



The NOTA principle

The Congress and the BJP protest too much about its introduction in Rajya Sabha polls

Should NOTA (none of the above) be an option in a State Assembly vote for the Rajya Sabha, as it is for the electorate in direct elections? Following the Gujarat Assembly secretary's statement that the "NOTA" option will be available on the ballot paper in the Rajya Sabha election next week, both the Congress and the Bharatiya Janata Party have sought to convince the Supreme Court and the Election Commission that MLAs should not have this option. The Supreme Court refused to stay the process to allow NOTA, saying that the provision has been in place since April 2014 after a direction by the EC. It is important to note that open ballots are used in the Rajya Sabha elections. These elections follow a proportional representation system based on the single transferable vote, unlike the general elections to the Lok Sabha, which are conducted with secret ballots (or votes) and based on the first-past-the-post principle. The idea behind the use of NOTA is to allow the voter to register a "protest" vote if none of the candidates is acceptable to her for whatever reason. While NOTA votes are tallied, the candidate with the highest number of votes polled is declared elected irrespective of the NOTA total. In the case of the Rajya Sabha elections, the vote allows for the preferential ordering of candidates. If an MLA chooses NOTA, the vote is rendered ineffective.

In principle, the presence of the NOTA option for the legislator allows the possibility of a protest vote against the party high command for choosing candidates who are not agreeable to her, without having to choose candidates from opposing parties. The principle of a protest vote remains the same even if these are indirect elections. The party high command can issue a whip for a Rajya Sabha candidate, but anti-defection law provisions do not apply, and a defiant MLA is not disqualified from membership of the House. The Supreme Court has in the past held that open ballot votes in Rajya Sabha elections against the whip will not lead to disqualification as the Tenth Schedule, pertaining to anti-defection provisions, has a different purpose. The Congress party's protest on the introduction of NOTA draws from anxiety about mopping up sufficient votes to have its nominee Ahmed Patel elected to the Rajya Sabha. Six of its MLAs have already resigned, and there is concern that some of the remaining MLAs may not heed the party whip. Overall, both the Congress and the BJP probably have longer-term worries about keeping control of their flock in Rajya Sabha elections. But it is not as if MLAs have previously fallen in line meekly on such occasions. Therefore, instead of struggling against the democratisation of indirect elections, through reforms such as the NOTA option, parties would be better off re-learning the art of floor management.

A half-done reform

The aim should be to sustainably lower the price of cooking gas

The government has informed Parliament about its decision to completely do away with the subsidy offered to cooking gas used for household purposes. In an order issued in May this year, public sector oil companies were authorised to incrementally hike the "effective price" of LPG cylinders until the entire subsidy is wiped off by March next year, the Union Minister for Petroleum and Natural Gas, Dharmendra Pradhan, told Parliament. Interestingly, political pressure from Opposition parties following the announcement forced the Minister a day later to argue that the government is merely "rationalising", rather than cutting, the subsidy. But the initial announcement left very little to interpretation. Previously, in July last year, the oil companies were given the green signal to increase the effective price of subsidised cylinders by ₹2 a month. So the latest order to increase the effective price by ₹4 a month, but with the clearly stated aim of eventually doing away with subsidies completely, signifies a more aggressive pursuit of the policy of cutting the fuel subsidy. It should be noted that the fall in global crude oil prices, which has reduced the price difference between subsidised and non-subsidised cooking gas in the local market, has already eased the burden on the government. In the latest Union budget, the government allocated about ₹25,000 crore towards oil subsidy, which is a fourth of the total oil subsidy bill (of almost ₹1 lakh crore) incurred in fiscal year 2013.

The cut in subsidy would further strengthen fiscal discipline. The implementation of the direct transfer of cash benefits in the last few years has already helped in the better targeting of subsidies to the poor, thus substantially reducing wasteful spending. The fall in oil prices over the same period may have led the government to believe that this may be the right time to withdraw the cooking gas subsidy without causing too much pain to consumers. It is estimated that about 18 crore people, many of them below the poverty line, depend on subsidised gas cylinders. It would therefore be difficult to argue that a complete abolition of subsidy will not adversely affect them. In fact, it will not be surprising if the government steps in to foot the bill if oil prices rise in the future, as it probably should to ease the pain. Much depends on how the government makes use of the current spell of relatively low oil prices. The foremost aim should be to sustainably lower the price of cooking gas once and for all, getting the government out of the business of managing subsidies. In the long run, this is the only way to ease the burden on consumers and also free the budget from the pressure of international oil prices. Deregulating the market for cooking gas, thus opening it up to more widespread market competition, would also help.

