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Open season on a fragile ecology

Instead of accusing the NGT panel on the Yamuna of bias, AOL must pay up

It is often said — correctly so — that there are many laws in India but little implementation. **ourtake**

This deficit becomes all the more pronounced when it comes to environmental laws. Almost every other day, there are reports of violation of these laws even though they are critical for our future. Take, for example, the Yamuna floodplain case. It is a straightforward one: An organisation, Art of Living (AOL), flouted a 2013 National Green Tribunal (NGT) order, which banned all construction on the river's flood plains, with the help of government agencies. However, thanks to the determined efforts of activists, a petition was filed in the NGT. Despite a strong case, the tribunal reluctantly allowed the festival in March 2016, saying that as the matter was 'fait accompli' (because much of the construction had happened by then), and they could not ban it. But they set up a panel to look into the destruction that AOL had inflicted on the river's floodplains while holding their mammoth three-day cultural extravaganza.

On Wednesday, a NGT-appointed expert panel, headed by Shashi Shekhar, secretary, ministry of water resources, came out with its report: The damage to the Yamuna floodplains by the cultural extravaganza, the panel said, will cost more than Rs 42 crore and at least 10 years to fix. The panel has suggested a time-bound action plan, which comprises two components — physical and biological rehabilitation. The physical component is estimated to cost around Rs 28.73 crore and the biological part would cost around Rs 13.29 crore. What is appalling is the attitude of AOL and also that of politicians: From day one, AOL has been aggressive, claiming that they have done no wrong and has now called the panel "bias[ed] beyond doubt". The less said the better about the political class. Despite the organisation flouting the law and its government agencies facilitating this transgression, several politicians attended the meet, thereby legitimising an illegal event. This case also shows how little politicians care about the city and ecology. On Thursday, Delhi Water Minister Kapil Mishra exhibited utter disregard for the ecology of the city he governs. He mocked the findings of the panel and had the audacity to say that the event should be held again and "only on its banks". The case will come up in NGT for its final words on April 20. It is absolutely critical to ensure that AOL pays up for the damage.

For far too long, India's strong environment protection laws have been flouted. It's time to send out a strong message that such transgressions will not be allowed.

We can count on this

It's a good move to invite experts to try hacking EVMs and make them more secure than to scrap the system entirely

The demand to abandon the use of electronic voting machines (EVMs) is not new. After their electoral defeat in 2009, the BJP had called for the country to revert to paper ballots; and many political parties had supported this demand then. This issue has made a comeback after the results of the assembly elections held in five states earlier this year. This time the call for paper ballots comes from the other side of the political spectrum, with the Congress and AAP leading the charge.

To say that EVMs are absolutely and completely tamper-proof may not be entirely accurate, but they have saved the country millions by reducing the amount of manpower needed in the old system. Since no conclusive evidence of large-scale EVM tampering that may have affected election results has yet been found, opposition to the machines are based on assumptions alone. After interventions by the courts, EVMs are now being made to contain a voter-verifiable paper audit trail (VVPAT). In this system, voters are shown a printed paper receipt of the vote cast inside a glass, but one that cannot be taken out of the machine. This is a good attempt to make the system harder to tamper with.

As the Congress' own Veerappa Moily has pointed out, it would not be a progressive step to go back to the possibility of ink thrown in ballot boxes, ballot stuffing and invalid votes in which it is impossible to figure out which candidate's name has been stamped. To have thousands of government employees locked up in rooms for days on end while counting votes; employ large battalions of security personnel to ensure the safe transport of several thousand ballot boxes; and to go back to a process that was far less efficient than the present system would be a retrograde step. The Election Commission's move inviting experts, technocrats, and scientists to try and hack the systems is a welcome one; and hopefully, it will throw up more ways in which the machines can be made better and more efficient.

beyond the bite

RAJDEEP SARDESAI

A new India has to be inclusive

It's not an intellectually bankrupt Opposition but India's diversity that prevents any attempt to impose a religio-cultural homogeneity

There are many joys of living in Goa, but its gastronomic pluralism is easily one of the tiny state's biggest attractions. On the day that RSS chief Mohan Bhagwat was calling for a national law against cow slaughter, I was having dinner with a Goa BJP minister: On the menu was fish curry, pork sorpotel and beef chilly fry. When I asked the minister how he interpreted Bhagwat's remarks, he smiled indulgently: "Bhagwatji lives in Nagpur, we live in Goa. One India, many diets, now enjoy the food!" This was, to borrow Hyderabad MP Asaduddin Owaisi's remark that went viral, truly an example of "yummy-mummy" beef politics.

The truth is, the BJP in Goa is a very different party to its national avatar: A Manohar Parrikar has less in common with his Haryana counterpart, Manohar Lal Khattar or with Uttar Pradesh's Yogi Adityanath, than he does with his political rivals in Goa. Of the 13 BJP MLAs in Goa, seven are Catholics: The BJP would have been reduced to a rump if its local unit had not reached out to the minority Catholic community. In fact, it was a conscious attempt to bridge the divide with the Catholics that enabled Parrikar to lead the BJP's first majority government in 2012. Much water has flown under the Mandovi river since then, but the fact is, Goa is the only state where the BJP has at least partly succeeded in breaking its Hindu majoritarian image.

