### **Editorial**



#### Crowd of confusion

The polls may settle the churn in Maharashtra politics

mix of national and regional issues are in focus as campaigning intensifies for the Maharashtra Assembly election of November 20. Personality clashes and the sectional interests of leaders and outfits are also at play in churn since the last Assembly election my eyes ago. Key political actors are trying to make sense of the new landscape and shape it to their advan-tage, as was evident at *The Hindu's* conclave in Mumbai that brought them all together this week. While the Bharatiya Janata Party (BJP) and the Congress are concentrating on national top-ics, the regional parties, particularly the two fac-tions of the Shiv Sena and the Nationalist Conuons of the san year and the Nationalist Con-gress Party, are more focused on regional issues. In a speech on Friday, Prime Minister Narendra Modi raised Kashmir, accusing the Congress of echoing Pakistan's view. He said the Congress, which has the demand for a nationwide caste

choing Pakistan's view. He said the Congress, which has the demand for a nationwide caste census as a central piece of its current politics, was creating a caste division. There is competitive welfarism at play between the ruling Mahayuti and the opposition Maha Vikas Aghadi (MVA). Sena leader Uddhaw Thackeray has alleged that the BJP was undermining the State's interests in development projects and private investments.

The MVA's gains in the 2024 general election were largely based on a national narrative such surprotecting caste based reservation and the Constitution. The Assembly election involves constitution. The Assembly election involv as Maharashtra is home to migrant populations from several States. The changing demography could reshape the politics of Maharashtra in the decades ahead. The polity is fragmented across six major parties in the two opposing coalitions. Additionally, numerous rebel candidates of all parties are in the fray. The ongoing campaign is a reflection of confusion and contradictions; the results may begin to settle the churn.

### The Musi's clean-up

The 'revitalisation plan' flows away from fixing the issue of severe pollution

fixing the issue of severe pollution

oon after winning the 2023 Assembly elections and becoming the first Congress Chief Minister of Telangana, A. Revanth Reddy proposed an ambitious plan to redevelop Hyderabad's Musi riverfront, with high rises, promenades, shopping complexes, and multiple bridges, in an attempt to replicate London's Thames riverfront. But much like chenna's Cooum, Kolkata's Hooghly and Delhi's Yamuna, the Musi meanders through what was once the heart of Hyderabad; the ugly centre of an urban sprawl. Like most rivers in India's urban agglomerations, and indeed globally, the Musi has for long been the city's cesspool, carrying about 2,000 million litres of sewage a day, over 60% of which is untreated. There is also a large volume of industrial effluents flowing into the Musi, mainly from the city's bustling generic drug industry, making the river toxic. Vet, about one lakh people live along the riverbanks, some of them on parts of a dry riverbed and others on the flood plains, called the buffer zone that stretches about 50 metres on either side of the river. They have lived there for generations. And many more downstream depend on the river for farming.

Therefore, it was unsurprising that Mr. Reddy would face stiff resistance from the evictees when the government began demolishing 15,000-odd structures, mostly houses, on October 1, along what is colloquially called the Old City - the part of Hyderabad where the iconic Charminar is located. This area is home to many of the city's blue-collar workforce – ragpickers, and conservations.

on ryderadad where the clinic Landman is no cated. This area is home to many of the city's blue-collar workforce – ragpickers, and conser-vancy and construction workers, several of whom have long held land titles, power connec-tions and have even been paying taxes. The go-vernment had proposed a rehabilitation plan of high-rises for the evictees, but these were in far flung places, affecting livelihoods. This is not a new phenomenon in India. This was seen in Chennai following the tsunami in 2004, when the government sought to rehabilitate several fishermen communities who have lived for generations along the coast. But even before this, there have along the coast. But even before this, there have been attempts to evict those living along the Adyar river that runs through Chennai. However, the problem with such beautification plans, including the Musi's, is that they are executed without consulting those who would be most affected. While Mr. Reddy's government says it was done, the evictees disagree. Moreover, the 'revitalisation plant', as the government likes to call it, is a cosmetic change — the eyesore disappears in the hope that it is replaced with a romanticised riverfront bustling with commercial activity. But it has not addressed the elephant in the room: permanently fixing the Musi's sources of pollution from chemical effluents and untreated sewage.

## The BRICS journey — gaining heft while in transition



against an IAL-BISURE arrest warrant linked to the Ukraine war. As the host and Chair of the summit this year, Mr. Putin dominated the show. The three-day summit pushed news about the ongoing conflicts in Ukraine and West Asia to the back pages.

Survival and a rejuvenation
The summit in Kazan, Russia (October 22-24, 2024) was the sixteenth in a series that began in 2009. Only four countries – Brazil, Russia, India and China – participated in the first two summits. South Africa joined the group at the third summit in 2011, giving it is present name, BRICS. The first decade recorded several accomplishments, but the second decade began on a difficult note. The outbreak of COVID-19 put China on the defensive; then the bloody clash between Chinae on the defensive; then the bloody clash between Chinae on the defensive; then the bloody clash between Chinae on the low; finally, Russia's inwasion of Ukraine in February 2022 triggered Moscow's confrontation with the North Atlantic Treaty Organization. All this made the grouping vulnerable.

Yet, it survived and showed signs of rejuvenation. The 15th summit's decision on expansion led to five new members: Saudi Arabia, the United Arab Emirates, Iran, Egypt, and Ethiopia. A disclosure by Mr. Putin that 34 more nations are desirous of joining the grouping signifies that BRICS is headed upwards. Post-summit, the Russian projection was that this grouping represents the Global Majority.

This transition trajectory needs to be factored in while assessing the outcomes of the Kazan summit and their broad implications for the world, BRICS does not strive to create a new world order. It just wants to reform the present ones to that it works for everyone. The grouping is driven by "the BRICS spirit", which is imbued with eight specific characteristics: untual respect and understanding soverein equality, solidarity, democracy; openness; inclusiveness; collaboration, and consensus. It is committed to promoting intra-BRICS cooperation under three verticals; political and security, economic and financial, and cultural and people-to-people cooperation. Survival and a rejuvenation The summit in Kazan, Russia (October 22-24,

verticals: political and security; economic and financial, and cultural and people-to-people

nnancial, and cuttural and people-to-people cooperation.

BRICS, initially a grouping of emerging economies, is now primarily a platform for Emerging Markets and Developing Countries (EMDCs). It is a combined grouping of the east and the south, juxtaposed to the Global North. There are notable anti-western tendencies within the BRICS, but its moderate members are



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committed to safeguarding its non-western orientation. Pushing for comprehensive United Nations reform, the grouping devised at Johannesburg a careful formulation to support the aspirations of countries from Africa, Asia and Latin America, "including the BRICS countries" (meaning India, Brazil and South Africa) to play a more significant seguing the properties of the countries of the cou Brazil and South Africa) to play a more significant role in the UN, including its Security Council. This remained unchanged at Kazan; no further improvement was registered in favour of the three aspirants. None was expected as China's reluctance to go beyond this formula is an open

secret.

Another significant element was the grouping's Another significant element was the grouping's call for the elimination of unilateral economic sanctions. It depicts them as unilateral measures, aptly highlighting that they are contrary to international law and have far-reaching implications for human rights.

#### Verticals and their focus

On the first vertical relating to peace and security the summit focused on the conflict in West Asia, to which several paragraphs were devoted in the declaration. Paragraph 30 has scathing criticism for Israel's actions without any reference to the to which several paragraphs were devoted in the declaration. Paragraph 30 has eaching criticism for Israel's actions without any reference to the October 7 terrorist attack by Hamas. The grouping has called for an immediate and comprehensive ceasefire, unconditional release of all hostages, and the establishment of an independent 'State of Palestine'. Israel, whose military dominance of the region continues, was not impressed. Its response came in the form of a direct air attack on Iran, a member of BRICS.

With Russia as the chair of BRICS, the grouping said much less about the continuing war in Ukraine. Members were content with reiterating their national positions and calling for the end of war through dialogue and diplomacy while underlining the need to address "the root causes" of conflicts.

On the second vertical of economic and financial cooperation, the common currency issue received maximum attention, The decision taken was along expected lines. The use of local currencies in financial transactions between BRICS countries and their trading partners will be facilitated further. However, the issue of deeper financial and banking cooperation will continue to be studied by the Finance ministries of the member-states.

With Saudi Arabia still hesitant about joining

member-states.
With Saudi Arabia still hesitant about joining
BRICS fully, initial expectations of a massive
capital injection into the New Development Bank
remain unfulfilled. Therefore, the leaders restricted themselves to suggesting further improvement in the bank's workings and expressing their commitment to develop it into "a new type of MDB in the 21st century."

The third vertical aims to strengthen

people-to-people exchanges for social and economic development. Cooperation involving sports, culture, parliaments, civil society, business, and think tanks could have a beneficial long-term impact. Finally, a crucial decision related to the grouping's expansion. The outreach session was bald on the last day with the participation of 34.

grouping sexpansion. The outreach session was held on the last day, with the participation of 34 states. Having approved the guidelines and criteria, a new category of 'partner state' was created. Thirteen countries have been invited to join the grouping as partner states. Latin America: Cuba and Bolivia; Eurasia: Belarus and Türkiye; Africa: Algeria, Nigeria, and Uganda; Southeast Asia: Indonesia, Malaysia, Thailand, and Vietnams and Central Asia: Razakhstan and and Vietnams and Central Asia: Razakhstan and Southeast Asia: Indonesia, Malaysia, Thailand, and Vietnam; and Central Asia: Kazakhstan and Uzbekistan. Clearly, the third expansion will further augment the BRICS family's share of the world population, international trade and GDP. Between now and the next summit in Brazil in 2025, most of these states may be included as partners, but they are expected to clamour for their early elevation as full members. Hence, the transition may continue for some more time.

#### From India's lens

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From India's perspective, BRICS figures among the top six plurilateral groupings today – G-2O, Quad, BRICS, BIMSTEC (The Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation, G-7 othere India has a nearly permanent guest status), and the Shanghai Cooperation for ganisation (SCO). BRICS helps India to promote multipolarity in the world, exercise its strategic autonomy, deepen its relations with Russia, and effectively advocate the interests and agenda of the Global South. In addition, the latest summit served as a useful platform for the first meeting in about five years between Prime Minister Narendra Modi and President Xi Jinping. Bilateral negotiations resulted in an agreement on border patrolling arrangements and disengagement. Hence, this meeting, held on the summit's sidelines, heraded the beginning of a rapprochement between New Delhi and Beijing, As China-India relations improve, the strategic space for India to deal with its western partners may also expand.

India attaches a high degree of importance to making BRICS an effective instrument for international cooperation. This nation has made a tangble contribution in this direction and is eager to continue doing so. Initial caution over

international cooperation. This nation has made a tangible contribution in this direction and is eager to continue doing so, Initial caution over expansion has now been replaced by a sober calculation that increased membership, if handled properly, will enhance the influence of this plurilateral grouping. Above all, BRICS allows India to serve as a bridge between the west and the east and between the north and the south, thus turning New Delhi into a geopolitical sweet sroot today.

## Staying cool, but with clean tech, global collaborations

n a rapidly warming world, cooling is not merely a luxury but a necessity, especially for vulnerable populations. International cooperation on clean energy and cooling solutions is a crucial step toward addressing the climate crisis. On September 21, 2024, the Quad nations (Australia, India, Japan, and the United States) issued the Wilmington Declaration, which underscores the Quad's commitment to sustainable energy solutions, particularly focusing on high-efficiency cooling systems. The aligns with the earlier joint statement by India and the U.S., which detailed a road map for and the U.S., which detailed a road map for building resilient and secure global clean energy supply chains, placing a special emphasis on clean cooling technologies. Both statements highlight the urgent need to deploy affordable and energy-efficient cooling systems in climate-vulnerable regions while advancing global climate eoals.

climate goals. India's leadership in these efforts is India's leadership in these efforts is particularly noteworthy. As part of the Quad's clean energy initiatives, India has pledged significant investments in solar and cooling infrastructure across the Indo-Pacific region. Along with the U.S. and India's joint plan to expand manufacturing capacities for high-efficiency air-conditioners and ceiling fans, these developments could significantly reduce the climate impact of cooling systems.

Cooling-related emissions
The broader relevance of these international efforts can be seen through the lens of the Montreal Protocol and its Kigali Amendment (2016), which already set a precedent for collective global action on cooling-related emissions. As global temperatures rise, increasing demand for cooling makes it imperative for the world to adopt the lessons of these frameworks, reducing harmful emissions while transitioning to sustainable alternatives.