It's time to enact an anti-lynching law

But a civil society draft doing the rounds is too shy to clearly call out the threat to minorities



G. SAMPATH

In a civilised society, even one lynching is too many. But India has seen a spate of them of late. The data website *IndiaSpend* has compiled instances of cow-linked violence from 2010 to 2017. It found that during this period, 28 people were killed in 63 such incidents.

An overwhelming 97% of these attacks took place after Prime Minister Narendra Modi's government came to power in May 2014. About 86% of those killed were Muslims. In 21% of the cases, the police filed cases against the victims/survivors. Cow-related lynchings rose sharply in 2017, with 20 attacks in the first six months. This marks a 75% increase over 2016, which had been the worst year for mob lynchings since 2010.

The groundswell of public disgust at the lynchings crystallised under the banner of the National Campaign Against Mob Lynching (NCAML), which has initiated a campaign for a law against mob lynching. Also known as 'Masuka', short for Manav Suraksha Kanon (law to protect humans), a draft of the proposed legislation is currently up on the Internet, awaiting suggestions from the public.

The primary argument of the activists and lawyers advocating an anti-lynching law is that it fills a void in our criminal jurisprudence. It is true that at present there is no law that criminalises mob killings. The Indian Penal Code has provisions for unlawful assembly, rioting, and murder but nothing that

takes cognisance of a group of people coming together to kill (a lynch mob).

It is possible, under Section 223 (a) of the Criminal Procedure Code (CrPC), to prosecute together two or more people accused of the same offence committed in the course of the "same transaction". But the provision falls far short of an adequate legal framework for prosecuting lynch mobs.

The NCAML's draft Protection from Lynching Act, 2017 defines, for the first time in Indian legal history, the terms 'lynching', 'mob' and 'victim' of mob lynching. It makes lynching a non-bailable offence, criminalises dereliction of duty by a policeman, criminalises incitement on social media, and stipulates that adequate compensation be paid, within a definite time frame, to victims and survivors. It also guarantees a speedy trial and witness protection.

The apprehensions

On the face of it, it is difficult to fault the intent or the provisions of the draft legislation. Nonetheless, two aspects merit close scrutiny: the potential for abuse, and the underlying premise that a generic anti-lynching law could address India's lynching problem.

On the question of misuse, the provisions empowering local law enforcement officials to take preventive action could easily be invoked to criminalise peaceful public assembly, especially if the gathering is of workers or members of marginalised communities agitating for their rights. For instance, the police could use this law to detain a group of labourers planning a dharna, on the grounds that they constitute a mob that poses a threat to company officials.

To take another example, the



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'Review Committee' that would monitor the prosecution of cases under this law is supposed to be headed by a senior police officer. Its findings would be submitted to a senior police officer. In a scenario where the police often serve as the handmaidens of the ruling dispensation, could we realistically expect one member of the police force to hold another accountable? Would it not have been prudent to mandate that the Review Committee make its report public or have members from civil society?

A category error

No one can dispute that a major reason for the recent rise in lynchings is impunity. It can be reasonably assumed that the lynch mobs that murdered Mohammad Akhlaq in Dadri, Pehlu Khan in Alwar, and Hafiz Junaid in Haryana were confident of getting away with it. So far, the state has done little to shake that confidence.

The NCAML activists must know that this confidence has little to do with legislative lacuna. Rather, it has everything to do with the law enforcement machinery taking the side of the lynch mob. This phenomenon has been observed time and again in cases of targeted violence against minorities – which is precisely what cow-related lynch-

ings are.

Put simply, the problem is not mob lynching per se but the mob lynching of minorities, for that is where impunity kicks in. We can be certain that if a mob of factory workers were to lynch someone from the management, retribution would be swift. The historical proof of this argument, if one were needed, was supplied by the lynching of Maruti Suzuki's HR manager in July 2012. The police arrested 148 workers and charged all them with murder.

Evidently, the state can act, if it wishes to, using the existing provisions of the law. It is a matter of whether it is in its interests to do so. In the case of cow-linked lynchings, a lot depends on whether the incumbent in power considers it compatible with its political interests to crack down on such attacks.

