



Down to the wire

The U.S. presidential race is poised on a knife's edge

A second, apparent attempt on the life of former U.S. President and Republican candidate for the White House, Donald Trump, has again lent an air of drama to the unfolding U.S. election campaign. Unlike the first such attempt, in Pennsylvania in mid-July, and in which a shooter's bullet hit Mr. Trump's ear, a man with a rifle at the golf club where Mr. Trump was located was confronted by the Secret Service and taken into custody. While the two attempts may win Mr. Trump some sympathy votes on November 5, it remains to be seen whether these incidents impact the public psyche sufficiently to tip the race in his favour. As it stands, the race between Mr. Trump and his Democratic rival, Vice-President Kamala Harris, is poised on a knife's edge, with the latest national average of polls putting Ms. Harris ahead by three percentage points — 49%. Yet, analysts argue that the difference is not beyond the margin of statistical error, which would make it unwise to assume a winner based on the current trend.

Leaving aside unexpected or shock events that could dramatically shift the terms of the race between now and voting day, the old election adage and past statistical observation that a greater turnout may benefit Democrats will likely hold true in 2024. Indeed, in the 2022 mid-term elections, the performance of Republicans, who were on a strong wicket after incumbent President Joe Biden's approval rating had fallen to relatively low levels, was dented by Democratic Party supporters who turned out in greater numbers in the wake of the Supreme Court decision overturning *Roe v Wade* on the federal right to abortion. Similarly, Democrats may have felt encouraged after the first Trump-Harris presidential debate, wherein Mr. Trump made unfounded allegations about immigrants eating the pets of Americans. Immigration reform has always been a thorny issue that has punctured the campaign of many a previous presidential candidate or the policy plans of elected representatives. Mr. Trump already alienated many voters during his first term and campaign when he implemented his so-called "Muslim ban" — travel to the U.S. from certain Muslim-majority nations — and made derogatory remarks about immigrants from Mexico and parts of Latin America. While it is clear that he intends to continue down this path of racist nationalism, it remains to be seen whether Ms. Harris will be able to offer a rational and humane border and asylum policy for undocumented workers, including a reasonable and just path to citizenship for those who are productive members of American society. There is a palpable need for bipartisan politics and policy at this juncture.

Clarity of vision

A useful drug is undone by fantastic claims about its efficacy

The casual exaggeration of claims in medicine, unsubstantiated by science and facts, has long been a plague in the health sector. The promise of spectacular cures advertised in the media from time to time, in fact, prompted separate legislation to curb such claims: the Drugs and Magic Remedies (Objectionable Advertisements) Act. Last week, controversy over the claims over the prowess of eye drops prescribed for presbyopia (progressive loss of the near focusing ability of the eye due to ageing), led to the Central Drugs Standard Control Organisation (CDSCO) suspending a pharmaceutical company's permission to manufacture and market the product. The CDSCO said that the company had made claims, for which it had not been authorised (that using the drops could lead to reading glasses not being needed for presbyopia). "In view of public interest, and due to the likelihood of the public being misled by these claims," permission had been suspended. The company, ENTOD Pharmaceuticals, held that approval for the drug was based upon a valid controlled clinical trial that demonstrated efficacy and safety in 234 patients. It laid the blame for the 'claims' on to media reports on the new product "which went viral and public imagination [that] led to an unusual escalation for which ENTOD Pharmaceuticals is not responsible". Despite these protestations, the company had posted a message on X (since deleted) tagging Prime Minister Narendra Modi: "PresVu is the first DCGI-approved proprietary prescription eye drops to eliminate the need for reading glasses".

