



## Choice & conversion

The two seem to have become muddled in the SC's order in the Kerala conversion case

The case of Akhila/Hadiya is becoming curiously by the day. Entrusted with adjudicating whether her conversion to Islam and marriage to a Muslim man were voluntary acts, the Supreme Court has embarked on a roving inquiry into whether Hindu women in parts of Kerala are being radicalised. Inexplicably, the court has sought inputs from the National Investigation Agency (NIA), tasked with tackling terrorism, to probe the circumstances of the 24-year-old's conversion and marriage even before it heard her out. The question before the court was the correctness of the Kerala High Court's decision to annul her marriage. The Supreme Court's reasoning for its position that it needs the inputs of all stakeholders before it speaks to the woman concerned is hard to comprehend. Of what use would these inputs be if she maintains that she chose to convert and marry voluntarily? The High Court did not question her conversion to Islam, only suspecting the veracity of her sudden claim that she was married to a Muslim. This happened in the course of hearings on a plea by her father complaining that she was under the influence of radical groups. The High Court held that the purported marriage was only a ruse to scuttle the proceedings and annulled the marriage as a "sham". In the process, it made the odd observations that a woman's marriage requires the involvement of her parents and that even if she had attained the age of majority, she was still at a "vulnerable age".

The Supreme Court has nominated a retired judge to supervise the NIA probe, the object of which is presumably to safeguard its independence and credibility. But the inquiry itself has come about because of a submission made by the NIA that there is a pattern to such incidents in Kerala. It is possible to make out a case for a police investigation into the suspicious activities of radical groups in the State. But the mere suspicion that they are working in an organised way to convert people is not sufficient to conclude that they are involved in recruiting them for overseas terror operations for groups such as the Islamic State. The woman's father maintains that she is under the spell and influence of radical activists who, he says, would transport her abroad to destinations such as Syria. These and related apprehensions are subjects that should be addressed by the police and intelligence agencies rather than by a process that involves subjecting the woman to live in a manner not chosen by her. It is unfortunate that the plea that she was living under custody in her parental home despite being a major failed to cut any ice before the two-judge bench. In refusing to entertain the plea, the Supreme Court has lent the unfortunate impression that it has placed a judicial curtailment on her volition. Rather than do this, it should have striven to find a way to protect her freedom of religion and movement.

## Son vs Bezos

Softbank and Amazon are upping the stakes in India's e-commerce market

Flipkart's announcement that SoftBank Vision Fund, a private equity fund backed by Japanese billionaire Masayoshi Son, would take a stake in the company has energised India's e-commerce space. The investment is widely reported to be about \$2.5 billion, and the deal would leave Flipkart with a war chest of \$4 billion in cash to sustain its operations. The move is seen as the Japanese billionaire's response to the increasing domination of India's e-commerce space by the American giant Amazon. Amazon chief Jeff Bezos claimed in April this year that his company had become India's fastest-growing e-commerce company. He also said that Amazon plans to increase its investment in India. A number of private data sources have confirmed since then that Amazon, since its launch in India in 2013, has either matched or surpassed Flipkart's performance on various counts. On the other hand, it is well-known that Mr. Son's initial investment in Snapdeal, an Indian e-commerce venture, was far from successful. In fact, in May this year, SoftBank recognised losses of over \$1.4 billion on its investments in Snapdeal and Ola. Mr. Son's attempts to merge Snapdeal with Flipkart to create a larger rival to take on Amazon also failed to materialise last month. Yet the allure of the Indian e-commerce market is hard to resist. E-commerce is projected to grow at a rapid pace given the large potential in a country where people predominantly shop at traditional bricks-and-mortar retail stores.

The strength of Mr. Son's investment pursuits has been doubted for long. But he has also picked super-winners such as Alibaba that have more than compensated for his losses. For now his investments in the Indian startup space have failed to take off, but he may still be counting on India to deliver his next big super-winner. With Mr. Son's financial backing Flipkart will be looking to regain the ground it has lost to Amazon. Mr. Bezos, on the other hand, will be keen not to lose out to a rejuvenated Flipkart the way he lost the Chinese market to Alibaba. Meanwhile, other Amazon rivals too have entered the e-commerce fray in India. Microsoft, Tencent and eBay have also invested in Flipkart this year. Alibaba has invested in Paytm, the Indian payments company that also offers shopping services. Going forward, more e-commerce companies in India might evolve into similar payments-cum-shopping platforms. Such a strategy would be similar to the buy-and-pay model at the foundation of Alibaba's rise in China. Notably, Tencent, Alibaba's rival in China, has even come up with a chat App (WeChat) that lets users shop and pay. Amazon seems prepared for the challenge with the launch of its own wallet service in India. But regardless of who wins this battle, the Indian consumer looks set to be wooed by more competitive prices.