It's about communalism

It is therefore mystifying why the advocates of Masuka appear reluctant to name the problem for what it is: targeted communal lynchings. Perhaps they feel that doing so carries the risk of their campaign being dismissed as a 'minority issue'. But it actually is a minority issue, and that is why the majority needs to take it up.

It is understandable that in a climate of majoritarianism, any political mobilisation for the protection of minorities would be anxious about the bogey of minority appeasement. It could even mean that an anti-lynching Bill stands less chance of making it through Parliament. But then, a truly 'civil' society should feel no hesitation in demanding that the state protect its minorities because protection of minorities is one of the biggest responsibilities of any democracy.

The UN has a Special Rapporteur for minority issues precisely because it recognises that "minorities in all regions of the world continue to face serious threats".

India already has an antidote – two, in fact – to combat the impunity enjoyed by anti-minority lynch mobs. The first is the Prevention of Communal and Targeted Violence (Access to Justice and Reparations) Bill, 2011, or the Anti-Communal Violence Bill. The other is police reforms, which are pending despite the Supreme Court ordering their implementation.

The Anti-Communal Violence Bill was buried because it was felt that it threatened the autonomy of States by mooting a parallel structure that undermined federalism. This is a misrepresentation, and the Bill needs to be revived for three reasons: it fixes command responsibility for communal incidents; it recognises that targeted communal violence disproportionately victimises minorities; and it creates a mechanism to insulate investigations of communal violence from political interference. The last reason is also why police reforms are vital, and a purely legislative approach to tackling anti-minority violence could prove ineffective.

The draft anti-lynching law needs to be revised to incorporate these key elements of the Anti-Communal Violence Bill. Second, the demand for an anti-lynching law needs to be buttressed by a parallel campaign for police reforms. All said and done, even the best of laws can achieve little in the face of a law enforcement machinery primed to do the bidding of its political masters.

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Restoring Parliament's primacy

A Parliamentary Budget Office would help MPs provide effective oversight



VINOD BHANU

In India, establishing a Parliamentary Budget Office (PBO) is a due concern. A PBO is an independent and impartial body linked directly to Parliament that provides technical and objective analysis of Budgets and public finance to the House and its committees. As 'the guardian of the public purse', Parliament must play a greater role in budgetary governance. Its core functions include Budget approval, scrutiny of its implementation, and holding the government to account. However, Parliament lacks the capability to perform such functions effectively. The result is often an arbitrary taxation policy, burgeoning fiscal deficit, and an inequitable allocation of public resources.

Greater budgetary oversight

Multiple indicators suggest that executive-led budgetary governance has not been successful in India. The unequal distribution of public resources is a prevalent issue. Despite high economic growth, India suffers from inexcusable income inequality, poverty, unemployment, malnourished children, preventable diseases, systemic corruption, and underinvestment in key social services such as health

and education.

Budgets can be seen as 'contracts between citizens and the state' or as 'treaties among citizens negotiated through politics'. Indian political economy literature fails to adequately address the role of Parliament and State legislatures in public finance management. The role of Parliament and State legislatures in budgetary decision-making and oversight is far from satisfactory; it is meaningful to have a well thought-out legislative-executive balance of power in budgetary governance.

The Indian Parliament is a Budget-approving body contributing to budgetary matters in the following notable ways: presentation of the Budget; scrutiny of the demands for grants of various ministries; debate; consideration and approval of the Budget. To carry out these functions effectively, Parliament requires institutional, analytical and technical competence. Some have argued that a 'Budget-approving' Parliament does not require a functioning PBO. This argument, although common, is unsound. When Parliament is a Budget-approving body, its members must be well-informed for a legitimate approving process. Establishing a PBO within Parliament is undoubtedly necessary. It is an instrument for addressing bias towards spending and deficits and, more significantly, for enhancing fiscal discipline and promoting accountability. Further, it can generate quality public debate on Budget policy and public finance,

enabling parliamentarians to engage meaningfully in the Budget process.

There is a growing trend among legislatures, particularly within the OECD countries to establish specialised Budget research units. Traditionally, independent budgetary units are more common in developed countries, but many developing countries are now establishing such entities; for example: Benin, Ghana, Kenya, South Africa, Morocco, the Philippines, Uganda, Nigeria, Liberia, Thailand, Afghanistan, and Vietnam. The other functioning PBOs are in countries such as the U.S., Canada, Australia, Austria, South Korea, Italy, and Mexico. There are PBOs established in subnational legislatures, such as California, Ontario, Scotland, and New South Wales. Additionally, New York City has a well-functioning Independent Budget Office (IBO).