The main ingredient in the drops, pilocarpine, works by causing the pupils to constrict, creating a pinhole effect. This would enable someone with presbyopia to see better. Pilocarpine, itself, is not a new application in ophthalmology, or even, presbyopia. It has been used to treat glaucoma, though its use waned because of the side effects, and has since been replaced by better drugs. The U.S. FDA had, in 2021 and 2023, approved pilocarpine-based eye drops for use in presbyopia. While the announcement of these approvals was publicised at the time, the communications mentioned the advantages of using the eye drops, along with the side effects, a measured claim about offering another option for presbyopes, in addition to glasses, contact lenses and surgery. The intervention of the CDSCO in this case, clearly is an attempt to reinforce the Drugs and Magic Remedies Act. This is a valid intervention in India today, where frequent advertisements for fantastic cures indicate the presence of an industry that thrives on cheating gullible patients. It is the duty of the government to set store entirely by scientific data, and rein in unsubstantiated claims about drugs, no matter who makes them.

Indian military export to Israel — aiding genocide

A Bench of the Supreme Court of India, headed by the Chief Justice of India, recently dismissed a petition filed by former civil servants, academics, and activists. The petition, in *Asish Kumar Sharma and Others vs Union of India*, had sought the suspension of existing licences and the withholding of further licences by the government to public sector and private companies, for exporting military equipment to Israel during the ongoing war. While the Court made it clear that it was not ruling on the merits of the case, it went on to issue a somewhat detailed judgment. The dismissal raises important questions about the limits of judicial review over executive decisions in matters of foreign policy and especially where there are grave violations of international humanitarian law.

ICJ opinion

The challenge was in view of the International Court of Justice (ICJ), in January, ordering provisional measures against Israel, for violations in the Gaza strip, of obligations under the Genocide Convention. The provisional measures included an immediate halt to all killings and destruction being perpetrated by Israel. In light of this judgment, United Nations experts warned against the transfer of weapons to Israel which may "constitute serious violation of human rights... and risk State complicity in international crimes". In July, the ICJ rendered a detailed opinion declaring that the sustained abuse by Israel renders "Israel's presence in the Occupied Palestinian Territory unlawful". The ICJ observed that "all States are under an obligation not to render aid or assistance in maintaining the situation created by Israel's illegal presence".

Earlier, in an adjudication before it regarding military support by Germany to Israel (*Nicaragua vs Germany*), the ICJ had significantly stated that "all States are under an obligation not to render aid or assistance in maintaining the situation created by Israel's illegal presence". Earlier, in an adjudication before it regarding military support by Germany to Israel (*Nicaragua vs Germany*), the ICJ had significantly stated that "all States are under an obligation not to render aid or assistance in maintaining the situation created by Israel's illegal presence".

Many countries that are parties to the Geneva and Genocide conventions have halted the supply of military equipment to Israel, in furtherance of these binding obligations. Canada, Spain and even the United Kingdom have suspended licences of companies supplying arms to Israel.



Prashant Bhushan

was the counsel for the petitioners in the challenge to export of arms to Israel



Cheryl Dsouza

was the counsel for the petitioners in the challenge to export of arms to Israel

The top court's dismissal of a petition on the subject highlights the limits of judicial review over executive decisions in matters of foreign policy, especially in violations of humanitarian law

As a party to these Conventions, India has similar obligations incumbent upon it. India is obligated under the Genocide Convention to take all measures within its power to prevent genocide. Article III of the Convention makes states' complicity in genocide a punishable offence. The obligation not to supply weapons to states that are possibly guilty of war crimes is an obligation directly based on common Article I of the Geneva Convention. The principles in these Conventions are peremptory norms of international law. India, therefore, cannot export any military equipment or weapons to Israel, when there is a serious risk that these weapons might be used to commit war crimes.

