

# 14 THE EDITORIAL PAGE

WORDLY WISE

A LOT OF HACKING IS PLAYING WITH OTHER PEOPLE, YOU KNOW, GETTING THEM TO DO STRANGE THINGS.

— STEVE WOZNIAC

**The Indian EXPRESS**

FOUNDED BY

RAMNATH GOENKA

BECAUSE THE TRUTH INVOLVES US ALL

## KNOW YOUR RIVER

Namami Devi Narmade talks of people's participation. But the rest is platitude

ON MONDAY, PRIME Minister Narendra Modi said that future generations will "talk of our struggle to rejuvenate the Narmada river". He was speaking at the conclusion of the five-month long Narmada-Seva Yatra — also called the Namami Devi Narmade — that began in December last year. Its website describes the yatra as the beginning of a "people's movement" to rejuvenate the Narmada. The PM congratulated the people of Madhya Pradesh for participating in the campaign. Given that river conservation initiatives end up being state-driven top-down endeavours, the MP government's efforts signal a welcome change. But the project's website only delivers homilies on plantations, "sustainable use of resources", and soil and water conservation. It does not attempt to address the ecological specificities of India's fifth longest river.

The Narmada, unlike the Himalayan rivers, does not originate from glaciers, but in a forest of sal trees in Amarkantak. The roots of these lofty trees hold rainwater and gradually release it, replenishing the river's catchment area. But in the late 1990s, the sal-borer pest wreaked havoc in nearly 1,50,000 hectares, including the Narmada's catchment area. The river is yet to recover from the ravages. MP Chief Minister Shivraj Singh Chouhan has talked of reviving sal forests. But the sal is a self-generating tree. Replanting it, though theoretically not impossible, requires much more effort compared to regenerating other forests. The Namami Devi Narmade website has nothing on how the government intends to go about this endeavour, beyond platitudes about "involving people". It has nothing on preventing future sal-borer epidemics, which as history shows, occur every few decades. Containing the pest would require coordinating with neighbouring states, UP, Chhattisgarh and Odisha.

The sal-borer pestilence of the 1990s hurt the Narmada much more compared to the previous epidemics because pollution was already taking a toll of the river. Reports of the Madhya Pradesh Pollution Control Board incriminate municipal waste for the poor health of the river. So does a study in the International Journal of Chemical Studies, published last year, which shows that industrial discharge and domestic waste from at least 10 cities, including Jabalpur, Omkareshwar and Hoshangabad, have rendered the Narmada's water unfit for drinking. The Narmada rejuvenation plan does envisage sewage treatment plants (STPs) to treat such waste. But given that a majority of the population of cities in MP lives outside the sewerage network — much like most parts of the country — STPs will clean a very small fraction of the dirt that flows into the heavily-dammed Narmada. Given that the plan to clean the Narmada is still in a nascent state, the state government would do well to address these shortcomings. Otherwise, the so-called "people's movement" could come a cropper.

## PAIN IN THE JOINTS

Creation of integrated theatre commands will require sustained political will. It must be a phased reform

FOLLOWING THE RELEASE of the Joint Doctrine by the armed forces, the Union Defence Ministry has simultaneously asked the three defence services for their views by month-end on the creation of integrated theatre commands. This has invigorated the long overdue debate around force integration and jointness in military operations initiated by the expert committee headed by Lt General D.B. Shekatkar (ret'd). The expert group had proposed the creation of three integrated theatre commands, one in the north for China, another in the west for Pakistan and the last one in the south for the maritime role. The army is in favour of creating integrated theatre commands while the Indian Air Force (IAF) is opposed to it; the Navy is not in favour of creating them anytime soon.

The defence services currently have 17 service-specific geographical commands, which operate under the respective service chief during war. This means that there are seven commands from the Indian side on the Chinese border, while the PLA has only a single theatre command. The army contends that centralisation of command, with dedicated resources, will lead to a more effective and efficient performance against an adversary. It points to the American and Chinese models of integrated theatre commands, and seeks their replication. The IAF believes that the whole country should be considered a single theatre under the defence minister. The IAF can thus use its scarce resources, under its chief, in the desired manner. The Navy also feels that its maritime strategic role is best fulfilled by maintaining a service-specific role.

It is not that India doesn't have an integrated theatre command. The Andaman and Nicobar Command, formed in 2003, was supposed to act as a role model for the eventual creation of other integrated theatre commands. But there are fears among the smaller services that such a change would diminish their importance and the power of the service chiefs. This has been the case globally, and it has taken a huge political push to form integrated theatre commands, whether in the US, the UK or China. A precursor to the creation of integrated theatre commands has to be a single-point military advisor to the government, which has not seen the light of day since it was proposed in 2001. In any case, the services have concerns and reform will be painful for the chiefs and their services. The armed forces must remember that their job is not to fight among themselves, but to defeat the enemy.

## FEELING BLUE

The WannaCry worm exposes the costs of reliance on discontinued and pirated Windows operating systems

OF ALL THE world's nations, India has been worst affected by the WannaCry ransomware exploit, which uses a weakness in the Windows SMB (server message block), which shares files, services and devices like printers over a network. The exploit was part of the material dumped by the group Shadow Brokers on April 14. A hacker's tutorial to gain a command prompt on a target machine was released four days later. And now, someone has followed it to the letter to collect over \$25,000 in ransom. But Microsoft had released a patch on March 14, so the attack was restricted to machines running pirated systems and outdated versions of Windows, which are no longer updated.

Microsoft is mighty upset because the chaos was unavoidable. Computer security has depended on vulnerabilities being publicised as soon as they are found, so that software companies can patch their products immediately. In this case, the tool used for the hack, EternalBlue, was innovated by the US National Security Agency as a cyberweapon. It remained under wraps until the Shadow Brokers stole it. This is bound to recur since the objectives of the computer security community and national security agencies diverge.

The success which the WannaCry worm enjoyed in India exposes our continued use of superannuated and pirated Windows operating systems. This is because Indians are price sensitive and the cost of software contributes significantly to overheads. Strangely, completely free but reliable desktop operating systems have been available for a decade, but organisations still rely on unmaintained Windows software. While the governments of other nations in search of cheap computing, like Brazil and the Central American nations, pushed the conversion to free operating systems, India's embrace of such software remains tentative, and we are paying for it.