The Kigali Amendment expanded its scope to target hydrolluorocarbons (HFCs), potent greenhouse gases used in cooling appliances. Left



Director of the India

There is a

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Programme at the Institute for Governance & Sustainable

International cooperation on clean energy and cooling solutions is

another crucial step in climate crisis

unchecked, HFCs could contribute to 0.52°C of warming by 2100. Maximising the Kigali Amendment's impact requires aligning the HFC phase-down with energy efficiency improvements. More efficient cooling systems could deliver about two-thirds of total greenhouse gas reductions by cutting electricity consumption. This would reduce emissions, lower air pollution from fossil fuel power plants, and save costs for manufacturers and consumers

and save costs for manufacturers and consumers. Climate change has heightened two critical threats related to cooling: the indirect emissions from inefficient air-conditioning and refrigeration systems powered by fossil fuels, and the direct emissions from harmful refrigerants. However, many countries still lack integrated energy efficiency and refrigerant standards. many countries still lack integrated energy efficiency and refrigerant standards. High-efficiency air conditioners using climate-friendly refrigerants are available, but inefficient models using outdated refrigerants dominate many markets. Without stronger regulations, developing nations risk becoming dumping grounds for these inefficient applian dumping grounds for these inefficient applia exacerbating climate and energy challenges

Having a mission-mode approach
In 2024, parts of India experienced temperature
over 50°C, underscoring the need for cooling to
ensure thermal comfort, preserve food, medical
supplies, and industrial processes. India, one of
the most climate-vulnerable nations, faces
increasingly severe heatwaves that endanger
millions. By 2030, an estimated 160 million to
200 million Indians could face deadly heatwaves
annually. The country's workforce, heavily
exposed to extreme heat, risks significant
declines in productivity, health, and food
security. Cooling demand is expected to surge,
with air conditioner sales rising 16% for every
degree over 30°C. By 2050, India may have the
world's highest cooling demand, with over 1.14
billion air conditioners in use.
India ratified he Kigali Amendment in 2021,
committing to reduce HFCs by 85% by 2047. The
India Cooling Action Plan (ICAP) targets a

20%-25% reduction in cooling demand, 25-40% in energy consumption, and a shift to low-global warming potential (GWP) refrigerants, demonstrating leadership in climate-friendly cooling. A mission-mode approach is needed to tackle these challenges. A national mission for sustainable cooling would require focused leadership, cross-sectoral collaboration, and coordinated efforts across ministries. Establishing an inter-ministerial working group, planning a launch event, and allocating an initial budget are essential. National capacity-building initiatives and dedicated budget lines must follow for

### COP29 and the momentum of COP28 International commitments to clean ener

COP29 and the momentum of COP28
International commitments to clean energy
cooling are encouraging, but technologies must
remain affordable. The U.S.-India partnership and
local manufacturing of high-efficiency cooling
systems. The challenge is in ensuring equitable
access, particularly in developing regions where
cooling needs are the greatest. Rising global
temperatures require scaling up energy-efficient
solutions without straining fragile electricity grids
or leaving vulnerable populations behind.
India's proactive approach to cooling
challenges, especially through the ICAP, positions
it as a global leader in sustainable cooling. The
country can protect its population from heat
while leading the global fight against climate
change, ensuring thermal comfort for all.
At COP28 (Dubai), 63 countries pledged to
reduce cooling emissions by 68% by 2050. The
Global Cooling Pledge, though non-binding,
could provide cooling access to 3.5 billion people
by 2050 and save \$17 trillion in energy costs.
However, global action must accelerate to make
this a reality. COP29 must build on the
momentum of COP28 by expanding cooling
commitments. This includes increasing
participation in the Global Cooling Pledge and
enhancing partnerships across sectors and
nations. nations.

#### LETTERS TO THE EDITOR

There is no doubt that 'stubble burning' by farmers in some northern States adversely affects the air quality in these areas, including the National Capital Territory. It is also a situation where the Supreme Court of India has to repeatedly issue orders to try and address the issue.

But one is not quite sure if But one is not quite sure if the Court intended to solve the problem only by fining those who carry out burning, it also leads one to think that there are no scientific alternatives other than punishing farmers. It is for agriculture scientists and planners in the government to find methods, other than burning, to dispose of the

stubble, safeguard the financial interests of farmers, and, finally, safeguard the health interests of the general P.R.V. Raja,

Olympic Games bid India's bid to host the 2036 Olympics is still in its very

early stages, but there could be several factors influencing the country's chances. India's investment in sports infrastructure would demonstrate its commitment to hosting international events. Collaboration with other countries, such as France, to exchange expertise is also a positive influence. India's

proposal to include unique disciplines could help. **Kolluru Raju,** Kakinada, Andhra Pradesh

India's expression of interest may seem welcome in keeping with its aspiration to become 'developed' by 2047. However, the huge costs excluding investments in urban and transportation

infrastructure and the slew of abandoned and overgrown venues after the games are held, serve as games are held, serve as reminders of catastrophic financial mismanagement due to poor long-term planning. India can ill-afford such huge spending at this stage.

### ROUND ZERO



## In the name of the law

In October, at least two families in U.P. alleged that one of their members had died due to custodial torture. In the last few years, the government has been pushing for tough measures to maintain law and order. This has emboldened the police and is allegedly leading to torture and deaths in custody, reports Mayank Kumar

apeshwari Devi recounts the night of October 25 with sadness and anger. Her son, Mohit Pandey, 32, had got into a minor dispute with their neighbour, Adesh Kumar, over a few thousand rupes. At 7 p.m., the police arrived and whisked Mohit away to the Chinhat police station in Luchow. Mohit, a manufacturer and supplier of school uniforms, had been detained for 'breaching the peace' under Section 352 of the Bharatiya Nyay Sahita (BNS), according to the police. When his brother, Shobha Ram Pandey, went to the police station to enquire about Mohit, he was also detained, for being intoxicated.

The next day, a CCTV video, allegedly from the lock-up at Chinhat police station, appeared in the public domain. It showed a man, who relatives say is Mohit, crumpled on the floor. Seven other immates, including his brother, were seen rubbing his shoulders and shouting for help. At the end of the 77-second video, the immates beg the police for help and Shobha Ram hands a bottle of water to his brother. police for help and Shobha Ram hands a bottle of water to his brother.

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Later that day, Devi's phone rang, "The caller told me that Mohit had been sent to Ram Manohar Lohia Hospital as his health had deteriorated," she says, her eyes welling up. Devi rushed to the hospital only to learn that her son was no more.

The medical staff and the police apparently told her that the chief medical superintendent of the hospital, Vikram Singh, had confirmed that Mohit had been brought dead around 3 p.m.

Devi was shocked. "They killed him, and for what? Over such a minor issue," she says.

Mohit is survived by his mother, wife, and three children. His family staged a protest outside the hospital for two days, claiming that the police had beaten him up, which had led to his death. They said that the police took him to hospital so that the torture that he faced in custody would never be known.

Shobha Ram, who was released the day Mohit died, describes the police station as "filthy" and says they were treated hadle. "When I asked for

Shobha Ram, who was released the day Mohit died, describes the police station as "filthy" and says they were treated badly. "When I asked for water, the police did not give it to us. They abused us. Mohit's health deteriorated that night," he recalls. Shobha Ram alleges that his brother died due to custodial torture.

Devi claims that no action was taken against the neighbour, Adesh. "It was due to the influence of Adesh's uncle, a political leader, that Mohit underwent such torture," she alleges.

#### A dubious distinction for Uttar Pradesh

According to the United Nations, custodial deaths refer to the deaths of individuals while in custody of a law enforcement agency or a court. They re-present among the gravest violations of human rights in societies governed by the rule of law. Such deaths may be directly or indirectly associated with events that transpire during the individual's confinement.

According to data shared by the Government

of India in the Lok Sabha in July 2022, Uttar Pra-desh ranked first in the number of custodial desh ranked first in the number of custodial deaths in 2021-22, recording 501 out of 2,544 such deaths across the country. West Bengal accounted for the second-highest number (257 deaths). "Many custodial violence cases get buried under the carpet. Only cases that get thrust into the limelight or are scrutinised by the media lead to



him, and for what? Over such a minor issue

TAPESHWARI DEVI

action or punishment," says Gajendra Singh Ya-dav, an anti-torture activist and lawyer, who filed a complaint with the National Human Rights Commission (NHRC) over Mohit's death. For instance, in June, a court in Sitapur con-

For instance, in June, a court in Sitapur convicted three police constables for abetment of sucicle and illegal detention and awarded 10 years of rigorous imprisonment to each of them in a two decade-old case relating to the custodial death of a Dalit man.

Mohit's family visited the residence of Chief Minister Yogi Adityanath on October 28. Adityanath directed officials to provide them an ex-granta compensation of 700 labh, housing, free education for the children, and access to various government schemes. Adityanath, who has repeatedly said that U.P. was an anarchy under the Samajwadi Party government and that he would ensure law and order, also assured the family that those responsible for Mohit's death would face strict punishment.

Later, Devi registered a First Information Re-

Later, Devi registered a First Information Re-port (FIR) against Ashwani Kumar Chaturvedi, the station house officer of Chinhat; Adesh; and unidentified police personnel under Sections 103 (1) (relating to charges of murder) and 61(2) (relating to criminal conspiracy) of the BNS.

#### Before Mohit, it was Aman

Before Mohit, it was Aman
Aman Gautam, 28, used to do electric work for
daily wages. His sister, Sudha Gautam, remembers the night of October II when he was sitting
at Ambedkar Park in Sector 8 of the Vikas Nagar
locality in Lucknow. That was the night he died.
The U.P. police said in a statement that following reports of gambling activities, they landed at
the park and took him into custody. They claim
that while he was on the way to the station,
Aman's condition deteriorated. When he was taken to Lohia hospital, he was pronounced dead.

ken to Lohia hospital, he was pronounced dead.
"He died due to torture by the police in the
van. He was severely beaten by them," Sudha al-

leges. She describes the incident as a "conspira-cy", as another man, Sonu Bansal, who was ta-ken into custody, was unharmed.

"While we faced a lathi charge when we prot-ested outside the Vikas Nagar police station, no case of murder was registered against the ac-cused police personnel," she says. They demand-ed a case be registered relating to murder and cri-minal conspiracy against the officers. However, a case was registered under Section 105 (culpable homicide not amounting to murder) of the BNS

case was registered under Section 105 (culpable homicide not amounting to murder) of the BNs and Sections 30(dd) and 32(2W) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, against four policemen.

The family alleges that while in the Chinhat death case, the government provided compensation, housing, free education, and government benefits to Mohit's family, they offered little help in Aman's case despite repeated assurances.

"Only Lucknow East MLA, O.P. Srivastiava, provided Yl lakh as 'help'," Subha says. "Where will we go? We are Dalit. So, this is the treatment we get," she says. Sudha is distraught but worries more than anything else about Aman's four-year-old daughter.

#### A basket of failures

Mohammad Haider Rizvi, an advocate at the Alla-habad High Court and a human rights activist, says there are many reasons for the high number of custodial deaths in U.P.: the "lack of competence of law-enforcement agencies in investigat ing a crime, the pressure they face from their su periors, and the threats they receive of getting suspended or removed from the field if they do not 'show results." The other reason, he con-tends, is the 'failure of human rights organisa-tions to address the scourge."

tions to address the scourge."
Yaday, the anti-torture activist, says the U.P. government has emboldened the police with the aim of maintaining law and order. This, he believes, has contributed to extra-judicial violence. For instance, just months after coming to power in 2017, Adityanath declared that his government would buildoze the houses of those who even considered perpetuating crimes against women or against marginalised sections of society. "Such measures lead to a regressive approach by the police in dealing with suspects," says Yadav.

In the run-up to the Jharkhand Assembly elections, Adityanath appealed to the people to vote in a government that will eradicate the mafa, like

in a government that will eradicate the mafia, like the "U.P. model" had. He was welcomed in Koderma, where the rally was held, by 11 bulldozers.



In U.P., the parrative is that the state is extremely powerful and will crush people who do wrong. That mindset is seen in the police force too

D.R. SAHU

He said, "Before 2017, mafia groups roamed free-ly with pride, but since the bulldozers began their work, even the most notorious people have fled U.P. Mafia groups involved in mining, forests, animals, organized crime, liquor, and land have vanished from the State like horns from a don-low's head."

Valuation of the state the ministroin a doi: key's head."

To make matters more difficult for victims and their families, the NHRC and the State Human Rights Commissions (SHRCs) are primarily re-commendatory in nature. The NHRC and SHRCs

commendatory in nature. The NHRC and SHRCs have neither the power to punish violators of human rights nor to award any relief of any kind to victims. Their recommendations are not binding on the government. "These groups have become ornamental organisations and a haven for retired judges and bureaucrats," believes Rizvi.

Sociologists say a culture of unchecked power within law enforcement is also a factor. "In U.P., the narrative is that the state is extremely powerful and will crush people who do wrong. That mindset is seen in the police force in the State too," says D.R. Sahu, the head of the sociology department at the University of Lucknow.

Rules and no implementation
In an attempt to curb incidents of custodial
deaths and harassment in police custody, U.P. director general of police, Prashant Kumar, issued
comprehensive guidelines in July to all district
police chiefs and field officers of the State. The
guidelines state that an inquiry should be conducted to accertain an inquiry should be conducted to accertain an inquiry with status. ducted to ascertain an individual's health status before they are taken to the police station; that a suspect should be brought in for questioning onbefore they are taken to the police station; that a suspect should be brought in for questioning only after the police station in-charge is informed about it; that if a suspect's health deteriorates in police custody, the entire sequence of events should be photographed and videographed; that medical facilities should be provided to them in such a scenario; and that only an investigation officer or the police station in-charge should interrogate the suspect.

