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NATIONAL ENGLISH WEEKLY NEWSPAPER

THINK FREE

THE KAFKAESQUE WORLD OF THE NCERT

The Council is bent on using advisors' names on textbooks against their wishes. Why?

► P4



NATION

THE MOST UNFAIR ELECTIONS IN HISTORY

Why our elections were not just unfree and unfair, they were simply illegal

► P5



WORLD

CURTAINS FOR RISHI SUNAK

Labour leader Keir Starmer seems to be a shoo-in as the next British PM

► P7



BHARATIYA NYAYA SANHITA

A recipe for lawlessness?

The new criminal laws are being rammed through heedlessly, with no apparent consideration of their potentially disastrous consequences

A.J. Prabal

Enact laws in haste, repent at leisure. That's the cautionary warning coming from the legal fraternity on the new Nyaya Samhita trinity, which is to replace the Indian Penal Code (IPC), the Criminal Procedure Code (CrPC) and the Evidence Act. The Samhitas are scheduled to come into force on 1 July.

These onerous new laws, with far-reaching implications, were shoved through Parliament at a time when 150-odd members from the Opposition benches had been suspended and were not even present in the House to express their dissent. No state governments were consulted nor given the time to study the new laws.

In his dissenting note to the parliamentary standing committee, former Union minister and lawyer P. Chidambaram pointed out, 'State governments, bar associations, state and central police organisations, the Indian Police Foundation, the National Law School Universities, judges of the subordinate judiciary who apply the laws every day, eminent retired judges of the Supreme Court and the High Courts, eminent senior advocates and legal scholars were not consulted at the consideration stage by circulating the draft bills and inviting them to comment.'

While the Supreme Court has refused to hear challenges to the new laws on grounds that they hadn't yet come into force, the Chief Justice of India D.Y. Chandrachud has reminded the government that without investing heavily in infrastructure, material resources and technology, and training of forensic experts and investigating officers, the new laws may become unimplementable. He was referring to the provisions that all criminal trials be completed within three years and judgements delivered within 45 days of reserving them.

Here is a compilation of some of the apprehensions voiced in public by experts, legal scholars and lawyers:

Recriminalising with impunity

"Under the new code, the policeman's power to arrest an alleged offender, handcuff him and keep him in police custody have now been enhanced and left to his discretion, with minimal judicial supervision.

"A court or police officer in charge of a station may direct the production of any docu-

ment, electronic communication, including communication devices that are likely to contain digital evidence. The investigating officer (IO) is also exempt from physically attending the trial and his testimony can be secured by videography.

"A major thrust of the Nyaya Samhita is to re-criminalise all that the Supreme Court has decriminalised in the past. Adultery has been made criminal for both sexes. While the crime of sedition has been dropped, its spirit survives clanking its chains. Section 150 of the Nyaya Samhita criminalises 'acts endangering sovereignty, unity and integrity of India'.

"It criminalises words, signs, visible representation, electronic communication and use of financial means for the purpose of exciting secession or armed rebellion or subversive activities or separatist activities or endangering the sovereignty or unity and integrity of India."

Sanjay Hegde, senior advocate in the Supreme Court of India

More draconian than ever

"If the British laws were colonial and draconian, the law enacted by this government is 10 times more draconian. Earlier there was an attempt to reduce the number of days of police custody. The new law says that police custody can be extended to 90 days. So, torture will continue not for 15 days but 90 days. This one draconian provision is enough to condemn the entire thing."

Colin Gonsalves, senior advocate in the Supreme Court and founder of the Human Rights Law Network

Creating two parallel justice systems

"If the three new criminal laws come into force on 1 July, we will have a legal and judicial mess and life and liberty could be in danger... existing procedural laws will continue to apply perhaps for another 20 years or more until cases filed under the new laws reach their fruition beginning with the magistrate court and ending with the Supreme Court of India. This we know as the average lifespan of a case in our country..."

"Thus, with the coming of the new laws, the courts will be tasked to deal with cases from the pending batch as well as the fresh cases upon which the new provisions will be appli-

Photo: Getty Images



The Supreme Court has refused to hear challenges to the new laws

In effect, we'll have two parallel criminal justice systems for the foreseeable future, which can range from 20-30 years

cable, creating 'two parallel criminal justice systems' for the next two to three decades. In effect, we'll have two parallel criminal justice systems for the foreseeable future, which can range from 20-30 years. I am not aware if the Government of India has conducted any study on the impact of new criminal laws on the backlog of cases. If there is any, it is not available in the public domain."

Indira Jaising, former additional solicitor general of India

Citizens will again be subjects

"When we say something is a colonial law, we need to focus on the relationship between the

state and the citizen. The colonial state had a certain logic of control and power and used criminal law to control the native population. The nature and use of criminal law continues to be to control the population... In that sense, nothing much has changed. The colonial logic continues.

"We have re-purposed the colonial logic even in these new laws. Therefore, the decolonisation argument rings rather hollow; There is no fundamental shift in the relationship between the state and the citizen through criminal law... The provision restricting mercy petitions and the bar on third parties from filing petitions on behalf of death convicts are unfathomable."

►► Continued on page 2

The churn in the Dalit vote bank

The shifting of the Dalit voters towards the Congress has left the BJP worried

Sharad Gupta

Images of Rahul Gandhi holding aloft a copy of the Constitution will continue to haunt BJP leaders and Prime Minister Narendra Modi for a long time. And might even explain Modi bowing before a gargantuan copy of the Constitution before addressing the first joint meeting of NDA MPs in the Central Hall of Parliament.

Gandhi was emphatic in reminding his audience that the Constitution, drafted by Dr Ambedkar would be in peril if Modi returned to power. The assertion by several BJP leaders on the necessity of winning a two-thirds majority in the Lok Sabha so as to facilitate changes in the Constitution and put an end to 'reservation' added to the unease on the ground.

Dalit disenchantment with the BJP is widely perceived to be a major reason for the party's failure to secure a clear majority in the recently concluded Lok Sabha elections. The numbers bear this out.



A Dalit family in Ayela village in UP's Agra district, May 2024

If the BJP's successful wooing of Other Backward Classes (OBCs) and the most downtrodden held the key to its rise to power in the 2014 and 2019 elections, in 2024 the party lost around 60 seats by frittering away a significant portion of this vote. This particular electorate rejected the BJP to a marked extent in the Hindi belt.

In the 131 reserved seats (for Scheduled Castes and Scheduled Tribes), the BJP's tally went down from the 77 seats it held in 2019 to 55 seats. Even in unreserved seats, the BJP's vote percentage shrank substantially, especially among the SC,

OBC and Muslim voters.

According to an analysis done for *India Today*, out of the 156 Lok Sabha constituencies with sizeable SC populations, the INDIA bloc won 93 seats—an increase of 53 seats over last time. The NDA, on the other hand, won 57 but lost as many as 34 seats compared to its 2019 tally. The non-NDA and non-NDA parties too lost 19 seats compared to their previous score.

The trend is very significant for the Congress which championed the Dalit cause and had been their party of choice before the ascendance of parties like the Bahujan Samaj Party (BSP) and the Lok Janshakti Party in the 1980s. In the aftermath of the Ram Janmabhoomi movement and the anti-quota agitation of the late 80s, the Hindi belt got completely polarised on caste lines with Dalits finding solace in the leadership of Ram Vilas Paswan in Bihar and Kanshi Ram—Mayawati in Uttar Pradesh. The erosion in its Dalit and Muslim vote bank resulted in the Congress's steady decline in the Hindi heartland.

Although Paswan's party usually won just about eight per cent of the votes in Bihar, that was enough to shift the balance of power to whichever side he tilted. If Paswan sided with the RJD, the RJD would ride to power and if, later, he aligned with the JD(U), the JD(U) would form the government. When Paswan decided to remain neutral in the 2005 Assembly election, no government could be formed and the stalemate resulted in a re-election. His swing clearly created a difference of 15-16 per cent votes between the two political poles.

The BSP's emergence had a similar impact in Uttar Pradesh. In the 1993

Assembly elections—held a year after the demolition of the Babri Masjid—when everybody was betting on the BJP's return to power due to polarisation on communal lines, Mulayam Singh Yadav's Samajwadi Party (SP) surprised political pundits by not only contesting elections in alliance with the BSP but also forming the government.

Until 2012, when the SP came to power on its own, no government could be formed in the state by excluding the BSP.

In the next two years, BJP leaders led by Amit Shah worked hard on the electoral arithmetic to woo Dalits and backward castes. That was the reason why, in the 2014 general election, BJP gained a majority on its own despite receiving less than robust support in the southern and eastern states.

The 2024 election results are especially significant because they have demonstrated the disenchantment of Dalits not only with the BJP (across India) but also with parties like the BSP in UP, the Republican Party of India (Athawale) and Prakash Ambedkar's Bahujan Vikas Aghadi (BVA) in Maharashtra.

Of the 84 Lok Sabha seats reserved for Scheduled Castes, the BJP had won 46 in 2019. This time, they won only 30. The Congress, meanwhile, has more than trebled its tally of reserved seats from six to 19. In Uttar Pradesh, the BJP lost half the seats it had won in 2019 and came second after the SP.

In 2024, the BJP's vote share declined by eight per cent compared to 2019.

►► Continued on page 2

NEET crisis: Just the tip of the iceberg

The 'paper leak' crisis has strengthened the case against the centralised examination, with states demanding that NEET be scrapped

Shalini Sahay

The NEET scam is not just about leaked question papers, touts and postponement or cancellation of entrance examinations. Neither is this the first time the Central Bureau of Investigation (CBI) has been entrusted with the task of investigating medical admission rackets.

Attempts are being made to divert attention to the touts in Bihar, Jharkhand, Haryana and elsewhere for 'selling' the papers. But at the heart of the current scam is the National Testing Agency (NTA), an NGO registered under the Societies' Registration Act—much like the PM CARES Fund. Both have been permitted to use the national emblem, making it appear as if they are 'government bodies' but they are neither audited by the Comptroller and Auditor General (CAG) nor are they accountable to Parliament.

The NTA is not even a statutory body although the ministry of education controls it, decides on its policies and personnel, posts its bureaucrats and funds it with taxpayers' money to conduct yet more examinations.

The society's audited accounts are not in the public domain. The Jaipur edition of *Dainik Bhaskar* reported that the NTA collected Rs 565 crore from examinees in application fees alone between 2019 and 2021; as well as Rs 200 crore or so from examinees challenging their marks on the basis of OMR (optical mark recognition) sheets.

With the number of examinees having almost doubled since, collections in 2024 would have been higher. What a lucrative business model for an organisation with no prior experience of conducting examinations on any scale!

The NTA chairman is an old RSS poster boy, P.K. Joshi, who headed its students' body Akhil Bharatiya Vidyarthi Parishad. In his enviable career, he has been the chairman of the Madhya Pradesh Public Service Commission, the Chhattisgarh Public Service Commission, the Union Public Service Commission.

Set up in 2018, the NTA has been conducting the NEET (National Eligibility cum Entrance Test) for undergraduate medical courses in the country since 2020, admissions to all central universities, the University Grants Commission's NET (National Eligibility Test),

Ph.D. admissions for universities and even eligibility tests for CSIR (Council of Scientific & Industrial Research) scholarships. Until 2018, these were conducted by the CBSE, a national board of education for public and private schools, controlled and managed by the union government. Set up in 1929-30, the CBSE has proven experience in conducting examinations, evaluating them and managing confidentiality across the country.