RAJA-MANDALA

BY C. RAJA MOHAN

IF DELHI WAS conspicuous by its absence at China's Belt and Road Forum this week in Beijing, it cited a number of reasons for staying away. None of them was more important than the question of India's sovereignty over Pakistan occupied Kashmir (PoK), through which an important part of China's Silk Road Industrial Belt runs. In a statement late on Saturday, hours before President Xi Jinping opened the forum in Beijing, the foreign office in Delhi referred to the China-Pakistan Economic Corridor (CPEC) and affirmed that "no country can accept a project that ignores its core concerns on sovereignty and territorial integrity."

Contrary to the warnings of some in Beijing and the fears of many in Delhi, international isolation is not India's biggest problem as China's connectivity projects under Xi's Belt and Road Initiative gather momentum. India is too large an economic and political entity to be isolated by another power. Occupying a critical geographic location, India can contribute to the success of China's Belt and Road Initiative or create needless complications. India's real challenge is to match its claims on territorial sovereignty with effective action on the ground.

India's arguments with China on the BRI have had one important effect. It has helped bring the triangular dynamic between India, Pakistan and China in Jammu and Kashmir into sharp focus. Although the popular discourse in India sees Kashmir as a bilateral issue with Pakistan, China has always made it a three-body problem. Unlike the Anglo-Americans who fancied mediation between India and Pakistan in the past, and the Hurriyat separatists who now pretend to be the third party, it is China that is the real third force in Kashmir.

Beijing is in occupation of a large part of Ladakh in the north-eastern part of J&K. To the west, Pakistan had ceded part of the territory controlled by it to Beijing after the Sino-Indian border conflict of 1962. China's first trans-border infrastructure project in Kashmir — the Karakoram Highway — dates back to the late 1960s. Since then, China's

China's Belt and Road Initiative is a wake-up call for India: Geography is tied to economics and strategy

Even as it engages in a necessary and patient dialogue with China, Delhi needs to take a number of steps. For one, Delhi must step up the effort to modernise and deepen J&K's connectivity with the rest of India. Second, Delhi must test the sincerity of the Pakistani and Chinese statements that CPEC is open for Indian participation. Delhi has not been averse to cross-border infrastructure cooperation in Kashmir and has made specific proposals to both Pakistan and China in the past. Delhi must now articulate a political framework for economic and commercial cooperation across the contested frontiers of Kashmir in all directions.

presence in Pak-occupied Kashmir has steadily grown. As the CPEC deepens the integration between Pakistan occupied Kashmir and China, Beijing looms larger than ever before over J&K.

Although Delhi did often object at the bureaucratic level to China's role in PoK, India was continually tempted to sweep the problem under the carpet in the name of larger political solidarity with China. Thanks to Xi's huge political investment in the BRI, the special importance that Beijing attaches to the China-Pakistan Economic Corridor, and the intensity of India's opposition to the CPEC, the triangular nature of the Kashmir question can no longer be masked.

In the last few days, Beijing seemed eager to address India's sovereignty concerns about CPEC. Delhi was not impressed though, for the pickings seemed meagre. Nevertheless, the effort by the two countries to address the tricky issue of territorial sovereignty in Kashmir are welcome and must continue. While it may be prepared to talk, Beijing is unlikely to suspend work on its economic and strategic projects in Pakistan occupied Kashmir.

Even as it engages in a necessary and patient dialogue with China, Delhi needs to take a number of steps of its own. For one, Delhi must step up the effort to modernise and deepen J&K's connectivity with the rest of India. Second, Delhi must test the sincerity of the Pakistani and Chinese statements that CPEC is open for Indian participation. Delhi has not been averse to cross-border infrastructure cooperation in Kashmir and it has made specific proposals to both Pakistan and China in the past. Delhi must now articulate a political framework for economic and commercial cooperation across the contested frontiers of Kashmir in all directions.

Third, the Sino-Indian argument on CPEC in Kashmir is deeply connected to the question of Arunachal Pradesh. While China asks India to downplay the sovereignty argument in Pakistan occupied Kashmir, Beijing objects to all Indian activity, political or economic, in

Arunachal Pradesh. The state is part of the Indian Union, but is claimed in entirety by China. In Arunachal, Delhi needs to raise its game on accelerating the state's economic development and its connectivity to the rest of India.

Fourth, Delhi must devote high-level political attention to the long-neglected Andaman and Nicobar islands that sit across China's planned maritime silk routes in the eastern Indian Ocean. It is only by realising the full strategic potential of the island chain that Delhi can cope with the maritime dimension of China's Belt and Road Initiative.

Fifth, in opting out of the Belt and Road Initiative for now, Delhi has renewed its strong commitment to promoting connectivity with neighbours in the Subcontinent, South East Asia and the Gulf. On Saturday, the foreign office identified a number of projects currently under implementation. There is no doubt that the Modi government has imparted new energy to these projects, some of which date back to the Vajpayee era. Completing these projects quickly is critical for lending credibility to Delhi's tough posture on the BRI.

Whether it is in Kashmir, Arunachal, the Andamans or the neighbourhood, India's neglect of its frontier regions has weakened its regional position. Beijing's Belt and Road Initiative promises to worsen that disadvantage, unless Delhi presses ahead with its own connectivity initiatives within and across its frontiers. While the geographic imperative has driven modern China's strategic policies, it has not been one of independent India's strengths. But President Xi appears to have shaken India out of its geopolitical stupor.

India's belated rediscovery of the relationship between geography, economics and strategy is probably one of the more interesting but unintended consequences of China's Belt and Road Initiative.

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MURALIDHARAN

THE CELEBRATORY MOOD that followed the passage of the Rights of Persons with Disabilities Bill (RPD) in an otherwise washed-out winter session of Parliament has now turned sombre. The framing of rules, indispensable for the implementation of the RPD Act, has already run into trouble. The Department of Empowerment of Persons with Disabilities, in its hurry to meet a self-set deadline of April 14, committed a procedural lapse by notifying the draft rules even before the Act had come into force. This lapse was rectified with the Act being brought into force from April 19, followed by notifying the draft rules once again on April 21. Prior to this, two drafts were uploaded on the department's site dated March 3 and March 10, 2017.

