruled that even in the absence of a formal resignation from membership, an inference could be drawn from the conduct of a member that he had voluntarily given up membership of the political party he belonged to.

“By directing the status quo, the High Court has done indirectly what it could not have done directly, that is, staying the operation of the Tenth Schedule 35 years after it was inserted vide the 52nd Constitutional

Amendment Act in 1985,” the SLP stated. The High Court order had disregarded the “presumption of the constitutionality of the statutes” and had “impinged on the domain of the legislature” despite the protective shield of Article 212, which expressly laid down that courts were not to inquire into the proceedings of the legislature. The High Court order helped the respondents secure “relief over and above their original grievance that the Speaker did not give them seven days of time”, it added.

The petition also said that the substantive questions related to the interpretation of the Constitution, that is, whether the Tenth Schedule violated the basic structure of the Constitution, could only be heard by a five-judge Bench of the Supreme Court and the court was the ultimate arbiter.

CRUCIAL ASSEMBLY SESSION

The proceedings of the Assembly session on August 14, and the conduct of the rebel legislators in particular, will indicate the political future of the Congress government. If Pilot and his 18 supporters decide to oppose the government on the floor of the House either by voting against a Bill or staying away or even break away, the Congress’ effective strength will come down to 89. It will need the support of 12 MLAs to prove a simple majority.

As things stand, Gehlot seems to have the backing of 12 independents, one MLA from the RLD and two legislators each from the BTP and the CPI(M). The BJP along with its ally, the RLP, has the support of 75 legislators and one independent, taking its support base in the Assembly to 76.

However, it is not only a question of Gehlot saving his government; Pilot too would have to think of his political future outside the Congress if the differences fester. The legal battle is also an issue that needs some settlement.

The overall indecision on the part of the Congress central leadership has only made matters worse. The political situation continues to be as fluid as it was in mid-July. □

Silent rage

One year after Jammu and Kashmir was deprived of its special status and its mainstream political voices were stifled, the people of the valley remain committed to fighting for justice. BY ANANDO BHAKTO

THE first anniversary of the revocation of Jammu and Kashmir's special status on August 5 was accompanied by a low-key yet determined exhibition of political resolve by mainstream actors, who emphasised their commitment to fight in the Supreme Court and outside for the restoration of Articles 370 and 35A.

The administration had imposed a two-day curfew on August 4 and 5. As a result, the all-party meeting called by former Chief Minister Farooq Abdullah to chalk out a programme to take forward the Gupkar Declaration, a document which multiple leaders had signed under his aegis on August 4, 2019, could not take place. The declaration stated that any unilateral action on the part of New Delhi would be an "aggression against the people of Jammu, Kashmir and Ladakh". The following day, the government revoked Articles 370 and 35A, which guaranteed the people of Jammu and Kashmir exclusive rights in employment and ownership of property.

Several leaders took to social media to condemn the curbs put on the operation of mainstream politics, while appealing to the Supreme Court for a favourable verdict on their plea for the restoration of special status. Iltija Mufti, daughter of former Chief Minister Mehbooba Mufti, who is detained under the Public Safety Act, maintained that the exercise of coercive force would not prevent mobilisation of the Kashmiri emotion. She tweeted: "A year ago we witnessed how a majoritarian govt mutilated & robbed J&K

in broad daylight. Seasons may have changed but the betrayal will never be forgiven or forgotten. Prolonged enforced silence wont suppress emotions forever."

The National Conference (N.C.) had invited many leaders, including its Lok Sabha members Hasnain Masoodi and Akbar Lone, the Peoples Democratic Party (PDP) MP Fayaz Mir, the Communist Party of India (Marxist) leader Mohammed Yousuf Tarigami, and the Awami National Conference (ANC) leader Muzaffar Shah, for the meeting. Masoodi and Mir were stopped at the

Gupkar road, while Tarigami, Muzaffar Shah and Akbar Lone were not allowed to venture out of their homes.

Muzaffar Shah's mother and ANC president Khalida Shah said "nowhere in the world has curfew been imposed owing to the COVID pandemic, the single exception being Kashmir". She said the Centre's strong-arm tactics could not mask the resentment that was brewing against it, not just in Kashmir Valley but also in Jammu and Ladakh. "The events in the State in the past one year have demonstrated that the



FORMER UNION MINISTER Manoj Sinha takes oath as the new Lieutenant Governor of Jammu and Kashmir, in Srinagar on August 7.

NISSAR AHMAD



PTI



SECURITY PERSONNEL stand guard on a street during the curfew imposed on the occasion of the first anniversary of the revocation of the special status of Jammu and Kashmir, at Bhandarwah in Doda district on August 5.

Narendra Modi-led Bharatiya Janata Party (BJP) government has lost the plot in Kashmir,” she said. She expressed the hope that the Supreme Court would mitigate their grievances.

Khalida Shah, the eldest daughter of Sheikh Abdullah, said: “The act of Parliament on August 5, 2019, was not only a gross contravention of the Indian Constitution, its basic and fundamental tenets and structure, but also a contemptuous one. The Supreme Court is legally and constitutionally duty bound to declare the same null and void without any duress or pressure and create history in protecting and preserving its impartial status and its role as given to it under the Constitution.”

On August 5, Jammu and Kashmir Lieutenant Governor G.C. Murmu resigned from his post. The following day, Manoj Sinha, former Union Minister and senior BJP leader from Uttar Pradesh, was appointed to the post. The move gave rise to speculation that the Centre

was likely to restore statehood to Jammu and Kashmir., which was revoked last year. The State was split to form the Union Territories of Jammu and Kashmir and Ladakh. Ladakh does not have a legislature. Ram Madhav, BJP general secretary, said in July that the party’s Jammu unit was in favour of statehood.

The N.C. outlined the atmosphere of fear and frustration in which people were living. Imran Dar, party spokesperson, said in a statement: “The commitments [for autonomy] had come from the country [India], profusely guaranteed by its Constitution. While the people of Jammu and Kashmir stood by their word, the Union of India chose to backtrack from its solemn commitments made to the people of Jammu and Kashmir unilaterally and undemocratically. The decisions on August 5, 2019, were taken on false excuses, all of which stand debunked today. One year later the situation is as it is; it has rather become more fragile and unstable.”

The N.C. asserted that it would constitutionally and legally fight against the infringement on Jammu and Kashmir’s rights. Imran Dar said: “The people of Jammu and Kashmir have been at the receiving end; we don’t want to put them through added trepidation. Our struggle has always been peaceful. We will continue with that proclivity of ours until our rights are restored.” The N.C. has decided to mark August 5 as a day of mourning.

On August 3, the Srinagar District Magistrate issued orders promulgating curfew in Kashmir on August 4 and 5 by virtue of the powers vested in him under Section 144 of the Code of Criminal Procedure. “Protests are not ruled out. There are specific inputs about violent protests endangering public life and property,” the order, which was applicable across all 10 districts of Kashmir, stated.

The government used the anniversary to catalogue its achievements in the Union Territory and share its vision for “Naya Kashmir”. Minister of External Affairs S. Jaishankar said that a “transformation was under way” in the Union

AT THE FUNERAL of BJP sarpanch Sajad Khanday who was killed by militants at Vessu in Qazigund on August 6.

Territory. He listed expansion of education, employment opportunities and advancement of women’s rights as major takeaways. Earlier, the Murmu administration had claimed that Jammu and Kashmir had progressed in the direction of decentralisation and economic revival. It listed 10 fields where Murmu’s regime registered growth; these included the health sector, ease of governance and democratic decentralisation, social sector development, economic revival, implementation of Swachh Bharat mission, and skill development and employment.

But Tarigami, a four-time legislator from Kulgam, questioned these claims. He said although “Prime Minister Narendra Modi and Union Home Minister Amit Shah justified the decision saying it would end decades-long militancy, separatism and corruption in the region and bring development, jobs and prosperity, one year down the line the promises proved to be a mirage and the claims a hoax”.

“None of the aforementioned claims pass the test of reality. Not only people of the valley, but residents of Jammu and Ladakh regions, too, are suffering because of the wrong policies of the BJP government. The uncertainties and uneasy calm combined with alienation pose a greater threat to the socio-politics of the State,” he said.

It is pertinent to note that in the past one year Kashmir’s economy has suffered losses to the tune of Rs.40,000 crore. This was largely because of restrictions in movement, which hit the apple industry badly, and the prolonged discontinuation of Internet connectivity.

Although people remained locked indoors, the day was punctuated by violence. In South Kashmir’s Kulgam district, at Vessu village in Qazigund block, militants opened fire on the BJP sarpanch, Sajad Ahmad Khanday. Khanday was rushed to hospital in Anantnag, but doctors there declared that he was brought dead. On August 4, a BJP panch, Arif Ahmad, was critically

wounded after militants shot at him in Kulgam.

Several voices from different pockets of the world have condemned India’s hard-fisted policies in Kashmir. The culture of detentions and the prolonged shutdown of Internet connectivity, which have become a permanent features in the valley, have also come under attack. Prominent among such critical voices is Amnesty International, which has asked India to “urgently stop the protracted clampdown” in Jammu and Kashmir. It has also pressed for the release of all political leaders, journalists and activists.

Amnesty International India said in a statement: “Over the last one year the Government of India has been systematically dismantling all avenues for justice for the people of Jammu and Kashmir. With zero representation, protracted Internet restrictions, arbitrary use of some of India’s most stringent laws, verbal orders of detention and crippling of the local media —most of this disproportionately higher in Kashmir – it has been a complete year since we have heard the people of Jammu and Kashmir speak.” □

Victims twice over

Even as interrogations, arrests and charge-sheeting of anti-CAA protesters as instigators of the February riots in North East Delhi continue despite the pandemic, more and more people feel that the inquiry is a ruse to target critics of the BJP government. BY DIVYA TRIVEDI

*Usee ka shahr, wahee muddaee,
wahee munsif Hamein yaqeen tha,
hamaara qusoor niklega.*

(It's his city, he himself is the petitioner and himself the judge; I was sure, I'd be held guilty).

— Ameer Qazalbash
(poet and lyricist)

AN old Muslim man from the riot-affected area of Mustafabad in North East Delhi recited this couplet to a fact-finding team of the Delhi Minorities Commission (DMC) to express how the community perceives the February riots and subsequent investigations. In all, 11 mosques, five madrasas, a Muslim shrine and a graveyard were attacked and damaged in the violence that began on February 23 and continued in waves over the week. As many as 53 people were killed and property worth hundreds of crores looted and torched, including 226 houses and 487 shops.

According to the fact-finding report of the DMC, headed by M.R. Shamshad, Advocate-on-Record, Supreme Court, the violence was “seemingly planned and directed to teach a lesson to a certain community which dared to protest against a discriminatory law. Attempts ever since are being made to shield the planners, instigators, leaders and perpetrators of that violence and turn the victims into culprits.”

Said Shamshad: “We stand at the threshold of a crucial stage. Most victims of the religious minority have

stated stories and put forth illustrations reflecting religious bias against them, inasmuch as being treated as a separate and distinct community rather than citizens of the country. I have no doubt in stating that the same discriminatory bias and hate became reason for the minorities to take a lead in the protests against the discriminatory CAA [Citizenship Amendment Act]. The protests were legitimate and peaceful. Seemingly, to crush the protests, with support of the administration and the police, a retaliatory plan of pro-CAA protesters was worked out to trigger violence at a large scale which led to loss of lives and damage to hundreds of properties owned mainly by the Muslim religious minority.”

Even as interrogations, arrests and charge-sheeting of anti-CAA protesters, naming them as instigators of the riots, continue despite the raging coronavirus pandemic, more and more people feel that the inquiry is a ruse for political vendetta not just against Muslims but also against the critics of the Narendra Modi-led Bharatiya Janata Party (BJP) government. The latest civil society activist to be questioned by the Special Cell of the Delhi Police in connection with the riots is Prof. Apoorvanand of Delhi University. On August 3, the Hindi professor was summoned un-

AT MOURYA CIRCLE in Bengaluru on June 3, a protest against the arrests of anti-CAA activists.

der FIR no. 59/20 relating to the riots and questioned for five hours. His phone was seized for further probe.

Said Prof. Apoorvanand: “While cooperating and respecting the right of the police authorities to conduct a full, fair and thorough investigation, one can only hope that the probe would focus on the real instigators

and perpetrators of the violence against a peaceful citizens’ protest and the people of North East Delhi. It should not lead to further harassment and victimisation of the protesters and their supporters, who asserted their democratic rights through constitutional means, while stating their dissent to the passage of the CAA and the decision of the Government of India to operationalise the National Population Register [NPR] and the National Register of Citizens [NRC] all over the country. It is disturbing to see a theory emerging which treats the supporters of the protesters as the source of violence. I would urge the police and expect their probe to be thorough, just and fair so that truth prevails.”

The Delhi Police has been summoning civil society activists, students and anti-CAA protesters and trying to ascertain their role in the violence. Former Jawaharlal Nehru University Students Union president N. Sai Balaji has asserted that two non-governmental organisations

(NGOs) close to the Sangh Parivar, through their fact-finding reports, had provided the script for the violence and the police were filling in the characters now.

The reports by the two NGOs, Call for Justice and the Group of Intellectuals and Academicians, named Pinjra Tod, the Jamia Co-ordination Committee (JCC), alumni of Jamia Millia Islamia, the Popular Front of India (PFI), local politicians of the Aam Aadmi Party (AAP), JNU student Sharjeel Imam and the Bhim Army as instigators of the riots.

Until March 18, the Delhi Police had arrested 3,304 people in connection with the riots, according to Minister of State for Home Affairs G. Kishen Reddy. They include those named in the NGO reports—Natasha Narwal and Devangana Kalita of Pinjra Tod; Mohd Danish, Parvex Alam and Mohd Ilyas of the PFI; former AAP councillor Tahir Husain; Safoora Zargar (granted bail) and Meeran Haider of the JCC; and Gulfisha Fatima, an MBA student. Khalid Saifi, a member of the organisation United Against Hate, and Ishrat Jehan, a former Congress councillor, too were arrested from the Khureji Khas anti-CAA protest site and charged under the Unlawful Activities (Prevention) Act (UAPA), like the others. JNU student Sharjeel Imam has been lodged in an Assam prison that also has the activist and peasant leader Akhil Gogoi and other anti-NRC protesters. Both Sharjeel and Gogoi have reportedly tested positive for coronavirus.

ACTIVISTS UNDER SCRUTINY

The NGO reports point to the extensive use of social media in the riots. The Delhi Police has been specifically probing WhatsApp groups to arrest people.

One particular group that has come under the scrutiny of the Delhi Police’s Special Cell is the Delhi Protests Solidarity Group (DPSG). Several members of the group have been called in for questioning and more are likely to be summoned. Created in December 2019, the group was intended as a voluntary

support group for anti-CAA protests. It is made up of prominent activists including Rahul Roy, Saba Dewan, Yogendra Yadav, Kavita Krishnan, Harsh Mander, Anjali Bharadwaj, N.D. Jayaprakash, Nadeem Khan and Annie Raja. Prof. Apoorvanand and Pinjra Tod members were also part of the group. All of them have been vocal critics of the CAA and the Modi government.

N.D. Jayaprakash of the Delhi Science Forum told *Frontline*: “As explained in detail in my five-part article in *The Wire*, the Union Home Ministry deliberately took no action to prevent physical confrontation between CAA supporters and anti-CAA protesters despite adequate and repeated forewarning issued to the Home Ministry by the Intelligence Wing of the Delhi Police following [BJP leader] Kapil Mishra’s inflammatory speech on February 23. If the RAF [Rapid Action Force] had been deployed in adequate strength in time at the right place, the situation could have been controlled before it took an ugly turn. What was equally worse was that even after the riots broke out, the Union Home Ministry did not allow the Delhi Police to respond to nearly 13,000 distress calls for help from riot victims for over 72 hours until midnight on February 26.