Where the Supreme Court failed

In its judgments, the Supreme Court of India has held that India is under obligation to interpret domestic law in the light of the obligations under the conventions and treaties that India has signed and ratified. However, the Court while dismissing the present case has held, that first, international obligations are not binding, since the country (Israel) which is in violation of international law (the Genocide Convention), was not before the Court. The state of Israel not being a party before the Court in such a challenge is irrelevant, since no relief was being sought against Israel, but against the government of India and private companies exporting arms to Israel, thereby violating international law obligations. The Court further stated that the petitioner's submissions were with regard to the "conduct of an independent sovereign nation, namely Israel" and that to grant the relief sought, it would have to enter findings with regard to the petitioner's allegations against Israel. Again, the allegations by the petitioner were with respect to the conduct of India in sanctioning military exports, thereby abetting genocide. And the determination of the conduct of the state of Israel was premised on the ICJ, that had in a detailed order of the full court, while ordering provisional measures against Israel, noted the numerous reports by UN Special Rapporteurs and international aid organisations documenting how Gaza was a place of "death and despair".

The Court's rationale is also indefensible given its judgments that "Constitutional provisions must be read and interpreted in a manner which would enhance their conformity with the global human rights regime... and the Court must adopt an interpretation which abides by the international commitments made by the country particularly where its constitutional and statutory mandates indicate no deviation" (2017) 10 SCC 1. The ICJ has also held that states that are party to a particular convention "whether or not it is a party to a specific conflict, is under an obligation to ensure that the requirements of the

instruments in question are complied with," (Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004 (I), pp. 199-200, paragraph 158). Such an obligation "does not derive only from the Conventions themselves, but from the general principles of humanitarian law to which the Conventions merely give specific expression" (*Nicaragua vs United States of America*).

Second, the Court reasons that seeking a suspension of licences with regard to contracts with international entities, including with the state of Israel, may involve a breach of contracts and other fallouts. Certainly, that is what the petitioners prayed for — a halt to all licences for the export of military arms to Israel in view of the genocide and yes, pending contracts. The Court's fear that this would lead to a breach of contract is misplaced, because any party to a contract to export of arms can always claim *force majeure* (there, due to the outbreak of a war and genocide by Israel). The same situation would arise if the Government of India were to itself suspend the licences, which it can do in such situations, as done by many other countries. Being aware of the serious risk that acts of genocide could have been committed by Israel, the government is bound to employ all means reasonably available to it to prevent genocide, which would include suspension of export licences for military aid to Israel. No contracting party can argue and let alone the court endorse as it does in this case, that licences cannot be suspended by the government (in a situation of genocide) because it affects the "financial viability" of the companies concerned.

And, third, the "self-imposed restraint on Courts entering areas of foreign policy" was raised against a mere bogey to dismiss the challenge. India has binding commitments under international law, especially in the context of the application of Conventions that it has signed and ratified, and once the Supreme Court has held that such international law obligations which are not contrary to municipal law, must be read into the law of our land, the Court must step in to exercise its judicial discretion and caution the executive government when it acts in violation of these laws.

The fallout

In the midst of an unimaginable humanitarian crisis in Palestine and the international outcry against Israel's continuing genocide, the Supreme Court's failure to ensure that the Indian government halts its military aid to Israel and complies with its commitments under international law, will have serious repercussions in this war and its devastation that continues unabated.

Rights of future generations must guide climate debate

The Summit Of The Future, which is to convene at the United Nations in New York on September 22-23, 2024, aims to identify multilateral pathways to address the major problems that threaten the common future of humanity. The list is long — from conflict to climate change, pandemics to pollution and outrageous income inequalities to abominable forms of discrimination. The vision guiding this multi-stakeholder consultation is a world wherein people can thrive with a greater assurance of protection from the impact of such threats on their well-being.

'Future generation rights' as main theme

The rights of future generations to live in a safe and secure world, which is not irreparably burnt or blighted by the follies of the past and present generations, is a dominant theme driving demands for climate justice. It will undoubtedly dominate the discourse at the summit — in rhetoric if not in real commitments. There is indeed a moral imperative for the present generations to ensure a liveable planet for those who will follow in the future. But is there a legal obligation?