"But the problem is not with the rules," says Sulkhan Singh, former DGP of U.P. "It is with implementation. India ranks 79 out of 142 in the Rule of Law Index 2024. It was 57 in 2015. This statistic reveals the real picture." The Rule of Law Index is published every year by the World Justice Project, a Washington-based organisation that works to build awareness and stimulate action to advance the rule of law worldwide.

On some other crime-related parameters too, U.P.'s performance is dismal. In the latest (2022)

U.P.'s performance is dismal. In the latest (2022) report of the National Crime Records Bureau (NCRB), the State recorded the highest number of crimes against women (65,743 cases such as rape, murder, kidnapping, murder after rape, and gang

#### No anti-torture laws

No anti-torture laws
India lacks specific laws against torture. The Prevention of Torture Bill, 2022, tabled in the Lok
Sabha by E.T. Mohammad Basheer, aimed to prevent custodial torture and ensure that compensation is awarded to victims and that erring public
officials are liable for punishment. "Sadly there is
no hope that this will get passed," says Rizvi.
Critics of the BNS say the police themselves investigate cases of custodial torture, which is why
there are such few convictions.
Yadav says he cannot forget the day when Ajay

there are such few convictions.

Yadav says he cannot forget the day when Ajay
Yadav, a labourer from Jaunpur, visited him in
Prayagraj. "He was so broken, he was ready to
sel all his ancestral land and cattle to get justice
for his brother, who was killed while being tor-

for his brother, who was killed while being tor-tured by the police," he says.

The case dates to February 2021 when Ajay's younger brother, Krishna Yadav alias Pujari Ya-dav, died. Yadav, the activist, persued the case in the High Court, pushing for a probe by the Cen-ral Bureau of Investigation (CBD). He says, "The probe unearthed facts about how the torture of the deceased was planned. Initially, the role of nine police personnel come to the fore; then, more policemen came under the radar. For nine months, the accused escaped the arrest warrant. But then they were arrested and have been in pri-son for more than a year." The policemen were booked under various sections of the Indian Pe-nal Code, including 302 (murder).

However, this is an exception and not the

booked under various sections of the Indian Penal Code, including 302 (murder).

However, this is an exception and not the norm. Between 2001 and 2020, more than 1,800 people died in police custody across India, but only 26 policemen were convicted, according to the NCRB's annual Crime India report.

Although India signed the United Nations Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment on October 14, 1997, it has not ratified it.

In its 118th report, the Law Commission of India recommended an amendment to the Indian Evidence Act, 1872. It said that in case of custodial injuries, if there is evidence, the court may presume that the injury was caused by the police who had custody of that person during that period. The Supreme Court of India, in the case of Dilip K. Basu v. State of West Bengal and Others (1997), reiterated the concerns relating to custodial interrogation and laid down guidelines for the police. It prohibited the police from using third-degree It prohibited the police from using third-degree methods during investigation and interrogation of accused individuals, called for giving the pol-ice training and orientation, and emphasised basic human values.

The families of both Aman and Mohit are poor Sudha says Aman is the fourth sibling she has lost. "I cry for not just his child but also my sister-in-law. She doesn't have a job. How will she manage? For Dalits like us, the trauma is endless," she



Mohit's mother, Tapeshwari Devi (centre), outside the Ram Manohar Lohia Hospital in Lucknow. Photo: Special Arrangement тне нири

- THE GUARDIAN

# Our biggest demand, in J&K

People of Kashmir are resentful because of what was done to them after 2019, as was evident in the Lok Sabha polls. The BJP, fully aware of this anger, sought to deflect it in Assembly polls, but failed to do so



ZAHIR ABDULLAH

Janta Party (BJP) regime undemocratically ab-rogated Article 370, it did something unprece-dented in Indian history. Reducing one of the most empowered states into two separate Union Territories, stripping the region Union Territories, stripping the region of even a semblance of autonomy offered by the much diluted Article 370. In doing so, it seized all diluted Article 370. In doing so, it seized all powers and decision-making authority from the hands of the people, consolidating it within the central government. In an attempt to control the narrative around this abuse of power, the ruling forces suppressed the voices emerging from Jammu and Kashmir (B&K). Despite their profound anger and dissatisfaction over what was done to them in 2019, the people were too afraid to express dissent.

Once of the main instruments used im muzzling dissent has been the Unlawful Artivities Prevention Act (UAPA). Its sweeping, and arbitrary powers made it the perfect tool for the

zling dissent has been the Unlawful Activities Prevention Act(UAPA). Its sweeping, and arbitrary powers made it the perfect tool for the BJP government. Following the abrogation of Article 370, the administration began arresting an unprecedented number of individuals—targeting local politicians, journalists, photographers, human rights activists, or aryone who dared speak out. The UAPA became their weapon of choice, with fabricated and baseless charges levied against countless individuals. Before 2019, J&K saw an average of 50 UAPA cases annually. Combining both 2019 and 2020, this number surged dramatically to 573. By 2022, it rose to 371, making J&K the region with the lighest UAPA arrests in the country. The administration also wielded the Public Salety Act (PAX) to further silence the people. Acceptable proposed in the region's history, the people harbor.

Given the region's history, the people harbo uradeep emotional connection with the incar cerated, seeing them as symbols of resistance against oppression, Ironically, in their attempt to

cerated, seeing them as symbols of resistance against oppression, Inonically, in their attemptot quash dissent, the BIP government's actions post-2019 only intensified this emotional solidarity and galvanised a collective sentiment.

The BIP recognised that the National Conference (NC, Woas the only party which was vocal in opposing their agenda and has a history of being the only pro-people party in the region. As the parliamentary election campaign began, to the dismay of the BIP, NC appeared to be doing well. While the BIP's campaign began, to the dismay of the BIP, NC appeared to be doing well. While the BIP's campaign nationwide was in full swing and the party was desperate to retain power and put on a performance of normalcy, the Home Minister made a surprise visit to Srinagar. Since the BIP did not have a single candidate contesting any of the three parliamentary seats in Kashmir, this visit prompted many conjectures. Coincidentally, perhaps, the course of the election campaign in North Kashmir changed, Instantaneously, the campaign of Sheikh "Engineer" Rashid — who had been imprisoned since 2019 on charges of terror funding—gained momentum. Well aware of the deep emotional connection, the people of J&K have with those incarcerated, BIPs aw Rashid's imprisonment as an opportunity to exploit this sentiment. They gambled on Rashid, hoping that he would siphon enough



votes to secure victory for their main proxy candidate. What they hadn't anticipated was the extent to which the sentiment would connect with the people. In a bid to legitimise the illegitimate political changes in Kashmir, the party used the collective traumen of incarceration that runs deep in the hearts and minds of our people. For decades, the fear and reality of imprisonment have been a potent force. Since 2019, under BJP nelle, the number of jailed individuals and undertrials has skyrocketed. This fact and its sentiment was exploited by the regime. They sought to twist it to serve their own agenda, fabricating affase sense of ratification for everything that transpired in and after 2019, aiming to turn imprisonment into a tool of coercion to endorse their actions in the region.

However, what they failed to foresee was that this would inadvertently botter Rashids campaign, turning him momentarily into a political Coliath. This unexpected victory left the BJP in a tricky position, as they now had to explaint othe entire country how someone on trial for terror funding — someone who had historically advocated for Palsistan and secession — had won the election in "Naya Kashmir" where they claimed 'normalor' had been restored.

ically advocated for Pakistan and secession— had won the election in "Naya Kashmir" where they claimed "normalcy" had been restored. Until the 2024 parliamentary election, the powerful sentiments associated with carcer-ality in JaK had never been exploited so bla-tantly for electoral gains. However, the cam-paign for Rashid made an open appeal to the electorate specifically targeting mothers and the youth. Those campaigning on his behalf focused neither on issues of development nor on the abrogation of Article 370 or the ques-tion of statehood. Instead, the entire campaign revolved around one emotional appeal: To use the vote as a means of freeing Rashid. This res-onated deeply with the electorate, securing Rashid's victory by a margin of two laky hores.

nervote diamicans in reenig passina. In more ornated deeply with the electroate, securing Rashids' victory by a margin of two ladh votes. For the Biff, the then-upcoming [BK assembly election was a final opportunity to shield itself from the political fallout of its actions post-2019. After converting the state into a centrally-controlled quasi-dictatorship that disregarded the aspirations of its people, the party needed to consolidate power to retruactively justify its decisions. Their strategy was clear: Consolidate their mandate in Jammu and fracture the vote in Kashivi.

During the recent assembly elections in J&K, for the first time in the region's history, an unprecedented number of independent

and not in jammu, augming periectly with the BJP's strategy. Why is this trend unfolding in such a pecu-liar manner? Because it aligns directly with the BJP's plan. The people of Kashmir are enraged and resentful toward the BJP for what was done to them after 2019, a sentiment that was done to them after 2019, a sentiment that was clearly reflected in the parliamentary election results. The Bij fully aware of this anger, sought to deflect it by redirecting it toward an even deeper and more powerful emotion of incar-ceration. The entire situation is paradoxical. The very carceral state created by the Bji'b be-came the central pivot to further incarcerate the people of BiK, both metaphonically and lit-erally. By manipulating the sentiment of im-prisonment, the Bji'b has tried to turn the state's anger into a tool for its own political gain using the people's trauma to entrench their own power. However, the second time round, the politically sharp and seasoned masses of JiaK saw through the abuse of their trust. The Bji'p government erased the constitu-

The BJP government crased the constitutional rights, guarantees and safeguards of the people of J&K. The justification offered was that it was done in favour and in service of the people of J&K. However, with the result of the assembly election, these falsehoods lie diminished and sobered by the very people who it claimed to benefit. The people are calling out for their rights to be restored and the mandate for the NC is a mandate to struggle for the restoration of our lost constitutional rights and guarantees.

The political parties in the region have had to work to restore their faith in democracy and elections. The recent justie in votting percentages in J&K speaks to the last ditch effort by the people to vent their frustration with the powers that be and to use their vote to elect a The BIP government erased the constitu

the people to vent their frustration with the powers that be and to use their vote to elect a party that has a long history of struggling for the rights of the people of the region. The NC has stood its ground against the divisive and cornosive politics of BJP. The central govern-ment now must respect the wishes of the elec-torate, BJR's biggest demand remains the de-mand for its rights, to be treated equally, fairly and without contempt or prejudice.

The writers are practising lawyers in the Delhi High Court and the Jammu & Kashmir and Ladakh High Court. Views are personai

## Unshackle the rupee

Exchange rate needs to be able to respond freely to market forces



RAIESWARI SENGUPTA

RECENTLY. THERE HAVE been several re ports about the stability of the rupee against the US dollar. This is typically de-scribed as a positive development. But the central bank's decision to control the ex-

seribed as a positive development. But the central bank's decision to control the exchange rate is deeply problematic.

Admittedly, the Reserve Bank of India (RBI) has always intervened in the foreign exchange market to smooth out fluctuations of the rupee. However, since 1991, the intervention has never been as great as it is today. The data speaks for itself. Over the two decades through 2020, the average annual volatility (that is to say, the movement) of the rupee-dollar (NR-USD) rate typically ran around 5 per cent. But between April 2023 and August 2024, the average volatility collapsed to 1.9 per cent, an extraordinarily low level not only compared to India's own past but also its emerging economy peers. To be clear, if exchange rate stability comes about as a natural outcome of market fores, it is welcome. For example, the euro-dollar exchange rate is one of the most stable, not because a vast number of players are freely able to take money in and out of these financial markets, creating huge but roughly balanced cross-border movements of capital, which keep the exchange rate stable. The rupee's recent stability, however, has not been driven by market forces. It has come about due to an apparent change in the RBI's currency policy, Since late 2022, the RBI has decided to actively intervene on both sides of the foreign exchange market, on some days buying dol-

intervene on both sides of the foreign ex change market, on some days buying dol

change market, on some days buying dol-last to prevent the rupee from appreciat-ing and on other days selling dollars to prevent depreciation. It is only a smaller aggeration to asy that without any an-nouncement or public debate, the rupe has become pegged to the dollar. There are several fundamental prob-lems with this change in currency policy. To begin with, it goes against basic eco-nomic principles, for any country that as-pires to be a developed economy, the price of any good, service or assets should not be determined by the state, Just as we do not want the price of fomations or computers to be fixed by the state, it is not a good idea to fix the price of the rupee either. The price to fix the price of the rupee either. The price should instead be left to the market. This because the price system in a market econory performs a crucial function: It conveys information about demand and supply to buyers and sellers, who can then adjust their behaviour accordingly. As each group responds to this signal, demand is gradures and sellers, who can then adjust ally brought into balance with supply. In contrast, when the state sets the price, the information system gets distorted. One only needs to look at India's own history to see what can go wrong. In the pre-1991 era, controlled prices led to shortages of nearly every major good that to fix the price of the rupee either. The price should instead be left to the market. This is

people wanted to buy, such as carsor tele-phones. Most scarce of all were imports, which people could not obtain easily be-cause the pegged exchange rate led to shortages of foreign exchange. Ultimately, these problems led to the crisis of 1991, when the entire system broke down. This is not a uniquely Indian story. The list of countries that got into serious trouble af-ter pegging their exchange rate is a long one, including major economies such as Argentina, Brazil, Mexico, Russia, South Korea, Thailand and Turkey. That is why nearly all emerging economies have de-cided in recent years to free their exchange rates.

nearly all emerging economies have de-cided in recent years to free their exchange rates.