“Now the Union Home Ministry is compelling the Delhi Police to file false cases against anti-CAA protesters and against members of the Delhi Protests Solidarity Group to make them scapegoats by pinning the blame on them for allegedly instigating the riots. In the process, there is a concerted attempt to cover up the pivotal role of Kapil Mishra and other CAA supporters in unleashing the violence as well as in concealing the conceited role of the Union Home Ministry in allowing the riots to break out and in prolonging the same.”

The police have held the anti-CAA protesters responsible for the Delhi riots and termed the riots as the result of a “deep-rooted controversy” by them. While Hindu rioters have also been arrested, the conspiracy angle has been attributed only to



V. SREENIVASA MURTHY

Muslims and civil society dissenters against the citizenship law. The role of BJP leaders Kapil Sharma, Parvesh Verma and Anurag Thakur who gave provocative speeches is not even being probed by the police.

PETITIONS IN COURTS

A bunch of petitions filed by individuals, including Harsh Mander and Communist Party of India (Marxist) leader Brinda Karat, against the BJP leaders' hate speeches are pending before the courts. A Delhi High Court bench of Chief Justice D.N. Patel and Justice Prateek Jalan is also hearing a petition against Congress leaders Rahul Gandhi, Sonia Gandhi and Priyanka Gandhi Vadra, AAP leaders Manish Sisodia and Amanatullah Khan, and All India Majlis-e-Ittehad-ul-Muslimeen leader Waris Pathan for alleged hate speeches.

In an affidavit, the Delhi Police maintained that the investigations had not revealed any evidence to show that the BJP leaders had instigated or participated in the violence. If any link was found between their alleged offensive speeches and the riots, the police said, then they would file the requisite FIRs.

The police also said that prima facie investigations revealed that the violence was not sporadic or spontaneous "but appears to be part of a well-thought-out conspiracy to destabilise the harmony in society".

So far, 763 cases under various provisions of the Indian Penal Code, the Arms Act, the Prevention to Damage of Public Property Act and the UAPA have been registered, over 200 charge sheets filed and three Special Investigation Teams (SITs) headed by Deputy Commissioners of Police constituted.

The Crime Branch submitted before the High Court that the riots were carefully engineered and funded by "mischievous elements", who instilled a false panic in the minds of a section of society, instigated them to take law and order into their own hands and resort to violence.

While claiming that the petitioners were trying to distract the court's attention from the true facts, the

Crime Branch argued that the use of terms like "political vendetta", "state-sponsored pogrom", "persecution" and "malicious prosecution" appeared to be part of some "undisclosed agenda".

Earlier, a High Court bench headed by Justice S. Muralidhar had played in court the videos containing the alleged inflammatory speeches of Kapil Mishra. Solicitor General Tushar Mehta told the court that the Delhi Police had deferred the decision to file FIRs as the situation was not "conducive" to it. The FIRs have still not been filed. Justice Muralidhar was transferred to the Punjab and Haryana High Court.

CHARGE SHEETS

Three days before Prof. Apoorvanand was summoned for questioning, the Special Cell interrogated former JNU student leader Umar Khalid and confiscated his phone for further probe. He was booked under the UAPA but was called for questioning for the first time on July 31. Umar Khalid, along with Khalid Saifi and former AAP councillor Tahir Hussain, is being made out to be a "mastermind" behind the riots.

In a charge sheet filed by the Delhi Police Crime Branch in connection with the murder of Intelligence Bureau officer Ankit Sharma, Tahir Hussain has been made an accused. Interrogation transcripts of Hussain have been circulating on social media wherein he confesses to have met Umar Khalid at the PFI office in Shaheen Bagh on January 8 to plan the riots along with Khalid Saifi. While the confessions made before the police are not admissible in court, Hussain's interrogation reports are part of the charge sheets submitted.

According to the interrogation report, Umar Khalid gave assurances regarding logistics and finances from the PFI, the JCC, politicians, advocates and Muslim organisations. Incidentally, the fact-finding reports submitted to the government by the two NGOs linked to the Sangh Parivar had blamed Umar Khalid for the same and the PFI for funding the

riots. One of the organisations, Call for Justice, had stated, "The timing of the attacks, starting from February 23, was very well meticulously planned in advance as evident from Umar Khalid's comments dated February 17 in which he explicitly mentioned that the riots would take place during the visit of the U.S. President."

Thereafter, several media reports pointed out that while the charge sheet claims that it was on January 8 that Umar Khalid and the others planned to organise a "big blast" on Donald Trump's visit to India in February, the first information on Trump's visit to India was made public on January 14 through a story in *The Hindu*.

In his speech in the Lok Sabha on the Delhi riots, Union Home Minister Amit Shah also furthered this theory. "United Against Hate—the name sounds so pious but look what they advocated. They said, [Donald] Trump is about to come, we should block the streets."

United Against Hate, a group comprising diverse activists such as Umar Khalid, Banojyotsna, advocate Tamanna Pankaj, Nadeem Khan and Khalid Saifi, has also featured as an instigator in the police version.

Lawyers associated with the cases say that the fantastic story woven by the investigative authorities will not stand in a court of law. But for the students and activists who are being arrested, the process itself would become the punishment, they said.

While responding to the Supreme Court's contempt notice against him, advocate Prashant Bhushan questioned the apex court for being a "mute spectator" during the Delhi riots. He said: "When the Delhi riots were unleashed, with daily videos emerging of mobs tearing down and burning mosques, the police force systematically destroying public CCTVs, taking an active part in stone-throwing, massive firing and deaths, blockades of a hospital to prevent assistance to the severely wounded Muslims, etc., the Supreme Court remained a mute spectator while Delhi burnt." □

‘The government does not listen to us’

Interview with **Zafarul-Islam Khan**, former Chairman of the Delhi Minorities Commission. BY **ZIYA US SALAM**

THE investigations into the violence in North East Delhi in February, which claimed 53 lives, have raised more questions than answers. Many people, including a High Court judge and a sessions court judge, have felt that the Delhi Police’s investigation has been unidimensional. The Delhi Minorities Commission formed its own nine-member investigation team to get to the root of the problem. Led by M.R. Shamshad, Advocate-on-Record, Supreme Court, the team spoke to a lot of victims, visited their charred houses and shops, and recorded 17 places of Muslim worship as being impacted by the targeted violence.

The committee, comprising Gurminder Singh Mathru, Tehmina Arora, Tanveer Kazi, Saleem Baig, Prof. Hasina Hashia, Abu Bakr Sabbaq, Devika Prasad and Aditi Dutta, submitted its report to the Commission towards June end. It was then presented to Chief Minister Arvind Kejriwal. Besides expending considerable energy on the incendiary speeches by Bharatiya Janata Party leaders Parvesh Verma, Kapil Mishra and Tajinder Singh Bagga in the run-up to the violence, the committee came up with reports of targeted violence against Muslims and police inaction.

The fact-finding team establishes targeted violence, saying how only Muslim shops and business establishments were burnt down even as shops owned by others remained un-



THE HINDU ARCHIVES

touched. Even as allegations of the police’s partisan approach fly thick and fast, *Frontline* spoke to Zafarul-Islam Khan whose term as the Chairman of the Delhi Minorities Commission ended in July. He spoke about the investigations and the loopholes in them. Excerpts:

Has there been any feedback from the Chief Minister’s Office to the minorities’ panel report you submitted?

I am not in the best position to comment because they would have responded, if at all, to the Delhi Minorities Commission’s office. I have demitted the office. But a report we submitted last year [on other incidents] was on the same lines and we had urged the government to study our recommendations and

place them before the Assembly. But they did not follow that. We never got to know later what happened to the report or recommendations. This year, too, we have sent our recommendations. Let’s see what happens.

The government does not listen to us. They go against the statutes of the [Delhi Minorities Commission] Act under which the Commission’s report must be placed before the Assembly.

You formed a nine-member committee to investigate the North East Delhi violence. How much time did it take to complete its findings?

They were appointed on March 9. They held two meetings before the lockdown was imposed on March 24. After that, they held meetings over Zoom. Then again, when the lockdown was eased, they visited the place. In between also they went to North East Delhi, though understandably they could not move as freely as in normal circumstances. They had a one-month tenure. They asked for an extension. We gave them time until the end of June. They presented the report on June 27.

As reported in the media, the Commission’s fact-finding committee has found that the police’s investigation appeared one-sided...

Of course, it is the general perception. Even before this report I had

Victims of vendetta

Hany Babu is the latest victim of the Bhima Koregaon case, which drags on with **no end in sight** for the arrestees who languish in jail without bail. BY ANUPAMA KATAKAM

this perception. You must be reading all these media reports on how a High Court judge and a sessions court judge had told the police how they [the police] were looking at only one side, not the other side. The Commission's report is pretty exhaustive on this count.

One common charge by Muslims in North East Delhi is that their complaints have either not been registered or when they have been registered they have been clubbed with other cases.

It has happened. Even before the committee submitted its report, I came to know from the people in North East district that their reports were being appended to other FIRs [first information reports].

When this happens, it means there will be no action on other complaints. Instead of issuing a new FIR when a complaint comes from a new area or the same area or lane, they append it to the previous FIR, which makes it nullified; there would be no action.

This despite the fact that people were willing to name the attackers, or in some cases, the killers.

They were not allowed to name the attackers. The police were not accepting reports where the attackers were identified. If somebody named an accused, the police would ask them to write a fresh complaint without the name and then they would accept it. It was a very common complaint in the area.

At the same time, there have been allegations that certain places were used to attack Muslims. And the police did not even register an FIR. A glaring case is of Mohan Nursing Home. The police have filed no chargesheet.

There are so many witnesses [for it]. So many people saying, "I was attacked from there." But the police are still not doing anything. There is no will, actually. Before [February] 25, people were attacked from its roof. There are videos of this. I myself have seen the videos but no action has been taken against the owner of

Mohan Nursing Home or the attackers from there.

Rajdhani Public School has also been in the news...

Rajdhani Public School and DPR Convent School share a common wall. At some distance there is Arun Public School. At these three places I was told, by the driver in the Rajdhani school, who is a Hindu; by the guard in DSR school, who too is a Hindu; and by the owner of Arun Modern Public School, who is a Hindu and a former MLA, that people came from outside. They hid their faces by wearing helmets. They were well-built, something like 23-24 years old. These people took over these schools from the evening of February 24 to the evening of 25. They came in small trucks and used to go out for three-four hours and come back, eat, rest and then go out again. They were there for 24 hours. Now, the owner of Rajdhani School is being blamed for bringing people from outside. He is a victim. He is innocent.

Barely a few metres from Arun Public School is the Farooqia Masjid which was torched. Worshippers have alleged that the assailants first attacked the imam and the muezzin and the police stood just behind them. Any development on this?

I do not have the latest on this yet. But what the worshippers have said is well known. There have been serious allegations against the police.

"If somebody named an accused, the police would ask them to write a fresh complaint without the name...."

[The fact-finding team states in the report: "The police in blue uniform entered the mosque and started beating people who were offering namaaz there. People coming out of the masjid were hit by the police. They (rioters) desecrated copies of the Quran... and exhorted people to kill the imam and the muezzin, after which people started hitting them with iron rods. When this man tried saving the imam, his eye got hit and he permanently lost sight in one eye. The second blow was on the head and he collapsed. His lawyer sent an email to the Delhi Police for the registration of an FIR. Till date, the complainant has not been told about the status of the registration of his FIR."]

The report mentions 17 places of worship being damaged or attacked.

It is the list the committee has compiled. It is not the complete list. Therefore, in the committee's report, you will find the words "some mosques". It is not an exhaustive list. There were other mosques and dargahs too that were damaged.

Which are those?

At least there was one other dargah, besides the Bhajanpura dargah, that was attacked. It is confirmed. There were other mosques which were left out. The committee, due to time constraints, could not go there to find out. It is not a complete list.

How far has the Delhi government been helpful in rehabilitation work and disbursement of financial relief to the affected?

There is a section about it in the report. They were not very helpful. Yes, they announced a compensation. But the disbursement always takes places through the SDMs [subdivisional magistrates] who are at times not cooperative. I had to issue notice to one of the SDMs. I think it was in Karawal Nagar. They were not cooperative. They put hurdles. They asked for papers, they sent them back. They were rude. It did not encourage people to go there for relief. The purpose of any such announcement of relief was defeated. □

HANY BABU, Associate Professor at Delhi University, is the 13th victim of what looks like a witch-hunt against anyone fighting for Dalit rights and workers' movements. In a method that reeks of vendetta, the establishment is using the Elgar Parishad gathering held in Pune in December 2017 to persecute, arrest and imprison highly respected academics, intellectuals and activists over the past two years. The claim is that the Elgar Parishad convention was responsible for the violence at the Bhima Koregaon site on January 2, 2018. The National Investigating Agency (NIA) took Hany Babu into custody on July 28, a move suggesting that the COVID pandemic has done nothing to slow down the witch-hunt. Meanwhile, the real perpetrators of the violence remain free.

The only crime of the 13 intellectuals and activists arrested seems to be their struggles for Dalit rights. As the months pass, their release and prospects of justice look bleak. Instead, there are murmurs that many more activists are on the NIA's radar. Defence lawyers have repeatedly pointed out that there is not a shred of substantive evidence linking the accused to the Elgar Parishad. Barring one, they were not even present at the time of violence in Pune. No material evidence has been presented to back accusations that they are linked to banned extremist left-wing groups or that they were involved in a plot to assassinate the Prime Minister. Lawyers also point out that the charge sheet does not even mention any "assassination" conspiracy.

Observers say that the Elgar Parishad gathering provided an easy pretext for the authorities to go after these activists because it was organised by Dalit groups. A well-known activist, who did not want to be named here, said: "It is common knowledge that this government feels threatened by the Dalit movement and will do everything to wipe it out. This case is a pathetic sign that democracy in this country is on its deathbed. It is clear—dissent will not be tolerated. Not a single political party is willing to stick its neck out for the arrested and the protests by unions and human rights groups seem to have little impact."

August 28 will mark two years of the second round of Bhima Koregaon arrests. The first set of arrests were made on June 8, 2018: Sudhir Dhawale (publisher), Surendra Gadling (lawyer), Rona Wilson (social worker),

Shoma Sen (academic) and Mahesh Raut (activist) were taken into custody for their alleged links to banned Maoist groups. In August that year, the lawyer Arun Ferreira, the lawyer Sudha Bharadwaj and the writer Vernon Gonzalves were arrested. The Telugu litterateur Varavara Rao and the journalist Gautam Navlakha were kept under house arrest. Varavara Rao was later arrested in November 2018. Gautam Navlakha and the Dalit rights writer Anand Teltumbde, who happens to be the grandson-in-law of B.R. Ambedkar, surrendered during the lockdown.

The activists, branded as "urban



HANY BABU being produced in an NIA court on August 4.

naxals", were charged under the dreaded Unlawful Activities Prevention Act (UAPA), which does not permit bail. They remain locked up with no end in sight to their travails. Appeals from international agencies to the Indian government to release human rights activists and political prisoners from jail at a time when the COVID pandemic is spreading through prisons have not helped.