Role of a PBO

The majority of PBOs have four core functions: independent and objective economic forecasts; baseline estimate survey; analysing the executive's Budget proposal; and providing medium- to long-term analysis. Costing is standard practice for many PBOs. Budgets generally start with an economic forecast. A PBO can present either its own independent forecast or it can validate the government's, providing an objective analysis on the official forecast.

A PBO can perform other tasks depending on its mandate, re-



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sources and requirements of parliamentarians or committees. These may include general economic analysis, tax analysis, long-term analysis, options for spending cuts, outlining a budgetary framework that reflects priorities of the nation, bespoke policy briefs.

A PBO is different from general parliamentary research services and information wings. It also differs from finance committees and the Public Accounts Committee. A PBO is comprised of independent and specialised staff, such as Budget analysts, economists, public finance experts. The PBO must be non-partisan, independent and mandated to serve all parliamentarians. Furthermore, the core functions of the PBO should be codified in law. Its output, and the methods by which those outputs are prepared, must be transparent, accessible and understandable.

Onus on parliamentarians

Parliamentary scrutiny of public finance is an important aspect of governmental accountability.

There is a legitimate democratic need in this country to strengthen the capacity of Parliament and its members. An unprecedented change has taken place in the way citizens view the government's stewardship of taxpayer resources. This demands a consideration of global standards and best practices to promote financial and budgetary transparency.

Parliamentarians have a role in establishing the PBO. As representatives of the people, they can help improve Budget policies by providing inputs on public needs and priorities. Similarly, a PBO can ensure that parliamentarians are well-informed to perform their budgetary and oversight functions effectively. A PBO in Parliament will have a positive impact on the House's ability to carry out budgetary oversight and fiscal decision-making. However, this will not be an easy task. It is likely to attract opposition from the bureaucracy as any aspect of strengthening Parliament (or State legislatures) has always been unwelcome and met with less consideration from the executive. Parliament, with its long-standing traditions of non-partisan legislative services to MPs in India, will find more favourable consensus among all parties for the proposal to establish a PBO. However, establishing the PBO in India will require unremitting political will and public support.

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LETTERS TO THE EDITOR

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The Karnataka raid

The accusation by top Congress leaders about the "timing" of the raids (as was witnessed in the CBI raids in Lalu Prasad's homes and in the IT raids in Tamil Nadu) is untenable since the objective of an investigative agency is to catch people unawares after thorough groundwork ("₹10 cr. seized from Cong. Minister", August 3). If nothing was found in the raids, the agency would have ended up red-faced and these accusations would have then been accurate. But that is not the case. What is the need to decry that federalism has been decimated? The reason why a majority of the opposition parties are not able to stand up to the Bharatiya Janata Party is their proximity to scams. This is yet another instance of that.

R. SRIDHARAN,
Chennai

The Congress accusing the BJP of a "political witch-hunt" shows that the party supports and defends corrupt politicians for its survival. As the raids on the resort hosting the Gujarat MLAs rock Parliament, the Congress says that the BJP is "waging a war" on it and that all this is a "premeditated conspiracy". This is not true as D.K. Shivakumar is arguably one of the richest politicians in Karnataka. By raising a hue and cry, the Minister cannot claim immunity for evading tax. The Congress is trying to divert attention from its misdeeds by needlessly crying foul that the party MLAs are being harassed ahead of the Rajya Sabha elections. On the contrary, the party high command should be ashamed for defending the Minister.

K.R. SRINIVASAN,
Secunderabad

Why did it take such a long time to raid the Minister's house? How can anyone amass such a huge amount of money without anyone's knowledge? And how can he give "shelter" to MLAs from other States? It seems as though law and order is only for the poor and middle class people in this country. It looks like everything is fair in Indian politics. The fault lies with politicians, but also with the people, who themselves accept money at the time of elections and elect corrupt leaders to power.

LALITHA,
Visakhapatnam

This raid is definitely not an accident. Look at the facts: D.K. Shivakumar is a Minister from the Karnataka Congress, who is keeping a flock of Congress MLAs from Gujarat in a farmhouse in Bengaluru away from the BJP, to ensure that the BJP

doesn't break their unity before the Rajya Sabha elections. And while this drama is being enacted, there are raids! The question is, why would the BJP take this risk, especially when it has been alleged that it is trying to buy Congress MLAs from Gujarat for voting for the BJP in the Rajya Sabha elections? If money were to be found in the possession of the Gujarat Congress MLAs, would it not have been risky for the BJP if the MLAs say that the money was given by the BJP? Why were there raids only in the Congress Minister's room?