A spirited debate erupted on this issue, in the pages of the *European Journal of International Law* in 2023. A provocative essay by Stephen Humphreys, Law School, London School of Economics, was titled 'Against Future Generations'. A rebuttal by legal scholars from Netherlands, India and the U.S. was published later. Titled 'In Defence Of Future Generations...', its lead author, Wewerink-Singh from the University of Amsterdam, had served as Vanuatu's counsel in climate change-related proceedings in the International Court of Justice. She was part of the drafting group of the *Maastricht Principles on The Human Rights of Future Generations*.

Humphreys avers that the appeal to protect the rights of future generations is ambiguous rhetoric which "abjures concrete urgent existing responsibilities towards those alive today" while assuming them for "an abstract unborn future". This argument resonates with governments which believe they have an obligation to pursue even environmentally



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There is a moral imperative to ensure a liveable planet for the next generations, but another issue is that of a legal obligation

destructive paths of development to ensure high living standards for the present generation whose interests they have been elected to protect. Humphreys also argues that the 'futures' call unfairly converts those to whom responsibility is presently owed into those who owe responsibility to the future.

In a counter, Wewerink-Singh and her co-authors argue that the future generations discourse "has emancipatory power, offering potential for reshaping international law based on a vision of justice and solidarity across time and space". They draw upon the traditional beliefs and encoded wisdom of indigenous groups across the world, wherein a duty towards the welfare of future generations is regarded as a sacred norm. Such obligations are invoked towards four to seven generations ahead.

Judgments on environmental matters

They also draw upon judgments from many low- and middle-income countries on environmental matters. Among those they cite is a landmark judgment in Colombia which advanced principles of intergenerational solidarity by ordering the government to "formulate and implement an inter-generational pact for the life of the Colombian Amazon".

The Supreme Court of Pakistan upheld a bar on the construction of cement plants in an environmentally fragile zone, eloquently declaring, "Through our pen and jurisdictional fiat, we need to decolonise our future generations from the wrath of climate change, by upholding climate justice at all times".

The National Green Tribunal of India upheld the principle of intergenerational equity in the right to environment. The High Court of Kenya decreed that the present generation is legally obliged "to maintain and enhance the health, diversity and productivity of natural resources" to benefit future generations. The High Court of South Africa declared that inter-generational justice requires the state to "consider the long term impact of pollution on future generations".

The *Maastricht Principles* clearly enumerate the case for linking sustainable development and climate justice discourses to the rights of future generations. The Preamble of that document

affirms that "neither the Universal Declaration of Human Rights, nor any other rights instrument contains a temporal limitation or limits rights to the present time". It avers that "human rights extend to all members of the human family, including both present and future generations". It declares that "human generations exist within an unbroken continuum that is continually renewed and redefined".

The Preamble further states that "human rights of future generations must be understood, interpreted, and integrated within the evolving legal context recognising humanity's relationships with the natural world, and the best available science". They emphasise that these rights must be "interpreted and applied in light of humanity's dependence on and responsibility to Earth's natural systems, now and throughout our species' future".

The document's 36 principles must guide actions at the national and global levels. One of these lists an obligation to protect the human rights of future generations "against substantial risks posed by the conduct of public and private actors, including business enterprises". Another stipulates that "future generations must be represented meaningfully and effectively in decision making that may impact on their enjoyment of human rights". As the generation which will usher in the future, young persons must have their voices heard and concerns heeded.

Pay heed to 'overshoot day'

Eight of the nine planetary boundaries needed for earth's healthy survival have already been breached. The 'planetary overshoot day', when earth's capacity to renew its depleted natural resources each year is exhausted, has moved from December 30 in 1970 to August 1 in 2024. If this continues to recede in the calendar, future generations will be left with a bankrupt planet. We need to veer away from this rush to perdition not just to save those whose lives and well-being are at immediate risk but even more so to avoid the sin of shamefully scarring the lives of future generations.

The views expressed are personal

LETTERS TO THE EDITOR

Delhi first

Delhi Chief Minister Arvind Kejriwal's announcement that he would resign soon will alter Delhi politics. The city's residents have suffered due to long-running political

tussles, deteriorating civic infrastructure and tragic incidents. A political party's electoral strategy should not gain priority over development and policymaking. It is crucial to remember that governance

is the primary responsibility towards Delhi's residents.