The case of Varavara Rao, who tested positive for COVID 19, is particularly grave. He was incoherent when his family spoke to him in early July. Following fervent pleas to the court, at media conferences, and to



VARAVARA RAO and Sudhir Dhawale escorted by the police to a court hearing in Mumbai on February 28.

the National Human Rights Commission (NHRC), Varavara Rao was finally treated in a private hospital. His family has sought bail for him on medical grounds, but the court postponed the hearing three times in July. Varavara Rao, sadly, is showing little signs of improvement. Family members say they are baffled at the court proceedings and are completely helpless as they cannot travel to Mumbai amid the pandemic. His daughter, Pavana Rao, said: “Our father did not look well at all in the last call we had.”

Pavana Rao said: “They are using the pandemic to stall [legal processes] at the court level. But the pandemic does not seem to stop them from arresting people,” says. “My father has been imprisoned several times in his lifetime, but I have never seen him in this condition. He was always positive and would tell us there was hope for justice. Now he is incoherent and lost.”

The activists, branded as “urban naxals”, were charged under the dreaded Unlawful Activities Prevention Act, which does not permit bail.

Frontline spoke to a few family members and legal representatives of those arrested. The issue has reached a point where there seems to be no way forward unless the court sanctions bail. It is a hopeless situation that reflects the control and power the current regime wields.

PROCESS BECOMES THE PUNISHMENT

In spite of substantial legal representation, appeals by India’s intelligentsia, including the historian Romila Thapar, campaigns by several human rights organisation, including Amnesty International India, and constant media (digital and print) coverage, the Union government refuses to bend. A criminal lawyer connected to one of the activists said the government in fact appeared quite “driven to persecute and punish people whose only crime is to speak truth to power”. He added: “Sadly, the lack of political sup-

port is glaring. If there was a stronger political voice, there would be some hope. But efforts by a Left party that has little strength can do very little in this climate.”

Nationalist Congress Party (NCP) president Sharad Pawar did demand the release of the activists when the party came to power in Maharashtra in alliance with the Shiv Sena in May 2019. When the Bharatiya Janata Party (BJP) government at the Centre realised the State had the power to release them, in an overnight decision it shifted all the cases to the NIA, which is accountable only to the Central government.

Susan Abraham, lawyer and wife of Vernon Gonzalves, one of the accused, said: “There is just no light at the end of the tunnel. The process becomes the punishment. We go from one court hearing to the next. Nothing seems to move, and there appears to be no will to address the cases.” Susan Abraham, who also represents Shoma Sen and Anand Teltumbde, says the government is trying to send out a strong message that no one should dare criticise the government and that the Dalit movement must be stamped out.

Commenting on the absurdity of the arrests, Susan Abraham observed that the investigation agency claimed it did not have the time to file a charge sheet or conduct investigations, and yet people were arrested in the middle of a pandemic. At a time when the government is advised to decongest prisons in view of the COVID crisis and when even prisoners convicted of murder are being released, activists are kept in jail even though there is no evidence to link them to the Bhima Koregaon incident. Varavara Rao, who was perfectly healthy when he was arrested, is now an invalid. “What does that say about our government? Furthermore, was it not a symbolic insult to arrest Teltumbde on Baba Saheb Ambedkar’s birthday [April 14]?” Susan Abraham said.

Monali Raut, activist Mahesh Raut’s sister, said: “We are worried as the COVID situation is getting grave. The courts just do not move, so



VERNON GONZALVES being escorted to a court hearing in Mumbai on February 28.

our case is stuck. They work two or three days of the week because of the pandemic, so the backlog is building up. Even for the smallest request, such as a blanket or books, we have to approach the court.”

An Amnesty International India office-bearer told *Frontline* that not only had the UAPA become a tool for the government to keep the accused in jail for prolonged periods, but its strict bail provisions and the slow pace of investigations made release of the accused during trial virtually impossible, creating a convenient setting for indefinite detention and torture.

According to the National Crime Record Bureau, over 93 per cent of the cases under the UAPA from 2018 were pending before the courts, whereas the conviction rate was only 27 per cent. Avinash Kumar, executive director of Amnesty International India, said: “This indicates that anti-terror trials rarely result in conviction. Arun Ferreira was arrested under the UAPA in 2007 also. He was kept in jail for five years and was acquitted of all charges in 2012.”

Asked why human rights organisations such as Amnesty were not able to exert any influence, the re-

sponse was: “These are challenging times for us all, and the truth is they [the challenges] are many and daunting. Like Martin Luther King said, ‘The arc of the moral universe is long but it bends towards justice.’”

Hany Babu is currently in the NIA’s custody. Varavara Rao is waiting for the Bombay High Court to hear his bail application on medical grounds. A verdict was expected on August 7. The NIA has opposed Sudha Bharadwaj’s application for bail on medical grounds (she is diabetic) in the High Court. Her case will come up for hearing in August. Anand Teltumbde and Vernon Gonzalves asked for COVID-19 tests as they were in proximity to Varavara Rao. The tests were conducted, and they reportedly tested negative. Every bail application by them has been denied. Shoma Sen, who has several co-morbidities has been denied bail as well. The cases of Arun Ferreira, Mahesh Raut, Gautam Navlakha, Surendra Gadling, Rona Wilson and Sudhir Dhawale’s cases are in status quo. No charge sheet has yet been filed against Anand Teltumbde and Gautam Navlakha.

There are eyewitness accounts of Shambhaji Bhide and Milind Ek-

bote, two self-styled Maratha leaders, instigating the violence at Bhima Koregaon, where thousands of Dalits had gathered to commemorate the bicentennial anniversary of the 1818 Bhima Koregaon war in which members of the Mahar community, fighting on the side of the British forces, defeated the ruling Peshwas. Bhide was never charged for his involvement and continues to regale supporters with hate speeches against the minorities and Dalits. Ekbote was charged but released.

According to the Pune police, fiery speeches made at the Elgar Parishad convention, which was held a couple of days before the gathering at Bhima Koregaon, sparked the violence. Hundreds of activists, judges, politicians, social workers and members from marginalised communities had attended the Elgar (loosely translated, the word means “clarion call”) Parishad convention organised by retired justices B.G Kolte-Patil and P.B Sawant, along with Dhawale’s Kabir Kala Manch. The two judges have gone on record saying it was a meeting to fight the repressive policies of the Narendra Modi regime. Justice Sawant said the organisers, of whom he was one, were responsible for the gathering and not those arrested. He observed that the authorities were not interested in taking action against the judges as the agenda was clearly different.

As evidence, the police have produced 13 letters, allegedly found in laptops and residences of the accused. The letters, they claim, link the activists to Maoist groups, who they believe were the actual organisers of the Elgar, and also have leading information about the “assassination” conspiracy. The gathering was meant to destabilise the country and the Bhima Koregaon incident was proof of the plan, investigators said. By June 2018, in a pan Indian exercise, the police went after a list of activists. Defence lawyers say none of the material collected has any connection to the Elgar and the charge sheets will prove it. “The cases are built on fabricated evidence,” says one of the lawyers. □



C.P. CHANDRASEKHAR

Time to overhaul or replace GST

The Centre **reneges on its commitment to compensate the States** for any shortfall in revenues from goods and services tax, claiming that its responsibility ends with transferring sums generated from the compensation cess to the compensation fund.

KERALA'S Finance Minister Thomas Isaac has declared it a "betrayal" of trust. He was commenting on the statement reportedly made at a meeting of the Parliamentary Standing Committee on Finance by Union Finance Secretary Ajay Bhushan Pandey that the Centre, in the financial year 2020-21, would not fully compensate the States for any shortfall in revenues from goods and services tax (GST). The shortfall was to be computed relative to a trajectory where State revenues grew by at least 14 per cent every year, starting from a base value computed for 2015-16. Clearly, that was the revenue growth the GST regime was expected to deliver.

The Centre's declaration came after evidence showed that revenues from the cess imposed to finance the compensation were proving inadequate to meet the shortfall in State revenues from GST. As a result, even

after dipping into the surplus available in the compensation fund, accumulated when cess collections exceeded the revenue shortfall during the first two years of the GST's existence, the Centre did not have adequate resources to meet the shortfall of the States in 2019-20. For that year, the required compensation payout to the States worked out to Rs.1.65 lakh crore. Collections from the cess in that year, on the other hand, stood at around Rs.95,500 crore. This was an unexpected outcome because in 2017-18, during which year the GST regime was in place for nine months, collections from the compensation cess amounted to Rs.62,611 crore, while payout to the States to cover revenue shortfall relative to target was only Rs.41,146 crore. Similarly, in 2018-19, cess collections were, at Rs.95,081 crore, well above the payout of Rs.69,275 crore. Though the

average monthly surplus declined from around Rs.2,400 crore in the first year of the GST regime to around Rs.2,150 crore in the second, the change was not of a magnitude that gave cause for concern.

These surpluses meant that at the beginning of 2019-20 a sum in excess of Rs.45,000 crore was available in the compensation fund, which seemed to be a comfortable buffer. With three years to go before the practice of compensating the States was to end, better implementation and minor tweaks to rates and categorisation would, it was presumed, allow the regime to fend for itself. All this, however, was well before the recession that overwhelmed the economy in 2019-20 adversely affected GST collections starting around August. Compensation collections in that financial year remained at around the previous year's level, while the revenue shortfall of

the States rose sharply, resulting in an average monthly deficit of close to Rs.5,800 crore in cess collections relative to compensation requirement. That more than wiped out the surplus available in the compensation fund, necessitating transfer of Rs.33,412 crore from the Consolidated Fund of India to the compensation fund to meet the States' dues. The Centre's belief that the compensation cess would serve its purpose over the five years when its contribution was needed had proved wrong.

The message was clear. So long as growth was reasonable, the GST regime seemed to be on a trajectory where it can be put on a firm footing. But if growth slowed, the system needed life support. The compensation fund could prove inadequate even as a temporary five-year crutch until the system's design was altered. Moreover, with signs that slow growth would be the new normal in the foreseeable future, this would also imply that the States would be substantially short of the promised revenue growth once the five-year period for which the compensation was to be paid came to an end. It appeared that the Centre would have to make transfers from its own kitty to fully compensate the States for the

next two years. In addition, it was likely to come under pressure from revenue-short States, through the GST Council, to continue with the compensation arrangement after its five-year term.

RENEGING ON COMMITMENTS TO STATES

That was before the pandemic led to a sudden stop in economic activity and the subsequent developments that have resulted in the economic contraction (rather than slowing of growth) which is expected to happen not only this year but possibly in the next as well. That would affect State revenues even more severely, increasing the shortfall relative to target. GST collections through April to July 2020 were, at around Rs.2.7 lakh crore, more than a third lower than that during the corresponding period of the previous year. It was true that collections were particularly low during the lockdown in April and May 2020, and as restrictions were lifted economic activity and collections were slowly recovering. But collections in July were lower than those in June, suggesting that, overall, 2020-21 would be a particularly bad year for collections and that the revenue shortfall of the States relative to the level warranted

by a 14 per cent growth rate would be huge.

This is why the Centre has decided to renege on its commitment to the States, claiming that its responsibility ends with transferring sums generated from the compensation cess to the compensation fund. After the Finance Secretary's statement on the matter came the news that the Centre had referred the issue of finding an alternative to compensation payment to the Attorney General. The Attorney General has reportedly held that the Central government was under no obligation to compensate States for any shortfall in GST collections, and that it was up to the GST Council to find a solution.

But the Centre must have a position, since it has a strong presence in terms of votes in the Council. A majority in the Council may still decide that the Centre has the responsibility to cover shortfalls in State revenues. If transfers from the Centre to the compensation fund were not made, financing the compensation would require the GST Council to either agree to raise rates to enhance revenues and cover the shortfall or for the GST Council to recommend borrowing to finance the shortfall. Raising rates when economic activity is shrinking is clearly not a feasible op-



SANDEEP SAXENA

IN NEW DELHI on December 11, 2019, Members of Parliament from Telangana staging a demonstration asking the Centre to release the GST dues to the State.

tion as it will only aggravate the demand compression that needs to be counteracted. More so, the magnitude of the duty hike required to generate the revenue needed would possibly be large.

One suggestion from the Centre is that the GST Council itself can borrow to enhance the compensation fund, and the period over which the compensation cess is levied can be extended beyond the five-year-compensation period to mobilise the funds needed to service that debt. Besides the fact that this absolves the Centre of the responsibility of compensating the States, it also amounts to getting the States to accept that a chunk of additional resource mobilisation in the future would be reserved for servicing debt that finances shortfalls in the present. That would undermine the ability of the States to find ways of covering revenue shortfalls in the years when the compensation principle no longer holds. A third option is to provide States the leeway to borrow to cover their own shortfalls. But that would mean that the States will have to fend for themselves when servicing the cost of that debt in future when there is no compensation fund available to cover revenue shortfalls.

STATES' PROTEST

Not surprisingly, the States are protesting against the Centre's decision in the midst of a crisis to renege on a commitment it had made. In the drive to persuade States to endorse the plan to migrate to a GST regime, the previous National Democratic Alliance government and its Finance Minister Arun Jaitley had made all kinds of claims about the way the GST would change the fiscal game. The States did need persuasion because the transition implied that they would be giving up the power they had to decide on the indirect taxes that they could set and levy. If each commodity was to be taxed at the same rate across the country, rates would be decided through compromise at the GST Council, and any change would have to be agreed upon there.

To convince the States that this

was in their own interest, a projection made by Central advocates of the GST was that the revenues from the new taxes would, at the minimum, grow by 14 per cent a year. To show that the Centre was confident that this prediction would prove right, it said that for the first five years the Centre would compensate the States for any shortfall in revenue growth relative to this minimal projection. There was the proverbial catch, however. The Centre extracted from the GST Council a decision that a special cess would be imposed to mobilise resources that would help finance this compensation, if needed. That obviously meant that there was no guarantee that in the first five years at least the projected revenue growth would be realised. If it did not, the States would lose out after those first five years unless GST rates were tweaked and raised to ensure the promised growth rate in the post-compensation period. Moreover, there was no guarantee that the cess chosen to be levied would garner enough to finance the compensation. The States clearly saw this as the Centre's problem, at least for five years. It is now clear that the Centre thinks it is merely a manager of the cess fund, with the adequacy of the tax a problem to be addressed by the GST Council.

The recent controversy makes it clear that the States had been misled. Punjab Finance Minister Manpreet Singh Badal has in a letter reminded Union Finance Minister Nirmala Sitharaman that when pushing for the GST the Centre had provided "innumerable assurances" of "assured and unhindered compensation". The Centre has clearly chosen to renege on those assurances by hiding behind the argument that there is no constitutional requirement that the Centre should ensure compensation of State revenue shortfalls.

STAGNATION IN GST REVENUE

This controversy is a diversion from two trends that both the Centre and the State governments must address. The first is the evidence that the crisis faced by the GST regime


predates the COVID-19 pandemic, the effects of which on the economy were felt only from April, or in the current financial year (2020-21). Even by March 2020, or at the end of three financial years since inception (in July 2017), the GST regime was not delivering anywhere near the revenues it was expected to generate.

Total monthly collections from State (SGST), Central (CGST), and integrated (IGST) goods and services taxes and the compensation cess first crossed Rs.1 lakh crore in April 2018. Yet there have been only nine out of the 33 months until March 2020 in which that mark was exceeded in nominal terms. Further, there have been only four months in which the figure topped Rs.1.05 crore. In sum, the picture is one of near stagnation in GST revenue growth, as opposed to the expected 14 per cent growth. GST collections rose from 5.8 per cent of GDP in July 2017-18 to 6.2 per cent in 2018-19 and then fell to 6 per cent in 2019-20, even though GDP growth slowed in the last of these years.