The procedural lapses apart, there seems to be a deliberate attempt to circumvent the implementation of the RPD Act in its entirety. While there is just one rule for a chapter as important as "Education", no rules have been proposed for many chapters, including crucial ones dealing with "Social Security, Health, Rehabilitation and Recreation".

Paradoxically, like last time (the 1995 Act), the department proposes to follow this up with a policy for the implementation of the Act. This is placing the cart before the horse — ideally, a policy should precede legislation and not vice versa.

What is intriguing is that many provisions contained in the draft rules of March 3 were missing in the version put out on March 10. Of these, the most concerning was the removal of the private sector from the rules, including

## LETTING DOWN THE LAW

Draft rules for the Rights of Persons with Disabilities Act go against its spirit

Discrimination will continue if rules are not framed properly. About a month after the RPD Act was legislated, Bhati, a disabled, newly-appointed Public Relations Officer of the Delhi Development Authority, was removed from his post and sent back to his old department. Even before he could take charge, senior officials had decided that Bhati would not be able to keep up with the demands of his new post.

under the "equal opportunity policy". It is only after protests that the private sector was brought within its ambit in the latest gazette notification on April 21. The original Bill did not include the private sector within the definition of "establishment". This was introduced as an official amendment only under pressure from disability rights activists.

Writing in this paper on December 20, 2016, after the passage of the Act, I had pointed out that "A major concern with regard to the Bill was clause 3(3) which states, 'No person with disability shall be discriminated on the ground of disability, unless it is shown that the impugned act or omission is appropriate to achieve a legitimate aim'." There is an apprehension that this clause gives unfettered power to the authorities to discriminate, on the pretext of serving a "legitimate aim". Minister Thawar Chand Gehlot's assurance in the Rajya Sabha that provisions will be made in the rules to ensure that this clause is not misused has not been adequately addressed.

A discriminatory attitude like the one faced by Rishi Raj Bhati will continue unhindered if rules are not framed properly. About a month after the RPD Act was legislated, Bhati, a disabled, newly-appointed Public Relations Officer of the Delhi Development Authority, was removed from his post and sent back to his old department. Even before he could take charge, senior officials had decided that Bhati would not be able to keep up with the demands of his new position. After protests, Bhati was asked to rejoin, with the

rider that he should return to service only if he felt "confident" he would be able to discharge the duties of his post. Bhati refused to join.

The latest version of the draft rules even while assuring that the provisions of the section are "not misused" by the head of an establishment to "deny any right and benefit to persons with disabilities covered under the Act" will not prevent such unpleasant incidents. Strangely, the burden of establishing whether the aim was "legitimate" or not rests on the affected party, not the authority concerned.

This apart, the committee constituted to oversee the framing of the central rules had just three representatives from the disability sector. Unfortunately, there has been no representation from any of the newly recognised disabilities in such an important committee. With 14 conditions now being newly added to the existing seven, the canvas has become much wider. Under-representation apart, the committee had just two sittings.

If the RPD Act, 2016 has to become a reality in letter and spirit, then processes such as rule-framing have to be carried out more thoroughly and collectively, with the involvement of its primary beneficiaries, and not just as a means of tokenism. Saner sense should prevail and the department should desist from coming out with half-baked rules. As we had cautioned earlier, a tough battle lies ahead for getting this law implemented.

The writer is secretary, National Platform for the Rights of the Disabled



## MAY 16, 1977, FORTY YEARS AGO

### NATION PRAYS FOR JP

THE NATION PRAYED for the speedy recovery of Jayaprakash Narayan who is undergoing treatment at Seattle, USA. The day was observed as thanksgiving day. In Delhi, Acharya J.B. Kripalani conducted mass prayers for the early recovery and long life of Jayaprakash Narayan. Glowing tributes were paid to JP in an all-party religious meeting in Bombay. The Mahamandaleshwar Kashikanandji led the prayer.

### DESAI'S POLL CAMPAIGN

PRIME MINISTER MORARJI Desai will not make use of Indian Air Force or government-owned planes for his forthcoming election

tour. Desai will travel by regular Indian Airlines flights to the extent that the timings fit his tour programme. If it is absolutely necessary for Desai to go by air and an IA flight is not available, a small plane may be hired from a flying club or a private party. Asked whether Defence Minister Jagjivan Ram and other ministers would also not use IAF or government aircraft, the spokesman said when the prime minister showed the way, other ministers would follow. Use of government vehicles for electioneering would also be barred by the Janata ministers, he added.

### INDIRA IN CONG PANEL

FORMER PRIME MINISTER Mrs Indira

Gandhi has been nominated member of the Congress Central Parliamentary Board. Besides Mrs Gandhi, other members include Swaran Singh, Kamalapati Tripathi and Mohammad Ali.

### DEFECTORS TICKET-LESS

JANATA PARTY GENERAL Secretary Ramakrishna Hegde has said that no defector who joined the party after its formal inauguration on May 1 would be given a party ticket for the forthcoming elections. He said problems in the selection of candidates arose because of the fact that a large number of applicants had staked claims for each seat.

# 15 THE IDEAS PAGE



CR Sasikumar

## You march on, girl

On May 8, a photograph of IPS officer, Charu Nigam, in tears after an altercation in Gorakhpur with the local BJP MLA, made news. She need not have cried



MEERAN CHADHA BORWANKAR

YOU HAD TEARS in your eyes. So what? You stood your ground. You have changed India and you are still changing it. You, in your uniform, are still a rarity — an officer whom people come to look at and look up to. Because they see in you and in your uniform an authority that is sincere, hard-working and committed to justice for the common man — and woman. And they do so because you are living up to their expectations. You are listening to them and are not busy pandering to the whims and fancies of VVIPs. So, march on, girl. India needs you.

Remember the time when you took over as the district superintendent of police? Women in your area greeted you with open arms, admiration writ large over their faces. They saw in you what many of them had missed out on in their lives. They saw in you what they want for their daughters and sisters today. You have made their dream a reality. They see their future in you. And so, march on, fearlessly. Women and girls are with you.