Who authorised an NGO to carry out the tasks that were creditably conducted thus far by existing organisations, and why? The inquiry should, therefore, begin with the education ministry and the UGC.

The NTA's incompetence and complicity in corruption also needs to be examined. This year, NEET-UG was notified on 9 February and examinees were required to register by 9 March. End-March, a week's extension was given, nobody knew why.

On 9 April, another window was opened for a day, ostensibly at the request of stakeholders. Who were these stakeholders? Yet another 'correction window' for registration was opened between 11 and 15 April. As if such extensions were not obscure enough, the NTA held the test on 5 May and announced that results would be declared on 14 June. Instead, the results were announced on 4 June, when votes cast in the general election were being counted. Another mysterious decision that begs an explanation.

NTA has, for the time being, wriggled out of the corner it found itself in by arbitrarily awarding grace marks to 1,563 of the 24 lakh examinees. When challenged in the Supreme Court, it immediately withdrew the grace marks. What was going on? Why were six students in Jhajjar, Haryana granted grace marks? If time-loss was indeed the reason, why were other examinees at the same centre ignored? Time-loss is a regular complaint, usually compensated by allowing more time, not more marks, that too selectively given.

The NTA is actually guilty of a deeper scam. Year after year, its absurdly low cut-off marks (20 per cent or so) out of the highest possible score of 720, have allowed a large number of examinees to qualify. This year, 2.4 million examinees—57 per cent of them girls—took the exam for



A Congress party demonstration in Lucknow against NEET irregularities, 21 June 2024

1.09 lakh undergraduate seats in government medical colleges. As many as 1.3 million candidates actually qualified, having secured more than the cut-off marks (which ranged from 16.36 per cent in 2022 to 22.78 per cent in 2024). In other words, examinees securing a minimum of 117 marks in 2022 and 164 marks in 2024 were eligible for admission in one of the 704 medical colleges in the country.

A centralised nationwide examination, NEET was expected to ensure fair, merit-based admission, and eliminate touts and capitation fees. Eight years after the 'one country, one examination' was launched and hailed as a great reform, it has failed to deliver on any of these goals. Instead, it has facilitated the admission of less meritorious students from affluent or NRI families, while pushing out the more deserving students from less well-off families, as Maheshwar Peri, an educationist who has been tracking NEET for the past several years, points out.

Even as the number of undergraduate medical seats in the country has grown from 83,000 in 2021 to 1.09 lakh in 2024—thanks to the steady increase

of private medical colleges—the number of successful examinees who cleared NEET has also grown from 8.70 lakh in 2021 to 13.16 lakh in 2024. While many of the examinees who secured cut-off marks will get admission in private medical colleges on payment of higher fees, a large number of the examinees with much higher marks (450+) will not get admission because they cannot afford the prohibitive fees charged by private medical colleges in India.

Explaining the system that actually ensures reservation of medical seats for the rich, Peri calls India a '2 per cent country'.

"Only if you are among the top two per cent in merit or among the top two per cent in terms of wealth, can you aspire to a medical seat," he says. There are only seven central medical colleges and 382 government medical colleges in different states. Together they offer 56,405 undergraduate seats, while the 264 private medical colleges and 51 private deemed universities together offer 52,765 undergraduate seats.

In graduate colleges like AIIMS, the five-year MBBS course

Eight years after this 'one country, one examination' system was launched and hailed as a great reform, it has only made way for less meritorious students who can buy their way into private medical institutions

costs approximately Rs 3-4 lakh. In public medical colleges set up by trusts, municipalities and state governments, the five-year course normally costs between Rs 6-7 lakh. In private medical colleges in India, however, the MBBS costs over one crore rupees.

Those who cannot afford private medical colleges opt to study abroad in countries like Georgia, Ukraine, Russia and China or—and this is heart-breaking—give up on medical education altogether.

Clearly, NEET has not succeeded in ensuring merit-based admission or uniform quality and fee structure.

Nor has it eliminated corruption.

Peri claims at least 200 examinees have secured admission in private medical colleges under the EWS (economically weaker sections) quota. The maximum annual income prescribed for the EWS being Rs 8 lakh or less, he wonders how these students were managing to pay upwards of Rs 1 crore for their medical education.

The 'paper leak' crisis has strengthened the case against the centralised examination, with states demanding that NEET be scrapped and the power to conduct their own entrance exams be restored. ■

The absurdly low cutoff marks create a huge pool of eligible unworthies, who can secure admission as long as they have the crores. It's a system of reservation for the rich

A recipe for lawlessness?

Continued from page 1

"It is the final opportunity for death row convicts to have the President or governor consider their plea for clemency. This is an unfair and discriminatory provision against the poor... completely divorced from the reality of our criminal justice system. Who is on death row in India? No rich person. No well-

informed, well-educated person who knows their rights. The reason why people do not file appeals or do not file mercy petitions on time is because they are unaware."

Prof. Anup Surendranath, National Law University, Delhi

Law libraries will become obsolete

"All the three major codes now in vogue are time-tested statutes which, at best, needed marginal changes. Even if major changes were considered inevitable, that could have been achieved through appropriate amendments to existing laws. Judges, lawyers and academicians have all become, over the years, familiar with most of the provisions of the existing laws. Many of the provisions are at their fingertips. A change in those penal provisions that have withstood the test of time can only bring confusion, if not pandemonium, in the trial courts.

"[...] a minuscule section of the lawyer community may definitely find the new penal laws a goldmine for litigative extravaganza to the detriment of their own clients. But the majority of them are sure to get disillusioned as a result of the change of law. Another section which will draw rich dividends through the change of law is the 'law publisher'.

"The expensive commentaries and treatises on the existing penal statutes adorning the law libraries... all over the country are bound to go waste. All of them will be forced to buy new commentaries and treatises. It will be after several rounds of litigation right up to the Supreme Court that even the textbook writers will get enough case law for incorporation in their commentaries, unless they prefer to switch to the forensic vintage."

Justice V. Ramkumar (retd), former judge of the Kerala High Court



The churn in the Dalit vote bank

Continued from page 1

Scheduled Castes constitute 17 per cent of the total population of India. The *India Today-Axis My India* survey claimed that the BJP-led NDA lost six per cent votes among the Scheduled Castes while the Congress-led INDIA bloc's share registered double-digit growth. The NDA's support base came down to 35 per cent from 41 per cent in the 2019 Lok Sabha polls.

On the other hand, the Opposition support base increased by 18 per cent. The net gap between NDA and INDIA was 11 per cent in favour of the latter. Non-NDA and non-INDIA parties lost 12 per cent support among the SCs voters in 2024, while the INDIA bloc received 46 per cent of the Scheduled Caste votes.

The BJP lost 19 SC seats where it had incumbent MPs across Uttar Pradesh, Rajasthan, Maharashtra, Haryana, Karnataka, Bihar, Punjab and West Bengal. The party lost 10 of its ST seats across Maharashtra, Jharkhand, Karnataka, Rajasthan and West Bengal.

In Jharkhand's Khunti, the Congress's Kali Charan Munda defeated Union tribal affairs minister Arjun Munda by a



margin of nearly 1.5 lakh votes. In Rajasthan's Banswara, the BJP lost to the Bharat Adivasi Party (BAP) by a margin of nearly 2.5 lakh votes while in Karnataka's Chamrajnagar its margin of loss to the Congress was over 1.88 lakh votes.

The BSP also lost Nagina, the only SC seat it held in Uttarakhand, to the Azad Samaj Party's Chandrashekhar Azad, by a margin of over 1.5 lakh votes. Incidentally, Nagina is part of Bijnor district. Bijnor was the

first Lok Sabha seat to be won by the BSP in UP. In 1990, Mayawati had won this seat defeating two Dalit stalwarts—Meera Kumar (Jagjivan Ram's daughter) and Ram Vilas Paswan.

The BSP dreads the prospect of getting wiped out in the assembly elections in Maharashtra, Jharkhand and Haryana later this year—if the Dalit vote bank returns substantially to the Congress. The churn among Dalit voters is definitely a trend to be keenly watched. ■



STATES 360° UTTAR PRADESH

Fangs bared in the 'party with a difference'

As party leaders wash their dirty linen in public, a worried BJP has formed 40 teams to review the results

Saiyed Zegham Murtaza

The BJP's electoral debacle in Uttar Pradesh, where the party's Lok Sabha seats have come down from 62 to 33, has triggered a free-for-all blame game, unheard of in the 'party with a difference'.

Significantly, party leaders and workers are not just blaming each other, they are also blaming the police and the bureaucracy for working against the party during the election. Ironically, the administration was blamed by the Opposition as well, for driving away voters from booths and misbehaving with Muslim voters outside the booths.

What took the cake was, however, a review meeting in Ayodhya attended by two cabinet ministers of the state. Media reports suggest that for some reason, the meeting was held late in the evening and in the presence of the district magistrate and the police superintendent. While it was not clear what the two officials were doing at the BJP review meeting, Mahant Raju Das, the chief priest of the Hanumangarhi temple, admits that "around 11 pm" he blamed the administration for the party's reverses. The administration had served notices to people to vacate their properties for re-development, which had angered them—hence the loss of the Ayodhya seat in the Lok Sabha.

When he left the meeting, Das found that the 'gunner' or personal security officer given to him had been withdrawn with immediate effect. Surya Pratap Shahi, one of the ministers attending the meeting, denied any altercation between the priest and the officials and added that the former attended the review meeting 'uninvited'.

This is not the only instance of 'indiscipline' that has been reported from within the party. Two BJP stalwarts in the Muzaffarnagar constituency, Sangeet Som, who is a Rajput, and former Union minister Sanjeev Balyan, a Jat believed to be close to Amit Shah, have been publicly trading charges. In a letter to the Union home minister, Balyan accused Som of turning

the Rajputs against him. (Som, who had lost the assembly election in 2022, had blamed Balyan for that defeat.)

Som called a press conference and said Balyan had only himself to blame for his defeat: he was not only arrogant but also involved in several corruption cases. A statement was distributed at the press conference accusing Balyan of buying large plots of land in Australia.

As party leaders washed their dirty linen in public, a worried BJP formed as many as 40 teams to review the results and identify the reasons for the party's dismal showing. While Prime Minister Modi's underwhelming victory in Varanasi has been giving the party bosses sleepless nights, the large number of seats that the party won by the narrowest of margins added to the worry.

Review meetings have been taking a violent turn, with partymen coming to blows. Physical assault and verbal abuse have marred reviews in Saharanpur, Muzaffarnagar, Ayodhya, Allahabad and Siddharthnagar. Raghav Lakhnupal, who lost from Saharanpur, blamed local leaders of the party for his defeat. In

Physical assault and verbal abuse have marred BJP's review meetings in Ayodhya, Allahabad, Saharanpur, Muzaffarnagar and Siddharthnagar

Siddharthnagar, supporters of former minister Satish Dwivedi and MP Jagdambika Pal punched and wrestled each other to the ground.

With BJP leaders blaming everyone and everything, ranging from the 'ill-advised' alliance with Rashtriya Lok Dal to policies pursued by the double engine governments, the carefully crafted image of the BJP as a faction-free party has fallen apart. Even its trademark communal rhetoric is being blamed for the debacle. Navneet Tyagi, a social worker in Muzaffarnagar, said people feel that communal tension is not good for the region.