The second is that, since three years is time enough for a policy regime to stabilise, this inability to generate the expected increase in revenues from GST by the end of financial year 2019-20 points to the failure of the regime. So even if the COVID-19 induced crisis had not struck, the Central and State governments needed to find ways to address that failure. The only possible solution seems to be a significant increase in tax rates across GST slabs. There is no guarantee that this intervention would work. But even assuming it would, that solution involves imposing heavy burdens on all sections of the population that pay some set of indirect taxes, and therefore is intrinsically regressive. Even if not a failure in a purely fiscal sense, the GST would definitely be a failure from a welfare perspective.

In all probability, the GST regime would be a failure in both senses. Rather than tweaking the regime, it possibly is time to find ways of overhauling or replacing it. □

FRAGILE TRUCE



INDIAN SOLDIERS at the foothills of a mountain range near Leh, on June 25.

TAUSEEF MUSTAFA / AFP

Even as their military commanders negotiate disengagement of troops along the border, the “forced decoupling” of **economies threatens to hurt both India and China.** BY JOHN CHERIAN

ALTHOUGH PRIME MINISTER NARENDRA Modi did not mention the unresolved standoff with China along the Line of Actual Control (LAC) in his monthly “Man ki Baat” broadcast to the nation, Defence Minister Rajnath Singh more than made up for it when he welcomed the arrival of the first batch of five Rafale fighter jets from France at the Air Force base in Ambala. Tweeting on the occasion, he said that the addition of the jets would give the Indian Air Force’s (IAF) combat capacity a “timely boost” and make it “much stronger to deter any threat”. To make it clear that he was referring to China, Rajnath Singh added that if anyone “should be worried or critical about this new capability of the Indian Air Force, it should be those who threaten our territorial integrity”.

The French-made jets are capable of carrying out a variety of missions, including reconnaissance and nuclear

strike deterrence. The planes had landed under strict security measures to prevent the leakage of sensitive information. Senior retired IAF officers and aviation experts in the country have claimed that the jets will prove to be game changers in the event of a military conflict, although they also concede that the IAF needs at least 42 fighter squadrons to be fighting fit. It currently has only 31 squadrons, comprising mainly Russian-made fighters, including some of Soviet vintage. All the 35 Rafale jets that India had ordered will be delivered only by the end of 2021. It will take some time to make the first batch of five fully operational.

The IAF has moved air defence systems, as well as a sizeable number of its front-line combat jets and attack helicopters, to bases near the northern border. Chinese military analysts claim that the Rafales are only slightly superior to the Sukhoi Su-30 fighter jets that the IAF



INDIAN ARMY vehicles moving towards Leh on July 15.

already has, and are a generation below the PLA's J-20 stealth fighter jets. The only other countries that have ordered Rafale jets so far are Egypt and Qatar.

The arrival of the Rafale jets coincided with a noticeable stiffening of the Indian government's attitude *vis-à-vis* China, after the successive rounds of military and diplomatic talks in the last two months failed to result in withdrawal of the People's Liberation Army (PLA) from the disputed areas in the Pangong Tso. The Chinese Foreign Ministry spokesperson had claimed in the last week of July that Chinese and Indian troops had "disengaged" in most of the locations in eastern Ladakh. The Chinese Ambassador to India, Sun Weidong, reiterated this claim a few days later: "With the joint efforts of both sides, the border troops have disengaged in most localities. The situation on the ground is de-escalating and the temperature is coming down."

The Indian side, however, painted a more pessimistic scenario. The Ministry of External Affairs spokesperson, Anurag Srivastava, while conceding that progress had been made, stressed that "the disengagement process has as yet not been completed". He emphasised that the maintenance of "peace and tranquillity in the border areas is the basis of our bilateral relationship", while expressing the hope that the Chinese side would "sincerely work with us for complete disengagement and de-escalation and full restoration of peace and tranquillity in the border areas as agreed by the special representatives".

The senior commanders of both Armies last met on August 2 as part of the ongoing efforts to complete the disengagement process. It was the fifth round of commander-level talks in the last two months between the two sides. After the previous talks held on July 14, the Indian Army had said that both sides are "committed to the complete disengagement of troops" but had cautioned that the process was "intricate" and that it needed "constant verification".

The spokesperson for the PLA, Senior Colonel Ren Guoqiang, however, stuck to the narrative that the disengagement process was being "gradually carried forward" and that there was "effective communication and co-

ordination" between the two sides, both on the diplomatic as well as on the military front. Meanwhile, the Indian Army has let it be known that it is taking no chances and has indicated that it will have to keep a larger permanent force deployed along the disputed border until there was a verifiable disengagement by the PLA from the friction points. According to the Indian Army, Chinese soldiers remain deployed east of Finger 4 at Pangong Tso and are preventing Indian troops from resuming patrolling in the five patrol points in the Depsang Plains. The PLA has, however, pulled back from the Galwan Valley and most of the other friction points.

The Indian Army has said that it has already deployed an additional 35,000 troops along the border. From its point of view, the restoration of status quo ante would mean reduction of the additional troops deployed by both the sides on the LAC, removal of the new infrastructure installed in areas claimed by India and restoration of patrolling rights as they had existed until May. The Indian Army also wants the delineation of the border to avoid a repeat of what happened in May and June.

Sun Weidong has said that the Indian insistence on the clarification of a disputed boundary would only lead to more confusion and disagreements between the two sides. He said that China has "not strayed beyond its customary boundary lines" on the northern side of the Pangong Tso. "China's traditional customary boundary line is in accordance with the LAC," he said. The Chinese envoy also made it a point to emphasise that his country never claimed land outside its territory: "The label of 'expansionist' cannot be pinned on China."

UNITED STATES' ENCOURAGEMENT

New Delhi is being openly encouraged to take a tough stand on the border issue by the Donald Trump administration. The United States Secretary of State, Mike Pompeo, who wants to claim the mantle of John Foster Dulles and launch a new Cold War, told the U.S. Congress that the recent border skirmishes on the Indian border and China's "real-estate claim" on Bhutanese territory were part of China's expansionist policies. Pompeo even

claimed that Beijing's goal was to spread "socialism with Chinese characteristics" to the rest of the world. He then went on to claim that the Trump administration's policies had led to the growing international ostracism of China. Pompeo said that China's recent actions had "reinvigorated" the Quad [Quadrilateral Security Dialogue], the anti-China military coalition consisting of the U.S., Japan, India and Australia.

The Quad first began during the United Progressive Alliance government in 2007. Beijing had strongly protested to New Delhi about the blatant anti-China character of the putative military alliance at the time, following which the Indian government had put the Quad on the back burner. China had particularly objected to Australia being invited to participate in the annual Malabar military exercises held by the navies of India, the U.S. and Japan. The Narendra Modi government resurrected the Quad in 2017, and Australia is being sent an invitation to participate in this year's Malabar exercises. Since 2017, the group has met seven times.

Derek Grossman, a former adviser to the U.S. Defence Department and currently a senior defence analyst at the RAND Corporation, specifically mentions the key role of the External Affairs Minister S. Jaishankar in resurrecting the Quad. He credits the former Foreign Secretary with convincing Prime Minister Modi to accede to Japanese Prime Minister Shinzo Abe's request that all four leaders of the Quad sit together across the table from President Xi Jinping at the 2019 G20 summit. It was a signal that did not go down well with Beijing. The Modi government's rush to re-embrace the Quad, according to most strategic observers, was triggered by the 2017 military standoff with China at the Doklam trijunction.

With the Trump administration declaring an open "Cold War" against China, the U.S. has adopted the Quad as the preferred mechanism to maintain "a free and open" Indo-Pacific region. Washington has also taken the lead in criticising China on a host of issues, including Beijing's handling of its internal affairs in Hong Kong, Tibet and Xinjiang. The U.S. is the only government that has officially labelled China as an "adversary" in its latest National Security Strategy, National Defence Strategy and Indo-Pacific Strategy Reports. There has also been an attempt by the Trump administration to water down the country's "one China" policy, in force since 1979. Washington's allies in the Quad seem eager to follow suit.

UPGRADING TIES WITH TAIWAN

For the first time, the Indian government has appointed a senior diplomat of Joint Secretary rank, Gaurangal Das, to Taiwan as Ambassador. The Indian diplomatic mission there is called the India-Taipei Association, and the new appointment signals an upgradation of ties between India and a country that is not recognised by the

international community of nations. Modi had invited Taipei's chief representative in India along with the representatives of the Tibetan government in exile in Delhi for his first oath-taking ceremony as Prime Minister in 2014.

In the first week of August, the Indian government used the occasion of the death of Taiwan's pro-independence former President, Lee Teng-hui, to send a strong message of solidarity with the breakaway republic. Its statement described the late President as "Mr Democracy", and said his vision and leadership "helped deepen democracy and economic prosperity" in Taiwan. President Lee spearheaded Taiwan's efforts to be recognised as an independent country, which is anathema to Beijing's "one China" policy.

Participating in a webinar in the last week of July, Ambassador Sun Weidong had emphasised that issues relating to Hong Kong, Taiwan, Tibet and Xinjiang were "totally China's internal affairs and bear on China's sovereignty and security".



SUN WEIDONG, Chinese Ambassador to India.

He pointed out that China does not interfere in the internal affairs of other countries and at the same time "it allows no external interference and never compromises on its core interests either".

Sun Weidong also took the opportunity to comment on the Indian government's moves to accelerate the decoupling of the economies of the two countries. In the last week of July, the Indian government issued orders for the banning of 47 more Chinese apps. It has delayed imports of machinery and other goods from China, and restricted Chinese companies from bidding for contracts in infrastruc-

ture projects. Sun Weidong pointed out that in the age of globalisation, the two economies are interconnected and that the "forced decoupling" would adversely impact the economies of both countries: "Whether we want it or not, the trend is difficult to reverse". He gave the example of German automakers in India complaining of delays because of the lack of spare parts coming from China.

China had lodged a strong protest on June 29 after the first round of banning by the Indian government, saying that the move "severely damaged the legitimate rights and interests of Chinese companies". But the Indian government seems determined to teach a lesson to the Chinese government, even if it means shooting itself in the foot.

China accounts for 14 per cent of Indian imports and is the source for even rudimentary products such as nails and toothpicks. While alternative sources can easily be found for such products, the fact remains that the electronic and pharmaceutical industries in India are substantially dependent at this point of time on imports and expertise from China. A significant amount of imports are also sourced from Hong Kong. Indian corporates have warned that hasty decoupling will add to the woes of an already beleaguered economy. □

Suffocating democracy in the Andes

From Bolivia to Colombia, underhand methods are being used to erase the possibility of democracy. And the coronavirus pandemic serves as a handy excuse to justify the stifling of democratic institutions and the permanent destruction of social movements and Left political parties. BY VIJAY PRASHAD



JAVIER MAMANI/GETTY IMAGES

IN LATE JULY, UNITED STATES PRESIDENT Donald Trump casually tweeted that he might “delay” the November 3 presidential election because of the global pandemic. As polls show his support slowly declining, he has indicated that the elections might be “rigged” and “stolen”. His promotion of doubt about the outcome of the election suggests that he wants to use it either to rally his social base or to refuse to accept the results of the election. But the suggestion about delaying the election puts another layer of doubt about the entire process. The U.S. Constitution gives Congress the power to set the date for the election; the President plays no role in this process. While Trump’s suggestion might not be taken seriously in the U.S., the idea of delaying elections has become a reality in Bolivia, which will not have had an elected government for at least a year.

PEOPLE FROM THE CITY OF EL ALTO, Bolivia, protesting in the streets of the capital, La Paz, on November 14, 2019, demanding the resignation of interim President Jeanine Anez.

But delay of elections is only one part of a broad anti-democratic strategy that has taken hold of the Andes region, particularly in Bolivia, Colombia, Ecuador and Peru. Here, parties of the far right have utilised various mechanisms—some constitutional, some unconstitutional—often to prevent popular political forces of the Left from contesting elections. The coup in Bolivia in November 2019 that removed President Evo Morales Ayma from office was followed by a deliberate attack on his political party (MAS, or Movimiento al Socialismo) and the social movements that support it. In Ecuador,

former President Rafael Correa and his party (FCS, or Fuerza Compromiso Social) have been denied the right to contest the 2021 presidential election. In Peru, President Martin Vizcarra got into a dispute with the Congress of Peru, with the country now caught in both the coronavirus pandemic and a political crisis. In Colombia, over a hundred leaders of social movements have been assassinated thus far in 2020, with the far-right government of President Ivan Duque offering those responsible for these murders complete impunity. Democratic processes in the Andes have shuddered to a halt.

BOLIVIA

In November 2019, the Bolivian military, backed by the far-right political forces in the country and by the U.S. government, overthrew the democratically elected government of President Morales. He was exiled to Mexico and then Argentina. At stake was his resource socialism, which had held the country's vast lithium reserves for the benefit of its people and not transnational corporations. The far right and the military settled on Jeanine Anez, a minor political figure, to replace Morales, and she became interim President in November 2019. Before Morales left Bolivia, the military, the police and far-right paramilitary groups began a concerted attack against the MAS' leaders and supporters. Several well-documented massacres transpired, with Jeanine Anez showing her eagerness to give those who killed her socialist opponents immunity from prosecution. She has shown no interest in investigating these massacres; the Plurinational Legislative Assembly, however, empanelled a multiparty commission to look into them and it will deliver its report in August.

Five months after the coup, the liberal press in the U.S. acknowledged, grudgingly, that Morales had been a victim of a coup and then began gingerly to criticise Jeanine Anez for her attack on the MAS and on democratic institutions. Lucien Chauvin and Anthony Faiola of *The Washington Post* (March 6) noted: "Since being sworn in, the fiercely anti-socialist Anez has presided over the detention of hundreds of opponents, the muzzling of journalists and a 'national pacification' campaign that has left at least 31 people dead, according to the national ombudsman and human rights groups." Anatoly



Kurmanaev and Maria Silvia Trigo of *The New York Times* (June 7) wrote that the government of Jeanine Anez had "persecuted the former president's supporters, stifled dissent and worked to cement its hold on power". The Harvard Law School's International Human Rights Clinic published a report on July 27 that plainly made the case against the violence driven by the government of Jeanine Anez: "State-sponsored violence, restrictions on free speech, and arbitrary detentions have all contributed to a climate of fear and misinformation that has undermined the rule of law as well as the prospects of fair and open elections." "Para-state groups", the report says, operate without check to beat and detain activists of the MAS and allied groups, particularly in areas where the socialists have political strength.

The Anez government made sure that the hugely popular Morales would not be allowed to return to Bolivia and contest the election. On December 5, 2019, she said that she would not be a candidate for the presidency but then changed her mind on January 24. She trails in the polls behind Luis Arce, the MAS candidate. Bolivia has not had an election since November 2019 and, indeed, has not had an elected government since then. Jeanine Anez, who knows that she cannot win an election, first set the election for May 3, then postponed it to September 6 and has now postponed it once more, to October 18. It is likely that it will be postponed further since the government has been incompetent in its handling of the pandemic (her Health Minister was arrested for corruption over the purchase of ventilators).

PERU

The COVID-19 pandemic has struck Peru's 33 million people hard, with 422,000 confirmed cases at the start of August and 19,408 deaths. Despite an early lockdown, the country has struggled. Close observers of the situation suggest that this has to do with the extreme social inequality and poverty in the country; since nearly half the population has no refrigerator, people by necessity have to congregate in markets, which makes the lockdown a mockery. The country went into the pandemic with a serious constitutional crisis on hand between President Vizcarra and the Congress of Peru, which he dissolved in September 2019. The Congress retaliated by



AGUSTIN MARCIAN/REUTERS



ALZAR RALDES/AFP

FORMER PRESIDENT EVO MORALES of Bolivia, and (right) Jeanine Anez, the country's new interim President.