This is at one level a reflection of demographic compulsions: At around 22% of the state's population, Goa's Catholics are simply too large and influential to be neglected. The BJP can get away by not giving a single Muslim a seat in the country's most populous state, they cannot risk that prospect in Goa. In a UP, the BJP can seek

to marginalise the state's 18% Muslim population by consolidating its Hindutva constituency, but in Goa the nature of Hindu-Catholic inter-dependence is too deep-rooted for it to be swept away by any single religious ideology. In a Haryana, the BJP can come up with stringent anti-cow slaughter legislation, but they cannot do so in Goa because vote-bank politics works against such an imposition.

Indeed, as the BJP attempts to geographically expand and become a true pan-Indian party, it will be confronted with the limitations of its Hindutva belief system in a multi-cultural society. The party's outreach in the North-east, especially in states with large tribal populations, cannot be built around its ideological core issues like Ram mandir or cow slaughter: Here, the party has attempted to create a loose federal power-sharing arrangement where Centre and State share resources in a coalitional system of mutual benefit. There is no ideological glue that binds the BJP governments in Manipur and Arunachal Pradesh with the Modi regime in Delhi apart from a desire to capture power at all costs.

A similar dissonance can be witnessed as the BJP tries to expand its footprint south of the Vindhyas into states like Kerala and Tamil Nadu. In Kerala, there have been a chorus of local BJP voices who have distanced themselves from the traditional party narrative on beef. Already, the party has been embarrassed by its former MP and RSS ideologue, Tarun Vijay's comments on dark skin, a classic example of how a north Indian 'Hindu-Hindi-Hindustani' mindset is unable to embrace the Dravidian identity easily.

Which is also why it is not a morally and intellectually bankrupt Opposition but the sheer diversity of India that

offers the biggest challenge to any attempt to impose a religio-cultural homogeneity across India. The RSS may visualise a Hindu rashtra but the BJP cannot afford to be similarly cavalier with the country's republican constitution. Nor can a Narendra Modi, with his neatly cultivated 'inclusive' image, be seen to publicly align with divisive and violent gau-rakshak groups.

The Ambedkarite constitutional vision revolves around the notion of individual rights and freedoms that recognised India as a land of multiple identities. It is this vision that saw cow protection being placed in the directive principles and not in the fundamental rights guaranteed by the Constitution: The decision was a compromise arrived at after a vigorous debate that eventually accepted that while the cow is a sacred animal for millions of Hindus, India cannot be seen as a 'Hindus-only' nation.

In a discourse in June 1947, Mahatma Gandhi reflected this sentiment when he said: "How can I force anyone not to slaughter cows unless he is himself so disposed? It is not as if there are only Hindus in the Indian Union, there are Muslims, Parsis, Christians and other religious groups too." Seventy years on, India is being asked to choose again: Between the Mahatma and the RSS sarsanghchalak's vision of a 'new' India.

Post-script: A day after consuming delicious beef chilly fry in Goa, I drove into neighbouring Maharashtra, also ruled by a BJP government. Here, I could now be fined Rs 10,000 and spend five years in jail for possession or sale of beef unless I can prove the meat was imported from outside Maharashtra. Can anything be more absurd and patently hypocritical?

Rajdeep Sardesai is a senior journalist and an author
The views expressed are personal



The RSS may visualise a Hindu rashtra but the BJP cannot afford to be similarly cavalier with the country's republican constitution. REUTERS

newsmaker

MAMATA BANERJEE WEST BENGAL CHIEF MINISTER

THEY CAN ABUSE ME, VILIFY ME AND CONSPIRE AGAINST ME...THERE IS NO USE THREATENING ME. THE MORE YOU THREATEN OR CALL ME NAMES, THE MORE I WILL PROCEED... YOUR CRITICISM WILL BE BLESSINGS FOR US. THAT WILL HELP US MOVE FORWARD. NOW WE ARE IN BENGAL. WE WILL MOVE TO BIHAR, ODISHA, JHARKHAND AND THEN TO DELHI.



Illustration: SIDDHANT JUMDE

THINK IT OVER »

ASIA IS NOT GOING TO BE CIVILISED AFTER THE METHODS OF THE WEST. THERE IS TOO MUCH ASIA AND SHE IS TOO OLD.
RUDYARD KIPLING

Jadhav's sentence is a ploy to embarrass India

Islamabad knows that when its relations with New Delhi become tense its calls for intervention get more attention

Kanwal Sibal

It is difficult to understand the political instincts of a dysfunctional state like Pakistan. Already our relations are very tense over the issue of Pakistani-sponsored terror attacks against India. How it serves Pakistan's interest to stoke yet more tensions with India as it seeks to do over the Kulbhushan Jadhav case is difficult to grasp. But then Pakistan looks at its interests very differently from that of a normal state that would want to explore all reasonable ways to live in peace with its neighbours and not look for newer reasons to live in conflict with them.