By being more accessible to the poor and downtrodden, you have shaken and disturbed well-entrenched powers, who thought they were invincible. You listen — a

rare feat for those in authority as they are accustomed to listening only to their own voices or to those of their sycophants. You have challenged the traditions of power, changed its equations. You have acted on your belief, of equality before the law and of the rule of law. So, they will shout, of course. But don't you let that daunt you. Simply march on. The weak and the poor are with you.

You took on a powerful male bastion. You forced them to sit up and take note of your fearless fight against illegal activities, be it the adulteration of petroleum or milk, the sand mafia or the deep roots of violent organised crime. You have the law on your side — they have only their nuisance value. Ignore them, young lady, as the all-important law of the land stands by you.

Your parents were far-sighted; they encouraged you to dream and achieve. Looking at you, many more parents are dreaming for their girls, citing your example now. Your shoulders are young but they have already proved their might. On those shoulders rests the responsibility also of inspiring generations. Do not let them down. March on, girl, many ambitious parents are watching you.

Remember the lady with the torn sari and the bruises on her body that told the tale of her husband's daily lashes brutally rained down on her? When she approached you, she saw in you a saviour. Characteristically, you went beyond the call of duty to help her. Think of the long queue of visitors outside your office, waiting patiently because they nurture the hope that you will give them justice. That queue has both women and men in it for both have

You took on a powerful male bastion. You forced them to take note of your fearless fight against illegal activities, be it the adulteration of petroleum or milk, the sand mafia or violent organised crime. You have the law on your side — they have only their nuisance value. Ignore them as the all-important law of the land stands by you. Your parents were far-sighted; they encouraged you to dream and achieve. Looking at you, many more parents are dreaming for their girls. Do not let them down. March on; many ambitious parents are watching you.

seen your actions and appreciated your steadfast help to the poor and needy. They want you in this position. For their sake, march on, dear woman. They are with you.

And what about your own staff? After a long time, they have a fearless, honest leader who works with sincerity and sensitivity, with them and for them. A leader who leads from the front and is yet a complete team player. An officer who takes decisions and does not sit on files. Who understands that the buck stops at her table. They want such a leader and in fact, many more like you. So, march on, girl, your police department needs you.

If citizens want you, the community appreciates you, your own team needs and applauds you, why should you care about those screeching just to grab attention? They are crying only about their loss of power. Pity them, ignore them — they are losers. They have already lost and they understand that the people are with you. They make public scenes as their last-ditch effort to cling to some power. Ignore them and their impotent anger. Carry on with your honest work, girl. Carry on.

Just one request, one word of caution as you go about your onerous task — do not let the system kill you. Do not let it dampen your selfless energy or dilute your devotion to the cause. Because it can happen. As it has to many before you. Guard against that with all your might and zeal. Because all of us see the future of India in you. So, march on, my good officer. The whole country is with you.

The writer is director general, Bureau of Police Research and Development (BPR&D), Delhi



KUNAL AMBASTA

## Two verdicts, one message

A civilised and progressive jurisprudence calls for banning the death penalty

OVER THE LAST few days, the Supreme Court has confirmed death sentences twice, and in close succession. On May 3, the Court rejected the review petition of Vasant Sampat Dupare, convicted and sentenced to death for the rape and murder of a small child. The second, and more infamous case, relates to the death penalties for the convicts in the December 16 Delhi gang-rape case.

In both these cases, the Supreme Court did not consider it fit to remand the cases to the original sentencing court, despite agreeing that the trial court had erred by not considering aggravating and mitigating circumstances. This becomes important where the penalty sought to be imposed is that of death, which stands qualitatively and legally on a completely different footing from any other punishment. This deprives the convict of his procedural right of confirmation and appeal of the sentence.

Indeed, the Supreme Court routinely rejects a vast majority of the special leave petitions furnished before it each week, and remands a large number of criminal cases for consideration. Why was it that such a direction was not considered fit in these cases, even when the Court itself agreed that the sentencing carried out by the trial court was

legally deficient? So much so that it considered mitigation evidence afresh, and reached the conclusion of death. The Supreme Court, in not referring the cases back to the trial court for sentencing, has, in fact, exercised jurisdiction which is properly with the lower courts.

Not only does the procedure adopted by the Court curtail the due process rights of the convicts under Article 21, but it also raises the question of whether the Court itself has created a differential criteria for the treatment of petitioners before it. These cases are similar in terms of the crimes committed. They are offences for which there is substantial demand for visible, retributive punishment of the offenders. Would it be possible then that the judiciary may be under pressure to impose extraordinary punishment in such cases, which could possibly run counter to procedural and Fundamental Rights?

Another aspect that requires discussion is the meaning of "rarest of rare" that is used to identify the category of offenders who may be sentenced to death. In the case of Bariyar, the Supreme Court had shown that its determination of rarest of rare was providing irreconcilable results, with similar cases falling in and out of the category. The

Bariyar judgment may also be used to show that the determination of which cases merit death are influenced by the individual predilections of judges. The only safeguard that could possibly remedy this would be to look for the consistent award of death right from the trial court upwards, before concluding that a case merits capital punishment.

If one agrees with this aspect of Bariyar's reasoning, then the present cases become unsatisfactory on another ground. If the trial court had, as the Supreme Court seems to agree, not done a proper analysis of whether these cases were rarest of rare instances, then the question of consistency in sentencing vapourises. In essence, there is no legally tenable sentence at the level of the trial court at all. Therefore, a determination of whether or not these cases fall within the rarest of rare category cannot be done, unless the matter is remanded to the court which first sentenced them.

If these two cases are considered to be representative, it leads us to consider the possibility of legal and Fundamental Rights being not honoured for heinous offences accompanied by public outrage. The true test of whether any legal rights exist in the first place is how strictly we follow them in cases

that test us the most. Whether we put anything by the rights to life and liberty must be seen in situations when those rights are under the most pressure and the temptation to ignore them is the highest. Any other understanding is chimerical to the entire notion of having rights.