Who is after Yogi?

BJP insiders admit that despite the spectacular losses in the state in the Lok Sabha election, it would not be easy to dislodge Yogi Adityanath. (In western UP, BJP had won 18 of the 26 seats in 2019. In 2024 it managed to retain only 13.)

Even before the results were out, Arvind Kejriwal had set the cat among the pigeons by saying that if Modi got re-elected, Yogi would be replaced as chief minister. What has added fuel to the fire are reports that one of the two deputy chief ministers, Keshav Prasad Maurya, has not been attending meetings called by the chief minister. Yogi never trusted Maurya, Sunil Bansal and former IAS officer Arvind Sharma (foisted on Yogi by Amit Shah).

Yogi has been spending more and more time in the mutt at Gorakhpur, where he is

also the chief priest. After a gap of five years, he is holding meetings of the Hindu Yuva Vahini, a militia he had formed and then disbanded. Attempts to revive the militia is another indication that all is not well.

Maurya, Sharma and Bansal are believed to be lobbying for a change in leadership. All three are said to be in the good books of Amit Shah. Sharma was a 1988 batch IAS officer of the Gujarat cadre and would be Shah's first choice. Sunil Bansal from Rajasthan was made co-in-charge of the party organisation in the state along with Amit Shah in 2014. While Maurya's chief ministerial ambitions are well-known; he apparently expected Yogi to be moved to New Delhi in 2024.

Following the BJP's failure to secure even a simple majority, Yogi is in no mood to move. Unless Modi and Shah manage to stabilise the ship in Delhi, they are unlikely to try any misadventure in UP.

With the Samajwadi Party (SP) resurgent in the state after its strong performance in the assembly elections in 2022 and in the just concluded general election for the Lok Sabha, BJP is faced with formidable challenges. An immediate test lies ahead: the 10 byelections to fill up vacancies in the state assembly. With the SP hoping to win eight of the 10 seats, and the union government looking wobbly and vulnerable, chances are that the party will move with caution before destabilising Yogi Adityanath.

Akash Anand is mature again

The other party facing an existential crisis in the state is the Bahujan Samaj Party (BSP). It decided to contest the Lok Sabha election alone, fielded candidates on 79 of the 80 Lok Sabha seats and saw all of them losing their deposits.

As an immediate corrective, Mayawati has ended her nephew Akash Anand's 47-day exile. Describing him as "immature", she had abruptly stripped him of all responsibilities right in the middle of the election. Her confidence in his maturity apparently restored, Anand is back to be groomed as her successor.

The decision may also have something to do with the dramatic win of Chandrashekhara Azad 'Ravan', chief of the Bheem Army and founder of the Azad Samaj Party, from Nagina constituency where the BSP was once a force to reckon with.

Observers, however, feel that Mayawati's bigger concern is the movement of Dalit voters to the Congress. Even Jatavs, the core support group of the BSP, are said to have voted for the INDIA bloc wherever Congress candidates were strong. An indication of this is Mayawati's tirade against the Congress while sparing the Samajwadi Party.

Akash Anand's task is cut out. He has to deal with the fresh challenge posed by Chandrashekhara Azad, build the party organisation afresh and also stem the tide of voters who abandoned the elephant in favour of other animals. ■



Uttar Pradesh chief minister Yogi Adityanath with deputy CM Keshav Prasad Maurya

The lost idea of Nalanda

In the last few years, the reputation of Nalanda University has suffered irreparable damage due to arbitrary appointments and dismissals

Pranav Chaudhary

Nalanda is not just a name; it is an identity, an honour, a value, a mantra. It is pride, it is a saga. Nalanda is a proclamation of the truth that while books may burn in the flames, the flames cannot extinguish the knowledge," waxed prime minister Narendra Modi while inaugurating the campus of the Nalanda University in Rajgir on 19 June. He also boasted that the new campus is a 'Net Zero' campus based on 'net zero energy, emissions, water and net zero waste'. He posted a large number of photographs of himself walking around the ruins of what was once a great centre of learning.

Founded in 427 CE, around 500 years before Oxford University, Nalanda is often described as the world's first residential university, which attracted 10,000 students from across Eastern and Central Asia. They gathered to learn medicine, logic, mathematics and—above all—Buddhist principles from some of the era's most revered scholars.

Aryabhata, considered the father of Indian mathematics, is speculated to have headed the university in 6th century CE. (Aryabhata is believed to have been the first to come up with the concept of the zero, which simplified mathematical computations and helped algebra and calculus.) Astronomy and ayurveda also flourished in the university besides Buddhist philosophy. The ruins, excavated in the 19th century, are now a UNESCO heritage site.

When the idea of reviving Nalanda as a modern university was mooted in 2006-07, it was enthusiastically supported by the then prime minister Dr Manmohan Singh. A group of mentors was set up with Nobel Prize winning economist Amartya Sen. Sen was appointed chancellor in 2012 for a three-year period but before his term ended, he opted out of a second term, on the grounds that the Modi government was not just hostile to him but was treating the university 'horribly'.

Media reports at the time, orchestrated by the government in New Delhi, vilified the Nobel Laureate and blamed him for exceeding



his brief, making arbitrary appointments, receiving half a million rupees every month as 'salary' and appointing undeserving academics as faculty. He was also accused of not living on campus. The vilification did not stop even after he left. In 2019, Bharti Jain, an editor in the *Times of India* repeated the same allegations on Twitter, all of which had been proved false.

In reality, Sen received neither salary nor honorarium from the university or the government. He provided his guidance on an honorary basis. In any case, chancellors were not expected to reside on campus. (The present chancellor, Arvind Panagaria, does not live on campus either.)

Five days after Narendra Modi inaugurated the campus this month, Sen still remains the villain. *Swarajya*, the pro-RSS and BJP magazine, has published a report blaming Sen for 'almost' crippling the project before he was allegedly 'thrown out' by Modi. In 2015, the government had conceded that a mere Rs 47 crore had been released of a budget of Rs 2,767 crore sanctioned in 2012. The 'Net Zero' campus inaugurated by PM Modi is estimated to have cost Rs 1,700 crore.

The sad truth is that Nalanda University

today is a pale shadow of what was initially envisaged, ranked 18th among the 24 universities in Bihar. Sen it seems remains a convenient scapegoat for the mess.

Nalanda University's first and last convocation was held in 2016. As Bihar chief minister Nitish Kumar acknowledged on 19 June, the university currently has only 400 students. (Sunaina Singh, vice chancellor since 2017, had claimed last year that there were 1,000 students from 30 nationalities.) The real numbers do not figure even on the website. Neither does the website provide the academic background of faculty members, as is the norm.

Short-term recruitment of faculty members on a temporary, contractual or ad-hoc basis has discouraged qualified faculty from joining the university. Having failed to attract or retain distinguished scholars from India and abroad, Nalanda University has introduced several short-term diploma and certificate courses. As a research university, Nalanda was primarily meant to provide postgraduate education and conduct advanced research, pointed out historian Murari Jha. 'By handing out diplomas and certificates, Nalanda has become indistinguishable from the predatory institutions that are mushrooming across the country,' he wrote.

Parliamentary committee report in 2019 discovered that, after 2016, contributions by participating countries dried up to 'net zero'.

Dr Pankaj Mohan, professor emeritus at the Australian National University (ANU), Canberra, had joined Nalanda in 2015 and was the interim vice chancellor of Nalanda University till Sunaina Singh was appointed full-time VC in 2017.

Mohan, who had a tenured position at a central postgraduate university in Korea, was excited by the vision of reviving the idea of Nalanda in his home state. Today he is sad about the way many of his colleagues were hounded out. He remembers the vicious trolling after Narendra Modi stormed to power in 2014.

Dr Gopa Sabharwal, the founding vice chancellor, was vilified even more than

Prof. Sen, Dr Mohan recalls, adding that he had great respect for her "because of her internationally recognised scholarship, sophistication of judgement, honesty and human warmth. She had obtained her PhD degree at the Delhi School of Economics under Professor André Beteille, one of the foremost sociologists.... She took only one-third of the salary that the VC of Nalanda University was entitled to receive".

In 2014, Nalanda University admitted students in two schools: the School of Ecology and Environment Studies and the School of Historical Studies. In 2016, the School of Buddhist Studies was established. Two new schools that the governing board intended to establish in the subsequent academic year were the School of Public Health and the School of Languages, Linguistics and Literature. Two Sinologist members of the governing board, Prof Tansen Sen from New York University and Prof Wang Bangwei from Peking University shouldered the responsibility of preparing a formal proposal on the Xuanzang Centre for Asian Studies.

The international standing of Amartya Sen and George Yeo ensured that donations from various sources were received between 2014 and 2016. Sen himself contributed \$30,000 towards scholarships for Indian students. "After Prof Sen quit," Dr Mohan recalls, "Nalanda didn't receive any foreign donations, except \$12,000 from one of my Korean friends." And, thanks to Gopa Sabharwal, Nalanda received the rare gift of manuscripts and hundreds of books from the personal library of Dr Rajendra Prasad.

In the last few years, the reputation of Nalanda University has suffered irreparable damage due to arbitrary appointments and dismissals. By 2016, when George Yeo, the former foreign minister of Singapore and the second chancellor also quit, complaining of governmental interference, Nitish Kumar was disappointed enough to say, "The NDA government should not tamper with the essence of the idea of Nalanda".

In 2024, the Bihar chief minister, having thrown in his lot with the NDA government, has clearly given up on the idea of Nalanda. ■



(Top) Nalanda University founded in 427 CE is a UNESCO heritage site; (above) PM Modi and Bihar chief minister Nitish Kumar inaugurating the campus in Rajgir, 19 June 2024

HERALD VIEW

The importance of being Om Birla

He appears soft-spoken and goes about his business with assurance and impunity. Om Birla, re-elected as a BJP member of Parliament from Kota, Rajasthan, did well by his party in his previous stint as Speaker, and has been rewarded with a renomination in the newly constituted 18th Lok Sabha for playing a willing accomplice to the ruling party's shenanigans in his first term.

Short of their removal from office—the conditions and procedure for which are detailed in Article 94 of the Constitution of India—there is no effective mechanism to regulate the conduct of Speakers. As ex officio chairman of the Rules Committee, the Speaker's word is effectively the law in the Lok Sabha. No confidence motions against the government can be moved by the Opposition unless the Speaker allows it. No debate can take place unless he allows it. No 'division' or voting can take place without his permission. No bill can be moved without his permission, but the Speaker has the discretion to allow the government to introduce bills at any time of its choosing—spring them on the last day of a session or insist on voting on the same day the bills are introduced. Mr Birla was guilty on all those counts.

The Speaker presides over the Business Advisory Committee of the House, which finalises the daily agenda when the House is in session. The Speaker also has discretionary powers to change the agenda, adjourn the session ahead of schedule and stonewall demands that contentious bills be sent for scrutiny to parliamentary committees. Mr Birla's previous tenure as Speaker saw the lowest number of bills sent to parliamentary committees for scrutiny.

New laws have been passed on his watch in the Lok Sabha with practically no debate, often by voice vote amid protests and pandemonium. The infamous farm bills were passed without any deliberation; the telecom bill was allowed to be introduced on the last day of the session, even though the day's agenda made no reference to it; the women's reservation bill was sprung on the House, without any consultation and without giving the Opposition time to study it.