MARTIN MEJIA/AP

PRESIDENT Martin Vizcarra of Peru.

suspending Vizcarra’s presidency and appointing Vice President Mercedes Araoz as President; but, a day later she resigned. Legislative elections were held in January, which sent to Lima a parliament where no single party received more than 11 per cent of the vote.

The crisis emerged out of a popular upsurge in September 2019 over the systematic corruption of Peru’s elite. Vizcarra has tried to drive an agenda against the corruption but has faced obstacles from the entrenched parties of the elite and by their institutional capture of the system. Four of the Presidents before Vizcarra were swept from office in corruption scandals. In July, as Vizcarra campaigned to hold a referendum to end the impunity enjoyed by Presidents, Ministers and lawmakers, the Congress hastily passed a Bill that did the same thing but with loopholes. Speaking of the reform process, Vizcarra said that the Congress “has distorted it” and that “surely someone will go to the constitutional court to have it annulled.” Then, the parliamentary immunity will continue.” The paralysis in Peru’s institutions remains, with democracy smothered in the process. Vizcarra is up for election next year.

ECUADOR

Inefficient governments that adopted the austerity policies of the International Monetary Fund (IMF) have seen the pandemic spin out of control. In Ecuador (population 17 million), for instance, the coronavirus pandemic overran the city of Guayaquil in March and April, with numbers of dead so high that their bodies were left on the streets. The situation in Quito, the capital, has become serious once more as lockdowns have eased. By early August, there were 86,232 confirmed infections and 5,736 deaths. IMF-driven cuts to public health care systems have negatively impacted Ecuador’s ability to tackle the virus. Meanwhile, President Lenin Moreno is driving an anti-democratic agenda in his country. On July 19, election officials refused to allow many parties, including former President Correa’s FCS to register for the presidential election of 2021. This manoeuvre comes alongside the National Court of Justice handing down an eight-year prison sentence for Correa on false corruption charges; this sentence bars him from electoral politics for 25 years. Each of these is an attempt to muzzle Correa, whose significant popularity in the country threatens Moreno. Moreno has used every measure—corruption, terrorism—to repress the opposition. Correa, who lives in exile, tweeted: “We are robbed of democracy again.”

COLOMBIA

Colombia (population 50 million) faces a range of problems, among them the pandemic (306,000 confirmed cases, with 10,330 deaths), an endemic economic crisis,



RODRIGO BUENDIA/AFP

PRESIDENT Lenin Moreno of Ecuador.



KENZO TRIBOUILLARD/AFP

FORMER PRESIDENT Rafael Correa of Ecuador.



LUISA GONZALEZ/REUTERS

PRESIDENT Ivan Duque of Colombia.

the paralysis of the peace process largely produced by the far right and the paramilitaries, and the use of Colombia as a staging ground for the hybrid war against Venezuela. President Duque, close to Trump in his orientation, has flailed about trying to please Washington and the Colombian elites. He faced a wave of protests late last year over both the economic crisis and the failure of his party to back the peace process. The incompetence of the government to handle the pandemic has further challenged his grip on power.

It is here that the assassinations of leaders of the social movement come in. Not a day goes by without either a failed attempt at or a successful assassination, with these leaders, often Afro-Colombian and poor, facing the brunt of state and para-state violence. On December 22, 2019, three such leaders were killed: Efraim Cabal Rendon (a teacher in the Toez indigenous area), Jairo Ortiz (of the Nasa indigenous area in Huila) and Nilson Caicedo (of the Community Council for the Development of Black Communities of the Mountain Range). These are brave people whose will to improve the conditions of their

communities and to give their fellow community members confidence was taken away by force. Democracy, which grows through the work of such leaders, is not being allowed to emerge in Colombia.

Senator Victoria Sandino, a leftist lawmaker, tweeted: “The state is responsible for these crimes as it has failed to guarantee the lives of those who exercise social leadership in the country. Seeing these crimes only as numbers dilutes the importance for the communities. We need to know what happened, who gave the order and to make sure that history doesn’t repeat itself.”

Across the Andes, from Bolivia to Colombia, different procedures have been used, from coups to assassinations, to erase the possibility of democracy. The pandemic is being used to justify most of these processes although they long predate it. The pandemic is being used as an excuse to stifle democratic institutions and permanently destroy social movements and Left political parties. □

Triumph or tragedy?

The recent reconversion of Hagia Sophia in Turkey into a mosque is another indication of the growing strength of communal politics the world over. BY IRFAN ENGINEER

HAGIA SOPHIA WAS A PATRIARCHAL cathedral built by Justinian I in 537 C.E. Its conversion into the Hagia Sophia Grand Mosque took place in 1453, after the conquest of Constantinople by Sultan Mehmet II, and into a museum, by Kemal Ataturk, in 1934. On July 10, 2020, it was reconverted into a mosque with the same old name. This controversial action by the Turkish government with regard to the Christian-Muslim monument signifies the growing strength the world over of right-wing politicians of all religions who misuse religion for their political ends and to stoke religio-cultural conflicts. The museum was a great tourist attraction.

I was pained at the sight of the first *juma namaz* held on the streets surrounding the museum and the *khutba* delivered by the imam, with the Ottoman-era sword in his hand. Muslims pray to one universal God to guide them to the righteous path. On seeing the video of the namaz on the streets (as if those who were praying were doing so to mark their triumph), I wondered whether they were praying to Allah or to the brick-and-mortar structure. The Blue Mosque is just a few hundred feet away from Hagia Sophia. Those who wanted to pray to Allah could have done so there.

The reconversion of the Hagia Sophia Museum to the Grand Mosque is not a triumph of Islam. It is, I dare say, a triumph of politics that is alien to Islam. It is the triumph of a right-wing politician, President Recep Tayyip Erdogan, who is accused of corruption and is rapidly losing his popularity owing to the poor performance of his government on the economic front, and whose authoritarian rule represses the opposition. Erdogan reconfigured the Kemalist state, which imposed secularism, to an authoritarian state by misusing Islam



HANDOUT/GETTY IMAGES

PRESIDENT Recep Tayyip Erdogan and invited guests attend Friday prayers at Hagia Sophia Grand Mosque during the building's first official prayers after being reconverted into a mosque, in Istanbul on July 24.

to consolidate and perpetuate his rule. United States President Donald Trump is manipulating Christian sentiments to rally right-wing Christian evangelists to back him for a second term. Former Republican President George W. Bush stoked religious sentiment by calling the U.S.' invasion of Afghanistan and Iraq in 2003 a crusade. Islamists such as the Islamic State (I.S.), the Taliban and Al Qaeda misuse Islam to achieve their

political objective of an intolerant state. The Bodhu Bala Sena in Sri Lanka and the Myanmar military misuse Buddhism to mobilise faithful followers for their version of Buddhist nationalism and an authoritarian state, and in India, the Bharatiya Janata Party (BJP) government misuses Hindu religion to weaken all democratic institutions and push for the centralisation of power. The reconversion of Hagia Sophia will fuel Islamophobia and immensely strengthen right-wing politicians across the board.

MISUSING RELIGION

Erdogan is misusing Islam for another political objective as well—to expand the boundaries of Turkey, reconquer the Ottoman territories and become the leader of the Muslim world. However, Muslim countries were never united as they had their respective national goals to pursue. Erdogan's military interfered in the Syrian conflict with the objective of annexing Syria's Kurdish-inhabited territory. It failed miserably. Then, it interfered in the Libyan conflict without making much headway.

Islam respects the freedom of conscience. There are several verses in the Quran in support of the freedom of religion. The Quran explicitly states that there is no compulsion in religion. "For you your religion; and for me mine." Jews and Christians are considered people of the book. Sufi saints in India considered even Hindus as people of the book. Allah has sent prophets to all regions of the world to guide people, and the Quran reveals the same truth that has been revealed through earlier prophets. Maulana Abul Kalam Azad, in his commentary on the Quran, stated that a Muslim must believe all religions to be true. Non-Muslims in Muslim-majority countries must enjoy equal rights. The Quranic righteous path is to strive for justice, struggle against inequalities in society, serve the neediest, deliver them from oppression and respect diversity. Diversity is God-ordained so that we know each other. Quran 2:148 lays down: "For each [religious following] is a direction toward which it faces. So race to [all that is] good. Wherever you may be, Allah will bring you forth [for judgement] all together." The centre of all religions is Him, even though their ways may be different. We are ordained not to fight with each other but to compete in doing good deeds.

Political Islamists have emerged as hypocrites. They are supporting Erdogan's conversion of the Hagia Sophia Museum. Their support is not only to a mosque, as in Islam no mosque is holier than another as you do not pray to the mosque but in a mosque, as congregational prayer is recommended. Political Islamists and Islamic evangelists feel triumphant at the conversion as they think that Islam is superior to other religions, and the Sharia, which has considerable human element and interpretation, must be established in Muslim-majority countries and imposed on non-Muslims or they should live as second-class citizens subjugated by Muslims. However, wherever they are in the minority, they claim the right to practise their religion and follow the Sharia. If the Islam-

ists are celebrating the conversion of Hagia Sophia into a mosque, would they accept a similar conversion of mosques into religious structures of other religions where Muslims are in a minority? They willy-nilly justify the treatment meted out to the Rohingya Muslims in Myanmar and the Uighur Muslims in China.

However, the majority of Muslims in their everyday life desire to live peacefully with non-Muslims in their neighbourhood and have an attitude of cultural dialogue, which leads to diversity within Islam. Islam is a matter of faith for them, and they have learnt to live peacefully with non-Muslim neighbours. They know the place of religion in their life. Conversion of Hagia Sophia is not a conflict between Islam and Christians. It is a conflict between a minority, political Islamists like Erdogan, and the Islam of the ordinary faithful.

MONUMENTS OF POWER

Religion should be a source of knowledge and values. All religions have common values. They teach spirituality. They teach us not to be vulgar consumerists and individualistic persons but to be conscious about our duties to society, share space with others and live in solidarity, coming to the aid of the needy. Imposing structures such as Hagia Sophia have been monuments of power and authority to overawe and mesmerise ordinary people who need livelihoods, housing, education, access to health services, and fair opportunities to work hard and succeed. Imperial religious structures mesmerise ordinary people into submission to the will and desire of the elite. Hindu nationalists are also constructing such monuments. The BJP installed a grand statue of Sardar Vallabhbhai Patel in Narmada district of Gujarat, and the Maharashtra government is constructing a statue dedicated to Chhatrapati Shivaji Maharaj in the Arabian Sea off the Mumbai coast. The proposed Ram temple in Ayodhya is also a statement of power rather than a place of piety where the faithful experience the presence of God and feel liberated and inspired to pursue truth and the true meanings of life.

There should be an end to the conversion of religious structures. Monuments like Hagia Sophia should be the heritage of humanity accessible to people of all faiths; the mosque should be restored as a museum. Those in possession of Hagia Sophia and such monuments should hold them in trust as the heritage of all. Here I am reminded of the Prophet of Islam inviting Christians who came to meet him in Medina to pray in their own tradition inside the mosque. One day, when no classroom was available for my lectures for an honour's course on Islam at St. Xavier's College, Mumbai, the college management opened its chapel for my lecture. I wonder if Muslims would open their mosques for people of other faiths to pray. The Lotus Temple in Delhi is built and maintained by the Bahai community but for people of all faiths to pray in their own traditions. □

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Profound yet simple

Sa. Kandasamy (1939-2020), an eminent writer and conscientious documentary film-maker, believed in **expressing profound ideas in simple words** and was not trapped by labels. BY **A.S. PANNEERSELVAN**

IN 1985, at the Weavers Service Centre's office on Chamiers Road in Chennai, the writer Sa. Kandasamy was in animated conversation about the contribution of visual art to Tamil sensibilities. The artists K.M. Adimoolam and Trotsky Marudu, who, between them, designed and drew for more than 50 per cent of contemporary Tamil literary publications, joined in with the writer. The discussion was about two trajectories of art. One, as propounded by E.B. Havell, the man responsible for the eminence of the Madras Arts School, and the other as advocated by none other than Rabindranath Tagore.

Havell wanted a reform in the art teaching methods and fiercely pushed for "the whole course of instruction, making Indian art the basis of teaching". On the other hand, Tagore was wary of the nationalist labelling of art. He said: "I strongly urge our artists vehemently to deny their obligation to produce something that can be labelled as Indian art, according to some old-world mannerism."

Kandasamy said that A.P. Santhanaraj, one of the finest artists and an inspiring teacher of the Madras School, distilled the sayings of Havell and Tagore and gave a new meaning to the coinage: the "Madras Metaphor".

Santhanaraj had a yardstick to see whether one had matured into an artist or remained a craftsman. "If one can draw a straight line, then one has bloomed into an artist," was

his refrain. Kandasamy said that we need to look at simple declarations more carefully. He added: "All profound things are simple. Whether it is Kaniyan Poongkundan's poem or the *Thirukkural* or the *Athichudi*, profound ideas were expressed in simple words. Profundity does not need ornamentation or any external crutches. This applies to the lines of great visual artists too. The one-line observation of Santhanaraj is what they teach for two years at MFA [Master of Fine Arts] at various art institutions."

We need to locate Kandasamy's contribution to the world of literature beyond his Sahitya Akademi award for his writings or the first prize he won at the Angino Film Festival in Nicosia, Cyprus, for his documentary film-making.

He was a voice who worked on the intersection between literature, visual arts, politics, environment and economy. A couple of years ago, the writer Amitav Ghosh asked "where is the fiction about climate change?" and concluded that "we are living through a crisis of culture, and of the imagination".

At least three decades before the term "eco fiction" was coined, Kandasamy produced the first ecological novel, *Saayavanam*, in 1968, which dealt with the extensive clearing of forests to make way for economic gains. He was the youngest writer to be published by the Vasagar Vattam of Lakshmi Krishnamurthy.

Kandasamy realised that profound changes were coming in owing



S. THANTHONI

SA. KANDASAMY during a talk in Chennai in 2011.

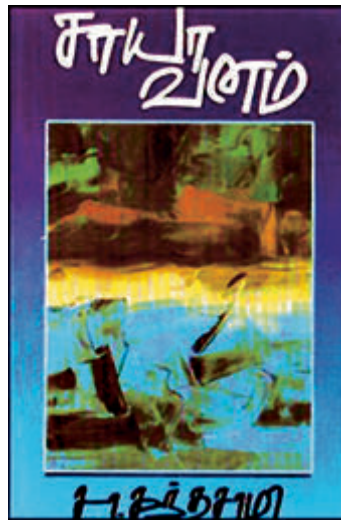
to a shift in the cultivating pattern and in the introduction of cash crops—particularly sugar cane—in areas known for growing either rice or cereals.

"The thrust of cash crops by our own independent governments is a variant of the creation of plantation economy by colonial rule. It not only changes the relationship among humans, but also between the humans and the nature," said Kandasamy while explaining the rationale behind writing the first ecological novel.

He said: “I do not understand such labels. I write about what I know; about the people I know; in a language I know. The only effort I take is to filter any form of ornamentation that may creep into my prose. Saayavanam was the name of the village in Nagapattinam district, where my family moved from Mayavaram. Since the novel dealt with what was happening in my backyard, I called it *Saayavanam*.”