The above also raises questions as to whether the death penalty has a place in our legal system, if inconsistencies in its application are being witnessed. In particular, if one sees that the very limited scope of rarest of rare is itself not capable of being applied in a manner which would provide predictability and equality, there can be no guarantee as to the proper exercise of the punishment. Therefore, the problem with retaining the death penalty will continue to exist even when its scope is limited. The only tenable option that remains would be that of abolition.

It is only by abolishing the death penalty in toto that we would be able to give full meaning to our commitment to a civilised and progressive jurisprudence in line with international trends.

The writer is assistant professor, National Law School of India University, Bangalore

## WHAT THE OTHERS SAY

"Concerns, and even suspicion, have arisen over the intentions behind the (Belt and Road) initiative, most of which stem from a misperception and misunderstanding of China's strategic motivation."  
—CHINA DAILY

## Keeping the promise

Three years ago, Prime Minister Modi was elected to bring change. He has stepped up to his mandate



ANIL BALUNI

THREE YEARS AGO, under the leadership of Narendra Modi, the BJP was given the responsibility of increasing the respect of the country, and working for its all-round development. This mandate wasn't just for changing the prime minister or government, it was for changing the country.

This has been visible in the past three years. PM Modi has touched the minds of 125 crore Indians. He has injected new hope and energy into a broken morale, scattered systems and altered old mindsets that India was grappling with. Through his addresses and campaigns, Modi has brought the common man closer to his social responsibilities. The fact that Modi talks about the challenges of daily life in his speeches makes him the only hope for a solution to the common man's problems.

Has any PM ever raised the issue of Clean India from the ramparts of Red Fort? Living in filth had practically become the destiny of this country. It is true that it will take some time to achieve this goal, but at least people have started thinking about it. Did anyone imagine that a PM would campaign to empower our daughters with schemes such as Beti Bachao, Beti Padhao? Has any PM started a national campaign to conserve the rivers of our country? Has any PM ever made an appeal to doctors to treat lactating mothers for free one day a month?

Has any PM ever urged students to not worry about exams and instead focus on building good character? Has any PM appealed to the old and young to conserve water? Has any PM ever made efforts towards doubling the income of farmers? Everyone knew about the problems faced by poor women in their kitchens, but has anyone made a more concrete effort than the Ujjwala scheme? To check the skyrocketing prices of medicines, the Modi government has also made efforts to introduce free medical insurance, among other things.

Everyone was unhappy with the red beacon culture, but only Modi had the courage to scrap it in one fell swoop. Everyone knows about the cowardly threats and cross-border terror perpetuated by Pakistan, but no one thought of giving them a fitting response by conducting surgical strikes. There are several such examples which show that PM Modi has his finger on the pulse of the nation. The result is that he has become a trustworthy source of hope, strength and a voice of the people.

The common man's trust in Modi is not without reason — it is because he is not sitting on a pedestal but is in their hearts. When he says he is not the prime minister but the "pradhan sevak" of the people, he connects with them. He doesn't just talk but with his energetic artistry, he implements.

To ensure that his every word becomes an inspiration for the country, the PM has a

clear vision. Under the leadership of BJP president Amit Shah, lakhs of workers are diligently taking each campaign to every corner of the country. With the help of the media and social media, they are working to become couriers of change to build a new India.

Right after becoming PM, at the BJP's parliamentary party meeting, Modi made it clear that his government will be dedicated to the poor and will work for villages, farmers, Dalits, those who have been exploited, the victimised, the deprived, youth and women. He has lived up to these promises.

In the past three years, PM Modi has introduced over 105 schemes for the development of the country and the welfare of the poor. It is important to mention some of these, such as schemes introduced for the poor — under these, the government will use funds obtained from black money deposits for the development of the deprived. The Jan Dhan scheme was another unique initiative. Presently, 1.26 lakh Bank Mitras are at work and 22.18 RuPay debit cards have been issued to those living on the fringes of society, who had never thought they would step into a bank.

Similarly, under the Security Insurance Plan, over 10 crore people have been enrolled. Over 10,000 people have also benefited from this scheme. Over 3 crore people have been enrolled under the Pradhan Mantri Jeevan Jyoti Bima Yojana, and 61,000 people have already availed benefits. Under the National Health Policy, there is a provision for free check-ups and medicine for the poor at government hospitals. The poor are also given medical insurance cover of Rs 1 lakh. Through the Ujjwala Yojana, two crore poor families have been given free gas connections — by 2019, more than five crore poor families will get free gas connections. There is no bigger scheme for women's empowerment.

To fulfil his promise of providing 24/7 power, the PM approved Rs 43,000 crore for the Deen Dayal Upadhyaya Gram Jyoti Yojana. Work is underway to ensure that electricity reaches all homes by 2019. By May 1, 2018, all villages will have electricity. This government is working hard to ensure that all poor people have their own homes by 2021. The poor will get home loans at a lower interest rate. The Crop Insurance Scheme will help farmers cope with losses suffered due to natural disasters.

In the last three years, every section of the country has been affected by the PM. He talks to both soldiers at the border and students in school. Through his radio programme, *Mann ki Baat*, he has addressed issues such as water conservation, changing perceptions about the handicapped, the Swachh Bharat Mission, saving electricity, personality development of children in their summer vacations, inspiring them to choose good careers, learning to avoid gender discrimination, using more khadi, etc. That is the reason the PM resides in the minds of the old and the young.

We have taken a step towards building a new India that can walk with the world. The country has firm belief and trust in the leadership of Narendra Modi, which they have seen at work in this short span of three years.

The writer is head, BJP media cell

## LETTER TO THE EDITOR

### BUDDHA AND MODI

THIS REFERS TO the editorial, 'The good neighbour' (IE, May 15). Sri Lanka has always been one of India's most cordial neighbours. Both countries are inextricably intertwined through rich bonds. Therefore, it was fitting that PM Modi's Sri Lanka visit stress on the ties between the two nations. The PM's focus on Buddhism must have sent the right message to Pakistan and China. Harmony is the foundation on which a social structure is built. Modi appeared keen to emphasise that the Buddha's values are crucial to maintaining balance in international relations too.

Ganapathi Bhat, Akola

### GIVING GRIEF

THIS REFERS TO the report, 'Sofa, AC come and go as Yogi visits martyr's home' (IE, May 15). The chief minister of UP should have been mindful of the circumstances under which he was visiting the home of deceased BSF jawan Prem Sagar. His visit would have caused the grieving family greater pain.