# Redrawing the arc of influence

Indian diplomacy needs to display higher levels of sophistication for New Delhi to play a global role



M.K. NARAYANAN

Prime Minister Narendra Modi's schedule of foreign visits has been extremely impressive, and he has managed to inject a degree of dynamism into a system accustomed to a more leisurely pace. Estimating outcomes from these visits is, however, more difficult.

Taking the two most recent visits, for example, one can easily see the contrast in outcomes. The U.S. visit was a carefully calibrated one producing few surprises, despite the U.S. President having a reputation of being highly unpredictable. For his part, the Prime Minister charted a time-tested course, concentrating mainly on counter-terrorism and the defence security partnership, avoiding contentious trade-related issues. The naming of the Hizbul Mujahideen chief as a "specially designated global terrorist" and a "new consultation mechanism on domestic and international terrorist designations listing proposals" were the high points of the counter-terrorism agenda. Reiteration of India's position as a major defence partner and confirmation of the sale of the Guardian Unmanned Aerial System to India, reflected the deepening security and defence cooperation.

In concrete terms, not much else took place during the visit, despite an oblique reference in the joint statement to China's Belt and Road Initiative (BRI) and reiteration of support for "freedom of navigation" in the Indo-Pacific. What was most obvious was the U.S. tilt towards transactional rather than strategic aspects.

### A clear de-hyphenation

In the case of Israel, this being the first ever visit by an Indian Prime Minister to that country, the euphoria of the standalone visit, de-hyphenating Israel from Palestine,

was understandable. It also produced better dividends, including elevation of the India-Israel relationship to the level of a 'strategic partnership'. Israel achieved a major propaganda scoop by getting the Indian Prime Minister to visit the memorial of Theodor Herzl, founding father of the Zionist movement.

The main focus of the visit was on defence cooperation, joint development of defence products and transfer of technology. Most of the agreements signed related to transfer of technology and innovative technology-related items and India expects to benefit substantially, considering that Israeli export rules are far more flexible than those of the U.S.

Both countries also expressed a strong commitment to combat terrorism. The reality, however, is that when the two countries speak of terrorism, they speak of very different things. Iran and Hezbollah are the main targets for Israel, which has little interest in the Afghan Taliban or Pakistan's Lashkar-e-Taiba. For India, it is the latter that matters.

The euphoria of the visit cannot, however, conceal China's importance for Israel. China is a far bigger investor and trading partner of Israel than India. On this occasion, India and Israel decided to set up a \$40 million Innovation Fund to allow Indian and Israeli enterprises to develop innovative technologies and products for commercial applications, but it is clearly dwarfed by the Israel-China comprehensive innovation partnership which has an outlay of \$300 million. India and Israel also have differences over China's BRI: Israel is eager to participate in it, unlike India, and possibly views this as an opportunity to develop a project parallel to the Suez Canal.

### It's the neighbours

Two countries where India's diplomacy, despite the impetus given to it, is currently facing heavy odds are China and Pakistan. China in Asia is already exercising some of the political and economic lever-



ages that the U.S. previously possessed. China has a significant presence in East and Southeast Asia, is steadily enlarging its presence in South Asia, and is also beginning to expand into West Asia. For instance, China's influence in Iran today appears to be at an all-time high, whereas India's influence seems to be diminishing.

India has, however, refused to be inveigled by China's blandishments, including the BRI. Nor has it flinched from standing up to Chinese 'bullying', as in the recent instance of the Doklam plateau in Bhutan. Few other countries in Asia are, however, willing or in a position to tangle with China. A divided ASEAN again has provided China with an opportunity to demonstrate its economic and military muscle. Most countries in the region also demonstrate a desire to join China-based initiatives. Even in South Asia, despite India's commanding presence, China has been successful in winning quite a few friends among India's neighbours such as Bangladesh, Nepal, Sri Lanka and the Maldives.

In the case of Pakistan, the implosion of the state arising from its internal stresses and problems, together with the virtual standoff between India and Pakistan (involving a total cessation of talks or any kind of worthwhile contacts), has enabled the Pakistani Deep State to further entrench itself. India has been left with few options and this is leading to a diplomatic gridlock which does not augur well for India.