Anusha Bharti,
Bengaluru, Bihar

Mr. Kejriwal's political journey has been one of ups and downs. His decision is

well reasoned. He has to prove his credentials to stay relevant. Whether Mr. Kejriwal will be able to call the shots and recoup the seat, only time will tell.

V. Johan Dhanakumar,
Chennai

Election overhaul

The push for 'one nation, one election' may have 'advantages'. But conducting the world's largest election simultaneously in a fair manner is a mammoth task.

There is also concern that regional issues might be overshadowed by national campaigns. Additionally, if a State government collapses mid-term, what happens?

Aman Aditya,
Oshenkanal, Odisha

Women-led development in the Rajya Sabha

The phrase 'women-led development', which was recognised as one of the six focal points during India's presidency of the G20, has always been a cornerstone of the government's priorities and policies. Under a women-led development approach, women are not just beneficiaries of development, but also set the agenda for development. They are key participants in planning and decision-making.



Kusum Sudhir
Joint Secretary
(Interpretation)
Rajya Sabha
Secretariat,
Parliament of India

Measures in the House

At a time when women are leading governance and development initiatives across the world, India's legislature, a pivotal organ of its democracy, cannot afford to be left behind. It is in this backdrop that the Vice President of India and the Chairman of the Rajya Sabha, Jagdeep Dhankar, has introduced a slew of progressive measures in the proceedings of the House as well as in the Secretariat. Mr. Dhankar has always held the view that the role of women in Parliament is enormous. He has stated that women are the backbone of Parliament and the country's economic development.

When the nation witnessed the historic passage of the Nari Shakti Vandan Adhiniyam (Women's Reservation Bill), 2023, Mr. Dhankar, in a historic move, reconstituted the panel of vice-chairpersons to include only women. He emphasised that this would "send a powerful message to the world at large and it would symbolise that they held a 'commanding position' during this epochal moment of change".

Mr. Dhankar also began the practice of nominating four women members, who constitute 50% of the panel of vice-chairpersons. As a result, S. Phangnon Konyak became the first woman Rajya Sabha member from Nagaland to preside over the House. Eminent athlete P.T. Usha also created history by becoming the first nominated MP in history

The Rajya Sabha under Jagdeep Dhankar's chairmanship is leading by example in translating the ideal of women-led development into a reality

to become the Vice Chairperson of the Rajya Sabha.

Under India's presidency, the G20 New Delhi Leaders' Declaration underscored that investing in the empowerment of all women and girls has a multiplier effect in implementing the 2030 Agenda for Sustainable Development. India is already working tirelessly towards goal 5.5 of the Sustainable Development Goals, which calls for "women's full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic, and public life." The Rajya Sabha Secretariat is expected to set the highest standards in this direction.

Initiatives in the Secretariat

With the aim of striking a gender balance at the Rajya Sabha Secretariat, Mr. Dhankar has started many new initiatives. For example, the sections related to House duty were conventionally considered a male domain because they involved late sittings. The Chairman felt the need to break such stereotypes and so, all the gazetted women officers of the Secretariat were trained to perform House-related duties. Today, the Table of the House is largely being 'womanised' by female officers. Accordingly, a duty roster is prepared and women officers are deputised on chamber duty. Moreover, an application-based system called 'Vahan' was introduced to address the problem of commutation during late sittings hours. Through this app, women officers can avail themselves of commutation facilities during odd hours. In addition, through a process of selection, some women officials of the Secretariat have been appointed as chamber attendants. This has created a favourable atmosphere even inside the House for women MPs.