Pakistan has tried to milk the year-old Jadhav case to prove to the world that India is involved in promoting terrorism on its soil, but has had no success. If it had solid proof of Jadhav's spying activities it would have made it public. It is still relying on his confessional statement made a year ago when all those in this business know how such statements are extorted. Jadhav has been court-martialed by a military court and sentenced to death with the approval of Pakistan's army chief. The announcement of this decision with huge political consequences has come from the Pakistani military and not the government which should ordinarily be responsible in any normal state for managing the political relationship with foreign powers.

Pakistan seems to have concluded that it can cope with any possible Indian reaction. It can reason that if India has not found an answer to Pakistan's persistent proxy war against India and the killing of its military personnel, it can hardly come up with a deterrent riposte in the relatively less galling case of Jadhav. The judicial killing of an innocent ex-Indian serviceman is no worse than the killing of serving Indian military officers by Pakistani terrorists.

Pakistan has learnt from long experience that when India-Pakistan relations become tense its urgings for external intervention get more attention. Its western friends feel obliged to diplomatically intervene in order to prevent the situation between two nuclear armed powers from deteriorating beyond retrieval. They would advocate the resumption of bilateral dialogue, which is what Pakistan seeks. Pakistan would have got encouragement from the recent thoughtless statement of Nikki Haley, America's ambassador to the UN, about US intervening to defuse a



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developing India-Pakistan conflict proactively in order to prevent escalation.

The testimony of the USCENCOM (United States Central Command) chief before the Senate Armed Services Committee on March 9 in which he called India's public policy to diplomatically isolate Pakistan troubling as it hindered any prospects of improved relations and raised the danger of an India-Pakistan conflict escalating into a nuclear exchange, would have emboldened it too. China's obdurate support in shielding Pakistan on terrorism in the UN Security Council and recent Chinese fulminations against India on the Dalai Lama's visit to Arunachal Pradesh may also have buoyed the Pakistan army.

Pakistan would want to embarrass the Indian government and subject it to pressure by public opinion at home to obtain the release and return of Jadhav even if some concession had to be made as in the IC 814 case. They may have also calculated that so long as the fate of Jadhav hung in the balance, India would be constrained in its retaliatory choices as it would not want to jeopardise the chance of obtaining relief for him.

India's appeal to foreign powers to put pressure on Pakistan on the Jadhav case would be contradicting its own long held position that India-Pakistan problems have to be resolved bilaterally and expose us to advice to resume dialogue in line with Pakistan's demand. Pakistan can live with the

odium of acting against the canons of justice in sentencing Jadhav to death in an opaque legal process just as it has lived for years with accusations of complicity with terrorism even from its western benefactors, without inviting sanctions. Our appeal to international human rights organisations will not cut much ice with Pakistan either, as it is inured to their censure, besides our awkwardness in exposing ourselves to issue of our own differences with them.

By acting as it has done, the Pakistan military has also weakened the Nawaz Sharif government further and stymied any inclination it may have to improve relations with India under external prodding. The belief that General Bajwa would be an improvement over General Raheel Sharif has hopefully been buried in our minds.

Possible retaliatory measures by India on trade, visas, cross-LOC exchanges, reduction of the size of missions, expulsion of ambassadors and so on would not worry a country that has faced such situations before without being deterred from pursuing its rogue policies. The only really effective answer to Pakistan's persistent provocations, including in the Jadhav case, is to suspend the Indus Waters Treaty until such time as Pakistan desists from the pre-meditated murder of Jadhav and otherwise conducts itself as a normal state.

Kanwal Sibal is a former foreign secretary
The views expressed are personal

innervoice

The world is full of good and bad vibes, choose judiciously

Vinav Sharma

Recently I installed a mobile phone application where educated and experienced people from all walks of life share knowledge. I found that one question commonly asked was if god exists and is omnipotent. This question gripped believers as well as non-believers and to explain this, everyone comes up with their own theories.

If we did a little bit of research, we would realise that whatever good or bad is happening around us always begins from our minds. For instance, somebody thought about helping the downtrodden and Mother Teresa came into action; somebody thought about bringing equality among the people and Nelson Mandela came into action; somebody thought about innovation and life on other planets and Elon Musk came into action.

Similarly, someone thought about oppressing a certain race and Hitler came to action. More than thanking god for the good things in our lives, we end up complaining about it. We need to thank the almighty for our lives and the goodness we are blessed with.

Basically it all starts because of the emotional intensity of our minds. Some people with purity of thought end up doing good work for humanity, while some end up doing the opposite. God has nothing to do with this.

From peace to war, love to hatred, all these thoughts are built in the person's mind. And it is on these thoughts that we build our lives. It is up to us to create the kind of world we want to live in. Start practising salvation as it lies within you. As Buddha said, the thing which is most dangerous to us is our unguarded thoughts.

(Inner Voice comprises contributions from our readers
The views expressed are personal)
innervoice@hindustantimes.com