Sanjay Arya, New Delhi

### DIVORCE OPTIONS

THIS REFERS TO the article, 'Ball in the Supreme Court' by Tahir Mahmood (IE, May 15). The Supreme Court asked: Where would Muslim men go for divorce if triple talaq is banned? The answer is: India is a secular country where everyone, man or woman, has equal rights, irrespective of religion, caste or creed. The practice of triple talaq has no relevance in India. Even most Muslim countries, including Pakistan, have banned it. India should follow suit. Muslim men, and women, can go to

### LETTER OF THE WEEK AWARD

To encourage quality reader intervention, The Indian Express offers the Letter of the Week award. The letter adjudged the best for the week is published every Saturday.

Letters may be e-mailed to [editpage@expressindia.com](mailto:editpage@expressindia.com) or sent to The Indian Express, B-1/B, Sector 10, Noida-UP 201301. Letter writers should mention their postal address and phone number.

THE WINNER RECEIVES SELECT EXPRESS PUBLICATIONS

court, like their counterparts from other religions, should they wish to divorce.

R.K. Kapoor, Chandigarh

### NOT VIGILANTES

THIS REFERS TO the article, 'Over to the vigilante' (IE, May 12). The activities of cow vigilantes are reprehensible. But it is unfair to club the unlawful activities of gau rakshaks with the cow protection activities taken up by groups in Maharashtra, which the author describes as work outsourced in the absence of policing. What is wrong in the state using citizen's groups to uphold the law?

Shailesh Kumar, New Delhi

# 16 EXPLAINED



## SOCIAL INTELLIGENCE

Comedy is hard. Acronyms Harder.

**JAKE TAPPER**, journalist with CNN, 1.19 million followers on Twitter, quoting Mike Huckabee, Republican politician and former governor of Arkansas, who tweeted: "CNN now stands for Cardiac Care Network because their ppl are having heart attacks over Trump doing what Dems once demanded — fire Comey."

# Now in SC, revived debate over cutoff for migrants in Assam

**SAMUDRA GUPTA KASHYAP**  
GUWAHATI, MAY 15

THE CUTOFF date for granting citizenship to Bangladeshi migrants in Assam, defined in Section 6A of the Citizenship Act as March 25, 1971, has become the subject of a fresh debate more than 3 decades after the section was introduced following the Assam Accord of 1985.

According to Article 6 of the Constitution, the cutoff for determining citizenship in India is July 19, 1948.

A bunch of petitions challenging the Citizenship Act's Section 6A, interventions against such pleas, and others relating to the citizenship cutoff have come up in the Supreme Court, which deferred the hearing last week after some of the petitioners prayed for time to file additional affidavits.

Five years ago, a little-known organisation called Assam Sanmilita Mahasangha filed a writ petition challenging the constitutional validity of Section 6A. The Assam Accord was already 27 years old then, and several lakh migrants who came from erstwhile East Pakistan before March 25, 1971, had been accepted as citizens.

Groups such as the Assam Sahitya Sabha, Assam Public Works and All Assam Ahom

Association too filed petitions.

On December 17, 2014, a two-judge Bench of Justices Ranjan Gogoi and R F Nariman suggested that the matter be put before a five-judge Constitution Bench, and listed 13 questions for it — "most of them are substantial questions as to the interpretation of the Constitution", it said. Most of the questions pertained to whether Section 6A violated the Constitution, and contradicted other provisions of the Citizenship Act itself.

The two-judge Bench put on record the fact that the Assam Accord had made a "huge number of illegal migrants" deemed citizens of India. "In any case, Section 6A did not merely rest content with granting refugee status to those who were illegal migrants from East Pakistan but went on to grant them the benefit of citizenship of India," it said.

### For & against

The Assam Sanmilita Mahasangha has argued that there is no rational basis for having separate cutoff dates for regularising illegal migrants who enter Assam as opposed to the rest of the country. "While the Assam Accord has failed to effectively tackle illegal migration to Assam because not many such people have been actually deported, Section 6A of the Citizenship Act is unconstitutional," says

MIGRANT COUNT	
<b>29,700</b>	Number of illegal migrants deported between 1985 and October 2016; the highest (3,228) in 1998, according to figures tabled in the Assembly in February 2017
<b>33</b>	Deportations between April 1, 2016 and March 31, 2017, Assam Parliamentary Affairs Minister Chandra Mohan Patowary told the Assembly last week
<b>55,000</b>	Persons declared foreigners between 1985 and July 2012; 61,000 names marked 'D' (doubtful) in the electoral rolls, according to a
	White Paper published by the previous Congress government of Tarun Gogoi in October 2012
<b>20 MILLION</b>	Illegal Bangladeshi migrants staying in India, according to a statement by Union MoS (Home) Kiren Rijju in Rajya Sabha last November
<b>1.20 CRORE</b>	Illegal Bangladeshi migrants staying in India, according to Sriprakash Jaiswal, former MoS (Home); he said 50 lakh of these migrants were staying in Assam

Mahasangha chief Matiuir Rahman, a former veteran of the All Assam Students' Union.

The AASU, whose then leaders had signed the accord, considers it "all-inclusive", as it has provisions for detection and deportation of foreigners, apart from providing constitutional safeguards to the indigenous people.

"Moreover, all sections have arrived at a consensus over the provisions of the accord," AASU chief adviser Samujjal Bhattacharyya says.

Former Chief Minister Prafulla Kumar Mahanta, who was AASU president when he signed the Assam Accord, too wants the sanctity of the Accord protected. "We want

implementation of the Assam Accord in letter and spirit. Only this can ensure putting an end to all problems," Mahanta said.

The Congress sees the developments as a "deep conspiracy" of the central government to nullify the Assam Accord. "If the base year is moved back to 1951, Assam will be pushed into fresh turmoil. Imagine the situation if thousands of people who came before 1971 and were granted citizenship by virtue of the Assam Accord come out on the streets once they are rendered stateless," said Debabrata Saikia, Leader of the Opposition in the Assembly.

The CPI and CPM too have backed the Accord.