So much for theoretical principles. What about practice? After all, sometimes the practical problems of a theoretically-best policy can be so large that it simply needs to be abandoned. But that was not the case here, which brings us to the next problem with the new currency policy: It did away with a long-standing system that was working perfectly well. The previous flexible exchange rate pol-icy had two practical advantages. First, the exchange rate moved up or down over the business cycle which in turn helped smooth out output fluctuations, During per-fords of high growth when exports were growing and foreign capital was flowing in, the rupee appreciated which peevented the economy from overheating. When the economy from overheating. When the economy as in a downturn, the rupee de-preciated, making Indian goods and serv-ices more attractive to foreigners, and pro-moting an export-led recovery. Second, because these ups and downs balanced each other out, over long periods there was stability in the real exchange rate, that is the exchange rate adjusted for the difference in inflation between India and its trading partners. In contrast, the new in-flexible system has already led to a signifi-cant real exchange rate appreciation, thereby making lindia's exports more costly hereby makin

nextose system has already set to a signim-cant real exchange rate appreciation, thereby making India's exports more costly to foreigners, and potentially undermining the Make in India drive. All these bring us to the final problem—

All these bring us to the final problemhall these bring us to the final problemseldom communicates about its currency
policy. As a result, it is not well understood
why the RBI felt the need to break with a
long-standing practice and bind the rupes
or tightly to the dollar. It is also not clear
whether this is a temporary policy or a
more long-lasting change.

Consequently, private sector participants in the foreign exchange market are
confused. They need to guess when they
see imbalances in the market, such as captial flows exerting pressure on the ex-

see imbalances in the market, such as capital flows exerting pressure on the change rate. Will the central bank intervenchange rate. Will the central bank intervence to prevent the exchange rate from moving? If so, when, by, how much, or in which direction? No one knows, So, they do not know how to respond.

The exchange rate is the most important price in a market economy, If India wants to become a high-income economy, he exchange rate needs to respond freely to market participants. If instead, the market gets distorted merely to stabilise the currency, this may prove costly in the long run.

The writer is associate professor of Economics, IGIDR

## He's back with a vengeance

Trump's return is only a beginning - there is more disruption ahead



FOUR YEARS ACQ, in November 2020, when the results of the US presidential elections were announced, Donald Trump vociferously complained that the Democrats' stole his election. Despite rejection of his claims by election officials and the courts, his Republican supporters remained convinced, with a majority believing that a widespread fraud had denied Trump a second term. Four years later, when Trump returned to bid for a second term as US president, he literally "stole the show". It was a massive victory—not only securing a majority in the electroal college, but also a popular majority, majorities in both Senate and the House, majority of state governors and majority in state legislatures. No Republican president in several decades could register such a comprehensive victory in one election.

The US electroal map looks very red, with a few blue dots on the West Coast and the Northeast. While the so-called swing states wentto Trump, cracking the Democratic "blue wall", states like Pennsykania, Wisconsin and Michigan, which voted against Republicans since 1992 except on rare occasions like 2016.

Michigan, which voted against Republicans since 1992, except on rare occasions like 2016 In what appears to be an inclusive victory, Trump garnered a substantial share in the

Latino, Black American and minority vote.

This must be seen as a victory for Trump rather than just a defeat of Kamala Harris. She was pitted against many odds in this election. She was not the natural choice of the Democrats as she did not pass through the fire

test of the primaries. That led to lack of enthusiasm in the party and senior leaders like Robert Kennedy jr and Tusic Gabard switched sides to support Trump. She had only three months for campaigning in a vast country, not enough to distance herself from the disastrous legacy of the Biden administration. Finally, enterenched sexism and gender dynamics in the American polity, that make it an uphill task for women candidates to prove their worth and win male votes too, did not help her. Despite these handicaps, she secured more than 47 per cent popular vote in a highly polarised election, indicating that the Democrat vote base remains substantially strong.

On his part, Trump faced unprecedented media bias, in fact, this election has once again exposed the extreme liberal bias of big media in New York and Washington. Trump enjoyed no-holds-barred support from Elon Music, the flamboyant Tesla CEO who also controls Twitter, now known as X, in reaching out to the millennials and young voters. One important message from this election is the reiteration of the superior power of social media over the so-called mainstream media in carrying the social media in carrying the so-called mainstream media in carrying the social media in carrying the so-called mainstream media in carrying the social media in the properties of the social media in the properties of the superior power of social media in the properties of the social media in the properties of the social media in the properties of the superior power of social media in the properties of the superior power of social media in the properties of the superior power of social media in the properties of the superior power of social media in the properties of the superior power of social media in the properties of the

tion of the superior power of social media over the so-called mainstream media in carrying

the so-called mainstream media in carrying political messages.

This mandate, at one level, was a rejection of Biderh's disastrous economic policies that led to high inflation. It was also a rejection of Biderh's, and also Harris's, NGO-style politics that led to extreme levels of wolesism and can-cel culture. One of the first presidential decrees signed by Biden in 2021 was to allow trans-

gender men to use women's toilets. With the overtand covert support of the liberal admin-istration, woke groups converted university campuses into unsafe places for people with different ideologies, so much so that parents started fearing for the safety of their children.

The very carceral state created by the BJP became the central pivot to further constrain the people of J&K, both

metaphorically and literally. By manipulating the sentiment of imprisonment, the BJP has tried to turn the

state's anger into a tool for its own political gain, using the people's trauma to entrench their own power. However, the second time round, the politically sharp and seasoned masses of J&K saw through

the abuse of their trust

different ideologies, so much so that parents started fearing for the safety of their children. Trump's emphatic victory reiterated what authors John Mickethtwait and Adrian Wooldridge described America to be: The Right Nation. Irrespective of whether they elect a Democrator a Republican administration. Americans remain conservative at the core, the book argued in the early 2000s. Trump's campaign highlighted certain conservative concerns regarding issues like ellegal immigration, abortion policies and wokeism, besides promising to "Malce America Great Again" (MAGA) through economic policies like increased import tariffs and "Buy American" campaigns. From his "build the wall" programme in 2016 to creating the "largest mass deportation programme in history" in 2024. Trump's campaign against illegal immigrants appears to have struck a chord with the American voters who were fed up with the Policies of the Democrats and Republicans over illegal migrants became so intense that the Republican governor of Pessa dumped them in buses and deported them to New York where the Democrats and spropried in the programme in blots to settle the illegals. Not just hotel rates, but crime rates too went up, leading to Harris in hotels to settle the illegals. Not just hotel rates, but crime rates too went up, leading to Harris

struggling even in Manhattan, a hardcore Democrat county. During the campaign, Trump indicated that he would restrict legal migration too by reinstating his first-term policies like "Remain in Mexico" and also a sort of "ideological screening" for immigration seekers by restricting entry from certain countries in the Middle East and North Africa. On issues related to LGBT Qnad wokeness, Trump's poll-time rhetoric is bound to create a lot of heat and dust in the country. He took are asonable approach on the abortion question, refusing to impose a federal ban and returning abortion regulation to state governments. That helped blunt the Democrat campaign in favour of full abortion rights to women, and also won votes from conservative women groups for the Republicans. However, it is on the transgender issues that Trump is expected to take a tough line — he declared that he would end the practice of "boys in girls" sports" and also the mandatory DEI programmes in federal institutions. Liberals are in shock. They thought that

DEI programmes in federal institutions, Liberals are in shock. They thought that Liberals are in snock. They thought that Trump would remain an accident, an excep-tion and a historical blip. But he is back with a wengeance, demonstrating the potential tore-shape American politics in a mould they ab-hor. Trump is going to redefine the global po-litical landscape too, Woke liberals of the world have to brace for more shocks.

#### LETTERS TO THE EDITOR

#### AMERICA FIRST

AMERICA FIRST

THIS REFERS TO the editorial, Ripples of victory (IE, November 8), Trump 2.0 poses significant challenges, not just to the broader international order but also to America's allies. His repeated rhetoric that the world benefits at the expense of the US reflects a parochial approach that's out of sync with the forces of globalism. His previous calls for NATO allies to shoulder a greater economic burden do not bode well for membrations. Moreover, his 'America First' policies, including protectionist tariffs, threaten global trade and risk triggering trade wars that could harm global markets. On climate change, Tump's retreat from international agreements wowlesses efforts to tackle eventorment. retreat from international agreements weakens efforts to tackle environmental crises. A second Trump presidency is likely to result in a more fragmented world where unlateralism and nationalism prevail, undermining multilateral cooperation on critical issues.

Vijal Pant, Hempur

### IT'S STILL POLITICS

THIS REFERS TO the report, 'Akhara Parishad wants no shops of non-Hindus at Kumbh mela, officials cite bidding process' (IE, November 8). This reflects a pattern that started in 2014. BJP-ruled states have seen similar restrictions – Karnataka's right-wing groups barring

Muslim vendors attemple fairs, and UP's administration ordering vendors to display names during Kanwar Yatra (later ruled unconstitutional by SC), This latest move at Kumbh Mela under BjP's UP government violates administrative nules. The claim that non-Hindu vendors selling tea, juice, and confectionery could corrupt Sanatan Dharma is bizarre—especially since this faith has survived millennia of changes. That such worldly demands come from sadhus, who have renounced material life, reveals that this is politics by another name. is politics by another name, LRMurmu, New Delhi

#### STAY RESOLUTE

STAY RESOLUTE
THIS REFERS TO the editorial, 'Delhi to 
Srinagar' (IE, November 8). A day after 
the Jammus & Kashmir Assembly passed 
aresolution on special status—seeking 
dialogue with the Union Territory's 
elected representatives for its restoration and constitutional guarantees — 
the situation turned chaotic on 
Thursday. A brawl erupted when 
Khurshid Ahmad Sheikh, brother of 
jailed Lok Sabha MP Engineer Rashid 
and an AIP MIA, displayed a banner demanding the restoration of Article 370. 
The BJP, opposing the resolution, labelled it "illegal" and demanded its 
withdrawal. There can be no further dewithdrawal, There can be no further de-lay in restoring statehood to J&K. SSPaul, Nodia

WORDLY WISE

THE ONLY THING THAT SAVES US FROM THE BUREAUCRACY IS ITS INEFFICIENCY.

# The Indian EXPRESS Defining minority character

RAMNATH GOENKA

BECAUSE THE TRUTH INVOLVES US ALL

In AMU case, Supreme Court has underlined minority rights and expanded the ambit for their institutions

FAIZAN MUSTAFA

PROTECTION OF MINORITIES is the hallmark

of a civilisation. Franklin Roosevelt rightly re-minded us that "no democracy can long sur-vive which does not accept as fundamental to

### A SPECIAL RIGHT

SC verdict paves way for AMU's minority status. It's also welcome pushback against political projects that impose uniformity

N FRIDAY, THE Supreme Court stopped short of designating the Aligarh New Nation, the supreme court supplies short or designating the Augam Muslim University (AMU) as a minority institution. But it 8:1 werdict has provided a firm jurisprudential backing for clearing the controversy around AMU's status. It lays the ground for satisfying the university's longstanding quest to define itself as a minority institution. The judgment reverses the 1967 SC deci sion in S Azeez Basha v Union of India — the SC had then relied on a technical interpreta tion of the guarantee to religious minorities, in Article 30, to establish and run educa-tional institutions, it had ruled that AMU was neither "established nor administered" by Muslims, Though the university evolved from the Muhammadan Anglo-Oriental College founded by Syed Ahmed Khan in 1877, the Court had held that the institution's legal statounded by Syed Ahmed Khan in 1877, the Court had held that the institutions is legal sta-ture rested on the AMU Act 1920 — this legislation incorporated the social reformer's col-lege and another educational body into one university. The Azeez Basha verdict thus con-cluded that AMU was actually "established" by a colonial government Act, later amended by two pieces of legislation in independent India. The SC ruled that "AMU had surrendered its minority status to the government", Priday's verdict, in contrast, draws on a more liberal reading of Article 30 to point out that the "minority character of institutions cannot be rejected if they are conferred legal character by government statutes." In 1981, Parliament amended the AMU Act to negate the 1967 judgment. In 2005, the university drew on this legislation to reserve 50 per cent seats in postgraduate medical

courses for Muslim students. The decision was challenged before the Allahabad High courses for Mussim students. The decision was challenged before the Alianabach right Court which relied on the Supreme Court's 1967 verdict to rule that AMU was not a mi-nority institution. The HC struck down the reservation. This verdict was immediately challenged by the then UPA government at the Centre and the university's governing body. But the AMU lost the Centre's backing after the Narendra Modi-led NDA assumed office. In 2016, the Union government withdrew from the case, contending that it did not once. In 2016, the United Systems of Systems antee of limited State regulation in the administration of the institution. The State must grant the minority institution sufficient autonomy to enable it to protect the essentials of its minority character, "CJI Chandrachud, who authored the majority verdict, said. Priday's verdict should give AMU the autonomy to frame its recruitment and academic policies. The Court's interpretation of Article 30 is salutary at a time when the drive for unifor-

mily in civil laws for all communities is picking up pace — the Centre and several state gov-ernments are pushing for the Uniform Civil Code, and the UCC is in the statute book of at least one state. In a large country of many diversities, the executive would do well to take a cue from the SC's emphasis on "special or additional protection... to ensure the cultural fabric of religious and linguistic minorities".