The Speaker also has the absolute power to suspend and expel members from the House and Mr Birla has the dubious distinction of expelling as many as 97 opposition members on the same day. He also exercised his power to delete questions asked by the suspended MPs and ordered substantial parts of speeches to be expunged. On his watch again, the government-owned Sansad TV channel, which broadcasts the proceedings of both Houses of Parliament, repeatedly censored the Opposition. From the standpoint of the ruling party, Mr Birla's credentials are impeccable. And with its authority to hold power, it will value his services even more. Mr Birla is unlikely to disappoint.

In his measured address, newly appointed Leader of the Opposition Rahul Gandhi congratulated the re-elected Speaker, but he also said: "This House represents the voice of the people of India... Of course, the government has political power, but the Opposition also represents the voice of the people. [...] We'd like the House to function well, [but] co-operation happens on the basis of trust, [and] it is very important that the voice of the Opposition is allowed to be represented in this House. [...] Speaker sir, the question is not how efficiently the House is run, the question is how much India's voice is allowed to be heard in this House. [Silencing] the voice of the Opposition is a non-democratic idea and this election has shown that the people of India expect the Opposition to defend the Constitution, the Samvidhan of this country and we are confident that by allowing the Opposition to speak, by allowing us to represent the people of India, you will do your duty of defending the Constitution of India."

The statesmanlike register of Rahul Gandhi's message obviously belies the Opposition's real-world expectations. The Opposition might press for rules to ensure a more level playing field in the House, but it will know better than to expect it. What recourse, then? A white paper for the people on Mr Birla's record as Speaker in the 17th Lok Sabha may be a good start. Here's a preview of the highlights, Lok Sabha India:

The 17th Lok Sabha can claim for itself the following distinctions:

- Fewest sittings among all full-term Lok Sabhas
- No Deputy Speaker (which by convention goes to the Opposition) for the first time in the history of independent India
- MPs suspended on 206 instances; highest number of opposition MPs ever suspended
- More than 50 per cent bills passed within two weeks of introduction without adequate discussion
- 35 per cent bills passed with less than an hour of discussion
- Less than 20 per cent bills referred to parliamentary committees
- Less than 10 per cent bills passed with recorded voting

The Opposition shouldn't expect any better this time round. It will also hopefully know better than to rely on Parliament to echo the voice of the people. It'll have to engage with the people more directly, in their villages and on the streets.

Letters to the Editor

What a sell-out

The newly-sworn-in NDA government seems to be continuing the disastrous policies of the previous regime. According to media reports, the Life Insurance Corporation (LIC), the largest public sector insurer, is planning to sell some of its premium commercial buildings and land across the country to raise around Rs 58,000 crore. How did things come to such a pass? Obviously, it is thanks to the wrong and disastrous economic policies of the Narendra Modi-led government over the past 10 years. Although every public sector enterprise belongs to all the people of the country, LIC is one PSU where the people of India are directed invested. Any change in its fortunes will directly affect millions of investors and policyholders. The government must desist from this disastrous step.

Arvind Ojha, Mumbai

Destroying young lives

What is this business of 'paper leak' that has started over the last few years? The government and its agencies, reportedly equipped with super expensive spyware like Pegasus, are all at sea when it comes to guarding the secrecy of question papers of various recruitment and entrance

exams including the NEET-UG. The NEET-UG paper was allegedly sold at a whopping Rs 30 lakh per head. The question paper leak has put the future of millions of young students in jeopardy. Who is responsible for this disaster? Will PM Narendra Modi come forward and admit to the NEET aspirants that he has utterly failed them? That he has headed a government so weak that it deploys spyware against opposition leaders but cannot stop the leaking of question papers? Will he?

Rajan Prakash, Ghaziabad

Mob lynching is back

After a brief hiatus, incidents of mob lynching of Muslims are back in the news. One wonders whether it was a ceasefire of sorts under international pressure when such incidents had stopped or whether the BJP is taking revenge on Muslims for not voting for it. Or if it's a tried and tested diversionary tactic by the embattled ruling party that has mastered the art of deflecting the nation's attention from crucial issues. There are reports of infighting within the BJP; the government knows that it has failed to manage the economy and its allies are putting tremendous pressure on it for their pound of flesh.

Rahul Vats, Delhi

The Kafkaesque world of the NCERT

How does one make sense of the Council's logic that it owns even the names of scholars?

Suhas Palshikar and Yogendra Yadav, two of India's leading political scientists, have threatened to sue the NCERT (National Council for Educational Research and Training). These two gentlemen are known to speak in measured tones and the provocation must have been great.

They are upset with the NCERT because it insists on printing their names as chief advisors on its political science textbooks for classes 9 to 12 even after they have distanced themselves from the revised versions of these books and explicitly asked that their names be dropped. It might sound strange to us because it's far more common for people to fight for credit.

This is not a new controversy. More than a year ago, Prof. Palshikar and Prof. Yadav had publicly dissociated themselves from these textbooks after the *Indian Express* carried an exposé on the deletions and additions in these books without consulting the advisors. The NCERT, however, kept using their names even as it made further changes without even informing them.

One expects this basic courtesy, at least from those who work in the field of knowledge. If I have written or edited a book and the publisher wants to make some changes in it, it is expected that I'll be consulted. This is basic. But the NCERT says it is not bound by these norms, advancing the claim that since the copyright of the textbooks rests with NCERT, it has all the rights to do whatever it wants with the textbooks.

Prof. Palshikar and Prof. Yadav disagree and state in a letter addressed to NCERT chief D.P. Saklani: 'Besides the earlier practice of selective deletions, the NCERT has resorted to significant additions and rewriting that are out of sync with the spirit of the original textbooks... The NCERT has no moral or legal right to distort these textbooks without consulting any of us and yet publish these under our names despite our explicit refusal. There can be arguments and debates about someone's claims to authorship of any given work. But it is bizarre that authors and editors are forced to associate their names with a work they no longer identify as their own.'

'Both of us do not want the NCERT to hide behind our names to pass on to students such textbooks of political science that we find politically biased, academically indefensible and pedagogically dysfunctional... The new editions of these books that have been published with our names should be withdrawn from the market forthwith... If the NCERT fails to take immediate corrective action, we may be forced to take legal recourse,' the letter further says.



Apoorvanand

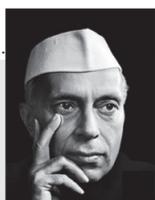
One can hardly disagree with them. Palshikar and Yadav have further requested the NCERT to make public the names of the academics and experts under whose guidance these changes have been made. It's nothing short of bizarre that those names are being withheld while credit is being thrust upon people who disagree with the changes and have repeatedly said 'not in our name'.

How does one make sense of the NCERT's Kafkaesque world, of its insistence that it owns even the names of scholars since it owns the copyright of the books? This logic seems to rhyme with the logic of the regime the Council serves, which had argued before the Supreme Court that the people of India cannot claim ownership over themselves, that the state has all the right to do whatever it thinks necessary with their bodies and privacy.

It came to our knowledge recently that the NCERT had decided to refer to the Babri Masjid as simply a 'three-domed structure'. When all of us including Prof. D.P. Saklani, the all-powerful NCERT chief, are dead and gone, will it serve future generations well to remember that these changes were made under the leadership of a 'two-legged creature'? What's in a name, after all?

Is the NCERT director even thinking about the absurdity of his position? As per media reports, the textbook told students that on 22 January, a temple for Lord Rama was consecrated at the Babri Masjid site, enabled by a Supreme Court ruling, which the tweaked Class 12 political science textbook describes as a 'classic example of consensus'. But without even knowing what controversy was settled through this marvellous act of consensus in the Supreme Court, how are readers to appreciate the import of this grand reconciliation?

NEHRU'S WORD



Each one of us has to think of our country's problems as personal

The elections are over and the road ahead is demanding. The Congress and other opposition parties have to work at keeping the INDIA bloc intact, while voicing people's concerns within Parliament and outside, and ensuring that all those who actively defended the Constitution and democracy stay active and enthused. We bring you the second and concluding part of a letter Jawaharlal Nehru wrote on 11 February 1952 after the first general elections to each candidate who had contested on the Congress ticket, pointing out the need to build a strong base among the people through a personal investment of time and effort, solving problems, keeping in touch, avoiding factionalism and much else.

It is perfectly clear to me that the Congress, as it is organised today, is a feeble instrument for carrying out national work, especially among the people. We have therefore to think hard as to what changes we should make in the Constitution in order to make it a better instrument for this purpose.

The Working Committee has appointed a small committee to consider this question. But that will take some time and, even so, a great big organisation moves rather slowly. It falls into ruts and all kinds of personal vested interests grow. The individual counts and must count. Leadership counts. But the strength of a democracy does not come from an odd leader; it comes rather from a higher standard in the lower ranks.

I remember that 30 years ago we had a rule in the Congress of the United Provinces. This rule laid down that no person could be the president of any Congress committee, provincial, district or other, for more than one year at a time; and no person could be a secretary of any such committee for more than two years running. This was a salutary rule which did much good to our organisation and trained many people in local leadership. I think that it will be a good thing if this rule was adopted everywhere in the Congress organisation.

Our work must lie to a large extent in the various Legislatures. But it is at least as important, and indeed more so, that we should work among the people. The two have to be coordinated. Members of Legislatures must keep in close touch with local Congress committees. I suggest, therefore, that, pending any change in the Constitution, every member of the central or a state legislature should be associated with his district and taluka or tehsil Congress committee....

It is essential that every member of a legislature should visit his constituency periodically and as frequently as possible. Members of State Legislatures should endeavour to visit each polling area in their constituency every six months at least.

The Congress organisation has, for some time past, functioned chiefly at the top. Hence, to some extent, it lost touch with the people. It seems to me that the basic unit of the organisation should be a group of 20 or 30

villages. That group should function effectively and keep in constant touch with every family in that area. In the UP, there used to be mandal committees like this and they were a great source of strength. For some reason, which I do not know, these were abolished, much to the disadvantage of the organisation. I hope that some such unit will be formed in all our states and that it will be an active and working unit....

I suggest to you immediate action in this respect. I have referred above to the ad hoc committees of election workers which were formed for the purpose of these elections. These must not be allowed to fade away. Each Congress candidate for election, whether he has succeeded or not, must therefore keep these election workers together for other work now. Immediate steps should be taken for this purpose.



On no account should factions and sectional groups in the Congress be tolerated in the future

It may be that all of these election workers are not in a position to give much time. But there must be a considerable number who would welcome this opportunity. It should be made perfectly clear that all of them, whether they are formal members of the Congress or not, will be welcomed.

For the moment, and till further ways and means are devised, they should form an ad hoc committee to work in that area. While they should work together, it is desirable to allot particular parts, like each polling area, to a small group of workers. They should make themselves responsible for these and they should report frequently about the work done by them and the needs of that area....

Why are the revised textbooks fighting shy of mentioning the BJP's 'rath yatra' from Somnath in Gujarat to Ayodhya; of the role of kar sevaks; of the communal violence in the wake of the demolition of the Babri Masjid; of the imposition of President's rule in BJP-ruled states; of the BJP's expression of 'regret over the happenings in Ayodhya'? After all, the Ram Mandir did not spring out of the blue—it was the denouement of a bloody conflict the current regime wants Hindus to feel proud of.