The Assam Jamiat says it will strongly defend the Accord. "Some groups that are challenging the validity of the Accord also want 1951 to be the base year for updating the NRC (National Register of Citizens)," Jamiat president Badruddin Ajmal said. Ajmal is also the president of the All India United Democratic Front, which has 13 MLAs.

### Proof required

The process of updating the NRC has already given an indication as to how many people will find it difficult to prove their Indian citizenship.

Last February, Gauhati High Court had declared as unacceptably residence certificates issued by panchayat secretaries in rural areas and circle officers in urban areas as proof of citizenship for inclusion in the NRC. Some 48 lakh persons who had submitted such certificates now face the prospect of being left out.

"Issuance of such certificates is contrary to the mandate of the Citizenship (Registration of Citizens and Issue of National Identity Cards) Rules, 2003, besides not being in the national interest," the High Court had said.

While the Centre and the Assam government have decided not to contest the court order, the Centre told the Supreme Court in April that it was considering the reliability of the ration card as a supporting document for updating the NRC. If the court declares ration cards as unacceptable, then another 20 lakh people stand to be left out, raising to 68 lakh the number of those unable to prove their citizenship.

Abhijit Sarma, president of the NGO Assam Public Works that had filed the first petition 8 years ago, has been pleading for deletion of names of about 41 lakh "excess voters" from Assam's electoral rolls. "Considering that the 3 figures (48 lakh, 20 lakh and 41 lakh) overlap, we suspect that not less than 80 lakh people will be unable to prove their citizenship," Sarma said.

## AFTER THE RANSOMWARE ATTACK

# In tracking cybercriminals, old tools of sleuthing, tweaked for the digital world

As the aftershocks of the broadest example yet of a ransomware attack continued to be felt in over 150 countries, investigators got down to the task of identifying its perpetrators and preventing a recurrence. Here's how cybersleuths work.

AS THE global ransomware crisis spread wider and deeper Monday, locking up some 200,000 computers in factories, hospitals, shops, schools and even ATMs in more than 150 countries, and investors rushed to pick up stocks expected to benefit from spending on cybersecurity, investigators worked to track down the source of the crime.

### Beyond the fact that they operate on the Web, how different are cybercriminals from, say, robbers or burglars?

In a way, cybercriminals are the same — they employ techniques that are similar and, like conventional criminals, they target the most vulnerable the first and most. They hide behind software that obscures their identity and leads investigators to look far from their actual hideouts. They kidnap data and hold it hostage. They target companies and people whose information is the worst protected.

It follows that investigators on their trail employ much the same processes that detectives in the physical world use: securing the crime scene, collecting forensic evidence, and trying to trace the clues back to the perpetrator. This is what they have been doing since the WannaCry (or Wcry or Wanna Decryptor) attack hit Friday.

### But what is it that makes cybercriminals tougher to track down?

First, the nature of the crime itself — a cyberattack that has seemingly been contained can come back stronger and harder as new variants of the malware emerge. The anonymous 22-year-old British cybersecurity expert who halted the first wave of Friday's ransomware attack by discovering and activating the "kill switch" in the malware, tweeted Sunday: "Version 1 of WannaCrypt was stoppable but version 2.0 will likely remove the flaw. You're only safe if you patch ASAP." By Monday, experts watching the malware had detected new variants — "We are in the second wave," Matthieu Suiche of Comae Technologies said. An analyst with cybersecurity company Recorded Future, Allan Liska, said he had examined a version of the malware that did not have the kill switch — "This is probably version 2.1."

Second, security features and software upgrades that can firewall computers are often not used widely enough. Microsoft issued a software patch in March that could've stopped WannaCry, but it wasn't installed by all users — one reason was that many older systems that are still in use cannot automatically install patches. Also, Microsoft has complained for years that a large majority of computers running its software are using pirated versions. Even where the software is legal, installing the patch across large organisations [say, departments of the Indian government, which sometimes use old hardware and old versions of software] is not easy.

Third, awareness of both the threat and the remedy are low in many countries, and cybersecurity techniques are not always cutting edge. [In India, the push for digitisation has not been matched by an equally strong push for cybersecurity awareness.] These are classic vulnerabilities — equivalent of leaving a backdoor or window unwatched in a neighbourhood prone to burglaries.

Fourth, successful investigation of a complex, global crime outbreak like the current one will necessarily require close teamwork among agencies like the FBI, Scotland Yard and security officials in China and Russia — organisations that are not only wary of sharing information with one another, but are sometimes cyber threats to one another. The only institutional arrangement for interna-



C R Sasikumar

tional cooperation on cybercrime is the 'Budapest Convention', whose membership is largely restricted to Western democracies. Russia and China haven't signed on because it permits the digital equivalent of hot pursuit — a police force investigating a cybercrime can access networks in other jurisdictions without first seeking permission.

### What steps typically follow once a cybercrime is detected?

As with a physical crime scene, the first step is to make sure the criminal is no longer hiding out, about to pounce again. "Before we get into who did it, we try to figure out if the bad guys still have access," said Theresa Payton, a former chief information officer of the White House. "Are they still hiding? Are they going to come back tomorrow? Is the door that let them in still ajar?"

The next step, she said, is to figure out, "Where are they?" and "How do we cordon them off to mitigate further damage?" Investigators examine the affected server, online software caches and emails to iden-

tify any malware that might not have been activated yet. In the case of WannaCry, it was quickly determined that updating Windows software with the latest security patch was enough to inoculate uninfected computers.

### And what happens when the actual investigation begins?

Forensic work starts with agents looking for digital fingerprints. Because of the highly technical nature of these investigations, private data security teams are often roped in to help. They either work directly with law enforcement to uncover clues left behind by the attackers, or track the virus and its effects for their corporate clients.

In the WannaCry case, the phishing emails sent by the criminals with the infected link are a key piece of evidence. Patricia Lewis, the international security research director at Chatham House in London, likened the text of the email to a physical letter, and its metadata to the envelope — complete with clues such as the stamp, handwriting, saliva or fingerprints — it arrives in. Like

senders of threat or blackmail letters, cybercriminals are aware their emails contain revealing clues, and try to cover their tracks.