Hailing from a humble background, Kandasamy could not pursue a full-time career as a writer. So, he joined the Food Corporation of India. He said: “One thing I was clear was that the job was to feed me and not to reduce me to a mere monthly salary earning machine. It gave me the freedom to choose publications of my choice to express myself. When I moved to Madras, I was moved by the sheer simplicity and the depth created by the lines of Adimoolam and the wisdom of Gnanakoothan in his elegant poems. They also saw something worthwhile in my writings.”

He added: “It was they who invited me to join an ‘informal group’ of people who were driven by a thirst for books and ideas. S. Ramakrishnan, who was in the advertising field at that time, and artists R.B. Basakaran also joined us. Our evening discussions led to the birth of the magazine *Ka Sa Da Tha Pa Ra*. It was, as critic Ka.Na. Subramaniam once said, “powerful, noisy and catalytic” during the 36 months that it ran. When Ramakrishnan decided to quit advertising, he launched his avant-garde publishing house Cre-A, with a collection of my short stories called *Thakkaiyin Meethu Naangu Kangal*.”



SAAYAVANAM,
Sa. Kandasamy's first novel.

Kandasamy wrote six novels—*Suriya Vamsam*, *Visaranai Commission* (which fetched him the Sahitya Akademi Award), *Avan Aanathu*, *Tholaindhu Ponavargal*, *Perum Mazhai Natkal* and *Neelavan*—and over 300 short stories. But his interest in locating the present within the larger sociopolitical and historical context made him an important non-fiction writer too. He has extensively written about visual arts, sociology and the history of writing itself.

His short introduction of Tamil autobiographies, starting from *Anandarangam Pillai Diary*, which begins on September 6, 1736, to former Chief Minister M. Karunanidhi's *Nenjuku Neethi* for the Sahitya Akademi, helps not only understand those personalities but Kandasamy too. “Autobiographies are only partly about the personality who wrote it. It is also a documentation of the society at a given period,” said Kandasamy.

Much before the term ‘eco fiction’ was coined, Kandasamy produced the first ecological novel, ‘Saayavanam’, in 1968, which dealt with the extensive clearing of forests for economic gains.

As M. Rajendran, former Vice Chancellor of the Tamil University, said, Kandasamy wrote *Tholaindhu Ponavargal* (Those who are lost) only to remind us that he will never be lost in the pantheon of Tamil literature.

AS A FILM-MAKER

Kandasamy's abiding interest in visual arts brought him close to film-making. His close association with the legendary sculptor S. Dhanapal and Adimoolam led him into the history of the visual heritage of Tamil Nadu. He felt there was huge conceptual gap in the understanding of our lineage.

“Some talk about the Pallava period sculpting and the Chola period bronze and then quickly shift to near modern developments like the murals created during the Maratha rule in Thanjavur, which was early 18th century, and then seamlessly talk about the modern idioms of Roy Chowdry and his students. There was an important link that connects early Pallava aesthetics with the metal sculptures of C. Dhakshinamoorthy. It was our terracotta tradition. My first film, *Kaval Deivangal*, was the celebration of burnt earth, in which not only our collective memory but also our collective skills are captured for the coming generations,” he said.

He felt that it is important to create vibrant archives about the people who pushed the envelope in the creative world. Explaining his film-making process, he said: “We need to know why they produced what they produced and how they produced them. Their creative work only offers a hint about the process. How to understand the different approaches S. Dhanapal adopted to different materials he used, pen, ink, colour, oil, stone and metal? On what basis did Jayakanthan decide to expand a story to a novel or restrict it to a short story? How did the film production houses become a backdrop in Ashokamitran's work? These questions, my quest to know, led me to make films on them as some of these slivers of life could not be captured in other forms.” □

Music of the spheres

C.S. Seshadri (1932-2020), the algebraic geometer of international stature, was instrumental in setting the stage for the re-emergence of Chennai as a vibrant centre of mathematical research. **BY T.R. RAMADAS**

IN the early decades of the last century, Srinivasa Ramanujan famously pursued his interest in mathematics while working as a clerk in the Madras Port Trust. Less well-known is the fact that at around the same time a group of professional mathematicians thrived in Madras (now Chennai).

This “Madras School” of mathematics, which made the city the centre of Indian mathematics, was led by Ananda Rau and R. Vaidyanathaswamy—both products of Cambridge—and Fr Racine, a French Jesuit priest who taught at Loyola College in Chennai. Among the products of this school were S.S. Pillai, S. Minakshisundaram, K. Chandrasekharan, Ganapathy Iyer, Kesava Menon and K.G. Ramanathan.¹

Many of these people figured in the life of C.S. Seshadri, whose extraordinary life and achievements I now turn to.²

Seshadri’s career is a case study in how family background, peer group, mentors, institutions and luck combine with innate ability and personality to determine life outcomes. Innate ability is the least quantifiable factor, and with Seshadri this was not apparent immediately. This is because of his personality, which was deliberate and confident but understated. (He shunned ostentation in all matters, whether it be the furnishing of his office, his clothes or even the notebooks in which he prepared his careful lectures.) Those familiar with the



BY SPECIAL ARRANGEMENT

depth and breadth of his work, however, will vouch for his ferocious intelligence. As for personality, he demonstrated by example that being calmly focussed on the matter at hand—whether it be mathematics, music or administration—is what it means to be true to oneself and to society.

Seshadri was born in Kancheepuram on February 29, 1932, in a family of 11 children, in relatively affluent circumstances. He was a good student. An uncle (who had been trained as a chemist at the Institute

of Science, Bangalore) kindled his interest in mathematics. In 1948, Seshadri joined Loyola College, where he spent the next five years, first in the intermediate class and then in the B.A. (Hons) course. Fr Racine had arrived in Loyola College in 1939.³

By all accounts he was not a great teacher, but he had studied in France with the legendary mathematicians Elie Cartan and Hadamard and, to quote M.S. Raghunathan, “... Racine naturally had an excellent perspective on mathematics, which he

brought to India with him. He began weaning some Indian mathematicians away from traditional Cambridge-inspired areas and Minakshi[sundaram] was his first big success; and there was a galaxy of brilliant students to follow.... To mention a few names: K.G. Ramanathan, C.S. Seshadri, M.S. Narasimhan, Raghavan Narasimhan, C.P. Ramanujam.”

Of these, M.S. Narasimhan was in the same “batch” as Seshadri. After graduating from Loyola, the two of them went to Bombay (now Mumbai) to join the Tata Institute of Fundamental Research (TIFR) on the advice of Fr Racine.

THE EARLY YEARS AT TIFR

TIFR was the brainchild of Homi Bhabha, the outstanding theoretical physicist and institution builder and father of India’s nuclear programme. Homi Bhabha was convinced of the centrality of mathematics. It is no accident that the TIFR letterhead said: National Centre of the Government of India for Nuclear Science and Mathematics. In 1949, K. Chandrasekharan, then 29 years old, was invited by Homi Bhabha to join TIFR. Chandrasekharan (known as K.C.) had obtained his doctoral degree in Madras under the guidance of Ananda Rau and was at the Institute for Advanced Study (IAS) at Princeton, United States, when the invitation came from Homi Bhabha.

Over a period of 16 years, K.C. built an outstanding school of pure mathematics at TIFR. (He moved to ETH Zurich in 1965.) It was his extraordinary luck that Narasimhan and Seshadri arrived at TIFR in 1953 as graduate students; in turn it was their good fortune that K.C. had prepared the ground for them, as well as for those who came later.

K.G. Ramanathan (known as K.G.R.) joined K.C. in 1951 after earning his PhD under Emil Artin in Princeton. Over the years, a stream of outstanding students went from Madras to TIFR, many of them from Loyola College (and a similar group from Vivekananda College); together they formed an outstanding peer group. (In later years, this pat-

tern changed, and TIFR began to attract students from elsewhere in India.) K.G.R. and K.C. together anchored the mathematics academic programme at TIFR. They devised a programme of visitors from abroad—mostly from France but also from elsewhere in Europe and the U.S. (and later also Japan) who gave courses of lectures that rapidly took the cohort of bright students from the basics to the cutting edge of mathematics. The names of the lecturers is a roll call of outstanding researchers of the era, and the notes of the lectures—typed, “cyclostyled” and bound securely in an elegant large format—acquired a legendary status around the world.

Modern mathematics is characterised by having a lot of information distilled into definitions. A good point of view gives rapid access to deeper properties of the mathematical objects under study and also gives good reasons to prioritise some over the other. If that is too nuanced, let us just say that good taste is important in mathematics, and more so now because it is a thriving subject and there is so much of it. This is why “learn from the masters” is particularly good advice. This is the luxury that students at TIFR had—those who grasped this opportunity made outstanding careers for themselves. Seshadri was one of them, as also Narasimhan.

Among the fields that flourished in TIFR—and the tradition continues to this day—is algebraic geometry, which has its somewhat fusty origins in coordinate geometry. But during the first half of the 20th century, it underwent a series of revolutions, above all at the hands of Alexandre Grothendieck, and came to occupy a central role in mathematics in the second half of the century.

THE BREAKTHROUGH YEARS

During the 30 years that Seshadri spent at TIFR (from 1953 to 1984), he grew from graduate student to an algebraic geometer of international stature. Before we turn to the work itself, two remarks must be made. First, because of the relatively improvised nature of the training at TIFR,

there was a certain amount of cast-iron-around-for-direction that went on, even with the most gifted students. When they did find a direction, it was often by themselves and by accident. In the case of Seshadri, he eventually found a direction—algebraic geometry in the French mode, as formulated by his “guru” Claude Chevalley and later Grothendieck, and a set of problems relating to “moduli theory”, which is the study of families of algebro-geometric objects initiated by Chevalley and Andre Weil.

(A parabola is an example of an algebro-geometric object. It is defined by an algebraic equation; the “constants” in the equation are in mathematical argot “moduli”, and as the moduli change we get different parabolas. The set of moduli is a “moduli space”.)

Seshadri’s first substantial piece of work, however, did not involve moduli or, in fact, much geometry. This was his solution of a conjecture of Jean-Pierre Serre in the simplest non-trivial (two-dimensional) case. Pavaman Murthy, Seshadri’s first student, would later solve this in three dimensions. Later, Quillen and Suslin independently proved the conjecture in general. This whole line of work, on projective modules, is a major strand of the field known as commutative algebra, and one where Indian researchers, mostly from TIFR, continued to make significant contributions.

In the early 1960s, inspired by ideas of Andre Weil, Narasimhan and Seshadri began studying families of “irreducible unitary representations of the fundamental group of a Riemann surface”. By a wonderful concatenation of circumstances, the American mathematician David Mumford was simultaneously engaged in resurrecting ideas of David Hilbert to construct a “Geometric Invariant Theory” (GIT) with a view to using this to construct moduli spaces in algebraic geometry. As an example, he considered “moduli spaces of stable vector bundles on an algebraic curve”, and Narasimhan and Seshadri had the epiphany that their space of irreducible representations

could be identified, after some hard work, with Mumford’s space of stable vector bundles. The Narasimhan-Seshadri theorem, as it came to be known, is a cornerstone of modern geometry and has been generalised in many directions, most notably with the work of Atiyah-Bott, Donaldson, Hitchin and Uhlenbeck-Yau.

Seshadri continued to work on foundational aspects of GIT. As for moduli theory, he introduced the notion of parabolic bundles and (jointly with Vikram Mehta) proved a version of the Narasimhan-Seshadri theorem that holds for these objects. Parabolic bundles have many facets, not only do they give the most natural examples of a subtle phenomenon in GIT, the “variation of stability with respect to a parameter”, they also crop up in the mathematics of string theory.

In the late 1970s, in departure from his earlier work, Seshadri launched a major programme to develop a modern theory of “standard monomials”. He was joined in this by his students (and later collaborators) C. Musili and V. Lakshmibai. This was a *tour de force* of algebra, geometry and combinatorics that yielded substantial new results and (in the hands of Peter Littelmann) led to unexpected connections with the works of Kashiwara on mathematical objects called crystals.

Along the way, he discovered basic results in algebraic geometry that are codified in his amplexity criterion and the definition of the “Seshadri constant”.

To give the layperson some idea of the level of all the work described in broad brushstrokes above, Grothendieck, Serre, Quillen, Mumford, Atiyah and Yau were all winners of the Fields Medal, and Uhlenbeck was an Abel laureate.

Seshadri’s achievements were recognised by the Indian and international community. He was elected to fellowships of the major Indian academies, the Royal Society, the U.S. National Academy of Sciences and The World Science Academy based in Trieste, Italy. Seshadri was awarded the Bhatnagar Prize, the



AT A BANQUET on the lawn in front of TIFR during the 1968 International Colloquium on Algebraic Geometry: Alexandre Grothendieck (barefoot), Armand Borel (seated) and Seshadri (standing).

Trieste Science Prize and the Padma Bhushan.

I remember hosting a party at IAS when the news of his election to the Royal Society was announced. (I was a “postdoc” there. Seshadri was visiting, as were some other younger colleagues from Bombay.) Seshadri was very pleased, and told us of a message of congratulations he had received from an Australian mathematician remarking that the time taken for this recognition was proportional to the distance from England.

CHENNAI MATHEMATICAL INSTITUTE

In 1984, Seshadri moved back from Bombay to Madras and joined the Institute for Mathematical Sciences

(IMSc). He persuaded his younger colleague and well-known number theorist R. Balasubramanian to join him. In 1985, he welcomed P.S. Thiagarajan, who had spent many years in Europe, to start a group in theoretical computer science at IMSc. This set the stage for the re-emergence of Madras as a vibrant centre of mathematical research. In 1989, Seshadri moved with Thiagarajan to the SPIC Science Foundation and started a School of Mathematics, working out of a modest set of offices and lecture rooms in a building in T. Nagar. The first set of graduate students joined, and a nucleus of a high-level research in mathematics and theoretical computer science was formed.

By 1998, the new institution had

matured into the Chennai Mathematical Institute (CMI) and started its now flagship undergraduate programme. Soon afterwards, R. Sridharan, who was retiring from TIFR after a long and distinguished career, joined CMI as a senior faculty member.

By 2006, the institute had become a deemed university and was housed in elegant low-slung buildings with an extraordinary open architecture, at the heart of the software park SIPCOT, some 20 kilometres south of Chennai along the Old Mahabalipuram Road. This growth was facilitated and sustained by the support from the Department of Atomic Energy, the University Grants Commission (UGC) and, more recently, the Department of Science and Technology (DST). There was significant private funding from both individuals and private institutions. The Infosys Foundation made a major donation, and the Shriram group has been a consistent supporter.

CMI has had to be continuously mindful of the need to raise funds; this has resulted in a frugal culture. Seshadri bore the associated stresses with patience, for the most part. He was self-deprecating during meetings with potential donors, often quoting the Kunjan Nambiar poem, which he had learned from his colleague S. Ramanan: “*Deepasthambham mahAshcaryam, namukkum kittanam panam.*” (The lamp post is wonderful, we also need money.)

Seshadri’s model for his institute was the great modern universities of the West, particularly the U.S., with their campuses alive with debate, music, theatre, literature, art, science and mathematics, where active practitioners pass on their passion and skills to the younger generations. Constraints of funding and availability of faculty have meant that for the moment activity in CMI is restricted to (pure) mathematics, theoretical computer science and theoretical physics. (Recently, a master’s programme in data science has been added.) Nonetheless, the students are exposed to a culture where research

coexists with learning and the arts are accorded their due. They go on to achieve successful careers in academia and industry.

Music, like mathematics, ran like a golden thread through Seshadri’s life. His family had deep connections with Carnatic music, in particular, the school of the legendary Naina Pillai. From an early age, he was immersed in it, listening and singing by ear until he could reproduce complicated compositions. Formal training started rather late in life when he was 24, and perhaps because of this, he was never a concert performer. “Music is also not an easy game, as it calls for early commitment and complete surrender,” he said in a recent interview.