N. SRIDHAR,
Secunderabad

For value education

This news item was disturbing to say the least ("Are you a virgin", Bihar medical college asks new employees," August 3). A sample of our such

happenings around the country points to a sad state of affairs. It was reported that in Haridwar district, a schoolteacher was accused of stripping two girls because they didn't do their homework. In Daman and Diu, there was reportedly a plan for all female employees to tie rakhis to their male colleagues on Rakshabandhan. What are these atrocious happenings that have become the order of the day? There is some serious fault in our education system. Else, why would we ask such personal questions, humiliate children, or force people to be 'siblings'? The problem is that we concentrate so much on scientific progress that basic values and morals are no longer inculcated.

A grudging signature
It is really amusing how a

leader finds his executive powers severely restricted by a Bill that has been overwhelmingly passed by U.S. Congress comprising mostly of members of the party that elected him ("Trump signs Russia sanctions Bill", August 3). That Donald Trump, who was keen on improving ties with Russia, was left with no alternative but to sign the sanctions Bill shows that the Republican members in the American legislature valued salvaging national honour and integrity more than upholding their President's apparently unilateral stand on Russia. This is a good example of what can be called a dispassionate political stand by the ruling party's senators in the U.S.

ARAVIND SRIDHAR,
Bengaluru

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LEFT, RIGHT, CENTRE

Is India a good neighbour?

Foreign policy had earlier been driven by peace. The new priority to security has distorted India's image



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← There is no single yardstick to measure foreign policy successes and failures but the absence of crises is broadly viewed as a sound criterion. India's foreign policy of late has come under sharp public scrutiny – especially the direction in which it is moving.

Frosty relations

So, what do we see? On the one hand, an extremely frosty relationship with Pakistan. On the other, the relationship of stability with China built over three decades has been falling apart despite increased

diplomatic engagement – not only because of Chinese mistakes but also because of the absence of innovative thinking in India to deal with its biggest neighbour.

India lacks a coherent means to contain China except for nurturing some myopic ideas. The old time-tested friendship with Russia has been allowed to slip through our fingers by downscaling the levels of engagements and limiting the areas of interest over time. The tragedy is that China has shrewdly neutralised India's close proximity with Russia while at the same time sustaining its nexus with Pakistan.

Broadly speaking, Indian foreign policy relied on its deep resources of wisdom and inner strength based on a percept of it being a civilisation state, that was reflected in its international conduct. To that effect, foreign policy has been driven by peace rather than security. It gave India a global persona of benign international influence.

There is a marked divergence from that position. Priority to security has distorted India's image vis-à-vis its neighbours – especially when policies are pursued through the precolonial security-centric “zero-sum” or “frontier mindset” or even from a Cold War political



prism. In fact, this approach has failed to stop China's influence in India's neighbourhood despite the “neighbourhood-first policy”.

Seventy years is not a short period for India to come up with a sound and clear statecraft device. Yet we see a clear lack of finesse in India's approach, more so when the world has moved away from a bilateral to a multilateral context.

In our pursuit to gain great power status, we have slipped into apathy in transforming our old arrangements with smaller neighbours like Bhutan and Nepal. Instead of developing India as a regional economic hub, we are

turning it into a fortress by overemphasising on border security.

Getting fundamentals right

A better option to probe future ties would be to return to the strategic fundamentals. A good example to emulate is the top-down waterfall approach espoused by Russia and China to lower tensions between them.

At the same time, India need not see China as an object of disdain in perpetuity – a narrative often sold by the West. An honest attempt to build a new paradigm of India-China trust grounded on the shared historical and cultural awareness, as also on the collective wisdom of ordinary citizens on both sides, may prove to be more effective. For

India to emerge as a global power of any reckoning, it has to realise that a narrow tactical pursuit devoid of strategic thinking will lead to nowhere. We need to reframe our terms of relationship with China; rethink our own posture; rescue ourselves from experiencing a delusion of grandeur and instead persevere to emerge as a confident and aspiring regional power.

Of course, one cannot judge foreign policy on the ephemeral flux of events only. What is seen as success today may turn out to be blunder tomorrow. Also, foreign policy failures may not always be the consequences of a botched-up diplomacy; it can be the result of a misplaced and impractical pursuit of goals.