www.hich does not accept as fundamental to its very existence the recognition of the rights of minorities". The Supreme Court's jurisprudence on minority rights, starting from the Renal Education Bill case (1957) has been one that any constitutional court can be proud of SAzez Ebsch (1967) was a rare exception that was widely critticies, with India's greatest constitutional law expert HM Seerval terming it as "productive of great public mischie?". On Friday, a several de a 56-year-old judgment and laid down the indicito to determine the minority character of an institution that had been left unanswered even by the 11-judge bench in TMA Pul Foundation (2002). In Arlyimane-Rehmania (1981), a two-judge bench noted these criticisms and referred the matter to the Chief Justice of India to constitute a seventhese criticisms and referred the matter to the Chief Justice of India to constitute a seven-judge bench. In December 1981, Parliament amended the Aligant Mustilm University Act of 1920 and clarified the doubts about the word restablish" in the long till ead no pramble of the original Act by deleting it. Resplicity de-clared in Section 2 (1) that Aligant Muslim University (AMU) was established by the Muslims of India as an institution of their choice, which had originated as MAO College and was subsenue their some constants.

choice, which had originated as MAO College and was subsequently incorporated. Chief Justice SR Das in the *Kenala Education Bill* Case had said that minority institutions are primarily for the minority that has established the institution, and there shall be only a "sprin-kling of outsiders" in such institutions. However, clarity on this issue came as late as the SY. Expheris\* (1992) and TMA Pai Foundation judgments. AMU did not have Muslim reservations in aided minority institutions was clarified only in 2005 when the 591 constitutional amendment inserted clause five in Article 15 and exempted minority institutions from SC, ST and OSC reservations.

and exempted minority historical and exempted minority historical ST and OBC reservations. In 2005, AMU first sought the approval of the central government on its new reservation policy, which was confined to MD/MS courses. The central government issued a no-

tification on February 25, 2005, accepting AMU as a minority institution and permitting 50 per cent reservation for Muslims. This was challenged in the Allahabat High Court, which declared a few provisions of the 1981 amendment as unconstitutional due to what the court termed as "brazen overruling" of the Supreme Court's 1967 judgment.

In 2019, a three-judge bench theaded by Chief Justice Ranjan Gogoi referred the matter to the seven-judge bench in the otherwest is land-mark werdict on the last working day of CJID Y Chandrachud. The dissenting judges found full with the 1981 reference, as ordinarily two judges cannot directly refer a matter to a seven-judge bench if the CJI is not on it. The Court rejected the argument that Muslims were not a minority in 1920 or did not think of themselves as a minority. It said the group must be a minority on the commencement of the Constitution and pre-Constitution institutions are also entitled to protection under Article 30, ever when founding a university. The 1967 judgment by then Chief Justice M. Wancheo tooks a formalistic and narrow

Article 30, even when founding a university. The 1967 judgment by then Chief Justice K N Wanchoo took a formalistic and narrow view of the term "establish" in Article 30 and attached undue importance to the long title, preamble and other provisions of the AMU Act, 1920, to return the finding that the uni-versity was neither established nor adminis-tured by the Mucline compounity. This exceed tered by the Muslim community. This exces-sive reliance on the 1920 Act did not find sive reliance on the 1920 Act did not find favour with the seen judge bench, which has observed that courts must pierce the legislative veil to find the genesis — who conceived the original idea, who collected funds and who took necessary steps to get governmental approval. Mere statutory incorporation cannot ispo facto lead to a loss of the minority character of an institution. The courts interpret the statute holistically to find out if AMU relinquished its minority character or incorporation. The Court also held that Basha, after recognising the efforts by the Muslims between 1877 and 1920 to establish the institution, was wrong in ignoring history.

The majority of judges rejected the argument against AMU's minority character because it was mentioned as an institution. The

Court said Entry 63 of the Union List empow ers Parliament to enact regulations in respect of AMU and does not amount to the surrender of its minority character. The CJI observed that of its minority character. The CJI observed that the terms "national" and "minority" are not at odds with each other. A minority institution can also be one of national importance. The dissenting judges, on the other hand, considered this an important facet of the university's non-minority status. Relying on earlier judgments, the CJI held that the admission of non-minority status. Relying on earlier judgments, the CJI held that the admission of non-minorities presence in the administration does not change the character of a minority institution. In the most liberal interpretation of Article 30, the CJI observed that to determine minority character, it is not necessary that the administration must be vested in the minority itself. The right to administer is the consequence of

The right to administer is the consequence of the establishment of the institution. "To do oth the establishment of the institution, "to do offine-erwise, would amount to converting a conse-quence to a pre-condition," the CJI opined. Widening the ambit of Article 30, the Court also refused to attach much significance toel-ther the provision of religious instruction or the centrality of religious buildings, like the St. Stephen's College bunk or AMU mosque. The only flip side of the majority opinion is that like in Robo it has a crowted the possibility of misonly flip sides of the majority opinion is that like in Basha, it has accepted the possibility of mi-norities giving up or surrendering their right to administer. Constitutionally, fundamental rights cannot be waived. In Ahmedabad St. Xuviers (1975), the Court held that rights of fluture generations cannot be surrendered. A three-judge bench, which will now determine the minority character of AMU, will no longer be constrained by Basha. It will be bound to apply the indicio laid down by the majority on November 8. Since the Allahabad HCs is uddements of 2005 were also based on HCs in dements of 2005 were also based on

HC's judgments of 2005 were also based or the apex court's 1967 judgment, they no longer have much significance, though ap-peals against them are pending with the Supreme Court.

The writer is vice-chancellor of Chanakya National Law University, Patna. Views are personal

### BEING OLYMPICS-READY

India's bid to host the Games shows ambition - but there are challenges that will need to be met and there is no time to lose

TITH GREAT CULTURAL diversity and projected economic might on its side, India will stake a formidable claim to hosting the 2036 Olympics. But the country will also need to convince the International Olympic Committee that it can deliver a seamless Games, The letter of intent

Committee that it can deliver a seamless Games. The letter of intent submitted last month will be scrutinised not merely for the capacity to translate on the ground fancy stadium designs, but also on India's ability to wear the cosmopolitan garb with ease, making the country feel welcoming to athletes and spectators around the world. India has a magnificent opportunity to get its house in order, and make bold strides. India will need to acquire and hone the professional abilities to host the best levels of competition in various sports. The logistics of athlete acrommodations, equipment quality controls, transport systems, upskilling of technical officials, besides raising athletes' performance in near-alien sports, will be a massive challenge. Every Games is judged on the ability of hosts to stay invisible and efficient, and India will need serious repairing of its poor repairing or privation on purchaling and challenge. utation on punctuality and cleanliness. Its record in ensuring comfort for spectators has been suspect in cricket, and that aspect will need to be upgraded drastically. Also, while sta-dium aesthetics look pretty in Power Point presentations and 3D printing, leaking roofs or sub-par sustainability goals in construction worth help in India making the cut. Climate change poses large challenges for any host, but more so for India where qual-

Limate change poses sarge chainenges for any nost, or more so for india where quality of roads and construction will need tighter quality checks, given how flooding lashed top cities and wreaked havoc earlier this year, for instance. Six medals just 12 years before the proposed Olympics also point to the need for serious intervention and plans on imminent funding cuts don't bode well for the country. Ultimately, the Olympics are a sporting event, promoting amily and peace, so efforts will need to be made to send out the message that there will be zero tolerance for those who take the law into their own hands, or seek that one: Whi do zero to retark for it may be who take the away into their own intails, of seek to cramp the rights and freedoms of others. India's leadership in promoting a multipolar world has been exemplary, and it holds a unique place as a big country not reviled by the under-developed world, or resented by the big powers. But ultimately, Olympics will be about that wooden floor board not coming undone and the roof not leaking onto the field of play, and athletes reaching the venues on time. India can pull off the fancy, but it will also need to ace the basics.

### DIGEST THIS

Himachal CID should be thankful samosas meant for CM weren't wasted. That would have been the real crime

NTHE LONG list of crimes involving the samosa — samosa manchurian, chocolate Note: In the content of contents involving the samosa — samosa maintentana, encoosate samosa pay, to name two — where does the one involving a chief minister's visit and three boxes of misdirected deep-fried goodies figure? The Case of the Vanishing .Samosas reportedly threw the Himachal Pradesh authorities into a tizzy. On October 21, when CM Sukhvinder Singh Sukhu went to the state CID headquarters to inaugurate a

21, when CM Sukkivinder Singh Sukhu went to the state CLD headquarters to inaugurate a cyber wing station, samoasa, along with cake, were ordered. Through a curious chain of events, they ended up being served to the CM's security staff instead. No story of a crime — regardless of how trivial the malfeasance may be — is complete without a twist. Here, it turns out, the disappearance of the snacks, characterised by the embarrassed hosts as an "anti-government act", actually ended up doing the honourable embarrassed hosts as an "anti-government act", actually ended up doing the honourable guest a favour. Following a recent illness, CM Suduh has been barred from indulging in deep-fried foods. Yet, the high-handedness of the investigators was not stayed by the fact that whoever was responsible for the snacks going astray may have helped the CM stick to his healthy disc. Five police personnel have been served with show-cause notices. With the state government now distancing itself from the affair, it must be hoped that

the CID will finally close the case, Because far from a crime being committed, one wa actually averted — the crime of wasting perfectly good samosas. The destiny of food is only fulfilled when it is enjoyed by someone, whether that be a prince or a peon. If the CM



Ratan Tata's unwavering support for the dreams of others was a defining quality

Narendra Modi

IT HAS BEEN a month since Shri Ratan Tata ji left us. From bustling cities and towns to vil-lages, his absence is deeply felt across every segment of society. Seasoned industrialists, budding entrepreneurs and hardworking pro-fessionals mourn his loss. Those passionate iessionais mourn his loss, i nose passionaie about the environment and devoted to phi-lanthropy are equally saddened. His absence has been deeply felt not only across the nation

lahaunopy are seeking, assay, assay,

known for mentoring India's Startup ecosys-tem, investing in many promising ventures. He understood the hopes and aspirations of young entrepreneurs and recognised the po-tential they had to shape India's future. By backing their efforts, he empowered a gener-ation of dreamers to take bold risks and push boundaries. This has gone a long way in creat-ing a culture of innovation and entrepreneur-ship, which I am confident will continue to receivable impare India's force seeks to come. sitively impact India for decades to come. He constantly championed excellence.

On a personal note, I had the privilege of knowing him very closely over the years. We worked closely in Gujarat, where he invested extensively, including in many of the projects he was passionate about. Just a few weeks ago, I was in Vadodara with the President of the Government of Spain, Mr Pedro Sánchez, and we jointly inaugurated an aircraft complex where C-295 aircrafts would be made in India. It was Shri Ratan Tata who started working on this. His presence was greatly missed.

In the most liberal interpretation of Article 30, the CJI observed that to determine minority character. it is not necessary that the

administration must be vested in the minority itself. The right to administer is the

institution. "To do otherwise, would amount to converting a consequence to a pre-

condition', the CII opined.

consequence of the establishment of the

urging Indian enterprises to set global benchmarks. This vision, I hope, will inspire our future leaders to make India synonymous with world-class quality.

His greatness was not restricted to the boardroom or helping fellow humans. His compassion extended to all living beings. His deep love for animals was well-known and he supported every possible effort focused onanimal vedfare. He often shared photos of his dogs, who were as much a part of his life as any business venture. His life was a reminder that true leadership is measured not just by one's achievements, but by one's ability to care for the most vulnerable.

one's achievements, but by one's ability to care for the most vulnerable.

For crores of Indians, Shri Ratan Tata's patriotism shone brightest in times of crisis. His swift reopening of the iconic Taj Hotel in Mumbai after the 26/11 terror attacks was a rallying call to the nation — India stands united, refusing to yield to terrorism.

On a personal note, I had the privilege of knowing him very closely over the years. We worked closely in Gujarat, where he invested extensively, including in many of the projects he was passionate about, Just a frew overest ago, I was in Vadodara with the President of the Government of Spain, Mr Pedro Sánchez, and we jointly inaugurated an aircraft complex where C-295 aircrafts would be made in India. It was 5hir Ratan Tata i have missed. I remember Shir Ratan Tata ji as a man of letters — he would frequently write to me on various issues, be it matters of government expressing appreciation for government supersing appreciation for government supressing appreciation for government sup-

pressing appreciation for gove

port, or sending congratulatory wishes after electoral victories.

Our close interactions continued when I moved to the Centre and he remained a committed partner in our nation-building efforts. His support for the Swachin Bharat Mission was particularly close to my heart. He was a vocal advocate of this mass movement, understanding that cleanlines, by giene and sanitation are vital for India's progress. I still remember his heartfelt video nessage for the Swachh Bharat Mission's 10th anniversary at the start of October. It was among his final public appearances.

Swachh Bharat Mission's 10th anniversary at the start of October. It was among his final public appearances.