During various interactions with the officers of the Secretariat, Mr. Dhankar has unequivocally stated that women-led development is going to be the

future road map of the Rajya Sabha Secretariat. The process has already begun. Women officers have been appointed in key positions and leading roles in the Rajya Sabha Secretariat. Today, responsibilities such as human resources, the legislative section, and the capacity-building division have been entrusted to women officers of the Secretariat. Besides, high skill-based work such as officiating in Parliamentary Standing Committees of the Rajya Sabha is being done by women at various levels. Even some senior positions in security service are being occupied by women officers. Top performing women officers are being recognised and rewarded all across the services. A woman officer of the Secretariat has been appointed as master trainer for IGOT-Karmayogi Bharat. The noteworthy aspect about introducing women-centric measures in the Secretariat is the spirit of congeniality. Gender sensitisation workshops and talks have been organised to create a healthy culture of gender parity.

The Chairman, from time to time, has also impressed upon the need of synergising work with creativity and recreation. The celebration of a woman's day in the Secretariat is a case in point. Women's day programmes are conceptualised, organised and executed by women officers or employees. These events give them many opportunities to showcase their talents.

In a vibrant democracy, it is healthy to have regular interactions between the legislature and academia. The buck should not just stop at the Secretariat. Therefore, Mr. Dhankar offered to invite five interns from Miranda House in Delhi for a 15-day course on parliamentary procedures.

The Rajya Sabha under Mr. Dhankar's chairmanship is leading by example in translating the ideal of women-led development into a reality. This may pave the way for other legislatures in India to follow suit.

Politics over prayer

Assam's decision to abolish the Juma break seems to have no rationale

STATE OF PLAY

Sanjay Kumar



The Assam Legislative Assembly recently decided to discontinue the British-era practice of providing a two-hour break for Juma prayers on Fridays. Chief Minister Himanta Biswa Sharma said the decision was made unanimously by both Hindu and Muslim MLAs.

The practice has been prevalent in the Assembly since 1937, when it was introduced by the Muslim League's Syed Saadulla. The sudden move to abolish it has predictably led to heated debates. What is the rationale for this move? Has the proportion of Muslim MLAs in the Assam Assembly reduced, which led to a re-examination of this practice? Or do fewer Muslims offer namaaz on Fridays? Let us examine these two questions.

Two questions

In the current Assembly, of a total of 126 MLAs, 31 are Muslim. The numbers have not changed significantly over the years. The 2016 and 2001 Assemblies had 28 Muslims MLAs each, while the 2006 Assembly had 25 Muslim MLAs, who mostly belonged to the Congress and the All India United Democratic Front (AIUDF). All the Muslim MLAs in the last four Assemblies belonged to parties apart from the Bharatiya Janata Party (BJP). There was only one exception: Aminul Haque Laskar, who got elected on a BJP ticket from the Bengali-dominated Sonai Assembly constituency. He too later switched to the Congress. Thus, the change in rules will hurt the Muslim MLAs, who all belong to non-BJP parties.

Surveys conducted by Lok

niti indicate that there has hardly been any decline in the levels of religiosity among Indian Muslims. The practice of offering namaaz every day is widely prevalent. According to the survey, in 2014, 59% of Muslims said that they offered namaaz daily, while another 27% said that they did so weekly. Another 10% said that they offered namaaz only during festivals. This means that 86% of Muslims offer namaaz on a regular basis.

A survey conducted in 2024 showed that the proportion of Muslims offering namaaz every day increased to 63%. Another 22% said they offer namaaz on Fridays and yet another 7% said that they do so only during festivals. The share of Muslims who offer namaaz daily has increased in the last 10 years. Thus, these surveys show that there has been no significant change in the levels of religiosity among Indian Muslims. That is, there is hardly any change in the frequency of offering namaaz.

Therefore, neither of these two possible explanations seems to hold ground. So, why was this long-standing practice been changed? The Chief Minister said that the move "prioritises productivity" and sheds India's "colonial baggage". He argued that it was taken in view of the "secular nature of the Constitution".