China might have deep pockets, but the relations between India and her neighbours are multidimensional



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is a former Indian Foreign Service officer

→ Based on my experience and certainly over the last three years of the Narendra Modi government, neighbourhood is the first ring of India's foreign policy. Neighbourhood became the primary focus with the creation of the SAARC in 1985, but it has been enhanced over the last three years.

Ties that bind

If you take the area of education, there is enormous interest in the neighbourhood in coming to India to study. Engineering and medicine

apart, even cultural subjects like dance and music are of great interest. Nepal, Afghanistan, Bangladesh are being offered a variety of scholarships, as also Bhutan, Maldives and Sri Lanka. Some of their brightest students come to study in India. They go back as India's ambassadors with a lifelong interest in fostering good ties with us.

Health is another area where our neighbours seek our active cooperation. [External Affairs Minister] Sushma Swaraj has repeatedly emphasised that medical visas will be offered to Pakistanis. Half a million visas are being offered to Bangla-

des covering tourism, treatment and all other aspects of bilateral ties.

Nepal and India have an open border where trade and business are prominent. Bangladesh and India have a huge trade gap, but Bangladeshi exports to India are going up to almost a billion dollars. Sri Lanka-India trade is enormous and growing fast. Trade relations among all South Asian countries should be viewed as a specialisation area of India's foreign relations. Natural disasters are another area where India has extended support to neighbours consistently – the Indian Navy has been prompt in helping in disasters in Sri Lanka or the Maldives, and the Air



Force was prompt during the Nepal earthquake. These areas remain under the radar, but the fact is in foreign relations work is always going on.

Problems do arise from time to time in neighbouring countries, but India has always helped in its own way. In 1971, Bangladesh faced a terrible genocide; 10 million refugees poured into India. In Sri Lanka, the 1987 India-Sri Lanka accord marked a new beginning. In Afghanistan, we are working along with all other countries.

Neighbourhood first

The relations between India and her neighbours are multidimen-

India's dealings with its neighbours can be characterised as both benevolent and malevolent



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↑ We must acknowledge that the geographical boundaries in our neighbourhood are an outcome of the colonial and imperial legacies inherited by both India and China. This has bred ‘Sinocentrism’ and ‘Indocentrism’ on either side of the Himalayas and both are vying to maintain their influence in the smaller countries or diminish each other's. The ‘India-centric’ fragmented integration in South Asia, according to some Chinese scholars, has provided an opportunity to China to build a new regional order in

South Asia, diminishing India's role in the region. This demonstrates that the contours of bilateral and multilateral relationship in our neighbourhood are extremely complex, and more often than not have given rise to narrow nationalism and regional hegemonism.

The good and the bad

Irrespective of the complexity and hypersensitive nature of the security issues, India's dealings with its neighbours can be characterised as both benevolent and malevolent. No other country in the region can allow free and unrestricted move-

ment of people across their border as India and Nepal have done even after delineating the border more than 200 years ago. This guarantees employment opportunities and facilitates trade, tourism and transport between the two countries. Conversely, the 1989 and 2015 Indian blockade crippled Nepal economically, and gave rise to anti-India hysteria. In the case of Bhutan, India remains one of the most trusted partners as far as economic and security relations are concerned. However, India halting the subsidised fuel supply to Bhutan just before the general election in July 2013 didn't augur well for bilateral



ties. In the same vein, if India's support for the Bangladeshi liberation movement brought the two countries closer, discords such as sharing of the Ganges water and Bangladesh denying India transit facilities to the Northeast have cast a shadow on bilateral ties. As regards Sri Lanka, the traditionally friendly relations were negatively impacted by India's intervention in the Tamil and Sinhala conflict.

Under Narendra Modi, India has formulated an increasingly assertive foreign policy. The continental mindset is undergoing tremendous change, and there is a strong rationale for developing blue eco-

nomy as well as blue-water naval capabilities; Mr. Modi's visits to Seychelles, Mauritius and Sri Lanka in early 2015 demonstrate this.

Engaging China

Given the complexity of the relationship and the nature of animosities, India has managed its relationship with China fairly well, albeit these could have been managed better especially when it comes to the resolution of the boundary issue. Generally speaking, the security, trade and investment, and people-to-people exchanges have been broadened in scope.