Back in Madras, he formed a number of close friendships with musicians and serious aficionados of music. Among them was Shri (“Spencer”) Venugopal. They had regular sessions where they shared their thoughts on music and sang together. Venugopal talks of Seshadri’s approach to music, which was “not only aesthetic, but also educated”, and praises the *laya-sruthivak suddham* of his singing. They shared an enthusiasm for the Dhanammal bani (school of music); Venugopal remembers occasions when T. Brinda (Dhanammal’s granddaughter) sang for an audience of two. Seshadri was open to musical experiences of various genres and once even expressed a wish to be reborn as a Dhrupad singer.

A GIFT FOR FRIENDSHIP

If you encountered Seshadri, you would have described him as “warm and friendly”, irrespective of your age or position in life. This was not an artifice. To those who could recognise it, there was a special enthusiasm that turned on when he encountered someone with great talent, passion and anything interesting to say. It is not surprising, therefore, that he formed a number of warm friendships with gifted individuals of all stripes. David Mumford was a close friend, as also M.S. Narasimhan and a number of other intellectuals in India and around the

world, including younger colleagues, among them Pavaman Murthy and Lakshmi Bai. Particularly deep were the friendships built on love for music. S. Parthasarathy of the SPIC Centre for Energy Research and R. Thyagarajan, industrialist and founder of the Shriram Group, were others with whom Seshadri shared his passion for music. Thyagarajan became one of CMI’s staunchest supporters.

Seshadri’s closest friend, without doubt, was his wife and companion, Sundari. She was a talented singer with a passion for classical music as well as Hindi film songs of the golden age, which included Asha Bhosle’s item numbers, which she could belt out with gusto. Possessed with *joie de vivre*, she was the centre of a joyous circle of Seshadri’s family and friends.

Seshadri had been plagued by a variety of ailments in the last decade. He endured them with habitual grit and good humour. Sundari’s passing in October 2019 was a heavy blow to him, and his health began to deteriorate. The end, when it came, was due to a heart attack, late in the evening on July 17, 2020.

Seshadri is survived by his sons Giridhar and Narasimhan. □

T.R. Ramadas recently retired as Distinguished Professor at Chennai Mathematical Institute and is now Adjunct Faculty there. Earlier, he was Head of Mathematics at ICTP, Trieste.

Notes

¹ For wonderful accounts of these lives, see Raghunathan, M.S. (2003): “Artless innocents and ivory-tower sophisticates: Some personalities on the Indian mathematical scene”, *Current Science*, 85, pp. 526–536.

² <https://bhavana.org.in/proofs-transcendence-cs-seshadri/>. An interview with Seshadri wherein he speaks at length about his life and work.

³ <http://gaddeswarup.blogspot.com/2008/09/remembering-fr-racine.html> for an appreciation of this extraordinary man.

Patriarchy in perspective

The Malayalam film *Run Kalyani* is making waves with its realistic depiction of the **romance of everyday living**. BY **SANKAR VARMA**

“The fact that new phenomena can be genetically derived on the basis of their everyday existence is only one aspect of a general relationship, namely that being is a historical process. There is certainly no being in the strong sense, and even that which we call everyday being is a specific and extremely relative configuration of complexes within a historical process.”

—Georg Lukacs

IT is not always that other characters in a film also become a leading character, despite the film already having a leading character. Perhaps this is where the ‘what’s in a name’ idea turns out to be a major area for critique.

One of the famous texts that Kerala has produced is *Nalacharitham* by Unnayi Warrier, a Kathakali play or *ataakatha*. In it, the male protagonist is Nalan and the female protagonist is Damayanthi, both supposedly the major characters. However, when we delve deeper into the play, it becomes evident that without a messenger, it would not be a brilliant one. That messenger comes in the form of the ‘hamsam’ (a bird of passage).

Perhaps it is the indelible nature of the ‘hamsam’ that is seen in the character of Kalyani in the movie *Run Kalyani* directed by Geetha J. The movie has been critically lauded



GEETHA J., the director.

in several spaces, ranging from the Kolkata International Film Festival 2019 to the 20th edition (virtual) of the New York Indian Film Festival on July 24.

Giving a glimpse of the storyline that begins in an ‘agraharam’ (Brahmin street) in Thiruvananthapuram, Geetha said in an interview to *The Hindu* (November 14, 2019) that the film tracks Kalyani from the time she wakes up in her rented house in the ‘agraharam’ and makes her way to the high-rise apartment of a bachelor where she works as a cook. Then, she works in a house inhabited by a joint family. And, in the evening, she returns home.

“This goes on for three days, and on the surface, her day looks monotonous but no two days are the same. There are several interesting interac-

tions with the members of the household, and there are visitors too. In the meantime, she also acts as a go-between, carrying poems written by Nirmala (Meera Nair), the young housewife in the joint family, to the resident (Ramesh Varma) in the flat. The complexities go on increasing subtly every day till it all explodes on the fourth day. It is a pattern film about people keeping hope alive in oppressive circumstances, a realistic theme that focuses on the romance of everyday living, of grief and grit,” she said.

Although this happens to be a major plot in the film, as explained by the director, for a viewer there are



A POSTER of the film.

multiple plots that can be deciphered and delved into through difference and repetition.

Humankind has been the subject and object of a history that has always been confronted with the most mechanical and the most stereotypical repetitions, inside and outside. Although we try to endlessly extract from them little differences, variations and modifications, the realisation of women also being part of the workforce has remained far away from the idea of representation in a patriarchal society.

Run Kalyani is a glimpse into the daily life of the female workforce. This is a movie that takes one into varied realms of toil, class relations, and, most importantly, an identification of what it means to be a human amidst all the bourgeois ailments that populate the environment we live in.

In other words, the movie is a documentation of how to lead one's life along with the 'other'. Here, the 'other' need not necessarily be a character; it can even be an imaginative force that stimulates the self to work for others. It can be an illusion that just keeps someone up and running.

This agency, which functions through living a life characterised by an extreme, deep-seated, far-reaching responsibility for others before oneself, is what *Run Kalyani* tries to portray.

PORTRAYING REPETITIVE DIFFERENCES

Garggi Ananthan, who plays Kalyani in the movie, uses her theatrical training to brilliantly establish relations with the other characters in the film by conveying things that are not always verbal.

Garggi has put her body and soul into the role. It is not always that one can express the toil one undergoes without speaking, but Garggi has perfected this with utmost diligence.

The true success of a hidden talent is when repetitions are perfected. In a traditional artistic sense, one may call it 'sadhakam'. Garggi as Kalyani in the movie has perfected this 'sadhakam' in portraying these repetitions very differently but with



BY SPECIAL ARRANGEMENT

precision. The viewer is convinced that the other characters are also equally leading characters when the film succeeds in portraying the 'repetitive difference' of the characters. All the actors who are part of this film have achieved perfection in portraying this repetitive difference.

It is also this repetitive difference

which is the major signifier employed in the film throughout. This is because the run is for a need and the need marks the limits of a variable present. The variable present for Kalyani has always been repetitive. This is because repetition is essentially inscribed in need, and it coincides with the duration of



THE TEAM behind "Run Kalyani", after a screening in Thiruvananthapuram.

A PROMOTIONAL still featuring the protagonist, played by Garggi Ananthan.

contemplation. All the characters in the film are in a way objects and subjects of Kalyani's contemplation owing to her forced circumstances that have been repetitive in nature.

As Gilles Deleuze said: "Novelty passes to the mind which represents itself: because the mind has a memory or acquires habits, it is capable of forming concepts in general and of drawing something new, of subtracting something new from the repetition that it contemplates."

It is perhaps this repetitive nature that creates a stage of novelty for Kalyani also to stay up and running.

ROMANTIC POETRY IN ACTING

Run Kalyani is yet another cinematic vehicle that wonderfully documents the brilliance of Ramesh Varma's acting. A trained theatre artist, Ramesh Varma's very involvement in this film is yet another example of romantic poetry, which he embodies both in his acting as well as in life. This romantic poetry in his acting seems to be getting more and

more immanent at the same time aesthetically hidden as time and reel passes by. There is a particular scene in the film where he philosophises the beauty of 'nothing'. The scene is minute and lasts only a few seconds, but the very articulation of saying the word 'nothing' when a girl asks him is a larger symbolic representation of every human in this world who has his/her heart firm in their beliefs.

Meera Nair in the film becomes an epitome of a spiralling staircase. Though the steps are spiralled, the ultimate arrival is at a larger world of flying without boundaries. A world that is bereft of a containment zone. Meera Nair's acting is definitely a slap on the face of patriarchy and perhaps no one has ever immersed in a character to realistically portray living trauma to such an extent.

The trauma inside manifests not just as silence but also as actions, and these actions are a punch to the face. In a society still weighed down by the burden of historical patriarchy, *Run Kalyani* comes as a redeemer that questions the past.

Henry Wadsworth Longfellow once wrote: "The heights by great men reached and kept were not attained by sudden flight, but they, while their companions slept, were toiling upward in the night."

MEN AS SPECTATORS

Kalyani and the film represent a toil wherein men remain mere spectators. The representation of women as labourers remains in the shadows even today. The reason for this is what the classical Marxist from Kerala, Dr T.K. Ramachandran, called an 'ultra-conservative backlash'. This backlash marks the majority of the society we live in today.

He said that this society can be a representation of the unabashed idealisation of the feudal past, its belligerent apolitical posturing, its unconcealed male chauvinistic and sexist bias, its pathological dread of people's movements and its strident revivalist rhetoric.

Run Kalyani goes against this ultra-conservative backlash by positioning Kalyani as an achiever who is optimistic, hardworking, determined and a fellow being who is always there for the 'other'.

For this courageous attempt, Kalyani and the film have been rewarded with success, but as Geetha. J put it, this is the beginning of a larger beginning.

The movie was available on the site nyiff.moviesaints.com, NYIFF's screening partner, until August 2. □ Sankar Varma is a research scholar with Christ University (deemed to be), Bengaluru.

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CONSERVATION

THE GREAT INDIAN AIR SHOW IN THE WESTERN GHATS

**THE MALE
GREAT INDIAN
HORNBILL**, in
glide mode.

The great Indian hornbill in flight is a spectacle to behold. Unfortunately, this massive and elusive denizen of the forests of India, including in the Western Ghats, is under constant threat from poaching and human interference in its habitats.

Text by G. SHAHEED and photographs by SHEFIQ BASHEER AHAMMED

THE great Indian hornbill, the enormous, bizarre bird of the rainforest with its striking wing pattern and imposing wingspan, is visually overwhelming and gorgeous in flight. Its neck and tail are white, while its face and wings are black. Each wing has two white bars, which are conspicuous when it flies. The horn-shaped, powerful, sharp bill has a cumbersome casque on top of it; both are yellow, and this distinguishes the bird from the other heavy-winged beauties of the jungles. The loud whoosh of its wings can be heard from a distance like a steam engine of old chuffing away.

Capturing this massive bird on camera when it deviates from its usual “gait” resulted in some rare and much sought-after photographs, said Shefiq Basheer Ahammed, a globetrotting wildlife photographer, passionate about wild tuskers, big cats and birds. He has encountered a few male great Indian hornbills in the lush green hilly tracts of Valparai (Tamil Nadu) and Nelliampathy (Kerala), which are both hornbill habitats in the Western Ghats.

Last year, when he was trekking in the mist-clad Nelliampathy jungles adjoining the Parambikulam Tiger Reserve in Kerala, he was able to take an incredible photograph in which the bird, with its wings raised, looked like a martial arts maestro warding off an attacker. It was a shot on the spur of the moment when he sighted the bird on a tall tree. “It was such an awesome sight. After my click, the bird flew away with heavy wingbeats,” he said.

In another shot, Shefiq captured the bird in the midst of the thick leaves of a fig tree with its yellow beak and casque shining in the sun. Another shot was just of the curved beak jutting out from the leaves. In one shot, it looked as if the bird was hiding from those who wanted to watch it. Its curved beak quickly grabbed the figs, which it sometimes ate right away or stored in its beak to deliver to the nest. During the peak fruiting season, flocks of hornbills attired the trees, providing a feast for the eyes, said Shefiq.

Sometimes, when a great Indian hornbill swoops down, its wings look like the leaves of a fan. Shefiq said he had seen such shots of the bird taken in Thailand by the globally acclaimed wildlife photographer Tim Laman of the United States. It takes years of patient waiting to take such shots, and they leave indelible imprints in one’s mind. Shefiq said that the more one watched the hornbill, the more irresistible was the temptation to follow the

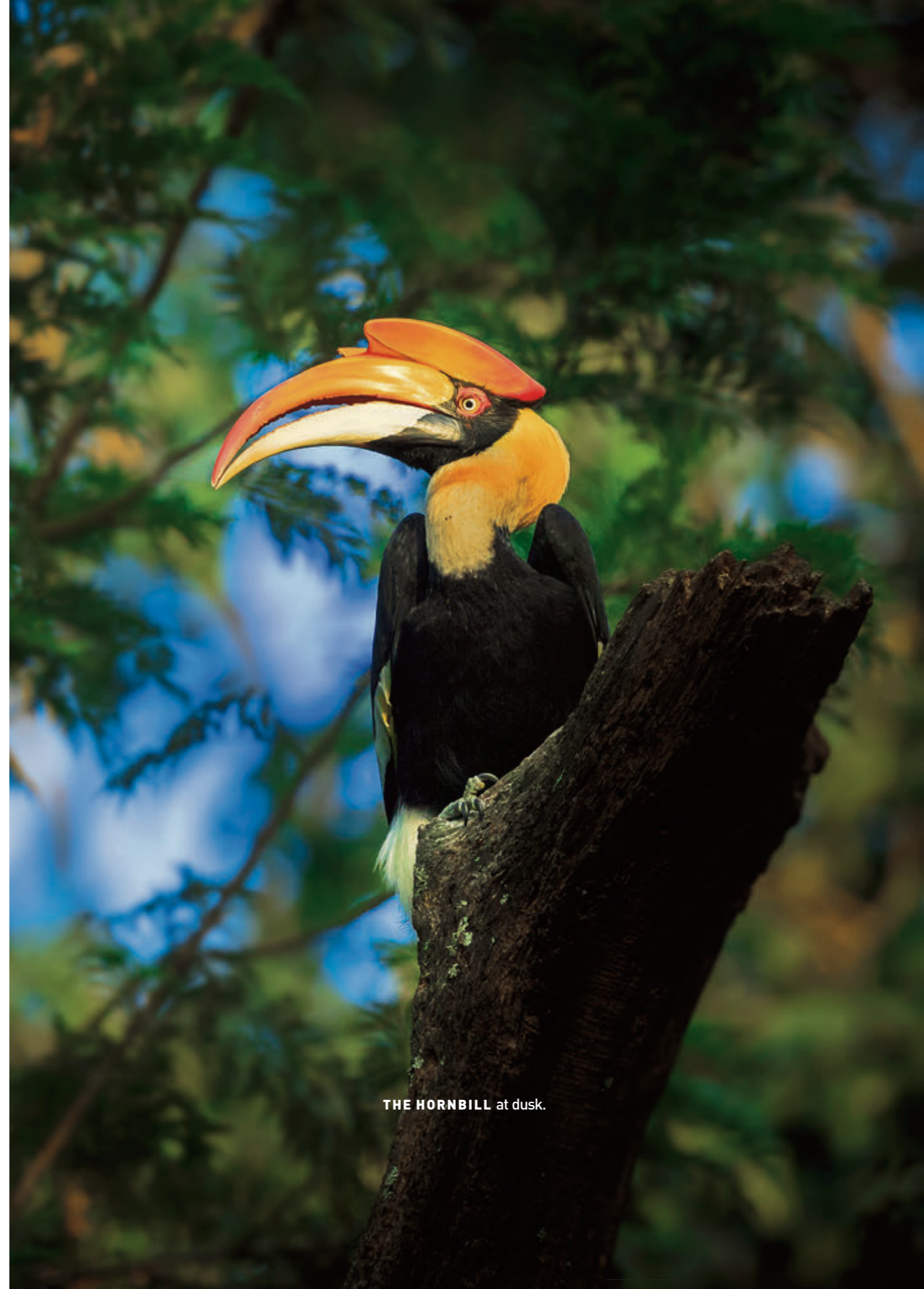
bird in jungles, which one had to do silently and patiently. The great Indian hornbill is sensitive to even the slightest disturbance. He recalled that in Valparai, which is a haven for the lion-tailed macaque, he once watched a great Indian hornbill suddenly slanting, then twisting or curving its wings, to impart an aerobatic vision in the air. In Nelliampathy, the bird stopped like a fighter aircraft, then looked wobbly but, amazingly, straightened and started gliding. It then perched on a tall tree. “Such incredible shows stirred me. I was fortunate to take such shots,” Shefiq said.