Another cause close to his heart was healthcare and especially the fight against cancer level the pergamme in Assam tovoyeas ago, where we had jointly inaugurated various cancer hospitals in the state. In his remarks, he had stated that he wishes to dedicate his final years to healthcare. His efforts to make health and cancer care accessible and affordable were rooted in a profound empathy for those bat-ling diseases, believing that a just society was one that stood by its most vulnerable.

As we remember him todag, we are reminded of the society he envisioned — where business can serve as a force for good, where every individual's potential is valued and where progress is measured inthe well-being and happiness of all. He remains alive in the lives he touched and the dreams he nutrued. Generations will be grateful to him for making India a better, kinder and more hopeful place.

The writer is Prime Minister of India

The writer is Prime Minister of India



#### NOVEMBER 9, 1984, FORTY YEARS AGO

#### LOK SABHA POLIS

PRIME MINISTER RAJIV Gandhi is believed PRIME MINISTER RAJIV Gandhi is believed to have decided to go in for the Lok Sabha elections in the last week of December or at most in the first week of January, His plans are to complete the election process latest by January 5, a fortnight before the end of the present Lok Sabha's term. An announcement about the polling dates is expected around Jawaharlal Nehru's birthday, November 14.

#### SOMBRE ANNIVERSARY

THE BIRTH ANNIVERSARY of Guru Nanak, the first Sikh guru was celebrated with

olemnity in the city. Thousands of Sikhs and solemnity in the city. Thousands of Sikhs and Hindus, forgetting last week's violent riot-ing, assembled in gurudwara all ower the cap-ital and offered prayers to the guru. However, no procession illumination or fireworks in connection with the guru's birthday anniver-sary celebration was allowed, in view of the prevailing tensions in the capital.

#### R N RAO RESIGNS

THE SECURITY ADVISER to the Prime Minister, R N Rao, resigned following Indira Gandhi's assassination. Though no official announcement was made, Rao said he had resigned "three-four days ago" and that his resignation "has been accepted". He said he would hand over the charge in a day or two.
The 70 year-old police officer said, "I did not have the heart to continue." ed the age of retirement

### PAKISTAN'S PROMISE

PAKISTAN CLAIMED THAT it was determined Frank Charles Frank it was determined to prevent anti-India propaganda during Guru Nanak's birth anniversary celebrations being held at Sikh shrines in Pakistan. The Bernbassy of Pakistan issued a statement fol-lowing a news item that the Pakistani press is providing a forum to the so-called Khalistan supporters.

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## Six actions to navigate Trump 2.0



ΔΙΔΥ SRΙVΔSΤΔVΔ

ndia and the US share a high-sta note and the US share a high-stakes strategic and trade partnership. The US is India's largest trading partner, with trade exceeding \$190 billion, and is home to the largest user base for American tech giants like Google, Facebook, and Amazon.

How should India prepare to benefit under the Trump-led trade era? Here are

six actions India can take.

Lower import tariffs: From Donald

Trump's perspective, India has high tariffs, and he has repeatedly labelled the 
country the 'tariffking' over the past five 
years, citing examples like the 100 per 
cent tariff on Harley-Davidson motorcycles and 150 per cent on American 
whiskey, Mr Trump's emphasis on 'reciprocal tariffs' could pressure India into 
considering tariff reforms, even though 
India's rates are within World Trade 
Commission (WTO) norms, befuls' seen-India's rates are within World Trade Organization (WTO) norms. India's sever-age tariff of 17 per cent is indeed higher than the US' 3.3 per cent, but comparable to countries like South Korea (13.4 per cent) and China (7.5 per cent). While Mr Trump's claims may be overstated, India could still benefit from a strategic tariff review that aligns with national priorities, such as supporting learness while added manufacturing.

low-cost, value-added manufacturing and trade. With minor add India could lower its average tariff to around 10 per cent without impacting revenue significantly. This is possible as 85 per cent of trafff evenue comes from less than 10 per cent of trafff lines, while 60 per cent of trafff lines contribute under 3 per cent to revenue. A thoughtful reduction could simplify india's tariff structure – reducing slabs from over 40 to 5, capping the highest tariffs at 50 per cent, and ensuring most inpur materials are taxed less than finished goods. An intercentished regions confirm tariffs inter-ministerial review to refine t could help avoid international scr while fostering a tariff policy that sup-

while lostering a tariii policy that sup-ports India's economic objectives. Diversify IT exports: Mr Trump's criti-cism of outsourcing and his stricter pol-icies on H-1B visas raise challenges for India's information technology (IT) sector, which relies on the US for 80 per cent of its export revenue. Potential restrictions on outsourcing could affect earnings for Indian IT firms and make it harder to hire skilled talent. Additionally, Mr Trump's

strict immigration stance may complicate visa processes, increasing costs and oper-ational hurdles for Indian companies and limiting the movement of skilled profes sionals on short-term US assignments.

sionals on short-term US assignments.

To mitigate these risks, India's IT sector should diversify beyond the US, expanding operations into other markets and focusing on higher-value services like digital transformation and artificial intelligence (Al) integration for global industries.

Strengthen data policies.

Strengthen data policies: India is a large digital data generator. Data being the raw material for the new AI-driven the raw material for the new Al-driven economy, American tech companies favour the free flow of data across borders. Mr Trump may pressure India to adopt more open data-sharing policies. At the WTO, the US could push India to join the Joint Statement Initiative on e-commerce, aligning with its vision of unrestricted data movement.

India should use to every pressure the production of the

India should resist external pressure to share data freely. Nvidia CEO Jensen Huang emphasises India's potential to transform from an IT outsourcing hub

into an AI innovation ecosystem, lever

into an Al innovation ecosystem, leveraging its vast data and computing experise. He says, "There is no reason to let anyone else harvest that."

China considers data a factor of production, like land, labour, and capital, and does not share it with global firms.

No to trade pillar of IPEF: While Mr Trump's stance on tariffs is unlikely to some pillar of IPEF: While Mr Trade Pillar" of the Indo-Pacific ork (IPEF) as it does ic Fram not involve tariff cuts.

not involve tariff cuts.

In this 14-nation deal, India has committed to three of the four areas, India has wisely opted out of the IPEF Trade Pillar as it restricts domestic policies around digital trade and labour standards without offering tariff-cut benefits, India should not change its stand.

Strengthen Make in India Mr Trump is expected to boost US manufacturing subsidies through initiatives. We should be subsidied to the standard of the subsidies of the

ibsidies through initiatives like the iflation Reduction Act, sidestepping WTO rules. India can take this as a cue to strengthen its Make in India pro-

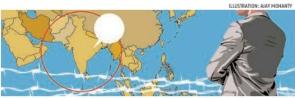
turing rather than surface-leve assembly. India and the US can collabo rate to produce solar cells from the raw material stage. This will cut dependence

material stage. This will cut dependence on China and benefit both. Respond in equal measure: India must engage with the US as an equal partner, asserting its interests objectively, and responding with measured reciprocity in all dealings — something it has successfully done before. For instance, in March 2018, when the US imposed tariffs on Indian steel and aluminium, India countered by raising tariffs on 29 specific American products. This response was carefully calibrated to ensure that India collected equivalent revenue from US imports as the US did from Indian steel and aluminium.

India should prepare in advance to benefit from the new Trump era and avoid being caught off guard.

avoid being caught off guard.

The author is founder, Global Trade Research



### The truth behind the rhetoric



A s the year draws to a close, a new dispensation is set to take over in the United States. The world is changing. What are the prospects for India in South Asia?

Many argue that over the year India has done nothing in the neighbourhood but make enemies of friends. They point to Bhutan, where the demand that Thimphu review its options of putting all its eggs in the India basket is rising. In Nepal, a new regime, supposedly bitterly opposed to New Delhi, is in bitterly opposed to New Dehl, is in place. Observes there note that "in the absence" of an invitation from India, new(est) Prime Minister K P Sharma Oil will visit China later in December before he comes to India, breaking some kind of at tra-dition. By hosting the Enemy lot in Bangladesh, ousted Prime Minister Shelish Hasina, in India, New Delhi has irredeemably shot itself in the foot in Pakistan thines. New Deini nas irredeemany snot itself in the foot. In Pakistan, things have come to such a pass that even seasoned diplomats are asking if India and Pakistan can ever be friends. Sri Lanka's new President, Antura Kumara Dissanayake (AKD), is avowedly anti-Indian and identification. Chiarca and identification. logically pro-Chinese and it is pre-dicted no good will come of it. With dicted no good will come of it. With the "India Out" campaign, New Delhi has lost every vestige of friendly acceptability in the Maldives. In South Asia, India's diplomacy is flawed and China holds the whip hand. On the face

of it, India is up a gum tree.
But are things really that bad?
In October this year, India,
Bangladesh, and Nepal signed a trilateral agreement to trade 40 megawatts (Mw) of power. For Nepal, set ing power to a third country is a first, as India has been the only buyer so as india has been the only buter of far. For now, Nepal will transmit the energy to India before India trans-mits the equivalent to Bangladesh, acting as an honest broker for the first time. This is a far cry from 1997, when a power-trade agreement between India and Nepal could not even be tabled in Parliament because it met with flerce political resistance (Nepal's Constitution mandated that foreign agreements involving reepas is natural resources had to be ratified by Parliament by a two-thirds majority and suspicions about India were running high at the time). Granted, it is only 40 Mw, but at least a beginning. In Sri Lanka, dire predictions were made about policy shifts when

AKD was elected President in September. His and his party's past AKD was erection. A party's past
—Mardist, Lenlinist, and Trotslytite,
and later uitra-nationalist Sinhala
Buddhist — led the Cassandras to
predict that India-St Lanka relations would be the first to run
aground. That hasn't happened so
far. True, the privatisation of stateowned Srl Lankan Alirways has
been sure nold and reform rather been put on hold and reform rather than privatisation will be pursued than privatisation will be pursued by the state-owned Ceylon Electricity Board. But the first phase of the Adani-John Keells Holdings (JKH) venture, the West Container Terminal (WCT), will become oper-ational in the first quarter of 2024-25. Red Sea disruptions are direct-tion reason by the state of the proper by works. ing more business Colombo-wards and hence good money is being

and nence good money is being made. And no, the government is not nationalising the WCT. In Maldives, bypassing the rhet-oric, diplomacy is at work. The country that ordered India out because of the presence of Indian

soldiers on the islands agreed to work towards a Comprehensive Economic and Maritime Security Partnership with a distinct defence component during President Mohamed Muizzu's New Delhi visit in October.

visit in October. India's foreign minister went to Pakistan in October, a first by a holder of this office in 12 years. Despite demands for her extradition, the new Bangladesh regime appears to have conceded that it is Sheikh Hasina, not India, who is the Enemy of the People. After power supplies were cut by nearly 50 per cent, Dhaka has paid its part of outstanding dues to Adani Power, which exports power to or outstanding dues to Adult of the exports power to Bangladesh from its Jharkhand plant, making it clear that it won't let politics come in the way of commerce. The trilateral power agreement above continues.

Of course, the elephant in the South Asia room continues to be

South Asia room continues to be China. But a strategy of contain-ment that goes beyond banning apps is in place in the neighbour-hood. India has told Nepal it will not buy power from entities, public or private, that have Chinese invest-ment. Nepalese investors have begun telling Chinese companies: "Don't call us, we'll call you." Bangladesh was not unfriendly with China even during Ms Hasina's ten ure as Prime Minister. But it's too soon to say what its future trajectory soon to say what its nuture trajectory is going to be. Bhutan's first elected Prime Minister, Tshering Topgay, chose New Delhi as the venue of his first official foreign visit earlier this year, reversing the previous thinking among the Bhutanese political elite that the country should rethink its executive color beful his continuous political. its geostrategic priorities. India is helping develop Gelephu, a new "mindfulness" city on the Assam-Bhutan border.

## Trump, Modi, Rahul & Formula 3

There's a formula of three pillars on which a successful campaign must rest. Trump has just followed it, as did Modi in 2014 and 2019, but not in 2024

That does Donald Trump's victory tell us about what leaders do to sweep elections, lose them, or win but sort of underwhelmingly. Think Trump now, Rahul more often than not, and Narendra Modi in

year.
rst lesson from the spectacular Trump The first lesson from the spectacular Trump win is the formula of three pillars for a successful campaign. Let's say nationalism, triumphalism and cyricism. To see how it works, look at the MAGA (Make America Great Again) concept. That America deserves to be much greater than it currently is represents nationalism. That it will be made great again — harlwing back to some not-co-distant glorious past when America was the tops — is triumphalism. Always declare victory before the fight begins.

And if you argue that America was already great, it se economy growing

And if you argue that Ameri great, its economy growing rapidly — having grown to almost twice the Eurozone's gross domestic product (GDP) compared to about 50 per cent in 2008 — its stock markets booming, and its leadership in technology and innovation lighting up the world, I will show you what cynicism is. In electoral nationalism, my nation is never great enough

electoral nationalism, mation is never great enough until I am in charge. Then, it will be so much better.

As we jump continents and switch to India, we can see why Rahul Gandhi was devastated in 2014 and 2019, while Modi dis owell. And then, why did Modi fall so short of his own expectations — and of those of the markets and pollsters — in 2024 "That 240 was a disappointment for him. A victory or potent was a letroum for one usued to delike SHEKHAR GUPTA on points was a letdown for one used to deliv-ering quick knockouts. What brought him to

that pass?