Imagine if India's borders with China plunge into the kind of volatility we have witnessed with our western neighbour! Thanks to the

existing border mechanisms, the India-China border has remained peaceful barring a few stand-offs including the recent one at Doklam. These face-offs along the Line of Actual Control are an indicator that any attempts to enhance military capacity along the borders by both India and China may vitiate the security environment. On the other hand, the peaceful resolution of these face-offs point to the maturing nature of ties. But the face-offs are also a pointer to the fact that relations remain “fragile” and the border issue is the root cause. If not handled properly, it could rekindle animosities in no time. It is imperative for India and China to show political will and reach an agreeable resolution as soon as possible.

SINGLE FILE

The Iran question

India's West Asia relations are no longer viewed through the Israel-Palestine prism

BILAL BALOCH



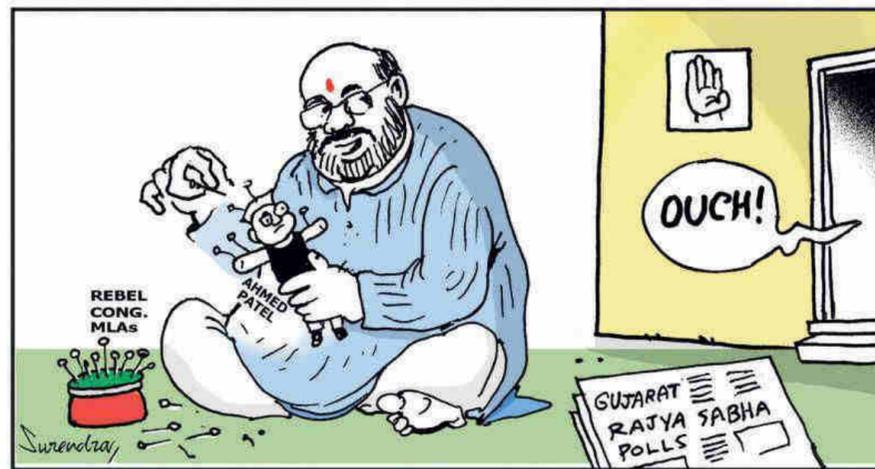
Prime Minister Narendra Modi's widely publicised trip to Israel last month was labelled as de-hyphenating the traditional vector of Israel-Palestine in Indian strategic thinking in West Asia, without damaging relations with Arab states. The final say on this balancing, however, will be determined by Iran.

Historically, India has projected Israel as an apartheid regime. Despite the latter's drawn-out courtship, it was a weakening of old structures that ushered new ideas into Delhi's decision-making and, in 1992, mutual securities became salient. Since then, cooperation and trade have improved steeply. Not unusually, and simultaneously, India has maintained support for the Palestinian cause. Despite not making the customary stopover in Ramallah during his trip, the ground was privately prepared when Mr. Modi welcomed Palestinian President Mahmoud Abbas to Delhi in May. The relative quiet across Arab states during Mr. Modi's visit and conversations with diplomats in the region reveal that India's West Asia relations are no longer viewed through the prism of Israel-Palestine, but the changing security landscape in the region pertaining to Iran.

A new political order in West Asia is in full force, led assertively by Saudi Arabia, and one that regards Iran as the existential threat. The assumption in some sections of the international community, that India's ties with Israel naturally negate the South Asian power's relationship with the Arab nations, specifically of the Gulf Cooperation Council (GCC), is misguided. Indeed, Mr. Modi would not have made the visit to Israel had he calculated that such a trip would antagonise the Sunni Arab leaders who have shown concrete interest in India's growing market and improving regulatory environment. India, in turn, looks to the region for its constantly expanding natural gas and crude oil thirst. Essentially, Arab leaders can today live with their allies operating with the Israelis, but not with the Iranians. Since the Iran nuclear deal, insecurities among Tehran's rivals, supported increasingly by the Trump White House, have gone into overdrive. That the Iranian leadership is fully aware of these shifting dynamics was on show in the days leading up to Mr. Modi's Israel visit.

Twice in the space of 10 days, Iran's Supreme Leader Ayatollah Ali Khamenei linked the plight of Muslims in Gaza, Yemen, and Bahrain, with, unexpectedly, those in Kashmir. The timing and frequency of his comments, which were so close to the Israel visit, cannot be underplayed. The Iranians will have been aggrieved by the visit coupled with India's unambiguous pro-Riyadh tilt. Despite this, ties between India and Iran will not cease any time soon, but run on an independent track. Indeed, they are currently developing the geopolitically valuable Chabahar port on the Gulf of Oman. But rising economic stakes in Delhi and a new regional order will mean that India cannot maintain its traditionally equidistant, neutral position in West Asia for long. These pathways will be stress-tested soon if India desires a concrete regional strategy beyond tactical visits.