Criticisms

However, not everyone agrees. Some see political motives for this move. The AIUDF

criticised the decision, claiming that it was aimed at targeting Muslims ahead of the 2026 Assembly elections. The party alleged that this was yet another move by the BJP-led government to target Muslims for political benefits. Kashiya Janata Dal (RJD) leader Tejashwi Yadav also condemned the move, alleging that it had been taken to gain "cheap publicity". He said that the BJP wanted to "bother Muslims in some way or the other".

The decision was opposed not only by Opposition parties but also by the National Democratic Alliance's own allies — the Janata Dal (United) and the Lok Jan Shakti Party (LJP). JD(U) leader Neeraj Kumar accused the Chief Minister of undermining religious practices and questioned his priorities, suggesting that the government should focus on issues such as poverty alleviation and flood prevention. Mr. Kumar also raised questions about the constitutional protection of religious beliefs, asking whether similar bans would be imposed on Hindu traditions, such as animal sacrifices at the Maa Kamakhya Temple in Guwahati. Similarly, K.C. Tyagi, a JD(U) functionary who has since resigned, emphasised the need to uphold the Constitution's protection of liberty of thought, expression, belief, faith, and worship. In response to these reactions, Mr. Sarma expressed surprise.

Given the criticism, will the government reconsider its decision? This is not impossible, especially since we have seen the Central government take many decisions only to withdraw them following a backlash in recent times.

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Changing rural equations in Haryana's battleground

While the BJP largely retained its urban strengths in the Lok Sabha polls, it is playing catch-up in rural areas

DATA POINT

Nitika Francis
Vignesh Radhakrishnan

In the 2024 Lok Sabha polls, the BJP lost a significant share of its rural voter base, with much of it shifting to the Congress.

In Monday's Data Point, we had highlighted the wind behind the Congress's electoral prospects in the Haryana Assembly elections. The Grand Old Party has gained a fillip thanks to a significant increase in its vote share in the rural and semi-rural areas of the State in the 2024 Lok Sabha polls. With the regional parties losing their support base in the Lok Sabha polls and the contest becoming largely bipolar, a fall in the BJP's rural vote share benefited the Congress.

The BJP has also lost a chunk of votes in urban areas compared to the 2019 Lok Sabha polls, which again benefited the Congress, but nevertheless secured more than 50% of the votes in cities in the 2024 Lok Sabha elections. Map 1 provides a geospatial representation of Haryana, divided into rural, semi-rural, semi-urban, and urban areas.

The Assembly seats abutting Delhi, such as Gurugram, Badshahpur, Badkhal, Faridabad, and Ballabgarh, are urban in nature, while those in the eastern border, along Uttar Pradesh, are classified as semi-urban or semi-rural. Seats in the western border along Punjab and Rajasthan are rural. In general, the State becomes increasingly rural as we move away from Delhi and the eastern border.

Notably, in the areas adjoining the relatively more urban eastern border and the rapidly urbanising places around Delhi, the voting population has surged, largely due to migration. Map 2 shows the percentage change in electors in the 2024 Lok Sabha elections compared to the 2014 Lok Sabha polls. The number of electors in the Assembly segments of Tigaon,

Sohna, Gurugram, Faridabad NIT, Badshahpur, and Badkhal, in the Faridabad and Gurugram districts, have increased by over 50% in the period.

Table 3 shows that the BJP secured over 40% of the vote share in semi-urban areas and close to 50% of votes in urban seats in the recent Assembly elections (2014 and 2019). Its vote share in such areas increased even further if the recent Lok Sabha elections are considered. The Congress, on the other hand, performed poorly, securing about 15%-25% in the recent polls (Lok Sabha and Assembly elections). However, the party managed to increase its vote share to 35% in the 2024 Lok Sabha polls by making a small dent in the BJP's support base in urban areas.

In rural areas, the preference for regional parties such as the Indian National Lok Dal was more pronounced in the 2014 Lok Sabha and Assembly elections, with over half the voters choosing neither the BJP nor the Congress. The BJP managed to reverse this trend in the 2019 Lok Sabha elections by securing over 50% of the rural and semi-rural votes, and the Congress gained marginally too. But in the subsequent Assembly elections in 2019, the Jananayak Janta Party's foray helped it secure a sizeable vote share, even if the total share of the regional parties was lower compared to the 2014 Assembly elections.