The Congress and Rahul are simpler to put to the test on our three points: Nationalism, triumphalism and cynicism. In 2014, Rahul was leading the campaign for a party in power for a deade. But his campaign rarely, if ever, highlighted its achievements. Had his party's dec ade made India greater? And was he now going to make it greater still? Did this decade make to make it greater still? Did this decade make India militarily and diplomatically stronger, strategically more secure and globally more influential? Did the Congress/United Progressive Alliance pull India out of the "morass" in which "Vajpayee's Bharatiya Janata Party (BJP) had left it"? No such thing. That took away nationalism and triumphalism. It was still so much about the rich and the poor, the inequality, the BJP's communalism, his and his party's concern for the poor, the deprived castes and the tribals. Rahul and his supporters could argue that he was staying closer to the truth — that there was indeed a lot of poyto the truth — that there was indeed a lot of pov-erty, inequality and deprivation even after 10 years of his party's rule — and ask how he could build such a triumphal campaign given this. The

build such a triumphal campaign given this. The answer lies in the third part of our three-point proposition: Cynicism.

This is politics, You are talking to the voter— or, in fact, two kinds of voters. The undecided oter who may not see much difference between you and your rival and is weighing all options. And, even more importantly, your own loyal voters. It is imperative that you modivate them so well that they are sure they're on a winning ticket and come

out to vote in large numbers. In polarised electorates, it's things like these that separate electoral routs from sweeps.

By 2019, one would have thought that the Congress uld come back with a report card on Modi's five years, an NATIONAL INTEREST

card on Modi's five years, argu-ling that it had done much better and that, if India wanted to return to that same glorious path, the electorate should vote it back in. No such thing happened. It was all about the Modi government's "corruption" (oha-kidar chor had, misgovernance, failed demon-tisation and, of course, the bolierplate charges of communalism. The entire campaign was neg-ative. There was nothing to say that India was returned the Commence and water lacked to great under the Congress, and vote us back to

make it great again.
It is one thing to say that Modi rode the postPulwama surge to override all his failures, but we
also need to ask if there was any nationalism in
the Congress campaign. Or even optimism, if triumphalism is too much to expect?
Modi in 2014, however, came riding a wave
built on ideas not very different from Trump's in
2014 is the contraction.

2024. India's security and armed forces were weak and the world did not take it seriously; there were and the works do not take it serioussy; there were frequent terror attacks, and India meeldy offered the other cheek (nationalism); India was the shaky "I" in BRICS and that he was going to take India to the top again, as it was in its "sone kl chidiya" past; and for China, there would be the "laad aaniki" (red eye, meaning hard powel) treatment.

Why there is only one Bukhara

and for Pakistan, a 56-inch chest (triumphalism) and for Pakistan, a 56-inch chest (thumphalism).

So overwhelming was this and so wound up was the Congress in its own contradictions—
seeking a fresh mandate while implicitly repudiseeking a fresh mandate while implicitly regudi-ating its preceding two — that nobody even reminded him that India was coming from a dec-ede of 8 per cent annual OD) or of all the no-winstitutions that had been built. And if Modi did not ever bother to acknowledge any of this, this was old-fashioned cynicism. He was out to make India great again, not greater. Just as Trump has now done.

Why then did Modi fall short of his own, quite VV reasonable expectations in 2024? The fact is that he had set up the campaign quite well, is that he had set up the campaign quite weil, along the same three-point winning formula. India had become great under him, as evidenced by the parade of world leaders hugging him on camera at the G20; was on its way to becoming the world's third-largest economy; and the past five-years had been the most terror-free of the pre-vious five decades. Wouldn't you vote for him if he was only going to make India greater still? Now go back to his campaign and pick the 10 high points. Almost all were about what the

In high points. Almost all were about what the Congress was saying, or what it was promising, or allegedly threatening to do: Mangaisura, buf-falo, infiltrators, love of Pakistan, minorityism, casteism, how shabblly it had treated leaders from deprived castes, dynasticism, corruption. You can counting. o many poll planks he had built in the run

up to the campaign — rising global stature (G20), the woman voter (women's reservation) and Ram the woman voter. "I make glocar south (2022), the woman voter (women's reservation) and Ram Mandir appeal to Other Backwar for Charan Singh and Karpoori Thakur—were all forgotten-This was Modl in his uncharacteristic new, defensive avatar. We noted this in a National Interest column on April 27, 2024. If these was one thing we didn't hear, or definitely not often enough, it was something like." See how I have made India great in just these 10 years. Won't you give me five years again to make it greater still?"

The fact is that Modi, uncharacteristically, got off his winning hores and shifted to an akhara fight. This broke his momentum in key states. As the big, nationalistic, triumplail messages waned from the campaign, an angey, resentful response to the Opposition's allegations replaced what usually would ve been contemptuous, Modi-style do-these guys-even-matter cynickism.

e-guys-even-matter cynicism. wasn't just a shift in messaging

of 2024 was not riding on this trolka of proposi-tions that had won him two majorities and most recently brought Trump back to power. He was merely fighting to keep what was his. He suc-

ceeded in retaining it, though just about. This is how the 303 of 2019 was reduced to 240. A pattern of what works in electoral democ racies has now been set. You will find some vari ant of the same in most others, as nationa pride, culture and identity override pure, trans al economics.

(The second part of the defence budget National Interest, promised for this week, was overtaken by US elections. It will appear next Saturday)

### Indian cricket's home truths

#### EYE CULTURE

VICHAL MENON

irat Kohli, the modern-day bat ting virtuoso, has a star-stud ded resume — one that also includes being part of two of India's

Includes seing part of two of mindas three lowest-ever scores in Test cricket As the forlorn captain, he was in the thick of action when his team suffered its lowest-ever score — 36 all out — against Australia in Adelaide four years ago. Indian batters sank to the depths of misery yet again in the just concluded Test series against New Zealand.

Under the cloudy forenoon skies in Bengaluru last month, New Zealand's pengaurti last month, New Zealand's pace trio comprising Tim Southee, Matt Henry and Will O'Rourke ran through India's batting like a hot knife through butter. India could only muster 46, their lowest tally at home. They did not have the stomach for a fight in the subsequent Test match in Pune as well.

On a raging turner, New Zealand's left-arm spinner Mitchell Santner prised open India's vaulted batting, scalping 13 wickets. Things came to boil in the third Test in Mumbal, when the hosts, in pursuit of 147, were dismissed

for 121. New Zealand, never counted among the poster boys of international cricks exposed India's fragility, hubris, and incompetence, to notch up a scarcely believable 3-0 triumph. In doing so, they ended India's 12-year, 18-series

impregnable domination at home. The result potentially complicates India's World Test Championship (WTC) final qualification. They now

have to beat Australia 4-0 in the upcoming five-match Test series ir Australia to qualify for the WTC fin India's meek surrender was brough about by their batters' abject display. Kohli and captain Rohit Sharma, looked jaded and bereft of ideas, while youngsters like Sarfaraz Khan and

youngsiers into sariarian Antanianic Shubman Gill were underprepared. At the core, this series loss has lai bare a fundamental question: Is T20 batting ethos proliferating into Test cricket? In this age of the Indian Premier

In this age of the Indian Premier League (IPL), patience is no longer a virtue for Indian batters. One rarely virtue for Indian batters. One rarely sees a defensive shot being played by them. Leaving deliveries outside the off-stump is frowned upon; attack is the best and only form of defence, and impetuosity has crept into shot selection. Sadly, the good old-world virtues have given way to power game and range hitting. It is abroader

generational problem in which the T20 format is working against Test match format is working against Test match batting skills. It is a deep-rooted malaise that has afflicted India's premier batters, and worryingly, there are no antidotes available. This is why we are witnessing impoisons like 56 all out and 46 all out so frequently. According to seasoned cricket writer Gideon Haigh, five of Test cricket's leuwest scores have come since 2010. Not

lowest scores have come since 2010. Not surprisingly, it has coincided with the rise of T20 and franchise cricket. Team India's head coach, Gautam Gambhir, acknowledged the adverse impact of white-ball cricket during a press conference in Pune last month.

"It completely comes down to " cricket, that's about it. The more T cricket is played, the lesser people defend," Gambhir said.

"Sometimes you're so used to muscling the ball that you end up forgetting the soft hands and all that torgetting the soft hands and all that stuff which probably used to happen 8 or 10 years ago. I think we need to keed defending better, especially on a turning track, because if you have confidence in your defence, a to of things can be sorted out," he elaborate With the WTC final qualification on the line, the Indian team is staring stan activated lowesties. Wat single your standard of the probably the standard of the standar

at an existential question: What constitutes their home advantage constitutes their home advantage? India is no longer the insurmountable bastion it was in the 1990s and early 2000s that had prompted former Australia captain Stephen Waugh to famously term it the "final frontier". The emergence of the IPL has meant that marque players from across the globe visit India at least once a war. The least high IPL has more a war. The least of the IPL has more a war. The least of the IPL has more a war. The least high IPL has more a war. Th

once a year. The cash-rich T20 league has shrunk the cricketing map, has shrunkthe cricketing map, stripping India of its mystique, aura, and intrigue. Nevertheless, one should not discount what New Zealand achieved on these shores earlier this month, Without their talismanic player Kane Williamson, New Zealand tamed India 3- Oin their own backyard. This would go down as one of the greatest achiev New Zealand's cricketing history, on a par with their 2021 WTC win.

Santner summed it up aptly when e said: "We beat them (India) at their own game. We outspun and outplayed them in their own conditions."



YES, BUT... SANDEEP GOYAL

first ate at the Bukhara v back in 1986. That back in 1986. That too Sikandari Raan cooked by the legendary Chef Madan Lal Jaiswal. Honestly, I had never tasted a lentil dish quite like Dal Bukharu till then. I was amazed that dal could taste so delicious. The menu was fairly spartan—the Barrah Kababs were there, and even back then, it boasted Tandoori Aloo, the Naan Bukharu and Phirmi. The experience of an open kitchen was a ence of an open kitchen was a novelty in the 1980s. The interiors—a harmonious blend of rustic elegance, featuring stone walls adorned with traditional carpets, rough-hewn trestle tables, woodenstools, along with the warm glow of copper pots and urns, contributed to the resultant's unione aestherise. The taurant's unique aesthetics. The Hussain painting that hangs on one of the stone pillars these days was yet to be gifted by the mer-curial artist to the famous eatery. The food and beverage team

famous wooden menu to be designed. I was a rookie at the agency HTA then. Anil Chan ne general manager of the hotel, as there himself at lunch to was there himself at lunch to beief me. To my untrained and still inexperienced advertising mind, fiddling with the wooden menu seemed like an unneces-sary exercise. The Bukhara, launched in 1978, was already and Sonia Gandhi were regulars in those days; and no India visit mas complete for a visiting Head of State without a rosal of Bukhara. compete for a visiting Head of State without a meal at Bukhara. Ajit Haksar, the legendary chair man of ITC, had launched Bukhara (or so the folklore goes) to serve better Indian food than Delhi's famed Moti Mahal. The new restaurant had exceeded all expectations, become india's No 1 by far.

The menu discussion that

scussion thank fully got nixed halfway th nully got nixed hallway through the lunch when Chef Jaiswal questioned the need to change it. Mr Channa was now in two minds. I was too junior to voice my opinion and preferred to keep my own counsel. Slowly, a consensus built up around the table that the wooden menu was a part of the symptoms. menu was a part of the sym bols, sights and sounds of the Bukhara. That decision has remained unchanged for 38 years, thankfully.

My next big assignment on the Bukhara was a couple of

years later. A decision had be taken at the ITC headquarters franchise out Bukhara in Ne York. I was appalled. Where w the need to have a second Bukhara? After all, there is only Bukhara? After all, there is only one Taj Mahal, just one Eliffel Tower ... wouldn't opening up another Bukhara dilute the charm (and uniqueness) of the original restaurant? But who was It oquestion the wisdom of the client big. wigs? My creative partner, Gullu Sen, and I were introduced to the Kashmiri gentleman chosen as the partner He warend to "laureh the ner. He wanted to "launch the original Bukhara with an American accent." I disliked the drawings of the interiors. Most elements of the Bukhara at the elements of the Bukhara at the Maurya were proposed to be "tweaked". And yes, we were told to redesign the menu — the wooden platter, it was felt, would not work in the Big Apple. Gullu created a beautiful Apple, Gullu created a beautinul menu using the turbans of various Afghan clans as visuals. Everyone at ITC loved it. Privately, Istill thought that the American adventure ought to be aborted — the Bukhara was too preclous a property to be replicated elsewhere.