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CONCEPTUAL

Big Mac index

ECONOMICS

This is an index used to compare the price of a good across countries. The law of one price states that the price of a good sold internationally should converge as entrepreneurs try to profit from any price discrepancy. The purpose of the Big Mac index, which compares the price of the Big Mac burger across countries, is to establish the purchasing power parity between currencies. It has been published by the British magazine *The Economist* since 1986. One drawback of the Big Mac index is that goods that look physically similar to each other may not necessarily be similar in their economic nature.

MORE ON THE WEB

NOTA in the Rajya Sabha polls: an explainer

http://bit.ly/NOTARSPoll

ACT ONE

Evicting unauthorised VIP occupants

There is now a solution to the problem

KRISHNADAS RAJAGOPAL

The Supreme Court once said there is no law to “entirely control the act of disobedience” of powerful but unauthorised occupants of government residential accommodations.

In *S.D. Bandy versus Divisional Traffic Officer* (2013), a Supreme Court Bench led by Justice P. Sathasivam observed that unauthorised occupants of public property should realise that “their act of overstaying in the premise directly infringes the right of another”.

The Public Premises (Eviction of Unauthorised Occupants) Act of 1971, which prescribes eviction of unauthorised occupants from public premises, has proved largely ineffective before VIP tenants of government residences.

Efforts to evict an unauthorised occupant are often met with resistance and years of litigation. Instead of complying with the eviction order, the ten-

ant prefers to move court.

The Public Premises (Eviction of Unauthorised Occupants) Amendment Bill, introduced in the Lok Sabha, comes up with an answer for this problem. It proposes to insert a new sub-section (3A) in Section 7 of the 1971 Act to the effect that if an unauthorised occupant goes to court against an eviction order, he/she will be bound to pay “damages” for every month of his/her stay in the particular residential accommodation.

As per the existing allotment rules, the occupants have to vacate on the expiry of the licence. The 1971 Act calls for the “smooth, speedy and time-bound” eviction of unauthorised occupants. The law calculates that an eviction proceeding in court, in case the tenant refuses to vacate, would take five to seven weeks. A subsequent appeal before a higher court would mean another four weeks in the least. But reality is

contrary to what the law envisages on paper. It may take years of effort and public money to actually nudge out an unauthorised occupant.

The 1971 Act provides for summary eviction proceedings, under which the estate officer does not have to follow an elaborate procedure for serving notice, show cause, inquiry and hearing before passing the eviction order. But this procedure is not applicable to residential accommodations. This loophole in the existing 1971 Act has been exploited by unauthorised occupants who resort to dilatory tactics or move the High Court for a stay of the eviction order.

On this, the Amendment Bill has proposed the insertion of a new Section 3B. It proposes to extend summary eviction procedure to residential accommodations too. The unauthorised occupants would be provided a showcase notice of only three days.

FROM The Hindu. ARCHIVES

FIFTY YEARS AGO AUGUST 4, 1967

Govt. studying seizure of tax evaders' assets

The Deputy Prime Minister, Mr. Morarji Desai, told the Lok Sabha to-day [August 3, New Delhi] that Government was considering legislation for making forfeiture of property a penalty for tax evasion. Intervening to reply to questions on the alleged tax evasion by the Aminchand Pyarelal group of firms, he said instructions had been issued that wherever possible, prosecution should be launched against income-tax evaders. Mr. Desai said it was not possible to mop up all evaded taxes but he was trying to devise machinery by which it would be lessened to the minimum.

A HUNDRED YEARS AGO AUGUST 4, 1917

Three years of war.

The Kaiser has issued a Proclamation to the Army, Navy and Colonial troops as follows: “The third year of war has ended, our adversaries have increased but their prospects of victory are no better. You crushed Rumania last year and the Russian Empire again trembles under your strokes. Both of these States sacrificed themselves for others and now bleed to death. You have braved the enemy's assaults in Macedonia and in the mighty battles in the west you remain masters. Your lines are firm. You are protecting the dear ones at home against the terrors of devastation of war...”

DATA POINT

State of sanitation check

Sikkim, Kerala, Himachal Pradesh, Haryana and Gujarat top the list of States with the highest percentage of open defecation-free villages, as verified by the State governments