The NCERT's stated rationale for this expurgated account is that children should be shielded from violent and negative thoughts. Is the NCERT, then, admitting that the campaign to demolish Babri Masjid—which for the current regime is a glorious chapter in India's history, an act of bravery marked as Shaurya Diwas—represents 'violent and negative thoughts' young Indians should be shielded from?

References to the communal violence of 2002 in Gujarat have also been similarly excised. Presumably because they may stir similar negative thoughts in young minds. The 1984 violence against Sikhs has somehow escaped the Council's violence filter. We can only conclude that for the sake of minds at NCERT, the memory of 1984 is somehow positive but the memory of 2002 injurious to the health of impressionable young minds.

On a more serious note, one must use this opportunity to restart the process of deliberation on what school textbooks mean, what role they play in the educational process, and why it is important to keep them away from the political likes and dislikes of the regime in power.

We need to understand that a textbook is not a compendium of officially authorised facts. It is essentially a pedagogic tool for students and teachers, which helps them make sense of the discipline being studied and the world around them. A textbook of political science should be able to help students understand how politics works, not determine which politics is convenient or correct.

Textbooks, one feels like telling the NCERT chief, are not meant to be an umbrella to protect children from evil influence; facts rain on them from myriad sources. Imagine a child reading a chapter on the 'three-domed structure' while the DJ is playing a song venerating the bravery of the demolition of the Babri Masjid! All two-legged creatures, Mr Saklani, have a thing on top. That thing, called mind, will take in more than you can ever force-feed it. ■

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The most unfair elections in history

M.G. Devasahayam

Serious irregularities have surfaced in the conduct of the recently concluded Lok Sabha elections even after the results were declared on 4 June. This was arguably the most unfair and incompetently run election in India's history. It saw serious violations of the law, the Supreme Court's directions and the Model Code of Conduct—and yet, inexplicably, not much attention has been paid to these irregularities. A review is in order.

Section 59 of the Representation of People's Act, 1951 mandates the conduct of elections through ballot paper. This is what the provision says: 'At every election where a poll is taken votes shall be given by ballot in such manner as may be prescribed and, save as expressly provided by this Act, no votes shall be received by proxy.'

Section 61A of the RP Act provides for voting machines at elections, but subject to conditions: '...the giving and recording of votes by voting machines in such manner as may be prescribed, may be adopted in such constituency or constituencies as the Election Commission may, having regard to the circumstances of each case, specify,' it reads.

Note: While Section 59 uses the word *shall*, Section 61A says only *may*, which makes the legislative intention clear—conduct of elections in India should be with ballot papers and the EVM may be an option if that was not possible.

Therefore, the Election Commission of India (ECI) is required to issue a constituency-wise 'notification' explaining the circumstances under which elections could not be conducted with ballot papers.

No such notifications were issued by the ECI either before or after the announcement of the election schedule on 16 March 2024. This makes the election ab initio illegal.

No code of conduct

The ECI's total inaction on the violation of a) the Model Code of Conduct, b) Sections 123(3) and (3A), 125 of the RP Act, and Section 153A of the Indian Penal Code by Prime Minister Narendra Modi [is noteworthy].

At an election rally in Rajasthan's Banswara on 21 April 2024, Modi claimed the Congress manifesto had promised to seize and redistribute private wealth of Indians among "infiltrators" and "those who have more children"—a dog whistle reference to India's Muslims. In the same speech, the prime minister claimed that the Congress would snatch away the *mangalsutras* worn by married Hindu women in its bid to distribute wealth among Muslims. Nearly 20,000 individuals had collectively written to the ECI urging action against the PM.

But there was not even a whimper from the ECI on this and other 'poisonous arrows.' Emboldened by this, Modi went on making more inflammatory statements that clearly violated the MCC and RPA.

Discrimination by ECI?

The chief election commissioner (CEC) Rajiv Kumar claimed that the ECI had decided to not admonish the "top two



Nirvachan Sadan, the Election Commission of India headquarters in New Delhi

Photo: Getty Images

leaders of major political parties", meaning Narendra Modi and Amit Shah of the BJP and Rahul Gandhi and Priyanka Gandhi of the Indian National Congress.

"We deliberately decided ... that the top two people in both the parties we did not touch. Both party presidents we touched equally... The persons in position in this huge country also have responsibility. We reminded them of their responsibility," Kumar had said. This amounted to discrimination by the CEC.

Article 14 of the Constitution, titled 'Equality before law', reads as follows: 'The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India.' It is the provisions of Article 14 that the Election Commission prima facie appears to have violated.

ECI's defiance of Supreme Court orders

In its judgment of 8 October 2013, the Supreme Court had clearly laid out the purpose of introducing the Voter Verifiable Paper Audit Trail (VVPAT): it was to make the EVM voting/ counting comply with the essential 'democracy principles' of end-to-end (E2E) verifiability, i.e. the voter should be able to verify that her vote is cast as intended, recorded as cast and counted as recorded.

This ipso facto means that printed slips in the VVPAT machines should be counted before declaring results. Without counting of VVPAT slips in a significant percentage of polling stations in each assembly constituency, the objectives of verifiability and transparency remain unrealised.

But the ECI, vide its letter dated 13 February 2018, directed state chief

electoral officers to mandatorily verify VVPAT paper slips in only one randomly selected polling station in each assembly constituency. This being around 0.5 per cent of the sample size, defeated the very object of installing VVPATs in all EVMs, and is tantamount to non-implementation of the Supreme Court's order.

Ironically, the Supreme Court endorsed this gross violation when a bench consisting of Justice Ranjan Gogoi and Justice Sanjay Khanna passed this order on 8 April 2019: "... our considered view is that the number of EVMs that would now be subjected to verification so far as VVPAT paper trail is concerned would be 5 per assembly constituency or assembly segments in a parliamentary constituency..."

E2E verifiability was thus intentionally denied.

E2E verifiability blocked

The Citizens' Commission on Elections (CCE) in its report titled 'Is the Indian EVM and VVPAT system fit for democratic elections?' had said in January 2021 that the EVM system did not provide provable guarantees against hacking, tampering and spurious vote injections and the VVPAT system as practised did not allow the voter to verify the slip before her vote is cast.

The absence of E2E verification would lead to voting and counting manipulation, the report stated, while suggesting remedial measures.

In August–September 2023, civil society groups submitted a memorandum to the ECI signed by about 10,000 voters making a specific demand: "The VVPAT system should be re-calibrated to be fully voter-

verifiable. A voter should be able to get the VVPAT slip in her hand and cast it in a chip-free ballot box for the vote to be valid. These VVPAT slips should be counted first for all constituencies before the results are declared.' ECI did not even acknowledge this memorandum.

The matter therefore went before the Supreme Court in WP (C) No. 184 of 2024 wherein the above demand was rejected. The ECI had succeeded in effectively blocking E2E verifiability, thereby paving the way for voting and counting manipulation on a selective and secretive basis.

Counting more votes than polled?

The 2024 Lok Sabha elections data shows discrepancies in almost all PCs. A close look at EC data from 543 PCs shows that except for a few PCs like Daman & Diu, Lakshadweep and Attingal in Kerala, the number of EVM votes counted differs from that of EVM votes polled.

In more than 140 PCs, the number of EVM votes counted surpassed the number of EVM votes polled. The ECI is unable to give any satisfactory response to this apparent fraud.

ECI's delayed SOP

In a judgement delivered on 26 April 2024, the Supreme Court opened two windows for verification through these directions:

(a) On completion of the symbol loading process in the VVPATs undertaken on or after 01.05.2024, the symbol loading units shall be sealed and secured in a container. The candidates or their representatives shall sign the seal.

The sealed containers, containing the symbol loading units, shall be kept in the strong room along with the EVMs at least for a period of 45 days post the declaration of results. They shall be opened, examined and dealt with as in the case of EVMs.

(b) The burnt memory/ microcontroller in 5 per cent of the EVMs, that is, the control unit, ballot unit and the VVPAT, per assembly constituency/ assembly segment of a parliamentary constituency shall be checked and verified by the team of engineers from the manufacturers of the EVMs, post the announcement of the results, for any tampering or modification, on a written request made by candidates who are at Sl. No. 2 or Sl. No. 3, behind the highest polled candidate....

The actual cost or expenses for the said verification will be notified by the ECI, and the candidate making the said request will pay for such expenses. The expenses will be refunded, in case the EVM is found to be tampered,' the judgement added.

Whereas Administrative SOP for the 'burnt memory/ microcontroller' was issued on 1 June 2024—just three days before the date of counting and announcement of results—charging a hefty fee of Rs 40,000 plus 18 per cent GST per EVM, no technical SOP to make it operative as mentioned in para 7 was issued till 11 June 2024 thereby effectively preventing candidates from availing of this window provided by the Supreme Court. ■

M.G. DEVASAHAYAM is coordinator, Citizens' Commission on Elections. A longer version of this piece was first published in The Wire

In more than 140 PCs, the number of EVM votes counted surpassed the number of EVM votes polled. The ECI is unable to give any satisfactory response to this apparent fraud

The most shameful phase of Indian journalism

Having neither expanded nor made more money, why is Godi media acting against its own interests? **Aakar Patel** unpacks this conundrum

After 2014, India became familiar with the phenomenon of 'Godi media', a phrase coined by the Magsaysay Award-winning journalist Ravish Kumar. It refers to media in the lap of the prime minister, whose name rhymes with Godi.

In *Manufacturing Consent: The Political Economy of the Mass Media*, the 1988 book that he co-authored with Edward S. Herman, American scholar Noam Chomsky wrote that media in democratic nations was not really independent and did not do the task of informing the public, particularly about the overreach of the State. Instead, it engaged in what he called 'manufacturing consent' in favour of the government and business interests. He said that the mass media are ideological institutions carrying out propaganda through a particular model that relied on force and self-censorship, without overt coercion.

The defining aspects of such a model were the following. Firstly, media was owned by corporate interests; secondly, its revenue model depended on advertising; thirdly, the government made it dependent by withholding licenses and giving access only to a few handpicked pliant reporters and anchors.

Fourthly, this compromised and pliant media marginalised dissent and attacked the political Opposition, acting as a govern-

ment mouthpiece; and fifthly, it created 'bogyman' distractions that took attention away from real issues.

As may be noted by alert readers, all of these conditions apply to media in India. On some of these, such as licensing and advertising, our media is even more dependent than that in the west.

Having said that, it is quite revealing to see that the revenues of India's six listed news media companies has not risen in the last decade. The total sales of these companies in 2014 was Rs 6,325 crore and the total in 2023 was Rs 6,691 crore. The total profits in 2014 were Rs 761 crore and in 2023 Rs 254 crore. Adjusted for inflation, these six listed companies (which represent some of the nation's largest news channels and newspapers) are half the size they were in 2014.

They have not only made no money, they have actually shrunk. So, the question really is—why is the Godi media acting against its own interests?

There are several reasons that are obvious. One is that the nature of media has changed in the last 20 years. Online advertising has taken a large share and most of this is money that goes to two companies, Google and Facebook. The other reason is that the economy has not been in good shape, particularly the part of it that relates to consumption. Neither of these is disputable.

However, to understand what was going on, I felt it was important I speak to people who work in the news channels. I asked them four questions: What incentives are there for channels to back the government and attack the Opposition? To what extent are news channel operations dependent on advertising (and other favours) from the government? Do ratings generally indicate audience preference for content that is communally polarising over that which might be conventional news? Do ratings

Respondents also said the overt majoritarianism under Modi has produced a condition where 'existent bigotry is given a platform to be amplified' as many channels now show

indicate audience preference for journalism that bolsters and justifies the government?