Within a user of its leaunch

Within a year of its launch in New York, the Bukhara was shuttered. Despite a good start, the restaurant never really managed to emulate the suc-cess of the original. Business was so lukewarm that the fran-

chisee threw .... than 12 months. ITC top brass were stunned. There was a lot of introspection inere was a lot of introspection and a lot of soul-searching. A decision was taken that there would never be another Bukhara. Restaurants with an Bukhara. Restaurants was a almost identical experience, and menu, in other ITC properties would be called Peshawari (and Royal Afghan). The Bukhara offering would remain pristine. Bukhara has never served rice — never will. There are no pickles ever on the table. Naans are never served half. No butter never served nair. No butter chicken, no gravies. Despite the American set-back, efforts were still made in later years to launch Bukharas in Hong Kong, Bangkok, Ajman, Kathmandu, Singapore and Montreal. All failed. Since 1997. there is only one Bukhara. The original Bukhara. A long due les

there is only one Bukhara. The original Bukhara. Along due les-son had been learnt. Finally. Arnold Schwarzenegger. Roger Federer, Mick Jagger, Bruce Springsteen, Siing, Bill & Hillary Clinton, Prince Philip, Tony Blair and many many more celebrities have been hosted by the Bukhara over the past four decades. They came because of the mystique around the restaurant. And its around the restaurant. And its unreplicable charm. Because

there is only one Bukhara. May that never change



### No cop-out on climate crisis

COP29 must look beyond the US to progress on limiting emissions and raising finances for developing nations to transition from fossil fuels

ational delegations and climate activists converge in Baku, Azerbaijan for COP29 beginning Monday in the backdrop of Donald Trump's return as President of the United States (US). The US President-elect is a climate-sceptic and his return is seen as a setback for climate negotiations, the progress the world has made on emissions, and raising funds for developing countries, issues set to dominate the deliberations at Baku.

The concern about Trump's intransigence on the climate crisis is understandable. The US is responsible for 20% of CO2 emissions between 1850-2022 and has per capita emissions of 18 tonnes of carbon dioxide equivalent (tCO2e) compared to the global average of 4.7 tCO2e. Currently. China leads global emissions followed by the US, India and the European Union. Any policy reversal by the US could derail efforts to limit global temperature rise to 1.5°C above pre-industrial levels when the UN is already warning of 3.1°C warming Trump, not to forget, has threatened to terminate the Green New Deal and repeal the Inflation Reduction Act; his administration pulled out of the Paris Agreement in

2020. He has also said he will "drill, drill, drill". However, several multilateral agreements on climate have laid down the path to deal with the climate crisis in the face of American unilateralism. In fact, the US election result should, perhaps, be seen as a prod for greater global cooperation to achieve the Paris Agreement goals. US administrations, in any case, have maintained a hardline stance on climate and refused to acknowledge historical responsibility. They have demanded that emerging economies take on the burden of acting on climate and declined to provide adequate finance, weakening the very principles of equity and common but differentiated responsibilities Trump 2.0 could make it worse.

How best can UN climate meetings be insulated from the shocks of regime changes? The first would be to recognise that the economic losses due to climate disruption are far higher compared to the costs incurred in limiting emissions. Second, climate finance must flow from developed countries to developing countries as laid down in the convention; without finance, there can be no transition, and the developed world will suffer equally if developing nations conto depend on fossil fuels. Third, unilateral trade measures such as the Carbon Border Adjustment Mechanism (CBAM) can alienate and negatively impact developing nations. An open dialogue on these measures is a must before frictions increase. Fourth, countries must trust market forces to force corrections At COP28 in Dubai, the world agreed to transition away At COP28 in Dubia, the world agreed to transition away from fossil fuels in energy systems in a just, orderly, and equitable manner. It also agreed to triple renewable energy capacity globally and double the global average annual rate of energy efficiency improvements by 2030. Even before Dubai, the declining cost of solar and wind

Even before Dubai, the declining cost of solar and wind power had provided the economic rationale for transitioning from fossil fuels. This is a global trend — though challenges of storage and transmission remain. The onus may now be on other developed nations led by the EU, China, and India to step up the game and provide leadership based on principles laid down in the United Nations Framework Convention on Climate Change. Beijing is currently the leading emitter but also leader in dear season. We have provided to the control of the leader of the control of the control of the control of the leader of the control of the control of the leader of the leading emitter but also the control of the leader of the leading of the leader of the leading emitter but also the leader of the leader of the leading emitter but also the leader of the leader of the leader of the leader of t a leader in clean energy. It is an opportunity for India as well: The climate emergency is the existential crisis of our time and future legacies will be built around leadership provided to alleviate its impact.

# Empowering a generation of India's dreamers

Ratan Tata's life reminds us that true leadership is measured not just by one's achievements, but by one's ability to care for the most vulnerable

thas been a month since Ratan Tataji left us. From bustling cities and towns to villages, his absence is deeply felt across every segment of society. Seasoned industrialists, budding entrepreneurs, his loss. Those passionate about the environment and devoted to philanthropy are equally saddened. His absence has been deeply felt not only across the nation but also around the world.

For the youth, Ratan Tata was an inspiration, a reminder that dreams are worth pursuing and that success can occust with compassion as well as humility. For others, he represented the finest traditions of indian enterprise and a steadfast commitment to the values of integrity, execlence, and service. Under his leadership, the Tata Group ascended new heights, embodying respect, honesty, and credibility worldwide. Despite this, he wore his achievements lightly, with humility and kindness.

Ratan Tata's unwavering support for the dreams of others was one of his most defining qualities. In recent years, he became known for mentoring India's Startup ecosystem, investing in many promising ventures. He understood the hopes and aspirations of young entrepreneurs and recognised the potential they had to shape India's future. By backing their efforts, he empowered a generation of dreamers to take bold risks and push boundaries.

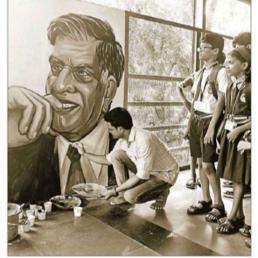
This has gone a long way in creating a cutture of innovation and entrepreneurshing

oundaries.
This has gone a long way in creating a cul-ure of innovation and entrepreneurship, hich I am confident will continue to posi-vely impact India for decades to come.

He constantly championed excellence, urging Indian enterprises to set global benchmarks. This vision, I hope, will inspire our future leaders to make India synonymous with world-class quality.

His greatness was not restricted to the boardroom or helping fellow humans. His compassion extended to all living beings. His deep love for animals was well-known and he supported every possible effort focused on animal welfare. He often shared photos of his dogs, who were as much a part of his life as any business wenture. His life was a reminder used by the control of the contr

ing originations of the continued when I moved to the Centre and he remained a committed partner in our nation-building efforts. Ratan Tata's support for the Swachh Bharat Mission was particularly close to my heart. He was a vocal advocate of this mass movement, understanding that cleanliness, hygiene, and



Ratan Tata remains alive in the lives he touched and the dreams he nurtured. Generations will be grateful to him for making India a better, kinder, and more hopeful place

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sanitation are vital for India's progress. I still remember his heartfelt video message for the Swachh Bharat Mission's 10th anniversary at the start of October, It was among his final public appearances.

der, and more hopeful place

An Another cause close to his heart was health care and, especially, the flight against cancer. I recall the programme in Assam two years ago, where we jointly inaugurated various cancer hospitals in the state. In his remarks at that time, he categorically stated that he wished to dedicate his final years to health care. His efforts to make health and cancer care accessible and affordable were rooted in a profound empathy for those battling diseases, believing that a just society was the one that stood by its most valuerable.

As we remember him today, we are reminded of the society he envisioned — where business can serve as a force for good, where every individual's potential is valued, and where every individual's potential is valued, and where progress is measured in the well-being and happiness of all. He remains alive in the lives he touched and the dreams he nurtured. Generations will be grateful to him for making hedia a better, kinder, and more hopeful place.

Necessites Multis Bruns Multiproc of India.

Narendra Modi is Prime Minister of India

### The unbearable heaviness of financial conversations

Narendra Modi

have answered reader, viewer, and listener questions about money for a long time. I have seen them change over time. There used to be entry-level questions about what to do with \$50.000 in the bank, what stocks and funds to buy, portfolio questions around asset allocation, strategy questions around saset allocation, strategy questions are beginning to come — healtartingly, with most asking for anonymity, but more steadily. These are around the family and finances, inheritances and the difficulty of money conversations between spouses, and the dashoute myth of a big happy large Indian family. We might party together daring festivals, but will also see seen other in course of the control o

aster that would end in either debt or divorce, possibly both.

While data is not available for middle-class from the United States (US) points to money questions the bank, but the state of the state



Stress about money emerges around joint expenses and apportioning costs across

the family

structure of the control of the control

disputes and three-fifths of all civil cases in India are related to property disputes. Of course, not all are linked to inheritance, but these would make up a significant portion. However, parent money issues might not be as simple as who gets what, but can have many dimensions. One listener discovered a home loan that his mother, a school teacher, took just a year before her retirement. She expected him to take over the loan, totally destroying his hard-fought financial stability. Another one wanted to find the money to compensate his sisters for the family home he had inherited.

Much of the discord can be avoided if only we would indicate clearly what we want to be done with our assets after we are gone. But even the topic of death becomes an emotional bomb in many houses. If a conversation is initiated by a son or daughter, there are two responses — you are greedy for your share or do you want me to die? Mostly it is neither, but just a desire to not have huge issues between shibings post the passing. The nominations and will are stage two decisions, the first is for us to decide who gets what after we are gone. As I answer more and more questions around these issues of money and relationships. If ind that a non-emotional, baggage-free approach works best. If we can separate the iron chaims of past events that inform our reactions today and make decisions on money keeping fairness, rationality and responsibility in mind, our lives will be lighter. So will be the situation in Indian courts.

Montha Holan is the best-selling auther of the Let's Tolk arries of books on money to the commendation of the Let's Tolk arries of books on money to the commendation of the Let's Tolk arries of books on money to the commendation of the Let's Tolk arries of books on money to the commendation of the Let's Tolk arries of books on money to the commendation of the Let's Tolk arries of books on money to the commendation of the Let's Tolk arries of books on money to the commendation of the Let's Tolk arries of books on money t

Monika Halan is the best-selling author of the Let's Talk series of books on money The views expressed are persons

ANOTHER DAY



### The 1984 anti-Sikh riots: India's unhealed wound

fier the mob set Darshan Kaur's husband ablaze, she gathered her three children, the youngest just frenzy, the baby slipped from 19-year-old Darshan's hands. But there was no time to stop. For the next three days, she and the remaining two children ran from the police station to gurudwara searching for a safe place.

a safe place.

There was none to be found. For three days following the assassination of Indira Gandhi on October 31, 1984, by her Sikh

bodyguards the capital city was the epicentre of a mass massacre, as mobs, allegedly incited by Congress leaders and spurred by Rajiv Gandhi's statement. "When a big tree falls, the ground will shake," targeted inno-cent Sikls.

cent Sikhs.

By government estimates, around 2,800 were killed in Delhi but senior advocate HS Phoolika reckons it was closer to 4,000. In Trilokpuri, I2 of Darshan Kaur's male relatives were killed. She saw a man in dark glasses and a white kurta pyjama give instructions to the crowd. In court, she

identified him as the now-deceased Con-gress leader HKL Bhagat. He was never

identified film as the now-access to deep cross leader HLR. Bhagat. He was never convicted.

Eventually, only 587 FIRs were filed, leading to barely two dozen convictions. It took 33 years for Saljan Kumar. a Congress Member of Parliament at the time, to be sentenced to life in prison. On August 30 this year, a trial court judge ordered charges to be framed against another Congress leader, Jagdish Tytler.

"Are we not clitzens of the country who deserve justice?" asks Darshan Kaur. But society just forgot about us.

To mark those days, Phoolka, who has for years appeared pro bom for the victims of the 1984 riots, recently released a video series on his YouTube channel. Earlier this month, The Kaurs of 1984 by Sanam Sutrath Wazir added to the limited literature on the riots.

While and ever towarther or read, these are

ath Wazir added to the limited literature on the riots. While not easy to watch or read, these are essential additions in an age of truncated attention spans. If justice has failed, then at least there is a record of it a documentation of one of India's most shameful chapters, Already, 1984 is receding from national

consciousness and those who lived through those days are now old or dead. I was in college then living with my parents in Civil Lines, Old Delh. I remember looking up to see the sky red from the flames of the tyre shops at Jhandewalan, most owned by Sikhs.

Sonia was just three when her family, barring a l3-year-old sister, was killed. Her memories of those days are hazy, but she sees it as her responsibility to pass on to her son what her sister told her —how the mob targeted the men, even children. How so mary girls and women were raped. Nobody filed a police complaint because of the shame.

Darshan Kaur was eventually reunited with her lost baby. Another woman had found him and kept him safe. It is perhaps the only silver lining in her story. Her I7-year-old granddaughter, Ishpreet, now in Grade II, says she never knew her grandfather: "But because we never got justice, we can never forget."

#### [ EDITOR'S PICK ]

HT's editors offer a book recommendation every Saturday, which provides history, context, and helps understand recent news events

#### A STORY OF TREES

A STORY OF TREES

There couldn't have been worse news in the run-up to the climate talls at Balu, Azerbaljan—the average global temperature for 2024, the hottest year on cered, will be L5°C above the pre-industrial era. Bear in mind that the Paris Agreement set limiting arming to 15°C as the ain. This triggered concern and conversations about the climate crisis.

There are, of course, many ways to alk about the climate crisis and environment. Richard Powers' 2018 novel The Overstory does this through fiction writing. People move its plot forward, but the reader knows throughout that trees are its real protagonist. Powers, a programmer turned writer, creates nine characters whose lives have featured trees in one capacity or another—a family "heirfoom", a saviour, even a villain for sorts)—to the families of the control o