As Pakistan becomes still more deeply mired in problems, its dependence on China is growing. This is contributing to a strategic imbalance in the South Asian region. It is a moot point whether India and Indian diplomacy can do something to rectify matters in this context, but for the present it confronts Indian diplomacy with one more serious dilemma.

Notwithstanding India's efforts, the diplomatic scene vis-à-vis Russia also could be better. Russia is undergoing a strategic resurgence of sorts, sustained in good measure by the close relations recently established with China. Buoyed by developments in the Ukraine and Crimea, and the uncertainties surrounding U.S. commitment to NATO, the new Russia-China 'strategic congruence' is certain to impact Asia. The problem for India and Indian diplomacy is that at this time India-Russia relations appear less robust than at any time in the past half century.

India's 'Act East and Look West' policies have given a new dimension to Indian diplomacy in both East and West Asia. In both regions, however, but especially in West Asia, Indian diplomacy still lacks the nimbleness required to deal with fast-changing situations. In West Asia, despite its long time presence in the region, a 9-million strong diaspora, and the region being its principal source of oil, India is not a major player today. Both Russia and China have overtaken India in the affairs of the region. This is particularly true of Iran where the Russia-China-Iran relationship has greatly blossomed, almost marginalising India's influence.

### Fadeout in West Asia

India's absence from, and its inability to play a role in, West Asia, even as the region confronts a split down the line between the Arab and the non-Arab world is unfortunate. More so, there is the possibility of a series of confrontations between an increasingly powerful Shiite Iran and a weakening Saudi Arabia. The most recent challenge

is the one posed by Qatar to the existing order in the West Asian region. The fallout of all this will impact India adversely and Indian diplomacy's inability to make its presence felt will matter. An additional concern for India would be that growing uncertainties in the region could further fuel radical Islamist terrorism in the region.

The 'Act East' policy has produced better results. Closer relations with countries in East and South East Asia, especially Japan and Vietnam, are a positive development. However, in the Asia-Pacific, India has to contend with an increasingly assertive China. There is little evidence to show that India's diplomatic manoeuvres individually, or with allies like Japan, have succeeded in keeping the Chinese juggernaut at bay – or for that matter provide an alternative to China in the Asia-Pacific.

India's diplomatic establishment is all too aware of the political history and economics of the Asian region. Under Prime Minister Modi, diplomatic styles have changed but it would seem that the substance has altered little. His recent visit to Israel was, no doubt, a resounding success, but Israel was already one of the very few countries which had shown a complete understanding of India's defence and security needs, even ignoring the sanctions imposed on India by some countries. Israel's supply of critical defence items during the Kargil conflict (of 1999) is an excellent example.

What Indian diplomacy currently needs to do is to find a way to steer amid an assertive China, a hostile Pakistan, an uncertain South Asian and West Asian neighbourhood, and an unstable world. The strategic and security implications of these, individually and severally, need to be carefully validated and pursued. Indian diplomacy may possibly need to display still higher levels of sophistication to overcome the odds.

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

## That sinking feeling

In contrast to its pronouncements, the government's own data suggest the economy is in a deep hole



M.V. RAJEEV GOWDA & SALMAN SOZ

Prime Minister Narendra Modi, in his Independence Day address, spoke triumphantly about how demonetisation drove ₹3 lakh crore of unaccounted money into the banking system. The Reserve Bank of India (RBI) is still counting old notes, and unaccounted money cases are ongoing. Thus, this number is at best a guesstimate, and cannot be taken seriously.

### Dipping indices

For the facts, turn to the mid-year Economic Survey II, tabled in Parliament deliberately on the last day of the monsoon session, ensuring no discussion. The Survey states that GDP growth will miss the targeted 6.75% to 7.5%. This is a massive understatement. Examine this quote from the Survey: "A number of indicators – GDP, core GVA (GVA excluding agriculture and government), the Index of Industrial Production (IIP), credit, investment and capacity utilisation – point to a deceleration in real activity since the first quarter of 2016-17, and a further deceleration since

the third quarter." The Survey thus confirms that demonetisation ambushed a slowing economy. Consequently, core GVA, i.e. private business activity, dropped steeply from 11% in March 2016 to 4% in March 2017.

The Survey shows how demonetisation devastated the informal sector, using two-wheeler sales as a proxy indicator. These dropped steeply for two quarters after demonetisation. Construction, which absorbs migrant labour, was also badly hit. The Survey thus supports the Opposition's argument that Finance Minister Arun Jaitley's "record" allocation for MGNREGS merely reflects displaced migrant workers returning to villages and exercising their right to social insurance.