The answers I got were interesting. To the first two questions, the replies were: "if there were ways to make money, media would find a way to do so with a taller spine" and "political pressure is not the number 1 cause, it is the broken revenue model". The broken model refers to the shrinking of media revenues that we have seen.

Another reply was that "revenue from the government has become dependency to a large extent, given falling revenues overall". Clearly, you could not (you did not) bite the hand that fed you. While yet another reason given was that large parts of media were now owned by magnates like Adani and Ambani for whom the media was a side business and served a larger purpose.

On the second set of questions related to content, the people I spoke to said that there was no evidence to suggest that divisive or communal material received more TRP ratings compared to other stories, but material that was polarising did not lead to a dip in viewership, meaning that it was acceptable to the audience. Sometimes however, what was already in the news at a given moment received a 'pick-up' when it was broadcast as hate speech. For instance, when the government associated Muslims with the

Covid-19 pandemic, it triggered a slew of coverage that alleged Muslims were deliberately spreading the coronavirus.

Respondents also said that the overt majoritarianism under Modi has produced a condition where "existent bigotry is given a platform to be amplified" as many channels now show.

Interestingly, there was no evidence to indicate that supporting the government and attacking the Opposition produced higher viewership or was more popular, so there was another motive for doing so.

This was the feedback I received when I asked insiders why the Godi media was doing what it was doing. I hope it helps readers understand the phenomenon a little better.

The election results mean that the Opposition can no longer either be ignored or attacked in the way that it has been. For this reason, it will be interesting to see how the Godi media behaves from here on and whether there will be any change in its behaviour. One hopes that there will be because, as a journalist, one has been witness to what has undoubtedly been the worst and most shameful phase of Indian journalism.

It is a phase that we need to put behind us for the betterment of our democracy, our politics and our society. ■

Views are personal



Protesting farmers call for a boycott of 'Godi media'

Kangana and the slapstick quandary

Welcome to public life, Ms Ranaut, and to the world of slippers, slaps and just deserts

Avay Shukla

This June may have been the cruellest month for Himachal politicians. The chief minister lived up to his early promise and lost all four Lok Sabha seats to the BJP. The late chief minister Raja Virbhadra's son, Vikramaditya Singh, will never be able to show his face in royal circles again, having lost miserably to a far-from-common commoner in the Mandi seat. Anurag Thakur of the BJP has been divested of his central ministership. There is some speculation that the always smiling J.P. Nadda may have had something to do with it: he first mottled the father, and now the son. (That now leaves only the Holy Ghost, the *banarsi paan*, he of the Immaculate Conception, to deal with. As Pete Seeger sang, 'to everything there is a time and a season...')

And finally, 'Himachal ki beti' Kangana Ranaut was slapped in the kisser by a lady constable of the CISF (Central Industrial Slapping Force).

This last, of course, solves the mystery of the recent deployment of the CISF for Parliament's security: perhaps the stigmata on Ranaut's flaming cheek is a dress rehearsal of what Opposition MPs can expect from the CISF chappies in Parliament. Of course, Ms Ranaut herself is now safe—a lawyer friend tells me that slapping her again would amount to *res judicata* or double jeopardy, and would therefore not be allowed by Milords if they ever return from their vacations.

Coming back to the slapping, I feel a

disclaimer is in order here: I abhor violence and do not condone it, except when it is inflicted on people I don't like. I do not dislike Ms Ranaut—how can the male of her utterances and the ideas she stands for. She is a loudmouth and a motormouth whose natural instinct is to insult and abuse, like she did all those women at the farmers' protest. The CISF constable, Kulwinder Kaur, is the daughter of one of these women, and belongs to a proud community which does not believe in turning the other cheek. To put it bluntly: Ms Ranaut was asking for it.

But she has her defenders. "How can a person in uniform slap a woman?" they shout from their majoritarian ramparts. Really? What have persons in uniform not done to their countrymen and women under the orders of this regime to which the lady from Mandi owes her allegiance? Have they not dragged women wrestlers (champions all) on the roads of Delhi and roughed them up *while in uniform*? Have they not cremated at midnight (without the consent of her parents) the corpse of a young Dalit girl, raped and killed by upper caste men, *while in uniform*? Have they not barged into the hostels and libraries of Jawaharlal Nehru University and Jamia Millia Islamia and mercilessly beaten students of both sexes without any reason, *while in uniform*? Have they not stood by and watched, for almost a year now, the atrocities being committed on the women of Manipur, *while in uniform*? Did not a railway policeman, *while in uniform*, walk

One cannot make a career of foul-mouthing individuals, abusing communities, vilifying particular religions, indulging in violence, and not expect a pushback



Kangana Ranaut was slapped by a woman CISF personnel, Kulwinder Kaur (centre), at Chandigarh airport

through a train coach, shooting death of a particular community with impunity? Please, all ye bhakts of various shades of saffron, spare us this drivel about uniforms. In the India of today, a uniform is not a symbol of lawful forbearance, as it should be—it is a license for excess, accompanied by the Supreme Leader's guarantee of complete immunity from the law. So, what Kulwinder Kaur was wearing when she planted the Congress symbol on Ms Ranaut's cheek is quite beside the point.

Welcome to public life, Ms Ranaut, and to the world of slippers and slaps. Ask Mr Kejriwal, who has surely been slapped more times in public than by his mother as a child. Welcome also to the reality that sooner or later your past will catch up with you. One cannot make a career of foul-mouthing individuals, abusing communities, vilifying particular religions,

indulging in violence of the ideological and verbal kind, and not expect a pushback.

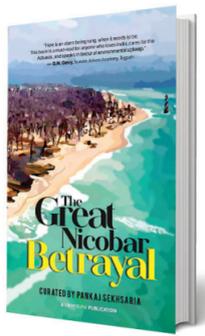
This slapstick episode in which Kangana Ranaut plays the lead role has many subtle nuances, and all those who condemn Kulwinder Kaur without acknowledging these nuances are just being hypocritical and politically correct.

Adopting a politically correct stance is the slappiest response to a controversial situation. And, as Harry Truman so correctly remarked, political correctness is nothing but the deluded belief that it is possible to pick up a piece of shit by the clean end.

Good luck, folks. I hope you find the right end! ■

AVAY SHUKLA is a retired IAS officer and author of *Disappearing Democracy: Dismantling of a Nation and Other works*

BOOK EXTRACT



Title **The Great Nicobar Betrayal**
Author **Pankaj Sekhsaria**
Publisher **Frontline Publication**
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The great misadventure

Pankaj Sekhsaria on the the great land grab by the government in the Nicobar to push a mindless Rs 72,000 crore development extravaganza

"Trees with nesting holes of endemic owls to be identified and geo-tagged with help from SACON. Such trees shall be safeguarded, as far as possible."

On 11 November 2022, the ministry of environment, forest and climate change (MoEFCC) granted its final environmental clearance (EC) to a mega infrastructure project euphemistically titled 'Holistic Development of Great Nicobar Island'. It marked the culmination of a roughly two-year process for the project, which will be implemented over the next three decades in the ecologically rich and geologically volatile Great Nicobar Island, the southernmost in the Andaman and Nicobar chain.

The quote above is one of the many conditions laid out in the clearance letter for this Rs 72,000 crore project that has been piloted by the Niti Aayog and will be implemented by the Port Blair-based Andaman and Nicobar Islands Integrated Development Corporation. The plan's centrepiece is a Rs 40,000 crore transshipment port to be constructed at

Galathea Bay, a giant nesting site of the Giant leatherback turtle. Other components include an airport, a powerplant, and a greenfield township covering over 160 sq km of land, including 130 sq km of primary forest.

Covering roughly 18 per cent of the 910 sq km island, this is a mega project unlike any seen in India. Great Nicobar is important for multiple reasons—it is a rich repository of biodiversity and endemism, was declared a biosphere reserve by UNESCO in 2013, has two large national parks, is protected as a tribal reserve for the indigenous Shompen and Nicobarese communities, and is also located in the world's most seismically volatile zone.

It saw a permanent subsidence of nearly 5 metres in the immediate aftermath of the earthquake of 26 December 2004, which triggered the massive west and south-east tsunami. Thousands were killed and assets worth billions of dollars were destroyed in one stroke. The scale of the subsidence in Great Nicobar is evident from the fact that the lighthouse at Indira Point, which was slightly above well above the high tide line, now stands completely surrounded by

the waters of the Andaman Sea.

Logic suggests that the sea men at the MoEFCC and its expert bodies would be particularly careful and diligent when considering clearance for such a massive project, given its exceptionally sensitive and vulnerable location. The condition quoted in the very beginning appears then to be an illustration of precisely such concern. A more careful look reveals a vastly different picture.

Let us, for instance, unpack this "nesting holes of endemic owls" condition. In a recent submission to the National Green Tribunal, the MoEFCC admitted that the land earmarked for the project on Great Nicobar has over 1.86 million trees, and about a million are slated to be cut. An area larger than the size of Mumbai's Sanjay Gandhi National Park will be deforested in a few years even as a climate crisis lurks around the corner.

Consider this as well: nesting holes of owls are tough to locate in the best of situations. We are talking here of 130 sq km of pristine tropical forest with few, if any, regular visitors. Even if scores of India's "nest birdwatchers were to work year-round to document all actual and potential owl nesting sites, it would be hopelessly unrealistic to survey one million ancient trees (some as tall as 45 metres) to identify the owls' nesting holes. Clearly, a survey such as this will achieve nothing, if it ever takes place.

Such doublespeak runs through the full length of the environmental clearance granted. Take the condition that appears just above the one on endemic owls:

'No trees will be cut at one go. (...) All trees which are exceptionally tall and old in age shall be safeguarded, as far as possible. A&NFD will mark all such trees and submit the species-wise list to the ministry and EAC and the regional office of MoEFCC before infrastructure activities take place.'

For decades now, many experts have known that conditions imposed were meant to be followed in the breach and these are perfect examples.

What environment impact assessment is this?

Hyderabad-based Vimta Labs released a draft EIA report of the project in December 2021 and a final version three months later, in March 2022. This report was the basis on which MoEFCC's key body, the Environment Appraisal Committee—Infra I, recommended final environmental clearance in August 2022, which was eventually then granted in November 2022.

Below is an extract from the EIA consultant's Great Nicobar EIA study site visit report:

'The hills are steep, slippery and totally

covered by multi-storeyed vegetation. Whenever we could gain entry through some opening into the dense/thick forest, visibility was poor; humidity was high; soil was wet and slippery on account of intermittent sharp showers every day, [and there were] invisible streams of water under a thick carpet of dead leaves and twigs. Added to the problem was biting insects including mosquitoes. Further, when one tries to look just one find out what tree it is, it is not just one but many. Most trees are overgrown by heavy climbers and the tree-trunks are covered by epiphytes including mosses, lichens, epiphytic ferns and orchids. There was no threat of venomous snakes as they do not occur in the Island. It was impossible to use any measuring devices like tape to make any quadrat in the forest vegetation. Hence, intensive survey was carried out on both sides of the Campbell-Indira Point for four days. It is about 45 km. (sic) and the entire stretch was surveyed (sic) eight times in four days.'