“In both places, I had to be patient. Often I thought the bird would come gliding or booming into view at any moment and put on one of its magnificent ‘air shows’, but that did not happen,” he said. Two days later, while Shefiq was trekking in Valparai, a bird suddenly appeared, with its audible heavy wingbeats and deep grunts. Shefiq, who was hiding behind a tree, swung his camera into action. Through his binoculars, he could see that the bird looked agitated.

There was a nest with a female and chicks inside nearby. After walking a little distance, Shefiq could see three honey collectors, members of a tribe who lived in the forest. They were looking at the high nest and talking. The male bird was alert and could hear them. It gets agitated at any sign of danger because its role is that of guardian angel, a scrupulous protector of the nest. It also feeds the female and the chicks. Hunters used to steal the chicks as they were delicacies, and if they got a chance they would kill the male bird for its casque as it was used as an ornament in dances on festive occasions. If poachers try to snatch the chicks, the male bird will attack them with its sharp beak and seriously injure them. Some tribal people still carry the deep scars of hornbill attacks on their bodies. But now the protection measures in the forest are effective. Poachers are caught red-handed and booked for forest offences. The Forest Department employs honey collectors to monitor and keep a watch over the hornbill nests.

SALIM ALI

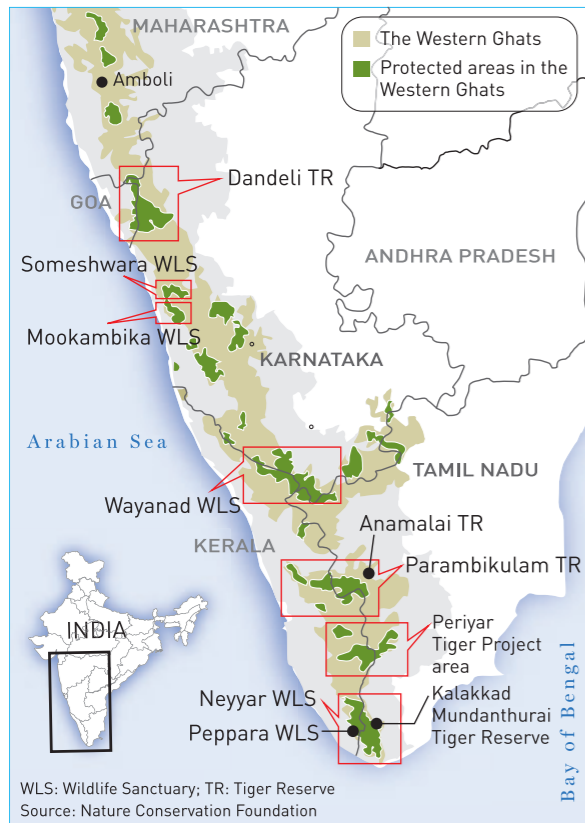
The late Salim Ali, the legendary birdman of India, meticulously observed the great Indian hornbill and other birds during his bird surveys in 1933. *Birds of Kerala*, his mammoth work, has inspired generations of naturalists in Kerala. This is his most romantic description of the hornbill: “Their deep harsh grunts, roars or barks, and



THE HORNBILL at dusk.

loud resonant call *tok-tok*, etc., reverberate in the forest-clad valleys and are responsible for their Malayalam name [*Malamuzhakki*, meaning reverberations in the mountains]. The flight, slow and heavy, is accomplished by deliberate beats of the broad wings, the tips of the primaries are upturned, and is punctuated by occasional short glides. The loud rasping sound produced on each downstroke is audible at considerable distance. The bird's habit of smearing the white wing bands and fore-neck feathers with the yellow oily exudation from its preen gland is remarkable.... I certainly think that one of the most thrilling and grotesque characters in Kerala is the great Indian hornbill."

There are four species of hornbills in the Western



THE LUSH GREEN hilly tracts of Valparai (Tamil Nadu) and Nelliampathy (Kerala) are both hornbill habitats in the Western Ghats.



**THE HORNBILL,
CAPTIVATING
IN FLIGHT.**



IN THIS SPUR-OF-THE-MOMENT shot, the hornbill looks like a martial arts maestro warding off an attacker.



THE HORNBILL'S WINGBEATS are loud and can be heard from a distance.



Ghats. The prominent among them is the great Indian hornbill and the others are the Malabar pied hornbill, the common grey hornbill and the Malabar grey hornbill. The hornbill is present in India from the Himalayas to Kumaon to Assam and in Myanmar, the Malay peninsula, Thailand, Sumatra, and so on. Totally, there are 57 species in Africa and Asia with 10 in the Indian subcontinent. The International Union for Conservation of Nature has evaluated the great Indian hornbill as vulnerable on its Red List of Threatened Species. Habitat loss, deforestation, human interference, poaching and development activities in the forests are responsible for its decline. In Thailand, the helmeted hornbill is poached for its casque, which is, in fact, responsible for the decline in its numbers. Even poachers from China intrude into Thailand.

The globally renowned authorities on hornbills Pilai Poonswad (Thailand) and Alan Kemp (South Africa) and the photographer Morten Strange (Denmark) came out with *Hornbills of the World: A Photographic Guide*, an important and authentic work that covers all the 57 hornbill species in Asia and Africa. Tim Laman took most of the photographs on the two continents. Some hornbill

ITS YELLOW HORN-SHAPED bill, with a yellow casque on top of it, are distinctive.



A LION-TAILED MACAQUE.



names are quite interesting, for example, the brown-cheeked hornbill, the white-thighed hornbill; the silvery-cheeked hornbill and the black dwarf hornbill, all from Africa, and the white-crowned hornbill, the helmeted hornbill, the rhinoceros hornbill and the rufous-necked hornbill, all from Asia. The Narcondam hornbill is confined to Narcondam Island of the Andamans.

HYDROELECTRIC PROJECT

Last month, the Kerala government gave nature lovers a rude shock by deciding to go ahead with a proposed 163 MW hydroelectric project that would involve building a dam on the Chalakudy river in Thrissur district. When the project was first mooted, environmentalists had warned that it would be disastrous for riparian forests, aquatic biodiversity and flora and fauna, including the hornbill population, and that the elephant corridor from Chalakudy to the Parambikulam Tiger Reserve would be seriously affected. The proposal was put aside because of the public outcry, but suddenly the government has revived it again.

Prof. Amita Bachan, who has carried out detailed studies of the riparian forests in the area, observed that

(FACING PAGE, TOP) THE VALPARAI and (facing page, left) Nelliampathy landscapes. Shefiq Basheer Ahammed has encountered a few male great Indian hornbills in the lush green hilly tracts of Valparai and Nelliampathy.



VALPARAI IS A HAVEN for lion-tailed macaques (here and facing page).



HORNBILLS need tall trees for nesting.

the unique ecosystem would be ruined if the dam was built. Low-level hornbill nests are found only in this region of the Western Ghats, which will bear the brunt of the project. However, environmentalists and nature lovers in Kerala are getting ready to confront the government on the issue.

CHALAKUDY-VAZHACHAL FOREST AREA

All those who read Salim Ali's autobiography, *Fall of a Sparrow*, will be moved by his fond remembrances of the Chalakudy-Vazhachal forest area and the adjoining Parambikulam Wildlife Sanctuary, now a tiger reserve. He visited these rich and dense bird habitats in 1933 during his Travancore-Cochin bird surveys at the behest of the Maharaja of Travancore. The Cochin Forest Administration had built a tramway from Chalakudy to Parambikulam to move timber from the forests to Chalakudy, from where it was taken in lorries to Cochin harbour for export. Salim Ali had on occasion travelled on the tramway, which was dismantled in 1946, and watched birds, including hornbills. He called it a romantic tramway.

Whenever he visited Kerala, he recalled those days. He visited Kuriarkutty, a rich bird habitat, in 1986 in the company of his protegee R. Sugathan, who is at present an ornithologist with the bird sanctuary in Thattekad, 60 km from Kochi city. On seeing Salim Ali, an old tribal man who had accompanied him on his bird surveys in the 1930s exclaimed: "Oh, you have come again Bombay-walla? You want to shoot and kill birds?" (At the time of those surveys, birds were shot down with tiny bullets for observation and study.) Salim Ali burst out laughing. He hugged the old man and exchanged pleasantries with him. Salim Ali was deeply moved at the sight of flocks of great Indian hornbills in Parambikulam.

He visited the Thattekad sanctuary in 1986 and was

heartbroken when he found that all the tall trees had vanished. Hornbills need tall trees for nesting, and he wondered how they could survive without the trees. Salim Ali observed that successive governments and crooked politicians had carried out mindless vandalism on virgin forests to clear land for settlements or for so-called development projects such as dams and to extract raw materials for wood-based industries. Sugathan felt that his guru was weeping silently.

GROUND-BREAKING RESEARCH

In the past two decades, ground-breaking research has taken place in India on the behaviour and ecology of hornbills, and valuable information has been gathered. Scientists have undertaken excellent fieldwork, which has benefited from the advent of digital photography.

The scientists Divya Muddappa and T.R. Shankar Raman of the National Conservation Foundation, Mysuru, visited 45 locations in Maharashtra, Goa, Karnataka, Kerala and Tamil Nadu to carry out a detailed survey of the hornbills of the Western Ghats. They prepared a report titled "A conservation status of hornbills (*Bucerotidae*) in the Western Ghats, India". It said that the Malabar grey hornbill was the most frequently sighted and widely distributed of the hornbill species followed by the great Indian hornbill and the Malabar pied hornbill. The scientists identified the following as the important hornbill conservation landscapes in the Western Ghats: Amboli-Goa-Dandeli, Anamalai-Parambikulam, Nilgiris, Wayanad, Someshwara-Mookambika, Neyyar-Peppara-Kalakkad Mundanthurai Tiger Reserve, Periyar Tiger Reserve and Nelliampathy.

The survey report recommended setting up a committee with local participation and a forest officer as a facilitator. It wanted an action plan to monitor and protect hornbills. The survey made the startling finding that there was very low awareness of the hornbill species even among the forest staff of protected areas. So, the scientists recommended that education and awareness programmes should go hand in hand with protection and conservation efforts.

Plantations have become common in many forest areas, for example, the coffee plantations in the Anamalai hills. Scientists from different scientific institutions have observed that the great Indian hornbill may adapt to modified habitats as long as the key attributes relating to foraging and nests are present. They have also carried out detailed studies on the tree species hornbills select for nesting and on tree density; plant density; food availability; nest cavities; and availability of insects, lizards, small snakes, and so on.

As Pilai Poonswad says: "Many details still need to be explored and documented about hornbills from the world's most fascinating wild environments of Africa and Asia." □

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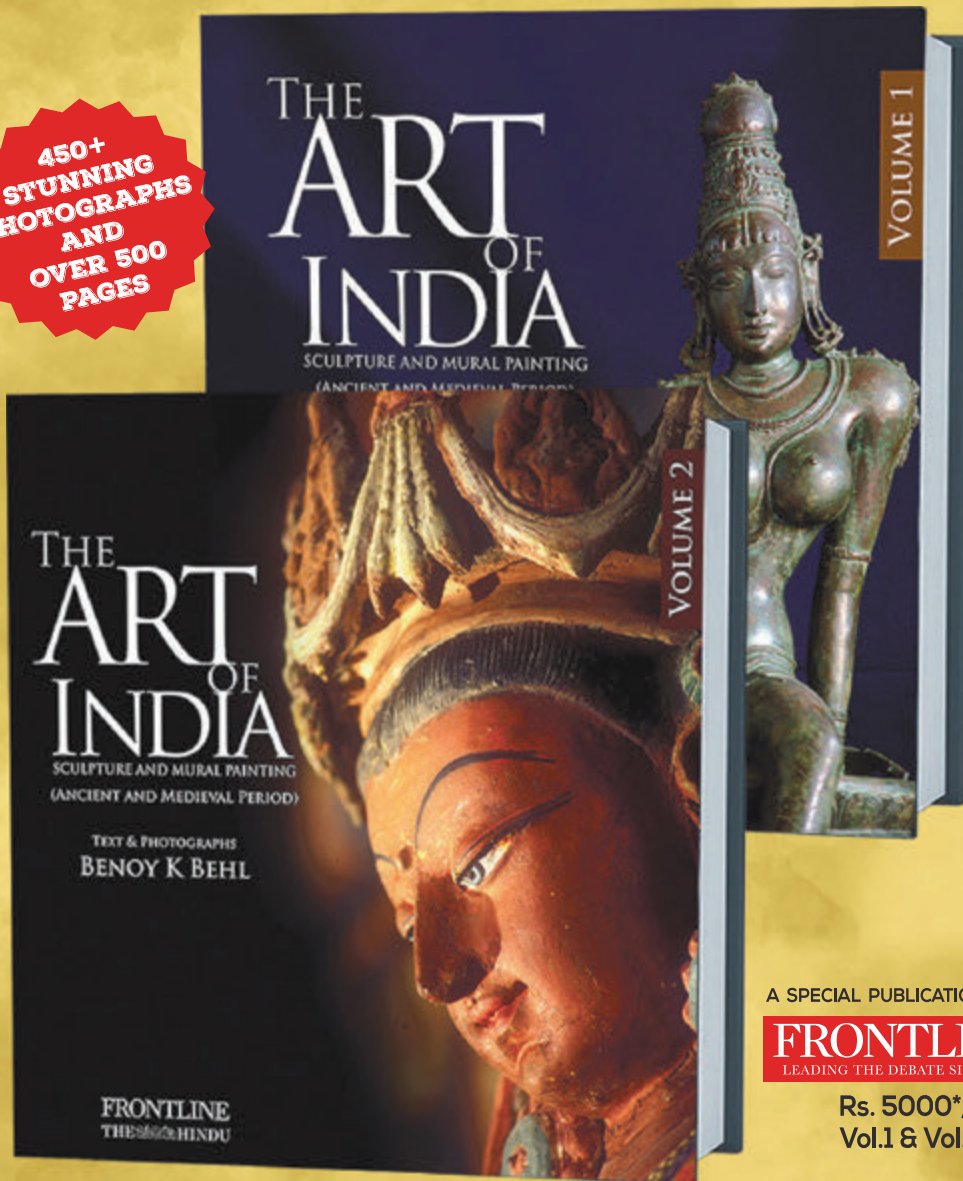
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