Demonetisation badly affected farmers' incomes resulting in a loss of demand, lowering food prices. Consequently, inflation has hit lows below the RBI's targeted band. Low inflation levels come at a human cost – farmers and those in the informal economy are losing their limited purchasing power.

Additionally, hasty implementation of the Goods and Services Tax (GST) has paralysed the informal manufacturing sector which lives on the edge, often saddled with debt. Protests in the textile hub of Surat reflect how GST is affecting medium, small and micro-scale en-

terprises. Formalisation of the economy should not shut down businesses and extinguish livelihoods. Similarly, leather, another labour-intensive sector, is in trouble due to restrictions on cattle slaughter.

Overall, there is concern that the economy is in a deep hole, the opposite of what the government would have us believe. It has entered the "Modi Slump". Banks are not lending. In the year ending March 2017, credit growth plunged to 5.1%, lowest in 60 years. The private sector is not borrowing and the manufacturing sector is operating at a historically low capacity utilisation of 70%. The latest IIP shows a contraction of 0.1% in June 2017.

Neither credit nor investment will increase until the government addresses the "twin balance sheets" problem. Fixing these should have been top priority. Sadly, the Modi government's early focus was on undoing the 2013 land acquisition law instead of addressing non-performing assets (NPAs). Bank lending is the lifeblood of the economy but government inaction has brought investments to a halt. In March 2014, NPAs were ₹1,73,800 crore. Today they are about ₹7,79,163 crore. Instead the government talks up foreign investment (only 2-3% of GDP) or aggressively lobbies the RBI to cut interest rates, which is unlikely to



achieve much.

As State governments find their fiscal space narrowing, private investment falters, and demand slows, we are entering a deflationary environment. Still there are fiscal policy measures that the Union government can deploy. It can belatedly share the benefits of low oil prices by cutting excise duties on petroleum to give people and businesses more spending power, boosting demand.

### Destroying, not creating

On the most important indicator – jobs – we are seeing job destruction! The Centre for Monitoring Indian Economy reports that 1.5 million jobs were lost during January-April 2017. Ignoring his own promise of creating two crore jobs a year, Mr. Modi exhorted job-seekers to become job creators. But international experience, for example in developed OECD (Organisation for Economic Co-opera-

tion and Development) countries, shows self-employment is only about 15% of total employment. Most Indians are self-employed out of necessity.

Mr. Modi extolled the job-creating impact of the MUDRA loan scheme. In contrast, MUDRA's CEO is on record saying that it cannot be verified that the agency has created large numbers of jobs. Another misguided Union minister recently gloated about "job creation" under MGNREGS – not realising that it is a social protection scheme that people turn to when they have no alternative employment and not exactly a reason for cheer.

Overall, the real state of India's economy is deeply worrying. The latest RBI surveys of consumer confidence, industrial outlook, and professional forecasters point to pessimism on all fronts except inflation management. Mr. Modi spoke of how a train slows down as it changes tracks. Unfortunately, Economic Survey II's numbers suggest that the economy has actually been derailed. The sooner the government understands this, the better.

M.V. Rajeev Gowda is a Member of Parliament and Chairman, AICC Research Department. Salman Soz is Regional Coordinator (North Zone), All India Professionals' Congress

## LETTERS TO THE EDITOR

Letters emailed to letters@thehindu.co.in must carry the full postal address and the full name or the name with initials.

### Cause of tragedy

Whatever be the cause attributed to this tragedy by the Central government committee, it cannot be denied that gross human negligence on a major scale has played its part ("Gorakhpur deaths not due to lack of oxygen, says panel", August 17). Moreover, the claim of the Central committee that fewer deaths have occurred this year compared to last year is no excuse and can never console those who have lost their little ones.

N. VISVESWARAN,  
Chennai

Not only are the figures shocking, but the fact that they are not seen as alarming and that these deaths have been occurring regularly in the region is

extremely worrying ("15%-29% AES fatality rate at BRD Hospital", August 17). That 20 deaths daily are recorded on average seven decades after we achieved independence reflects the terrible functioning of the hospital and the state of health care in India. We still have many government hospitals in the country where maintenance and service are both poor. Governments are always ready to spend on capital expenditure, which will fetch commissions and kickbacks, but don't give enough importance to health-care services.

KSHIRASAGARA BALAJI RAO,  
Hyderabad

It seems as though there is enough evidence to prove that the hospital and the

State administration ignored reminders by the private firm that supplied oxygen for payment of outstanding dues. Yet the Central committee report says that the deaths were not due to oxygen. This argument does not cut ice. Who were the members of this committee? We need to know their names and affiliations. Matters of this magnitude cannot be allowed to go unverified.