Once equipped with enough identifying data to start narrowing down suspects, investigators go undercover to listen to the chatter on technology boards where cybercriminals are known to spend time. Innumerable cyberbergs are skulking around the dark web, rather like undercover operatives purporting to be part of a criminal gang.

### Specifically, what kinds of clues can investigators hope to pick up?

Investigators check whether the email address the malware came from is linked to social media accounts, past cybercrimes or other locations on the web; study the domain name it is linked to; and look for patterns that might connect one crime to others. Small digital details, including potential mistakes or a certain style in the programming code, can lead back to the criminals, as can the location where some of the ransom money is withdrawn.

One state-sponsored hack was traced to Russia because detectives noticed those responsible were online only from 9 am to 5 pm Moscow time. In another case, hackers were observing Chinese holidays. When Sony was hacked, officials linked the malware that was used to one that had been used before in North Korea. In the recent hack of the campaign of French President Emmanuel Macron, security experts were able to link the registration of certain website domains used in the attack to Russian hackers.

Investigators in the latest attack are looking for clues in the ransom notes written in more than 20 languages. Some have suggested that the assailants might have connections to China because the Mandarin version of the text was better written than its English equivalent.

### How long can it take to nail the criminals behind the WannaCry attack?

It could take months, if not years. Transactions in Bitcoin — the digital currency in which the attackers have demanded ransom — are difficult and expensive to trace. The attack is more complicated because, according to a US administration official, "the experts tell us that this code was cobbled together from many places and sources". The more the potential sources of the code, the harder it is for investigators to run down the trail of possible perpetrators. Ultimately, like in the physical world, success will depend on what mistakes the criminals have made, and how efficiently investigators can follow up on them.

### What then is the message from the WannaCry attack?

Aftershocks of the attack can be expected to be felt for some days, and given the vulnerabilities of the digital age, a fresh attack will likely always be around the corner. Brad Smith, president and chief legal officer of Microsoft, said in a blog post Sunday that the attack should be a "wake-up call" for the tech industry, consumers and governments. International security agencies must be more inclined towards a coalition of the willing against the cyberattackers — there are already signs of such a coalition coming together; Europol has said its team of cybersecurity specialists, made up of agents from countries like Germany, Britain and the US, was investigating the attack. On Monday, IBM issued a statement saying it was leveraging its computer system 'Watson' to analyse the data and derive insights to prevent future incidents.

COMPILED FROM NYT REPORTS

## SOME STEPS TO A MORE SECURE DIGITAL LIFE

### Encrypt your messages

Apple uses a default encryption scheme that makes its computers difficult to unlock. For text messaging, Signal is a good option. It is free, extremely easy to use, and the app allows emojis, pictures and group texts. Unlike Apple's iMessage, which is also encrypted, the code it uses to operate is open source. Signal is available for both Android and iOS. WhatsApp uses Signal's software to encrypt its messaging. And in Facebook Messenger and Google's texting app Allo, you can turn on an option that encrypts your messages.

**Protect your computer's hard drive** Even if the data in it were password protected, gaining access to your computer would give the burglar access to all your files if they were unencrypted. Both Apple and Windows offer means of automatic encryption (FileVault and BitLocker respectively) that simply need to be turned on.

**Passwords, passwords, passwords** Changing passwords often is one of the simplest things that can be done to ward off a digital invasion. Use password managers, which help store many passwords, with one master password. LastPass is an option (even though it was itself hacked in 2015), as are 1Password and KeePass. Or else, write your passwords down and keep them safe somewhere, and perhaps set a weekly or biweekly calendar reminder to change them.

### 2-factor authentication for email

When you turn this step on, anyone trying to sign in to your email from a new device will have to go through a secondary layer of security: a code to enter the inbox that is sent to your phone via text message. You can also set two-factor authentication for social media accounts and other sites. But email is the most important account, since many sites use email for password recovery. Once hackers have access to your email, they can get access to banking, social media, data backups and work accounts.

### Use DuckDuckGo

If you are sceptical about large software organisations, consider moving from Google to DuckDuckGo as an alternative search engine. However, Google's search results are more useful and accurate than competitors.

### Cover your webcam with tape

In case someone has found a way to compromise your computer, they cannot spy on you through its camera. Yes, this happens.

NYT

## Harmony that keeps many crashes in space at bay

IN FEBRUARY, astronomers announced the discovery of a nearby star with seven Earth-size planets, and at least some of the planets seemed to be in a zone that could provide cozy conditions for life.

The finding of these planets circling the star Trappist-1 40 light-years away came with a mystery. The orbits of the planets are packed tightly, and computer calculations suggested that the gravitational jostling would send them colliding or flying apart.

Now, new research provides an explanation for the dynamics of how this planetary system could have formed and remained in stable harmony over billions of years.

While the planets are roughly the size of Earth, Trappist-1 is a dwarf star that is much smaller and colder than our Sun, and all 7 of the planets orbit within 6 million miles of the star. By contrast, Mercury, the innermost planet of our Solar System, is 36 million miles from our Sun. A "year" — the time to complete one orbit — of Trappist-1 planets ranges from 1.5 days to 19 days.

The original discoverers noted that those orbits were almost exactly in "resonance" — that is, the second planet completes 5 orbits in almost exactly the time the first planet makes 8; the third planet completes 3 orbits for every 5 orbits of the second planet, and the fourth planet makes 2 orbits for every 3 orbits of the third. Yet, when they plugged the data into computer simulations, the orbits quickly became unstable, falling apart in less than a million years. Even when they added the effects of tides on the planets, which tend to push orbits toward more circular, stable orbits, the system still often fell apart within a few million years, a cosmic instant compared with the estimated age of the Trappist-1 star (3 billion to 8 billion years).

The new researchers looked at possible ways that the planets got to where they are now. The planets formed out of a disk of gas and dust. After that formation, the remaining disk would have nudged the planets inward, and those nudges tend to push the planets toward the stable resonances.

Researcher Dr Daniel Tamayo offered the analogy of musicians in an orchestra. "It's not enough for members to merely keep time," he said. "Simulating the formation of the system in its birth disk is analogous to the orchestra tuning itself before playing. When we create these harmonised systems, we find that the majority survive for as long as we can run our supercomputer simulations." **NYT**