The sheer scale of this project and its possible impacts are staggering not just because of the ecological issues, but also the financial gamble involved. This is a Rs 72,000 crore investment whose costs, going by past experience, are likely to be much higher before completion. We are talking about a tropical evergreen forest spread over 130 sq km, a million old-growth trees, the northern Indian Ocean's most important leatherback nesting site and a geologically volatile area that experienced one of the most severe earthquakes and tsunamis in human history in December 2004. Where is the scientific rigour and expertise?

The draft EIA report had suggested erection of barbed wire fences to separate the indigenous peoples of the forests from the thousands of outsiders who will be brought in as part of this holistic development. The suggestion was fortunately removed following objections by researchers and NGOs, but none of this was a red flag for the MoEFCC, which stated in its February 2023 submission to the NGT that "environmental clearance... has been accorded... after an extremely detailed and rigorous scrutiny process at the highest level, and with scrupulous adherence to the [relevant] provisions...".

And this is how we, in an era of an advanced climate crisis, signed away an ancient forest, a million trees, a bewildering array of biological diversity, and an irreplaceable repository of the planet's ecological history. ■

This essay by PANKAJ SEKHSARIA first appeared in *Sanctuary Asia*, April 2023. It features in the anthology curated by the author



The site plan of the Great Nicobar Project



In a recent submission to the National Green Tribunal, the MoEFCC admitted that the land earmarked for the project on Great Nicobar has over 1.86 million trees, and about a million are slated to be cut

It looks like curtains for Rishi Sunak

Ashis Ray

A new dawn beckons the British Isles. Sir Keir Starmer, the 61-year-old, Oxford educated Labour party leader, called to the bar from Middle Temple and a former Director of Public Prosecutions, seems to be almost a shoo-in as the next British prime minister, when the results are declared in a general election on 4 July.

Starting with a shambolic outdoor announcement of a general election, when he got drenched in the rain and the song 'Things Can Only Get Better...' played by anti-government demonstrators on a loudspeaker drowned his speech, the incumbent Rishi Sunak's fortunes have only appeared to plunge as the campaign unfolded.

Last week's YouGov poll put the British public's disapproval of Sunak's government at 71 per cent and effectively predicted that Labour—now more centrist than centre-left—may win a record 100 seats more than the majority mark of 326, and that the ruling right-wing Conservative party could plummet to its worst performance in a general election since it was founded in 1834.

Chiefly because the Conservatives have disintegrated since the British electorate chose to exit the European Union in 2016, in addition to proving themselves to be sleazy and incompetent. Also as a result of a new practically far right Reform party eating into the Conservative vote bank. Indeed, even if half of the forecast manifests itself, the Conservatives are bound to unceremoniously unseat Sunak as party leader, as has been their unforgiving historical practice.

It is not Sunak's fault that he was pitchforked into the position of prime minister when neither he nor Britain was ready for it. Boris Johnson, who as prime minister won the election five years ago, had denuded the Conservatives of weighty leaders for disagreeing with his rash promises, undemocratic style of functioning and his incurable tendency to lie.

With Johnson and his immediate successor Liz Truss biting the dust within weeks of each other, the Conservatives did not enjoy the luxury of conducting another time-consuming leadership contest involving the party rank and file. Truss had managed to crash the British economy during her unprecedentedly short 45-day tenure. Conservative MPs stitched up a process which threw up Sunak—who had, thanks to Johnson, held the senior cabinet post of chancellor of the exchequer (finance minister)—with an ill-equipped Penny Mordaunt (leader of the House of Commons or parliamentary affairs minister) as the only other serious contender.

When the Truss versus Sunak face-to-face unfolded in the summer of 2022 in the succession battle after Johnson was ousted—which Sunak lost—a woman identifying herself as a Conservative party member from one of the southern counties phoned a



British Prime Minister Rishi Sunak speaks at an election event in York, England, on 20 June 2024

Photo: Getty Images

London radio talk show to suggest Sunak wasn't British. She was immediately challenged by the host; but persisted that a son of an immigrant could not be defined as British. Her opinion was unsurprising, reflecting the sentiments of a section of indigenous Britons.

Sunak, who is of East African Indian origin, has not made it any easier for himself by frequently referring to his Hindu faith in a predominantly white, Anglo-Saxon, Protestant (WASP) country, even ill-advisedly speaking at a 'Ram Katha' event at Cambridge last year.

Edward Anderson writes in his recently published book *Hindu Nationalism in the Indian Diaspora*: 'One year before (Indian) Independence, and two years before the RSS's ban following Mahatma Gandhi's assassination by a Hindu extremist, (Jagdish) Shastri (a teacher at an Arya Samaj school in Amritsar) set sail from Bombay (Mumbai) to Mombasa to take up his new post. Standing on the deck of the SS Vasna, one tempestuous evening in the middle of the Indian Ocean, he had a serendipitous encounter with another passenger—a Gujarati called Manek Lal Rughani. The meeting, memorialised by Shastri in his *Memoirs of a Global Hindu*, led to the first *shakha* (branch) [of the Rashtriya Swayamsevak Sangh or RSS] outside India.'

London-based writer Shyam Bhatia, whose father Prem Bhatia was once the Indian high commissioner to Kenya, recently wrote in the *Times*: 'In 1935, aged 18, Ramm

Sunak, who is of East African Indian origin, has not made it any easier for himself by frequently referring to his Hindu faith in a predominantly white, Anglo-Saxon, Protestant country

Dass (Rishi Sunak's paternal grandfather) left Gujranwala (now in Pakistan) and moved to Kenya, where he started a new life as an accountant. Sohag, his young wife, followed him two years later. The couple had six children and one of them, Yashvir, is Sunak's father.'

The UK's *Daily Mail* reported Ram Dass 'was a member of the Hindu supremacist outfit called Rashtriya Swayamsevak Sangh, which was modelled on fascist organisations like the Nazis'.

Bhatia further revealed that upon moving to Southampton in 1971, Ram Dass 'established the Vedic Society Hindu Temple, where (Rishi) Sunak's parents are very active and which the prime minister still visits'. In short, when Sunak's family arrived in Britain, they were, by all accounts, conservative Hindus. His parents trained in the sciences—father Yashvir qualified as a doctor to become a GP and mother Usha as a chemist—but seemingly retained their religiosity.

Settled on the south coast of England, they sent Rishi to Winchester College, a well-known private school nearby. From there he proceeded on merit to Oxford. However, a human being is often an amalgamation of heredity and environment. This juxtaposition rendered him outwardly British; the heritage of Hindu traditionalism did not desert him.

The influx of refugees from East Africa exponentially increased the number of Britons of South Asian descent in Britain. The new vote bank this constituted—which the Labour party initially cornered—left other

parties no choice but to accept multiculturalism as state policy. What this spawned, though, was not merely an uninhibited expression of Indian-East African culturalism—which arguably lent variety and enrichment to British society—but an assertion of religious identity. In other words, compared to those who had migrated earlier from India and partially integrated into 'Britishness', East African Indians, accustomed to fastidiously observing their religious customs in East Africa, were granted the liberty to continue doing so in Britain.

Today there are an estimated 65 RSS-affiliated Hindu Swayamsevak Sangh *shakhas* in Britain, not to mention scores of Hindu temples. Parts of northwest London and the Midlands city of Leicester, where East African Gujaratis are concentrated, are in fact hotbeds of Hindutva.

Benjamin Disraeli was born Jewish, but had an Anglican upbringing from the age of 12, after his father left Judaism. This opened the door for him to be twice elected as a Conservative prime minister in the 1860s and 1870s—during an era when Jews were excluded from parliament. The moral of this story being: not even a Catholic—let alone a non-Christian—held the post of British prime minister until Johnson reverted to the Catholic faith of his mother (after becoming an Anglican at his school at Eton).

Of course, neither Disraeli nor Johnson quite faced the dichotomy of one culture at home and another outside it, which many Asian immigrants in Britain tend to encounter.

Sunak's formal entry into politics was only in 2015. Seven years later, at the age of 41, he was prime minister. It took John Major 11 years to move from elected MP to tenant at 10 Downing Street. For Tony Blair the span was 14 years. David Cameron rose to premiership nine years after entering parliament.

Sunak's was, therefore, a staggering achievement for a non-white son of an immigrant in a party dominated by white Britons. Indeed, in merely 17 years, the Conservatives had motored from not possessing a single Asian MP to embracing one as their prime minister!

Covid made Sunak's task as chancellor a no-brainer. Adhering to Johnson's wishes, he embarked on a generous furlough scheme to save businesses and jobs, which catapulted him from obscurity to fame.

However, Sunak puritanically lying prostrate on the floor to pray at a temple in Delhi last year was an enactment of only the most devout and exhibitionist of Hindus. Ironically, the Conservatives' ultimate hero, Sir Winston Churchill, once described Hinduism as 'a beastly religion'.

By and large, modern Britain is exemplarily tolerant of all religions. Yet, the person who called the talk show embodies the feeling that one needs to be white and Christian to be culturally British. That a person (like Sunak) who neither partakes of a pint at a pub nor savours roast beef and Yorkshire pudding is not quintessentially British. ■



Sunak shakes hands with his Labour challenger Tom Wilson (right)

Sunak's sinking stock

The big question in the run-up to the British general elections on the 4th of July is not about the prospects of Prime Minister Rishi Sunak's Conservatives who, by all accounts, are set to be wiped out by a resurgent Labour party, but whether he will be able to retain his own Yorkshire seat.

Although he remains a popular MP, such is said to be the intensity of the anti-Conservatives *hawa* that it wouldn't be surprising if he, too, is swept aside by the widely predicted Labour 'landslide'. According to one poll, Labour is estimated to be on track to win the biggest majority of any party in a century.

In recent days, Sunak's support has dropped by more than 20 per cent. Electoral Calculus, a political forecasting website, gives him only a 60 per cent chance of retaining his seat. And that in a constituency that has remained staunchly Conservative in its 110-year history.

His Labour challenger, 29-year-old Tom Wilson can't believe that he is even being considered a serious contender. "Had you asked me a year ago whether we could win here, I would've laughed you out of the room. Had you asked me six months ago, I would have been very, very sceptical. Now, who knows? I don't think anyone really

knows what the results are going to be."

If Wilson gets his way, Sunak will become the first prime minister to lose their seat while in office.

'Absolute dud,' says ex-donor

In a sign of the times, the proverbial rats have started to desert Sunak's sinking ship. A billionaire has told the *BBC* he will vote Labour for the first time in his life next month.

John Caudwell, the founder of Phones 4u, described Rishi Sunak as an "absolute dud" and said the Labour leader Keir Starmer "just really hits the spot with a lot of issues with me".

"The Labour Party in my estimation, as much as I disagree with some of the policies, are absolutely the very best for Britain going forward," he said.

Labour's mysterious 'working people'

The Labour leader and putative prime minister-to-be Keir Starmer is not having an easy time either. He is



Keir Starmer, leader of the Labour party

Photo: Getty Images



LONDON DIARY

HASAN SUROOR

struggling to answer a question that has tripped up countless politicians before him—namely how does he define the 'working people' he claims his party is devoted to.

Starmer has classified them as "people who earn their living, rely on our [public] services and don't really have the ability to write a cheque when they get into trouble"—a definition that has left even the working people confused, prompting accusations that millions are not covered by his fuzzy and narrow definition and

continue to remain vulnerable to tax increases.