V. LAKSHMANAN,  
Tirupur

### Right to free speech

Free and fearless exchange of ideas is essential for the evolution of a democracy ("The architecture of censorship", Aug. 17). However, as a society we have failed to realise that the right to free expression

does not mean only expressing those ideas that are in line with what a majority of the people think. It's no coincidence that we are yet to come out with a serious political film in India in recent times, for instance. Compare this with Hollywood where films like *All The President's Men* and *Frost/Nixon* have released. They had the names of actual political figures. This is unlike in India where we give them fictional names and allude to them only through clothes or mannerisms. This is because there is fear that a legal case might have to be fought later. It is a pity that courts do not uphold this basic right to expression.

BIPIN THAIVALAPILL,  
Puvayannur

### Defending racists

With Donald Trump as U.S. President, the far right clearly feels emboldened to unleash violence with impunity against those who seek to protect liberalism ("Both sides at fault, says Trump on racial violence", Aug. 17). Rather than condemning the

Charlottesville incident in strong words, President Trump has sided with the white supremacists, which is a great pity. He should not pander to obscurantist elements on the ground.

M. JEYARAMAN,  
Sholavandan

MORE LETTERS ONLINE:  
www.hindu.com/opinion/letters/

**CORRECTIONS & CLARIFICATIONS:** >>In the report headlined "They wanted to create terror: witnesses" (August 15, 2017), there was a reference to the "decoration" of American independence. It should have been *declaration*.

>>Correction: The report headlined "46 killed as massive landslide buries vehicles" (August 14, 2017) erroneously said a *Volvo* bus was involved in the accident. It was not a *Volvo* bus.

The correction above – published in the Corrections and Clarifications column on August 17, 2017 – had inadvertently given the date of publication of the report as August 14, 2016.

It is the policy of The Hindu to correct significant errors as soon as possible. Please specify the edition (place of publication), date and page. The Readers' Editor's office can be contacted by Telephone: +91-44-28418297/28576300 (11 a.m. to 5 p.m., Monday to Friday); Fax: +91-44-28552963; E-mail: readerseditor@thehindu.co.in; Mail: Readers' Editor, The Hindu, Kasturba Buildings, 859 & 860 Anna Salai, Chennai 600 002, India. All communication must carry the full postal address and telephone number. No personal visits. The Terms of Reference for the Readers' Editor are on www.thehindu.com

LEFT, RIGHT, CENTRE

# Should Hamid Ansari have spoken his mind?



**D. RAJA**  
is national secretary of the Communist Party of India and a Member of the Rajya Sabha

Every Indian would agree with his comments about increasing insecurity in segments of our citizenry

**← LEFT**  
The reaction of the Rashtriya Swayamsevak Sangh-Bharatiya Janata Party to the views and concerns expressed by former Vice President Hamid Ansari is horrifying. RSS-BJP leaders have stooped low in launching their attack on him, making subtle reference to his religion and asking him to quit India and migrate to any other country where he can feel secure. The question is, did he say anything wrong or should he have spoken? Every citizen would agree with Mr. Ansari when he pointed towards "enhanced apprehensions of insecurity amongst segments of our

citizen body, particularly Dalits, Muslims and Christians" and the "illiberal form of nationalism that promotes intolerance".  
The situation in the country is really scary. Citizens do not feel secure. Assaults on the rights of people are on the rise. The RSS-Sangh Parivar have become aggressive in redefining "nation and nationhood" and rewriting history. Swami Vivekananda took pride in India's extraordinary history of inclusion and acceptance. When the sense of oneness and unity breaks down, people who are numerically less in terms of their faith or are at a disadvantaged position

because of caste or other identities feel threatened, excluded and persecuted. It is in such a situation that it becomes the duty and responsibility of society and the state to make them feel secure. Mr. Ansari was only reminding those in power to be inclusive in their approach.



**Addressing anxieties**  
In the modern era, we made attempts to remove anxieties of minorities when Sardar Vallabhbhai Patel, as Chairman of the Constituent Assembly committee on the rights of minorities, recommended special safeguards for them which were eventually incorporated in the Constitution.

referring to the practice of untouchability in Hindu society. He said that all those who were victims of untouchability were attracted to Islam because of its ideals of equality and brotherhood and there would have been no communal violence and Hindu-Muslim disunity had there been no untouchability.

**Root of communal violence**  
Why is nobody paying attention to the anxieties caused by the practice of untouchability, which is at the root of all communal violence and for which Dalits are being treated with contempt? The Hindutva forces are conveniently forgetting all such issues and anybody who articulates the concerns of minorities and Dalits – even a student – faces sedition charges and is criticised in

disparaging terms.  
When Dr. B.R. Ambedkar expressed the anxieties of Dalits and demanded legal safeguards, he was opposed by those who wanted a Hindu Rashtra. Those articulating the anxieties of minorities and Dalits in a constitutional framework are articulating a grammar of unity which is a crying necessity for an India facing a counterculture of discord and disunity.  
The Constitution and constitutional morality are not being kept in mind and people are being targeted violently for their stand in support of the exploited people. The former Vice President was only reminding people to uphold the values enshrined in the Constitution – a position the Left has articulated from time to time.



**SESHADRI CHARI**  
is a former editor of 'Organiser', commentator on strategic, security and foreign affairs, and member of the BJP National Executive

Instead of becoming a bridge between the government and the Muslim community, he has burnt his bridges

**→ RIGHT**  
No former Vice President would have got into controversies as easily as Hamid Ansari did and no one would have got out of it too as easily as he has, at least so far.

His office clarified that as per protocol, only those in uniform (and probably the head of state) salute the national flag while the national anthem is being played. Again in August 2013, the Chairman wondered if "members (of the Rajya Sabha) wish the House to become a federation of anarchists"; both Congress and BJP members protested. In 2010, it was alleged that a poor farmer's hut was brought down to make way for his helicopter to land.

For the record, Mr. Ansari also castigated Pakistan in very strong words for using terrorism as a state

policy and rearing terrorists to be deployed in India. I don't remember if anyone commended him then.

Naturally, therefore, I was surprised at some parts of the last speech he made [as Vice President, at the 25th annual convocation of the National Law School of India University in Bengaluru] and some points he flagged in an interview to Rajya Sabha TV while answering questions on Muslims in India and how they feel, about "a feeling of unease, a sense of insecurity creeping in".

**Not a Muslim spokesman**  
Now, Hamid Ansari is no ordinary



Muslim from a poor background. He is an educated former Indian Foreign Service officer who has effectively represented India abroad, especially in Islamic countries. Does he reflect the views and sentiments of the ordinary Muslim? I don't think so.

By creating a halo of victimhood around Muslims, the Congress effectively insulated the community from mainstream politics, empowerment and benefits of development. In the bargain, a ready-made vote bank was created. The Left parties, Samajwadi Party, Trinamool Congress and others took over from where the Congress had

left and benefited politically. What they actually did was to create a false sense of insecurity among sections of the Muslims and use the influence of the clergy to corner their votes. The 2014 elections and others held after have shown that sections of Muslims are turning towards the BJP, or at least turning away from the Congress and other parties that trumpeted that they are the true representatives of Muslims.

**Indian secularism**  
India is secular not because the Constitution says so (since 1976) but remains secular because of its centrist Hindu ethos. The real danger to secularism is from Islam-khatrey-mein-hai (Islam is in danger) brigades as much as it is from the so-

called Hindu fringe. I don't know why Mr. Ansari said what he said. I had even tweeted expressing my surprise at his views and felt that he has actually done a disservice to the Muslim community. Instead of becoming a bridge between the government and the Muslim community, he has probably burnt his bridges.

In many of the controversies, reported and unreported, I was on Mr. Ansari's side as he is sober, logical, and not the kind who can be compelled or convinced to wear his religion on his sleeve.

For once, I am surprised that he chose to speak like a politician rather than a centrist thinker whose views may be unpalatable but not wrong on facts.



**MANISH TEWARI**  
is a lawyer and was the Information and Broadcasting Minister in the UPA 2 government

He should have spoken out when Mohammad Akhlaq was lynched. He should have gone for Akhlaq's burial

**↑ CENTRE**  
Article 60 of the Constitution lays down the oath to be sworn by the President before entering office. What is vital in this oath are the words "preserve, protect and defend the Constitution and the law". The oath of the Vice President contained in Article 69 is virtually analogous. Article 65 further states that in the event of the occurrence of any vacancy in the office of the President, the Vice President shall act as President until the date on which a new President is elected.

Though the Vice President is also Chairperson of the Council of States and theoretically is but a heartbeat away from the presidency, in real terms it means nothing. Both the President and the Vice President are but mere symbols of the state rather than its pillars. Nonetheless, both the President and the Vice President have a constitutional and moral obligation to preserve, protect and defend the Constitution. That provides the constitutional leeway to step beyond the strait-jacketed confines of their ceremonial existence. However, the timing

of their actions or interventions is of the essence.