The *Times* is running a quiz to 'help' its readers 'figure out what sort of working person you actually are'.

Well, this scribe failed the test and doesn't seem to be the only one on the wrong side of Labour's definition.

'Mr Brexit' is back

Remember Nigel Farage? Better known as 'Mr Brexit'—a title conferred on him by his best mate Donald Trump after his role in Britain's disastrous decision to leave the European Union (EU).



Reform UK party leader Nigel Farage

Well, he's back. And is making quite a splash after deciding to contest the general election on his Reform Party (previously Brexit Party) ticket.

This is his eighth attempt to win a seat in the House of Commons and this time he is most likely to succeed on the back of an anti-immigration, anti-EU, low tax populist agenda.

He is giving Rishi Sunak sleepless nights by threatening to 'take over' the Conservative Party, which he says is no longer fit for purpose.

At least one high-profile Conservative MP and ex-deputy chairman (Lee Anderson) has already defected to Farage's

party amid frenzied speculation of more defections to come, especially if the Conservatives suffer the sort of crushing defeat they are said to be facing.

Farage, a showman par excellence, is enjoying the limelight. In 2016, he destroyed David Cameron's prime ministership after compelling him to order the Brexit referendum. This time, he is threatening to destroy the Conservative party itself.

Pay heed, or perish?

Vivek, not Vikesh

Vivek Taneja, who makes his living selling bathroom fittings, was so angry with his boss for mispronouncing his name that he sued her under Britain's race discrimination and harassment laws.

And—hold your breath—he has just been awarded £9,000 after a tribunal ruled that his dignity had been violated.

He said he was left "angry and upset" when the boss, Dana Davies, incorrectly called him "Vikesh" instead of Vivek despite repeated protests.

Taneja said his name had a "significant meaning in Hindi" and that he had "genuine emotion and sensitivity" about it. Vivek translates as 'wisdom' or 'conscience'.

The panel ruled that mispronouncing someone's name at work could count as unwanted conduct that may violate their dignity. Failing to say someone's name properly after being corrected could breach equality laws as a result.

Davies, the tribunal said, "besmirched" Taneja, who is British Indian, by continuing to distort his name despite being corrected.

And, finally, an election candidate out canvassing was overheard telling an angry voter: "Please don't talk to me like that in front of my dog."



Vivek Taneja

Between the city lords and the deep blue sea

Why fisherfolk from Chennai's Nochikuppam are resisting their translocation to an indoor market

Divya Karnad

They say the place stinks, looks unclean, is filled with rubbish," says an agitated N. Geetha, pointing to the row of fish boxes and vendors lined up on both sides of the road. "This rubbish is our wealth; this stench is our livelihood. Where can we leave this and go?" asks the 42-year-old woman.

We are standing at the makeshift Nochikuppam fish market on the Loop Road, stretching 2.5 km along the Marina beach. The 'they' who want to see vendors gone from here in the name of aestheticisation of the city are the elite lawmakers and civic authorities. For fisherfolk like Geetha, Nochikuppam is their *ooru* (village). A place that they have always belonged to, despite the tsunamis and cyclones.

Geetha is preparing her stall early in the morning before the market gets busy, spraying water on the makeshift table created from a few overturned crates with a plastic board placed on top. She works at the stall till 2 p.m. Ever since her marriage more than two decades ago she has been selling fish here.

But a little more than a year ago, on 11 April 2023, she and close to 300 other vendors operating from Loop Road received an eviction notice from the Greater Chennai Corporation (GCC). Following an order from the Madras High Court, GCC was asked to clear the road within a week.

"The Greater Chennai Corporation shall remove every encroachment (fish vendors, stalls, parked vehicles) on the Loop Road by following due process of law. Police

shall render assistance to the Corporation to ensure that the entire road portion and pavement is free of encroachment and available for free flow of traffic and free movement of pedestrians," the court order had stated.

For the fishing community, however, they are the *poorvakudi*, the original inhabitants. And it is the city that has been steadily encroaching upon land that historically belonged to them.

Long before the city of Chennai (or even Madras) was built, this coastline was dotted with little *kattumarams* (catamarans) out at sea. Fishers would sit patiently in the half-light, feeling the wind, smelling the breeze, watching the currents for the signs of *vanda-thanni*—the silt-laden current from the Cauvery and Kollidam rivers that surge seasonally along the Chennai coastline. This current used to bring bountiful catches of fish once. Today the catches are not bountiful, but Chennai's fishers still sell at the beach.

"Even today, fishers wait for *vanda-thanni*, but the sand and concrete of the city have erased the memory that Chennai was once a collection of fishing *kuppams* (hamlet of people who perform the same occupation)," sighs S. Palayam, a fisher from Urur, Olcott Kuppam, a village across the river from the Nochikuppam market. "Do people remember that?"

The beachside market is a lifeline for fishers. Relocating a fish market, as the GCC plans, may seem like a mild inconvenience to other city-dwellers, but for the fishers who sell at the Nochikuppam market it is a question of livelihood and identity.

The court has initiated action against the fishing community by way of a suo motu petition in view of the traffic chaos caused on the Loop Road. The Madras High Court judges themselves use the road for their daily commute. Eviction orders were given to remove the fish stalls from the side of the road as they were said to be contributing to chaos during peak hours.

When the GCC and police officials started demolishing the fish stalls along the west side of the Loop Road on 12 April, the fishing community of the area erupted into more than one round of mass protests. The protests



A fisherman removing sardines from his gillnet at Nochikuppam beach

Photo: Manini Bansal

were suspended after the GCC promised the Court that it would regulate the fishermen on Loop Road until the completion of a modern fish market. There is a conspicuous presence of "police in the area now."

"Whether judges or Chennai Corporation, they are all part of the government, no? Why is the government doing this? On one hand, they make us symbols of the coast and on the other, they want to prevent us from making a livelihood," says S. Saroja, a 52-year-old fish vendor on the beach.

She is referring to the mural makeover of their government-allotted Nochikuppam housing complex (between 2009-2015) on the other side of the road that separates them from the beach. In March 2023, Tamil Nadu Urban Housing Development Board, an NGO called St+Art and Asian Paints took the initiative to give a 'facelift' to the community's dwelling. They invited artists from Nepal, Odisha, Kerala, Russia and Mexico to paint murals on the walls of 24 tenements in Nochikuppam.

"They paint our lives on the walls and then remove us from the area," says Geetha, looking up at the buildings. The 'free housing' in these buildings proved to be anything but free. "An agent asked me to pay Rs 5 lakh for an apartment," says P. Kannadasan, 47, a fisherman from Nochikuppam. "If we didn't pay, the apartment would have been allotted to someone else," adds his friend Arasu.

The metamorphosis of Chennai into an increasingly urban space, and the construction of the Loop Road itself, cutting through the dwellings of the fishers and the beach, have repeatedly witnessed fisherfolk at loggerheads with the city.

The fishers think of themselves as belonging to a *kuppam*, a hamlet. "Will it be a *kuppam* if the men have to work at sea and on the beach, but the women have to work far away from home?" asks 60-year-old Palayam. "We will lose all sense of connection with each other and with the sea." For many families the only time to

have a conversation is during the transfer of fish from the men's boats to the women's stalls. That is because men fish and sleep during the day when women are out selling the catch.

The walkers and joggers, on the other hand, recognise the space as customarily belonging to the fishers. "A lot of people come here in the mornings," says Chittibabu, 52, one of the regular walkers at fish... This is their ancestral trade and [they] have been here for a long time. It doesn't make sense to ask them to move," he says.

Ranjith Kumar, 29, agrees. "Different types of people can use the same space. For instance, walkers come from 6 to 8 in the morning. At that time, we are out at sea. By the time we come back, and the women set up the stalls, all the walkers are gone. There is no issue between us and walkers. It is only the authorities who create a problem," he says.

Different varieties of fish are on offer. Some of the smaller, shallow-water species like the crescent grunter and the pugnose ponyfish can be bought at Nochikuppam market for Rs. 200-300 a kilo. These are caught locally, within a 20-km radius of the village, and laid out on one side of the market. The larger, high-value species like seer fish, sold on another side of the market, usually cost Rs 900-1,000 a kg and large trevallies can be bought at Rs 500-700 a kg. Fisherfolk here use local names—*keechan*, *kaarapodi*, *vannaram*, *paarani*—for the varieties they sell.

"If I don't sell enough fish, who will pay my children's fees?" Geetha asks. She has two children. One goes to school, and one is in college. "I cannot depend on my husband to go fishing every day. I have to wake up at 2 in the morning and go to Kasimedu (10 km north of Nochikuppam), buy fish, come here in time to set up the stall. If not, forget the fees, we won't even be able to eat," she says.

Almost half of the 10.48 lakh fisherfolk from 608 villages engaged in marine fishing in Tamil Nadu are women. And it is primarily women from the hamlet who run the makeshift stalls. It is hard to establish exact income figures, but the fishers and vendors who sell at Nochikuppam make a relatively good living, compared to a far-off, government-approved harbour like Kasimedu or other indoor markets, the women say.

"Weekends are the busiest time for me," says Geetha. "With each sale I make roughly 300 to 500 rupees. I sell almost continuously from the time I open (8:30-9 a.m.) until 1 in the afternoon. But it's difficult to tell you how much I make, because what I spend varies depending on which species and what price I get each day."

With the move to the proposed indoor market, the fear of a drop in income looms large for all of them. "With our earnings

"They paint our lives on the walls and then remove us from the area," says Geetha, pointing to the mural makeover of their Nochikuppam housing complex

here, we are able to run our households and take care of our children," says a fisherwoman on the beach on condition of anonymity. "My son goes to college too! How will I put him and my other children through college if we move to a market where no one will come to buy fish?"

R. Uma, 45, who was among the women forced to move to another indoor fish market near the Besant Nagar bus stand says, "A spotted scat fish which sells at Rs 300 per kg at Nochikuppam cannot be sold for more than Rs 150 in Besant Nagar market. If we raise the price at this market, no one will buy it. Look around, the market is dingy, and the catch is stale. Who will come and buy here? We would love to sell fresh catch at the beach, but the authorities don't allow us to. They have moved us to this indoor market. So we have to slash prices, sell stale fish and make do with meagre earnings."

Chittibabu, who is a fish-buyer at the beach says, "I know that I pay a premium to buy fresh catch at the Nochikuppam market, but it's worth it if I can be assured of the quality". He adds, "Is the Koyambedu market (a fruit, flower and vegetable market) always clean? All markets are dirty, at least the open-air ones are better."

"A beach market may smelly," chips in Saroja, "but the sun keeps drying out everything and then it can be swept away. The sun cleans the dirt."

"Garbage vans come and collect the household waste from the buildings, but not the market waste," says 75-year-old fisherman Krishnaraj R. from Nochikuppam.

Palayam asks, "The government offers many civic services to its citizens, so why can't the areas around this [Loop] road also be swept?" Kannadasan says, "The government favours only the affluent, constructing walkers' pathways, rope cars and other projects. They may pay the government to get these done." ■

Courtesy: People's Archive of Rural India (PARI). Names of the women in the story have been changed on request



Photos: Sriganesh Raman

(Anti-clockwise from left) Ranjith, who sells his fish at the market; murals on the government-allotted housing complex for fisherfolk; fishermen sorting the catch of the day



Photo: Manini Bansal

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