**Profound differences**  
The first President of India, Rajendra Prasad, differed with Prime Minister Jawaharlal Nehru on the Hindu Code Bill. Prasad wrote to Nehru on September 15, 1951: "My right to examine it (the Bill) on its merits, when it is passed by the Parliament, before giving assent to it is there. But if any action of mine at a later stage is likely to cause embarrassment to the Government, I may take such appropriate actions as I may be called upon to avoid such embarrassment consistently with the dic-



tates of my own conscience." This was before the Bill was even formally presented to Parliament by the government.

Giani Zail Singh had profound differences with Prime Minister Rajiv Gandhi. He refused to sign the contentious Indian Post Office (Amendment) Bill, 1986, that would have empowered the government to censor personal mail; sought the government's reason for not embracing a clear policy on the appointment of Supreme Court and High Court judges; queried the government's media coverage policy... the list goes on and on. Was he right on doing so? Perhaps not. However,

he did not wait for the end of his term to articulate his opinion.

President K.R. Narayanan repeatedly wrote rather tough missives to Prime Minister A.B. Vajpayee between February 28 and March 15, 2002, calling for an explanation on why the NDA/BJP governments failed to pre-empt, prevent and then stop the Gujarat pogrom. It is sad the Delhi High Court blocked the release of those critical letters even 10 years later in 2012.

**Timing is of essence**  
In that context, the track record of the previous presidency and vice presidency is perhaps blotted. The President could have stayed his

hand on the promulgation of President's Rule in Uttarakhand, stepped in when sequential constitutional coups were being carried out in Arunachal Pradesh. Similarly, the Vice President should have spoken out when Mohammad Akhlaq was lynched [in 2015] for allegedly possessing beef. He should have gone for his burial. It would have sent a salutary message to both the government and the community, for that is the inflection point that made Muslims insecure.

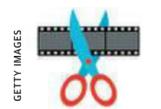
Delivering homilies at the end of the term can end up being critiqued as a case of sour grapes or a parting kick. Does it bestow glory on high constitutional offices? The jury is out on that.

## SINGLE FILE

### Off the air

Blacking out comments on TV that don't appeal to the government is distressing

KARAN THAPAR



Censorship is always abhorrent in a democracy. There are unlikely to be two views about this. However, Indians need to reflect upon the way our allegedly autonomous publicly owned broadcasting corporations treat comments by Opposition leaders which could offend the government of the day. This month alone we've had two distressing instances. In one case, a Chief Minister's speech was recorded but not broadcast. In the other, an outgoing Vice President's interview was not repeated even though the repeat telecast times had been broadcast.

Tripura Chief Minister Manik Sarkar's Independence Day speech no doubt made points that would make the Modi government uncomfortable. He said "the spirit of secularism is under attack." He added: "Conspiracies and attempts are underway to create an undesirable complexity and divisions in our society; to invade our national consciousness in the name of religion, caste and community, by inciting passions to convert India into a particular religion country and in the name of protecting the cow." It's clear who Mr. Sarkar was targeting although he did not name anyone. But his concerns are widely shared. More importantly, Independence Day is an appropriate moment to voice apprehensions about the nation's future. To have censored the speech on the grounds that it wasn't "very positive" is bizarre. Honest and reflective criticism should always be considered positive content.

Possibly more inexplicable was Prasar Bharati's request that Mr. Sarkar "reshape" his speech. If anything, this compounded the censorship by trying to tell an elected head of government what to say or how to express himself.

What happened to former Vice President Hamid Ansari's interview was not as extreme but it was still unfortunate. The interview was shown in full on August 10, his last day in office. But the repeats scheduled and announced for August 11 were either altered at the last moment or altogether dropped. It was 'understood' that once Mr. Ansari was no longer Vice President, Rajya Sabha TV felt no compulsion to repeat his interview.

I'm not sure if Prasar Bharati or Rajya Sabha TV were acting under instructions. Indeed, it's quite possible that pusillanimous officers chose to drop a speech or not repeat an interview that would upset their masters. And I have no doubt that if a Congress government had been in power, a BJP Chief Minister's speech or a BJP-appointed Vice President's interview would have been similarly treated.

There's no doubt Ministers often demand that opposition viewpoints are dropped. But, almost as often, officials act according to what they believe their political masters desire. In many instances, it's this anticipation that undermines our public broadcasters. It happens because inappropriate people are appointed but also because the system does not give them security. Just 11 months ago, the Prime Minister told Network 18: "... There should be the strictest possible analysis of the government and the work done by it. Otherwise, democracy cannot run ... That's why I want the media to be very critical." Now he must insist public broadcasters act accordingly.

Karan Thapar is a broadcast journalist and interviewed Hamid Ansari for Rajya Sabha TV.



## CONCEPTUAL

### Monroe Doctrine

HISTORY

This is a policy adopted by the U.S. in 1823 whereby it decided to oppose colonial intervention into the Americas by European empires. It is named after American President James Monroe, who spelled out the doctrine in his State of the Union address to the U.S. Congress. The Monroe Doctrine was aimed at preserving the political independence that Latin American nations won from their European colonisers. It stated that any future European intervention in the Americas would be considered an act of aggression that would cause the U.S. to intervene in the matter.

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## ACT ONE

### Monumental legislation

Public works may be allowed within 100m of monuments

KRISHNADAS RAJAGOPAL

Prohibited areas around monuments and archaeological sites may have to give space for more infrastructure. The Ancient Monuments and Archaeological Sites and Remains (Amendment) Bill, 2017, which is pending in the Lok Sabha, attempts to address the issues confronting construction for public works due to proposed plans running through 'prohibited' area (100m around a protected monument or area). The Ancient Monuments and Archaeological Sites and Remains Act of 1958 bars any sort of construction within the prohibited area of these structures.

The 1958 Act defines ancient monuments to include a structure, erection, monument, any tumulus, place of interment, cave, rock sculpture, inscription or monolith which is of historical, archaeological or artistic interest and which has been

in existence for not less than 100 years. Delhi itself is home to several UNESCO world heritage sites.

The Bill introduces an amendment to Section 2 of the 1958 Act, expanding the definition of public works to construction by any department of the Central government for public purposes. It says the "emergent necessity" of building such infrastructure would be based on a "specific instance of danger to the safety or security of the public at large". Such public infrastructure would be allowed within the prohibited area of a historic monument or archaeological site only if there is "no reasonable possibility of any other viable alternative to have such a construction beyond the limits of the prohibited area" of the monument.

The Bill amends Section 20A of the 1958 Act to allow public works in prohibited areas within the monument or archaeolo-

gical site. Any question as to whether a particular work is of a public nature or not shall be forwarded to a competent authority under the Act, which will make its recommendation and place it before the Centre, whose decision will be final.

In case any department of the Central government proposes to carry out any public work within a prohibited area, it will make an application to the competent authority. The authority will make its recommendation and hand it over to the Centre, which will take a final decision and communicate it to the applicant office or department within 10 days of the decision.

The Bill also amends Section 20I of the 1958 Act. This is a note to the competent authority to make its recommendations to the Centre only after conducting an archaeological, visual and heritage impact assessment.

## FROM The Hindu. ARCHIVES

FIFTY YEARS AGO AUGUST 18, 1967

### Govt. puts off decision on language issue

The Union Cabinet to-day [August 17, New Delhi] postponed a final decision both on the question of switch-over to the regional language as medium of instruction at the university stage, and the proposed legislation to continue English as an associate official language indefinitely. Though the Cabinet has deferred a firm decision on the first issue for a technical reason - that the Lok Sabha has not discussed the Education Commission's report - it is obvious that the Government wants to review its earlier decision because of the widespread criticism against dispensing with English at the university stage.

A HUNDRED YEARS AGO AUGUST 18, 1917

### Flanders battle.

Continuous and chiefly bitter fighting has been in progress throughout the day along the front of the renewed offensive. The joint Anglo-French attack appears to have been a success but the situation on the right flank is a little obscure. Our troops hereabouts are moving towards Polygon de Zonnebeke but the Germans have been delivering some very heavy counter-attacks there. Further north we have unquestionably done very well.

## DATA POINT

### Import, reuse, recycle

India imports waste and scrap and recycles them into secondary raw materials which small industries then use to make goods. In 2016-17, the country imported 1,10,84,605 tonnes of waste worth \$5,310 million. A break-up of the types of scraps/waste imported.

Amount (In tonnes)	Type of waste/ scrap	Value (In \$ Mn)
57,18,404	Ferrous	2,053.93
9,31,249	Aluminium	1,402.18
31,94,760	Paper	678.34
1,71,153	Copper	671.53
69,745	Zinc	130.87
66,653	Lead	107.42
3,26,569	Worn Cloth	86.08
1,55,749	Plastic	77.81
59,487	Battery	56.38
3,86,871	Rubber	25.03
2,661	Nickel	16.23
1,304	Other base metals	3.42

Source: Lok Sabha Q and A