With the Congress gaining significantly in the 2024 Lok Sabha polls and the share of the regional parties shrinking further, the BJP has tried to stem its losses and regain support by lifting the export curbs on basmati rice. This move will benefit farmers in the State. Haryana and Punjab are the top two States in terms of production.

Map 4 shows the production of basmati rice in thousand tonnes for 2023. If this move does have an impact, it will be most pronounced in the Assembly seats in the Jind and Sirsa districts followed by Karnal and Sonapat.

Rural-urban voting patterns

Data for the maps and tables were sourced from the Election Commission of India, the Agricultural and Processed Food Products Export Development Authority, and the Development Data Lab. The urban-rural classification was done by aggregating night light intensity data on Assembly constituencies, provided by the SHRUG database

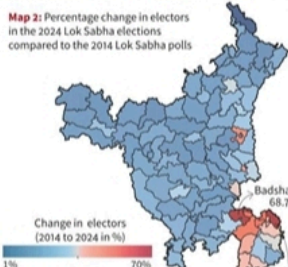
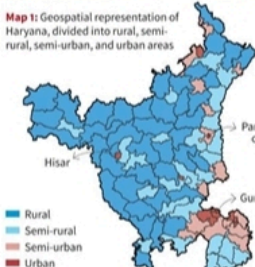
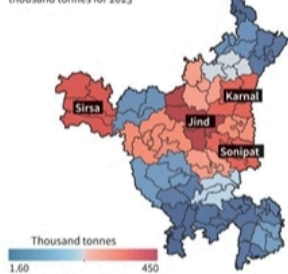


Table 3: Vote share secured by the BJP and the Congress across rural and urban areas. Figures in %

Congress				
Polls	Rural	Semi-rural	Semi-urban	Urban
2014 GE	25.2	25.3	17.5	16.8
2014 AE	19.4	24.1	17.9	21.5
2019 GE	28.3	34.5	24.7	21.4
2019 AE	25.6	32.4	28.8	23.1
2024 GE	43.4	49.3	39.0	33.5

BJP				
Polls	Rural	Semi-rural	Semi-urban	Urban
2014 GE	22.8	32.6	54.8	55.8
2014 AE	28.7	27.7	41.5	52.2
2019 GE	53.2	54.0	66.4	71.8
2019 AE	31.7	37.1	40.9	48.6
2024 GE	39.4	41.9	54.9	63.2

Map 4: Production of basmati rice in thousand tonnes for 2023



FROM THE ARCHIVES

The Hindia.

FIFTY YEARS AGO SEPTEMBER 17, 1974

Train alarm chain pulling on increase

Madras, Sept. 16: The Southern Railway authorities are concerned over the growing menace of alarm chain pulling which has upset the punctuality of trains in the broad gauge sections of the Madras Division.

There has been a significant rise in the number of such incidents in recent months. From 501 in July, the figure rose to 579 in August. It is unlikely to go up still further in September, the tally for the first ten days being 233.

A study of the figures shows the Gudur-Madras section accounted for the largest number — 153 out of 233 reported till September 10 — and the incidents occurred mostly between Tiruvottiyur and Ennore stations.

Railway sources attribute the spurt in the number of chain pullings to increased smuggling of rice from Andhra centres in the context of rice scarcity and high prices in Madras. The smugglers, it is said, pulled the alarm chain to unload the stocks midway between stations. The re-imposition of Prohibition in Tamil Nadu from September 1 has given rise to smuggling of liquor also from Andhra Pradesh in recent weeks, according to a Railway spokesman.

Yet another matter agitating the Railways is the cases of assault on train crew reported from this section. The driver of a Madras-Gummidiundi local sustained head injuries yesterday, as a result of stone-throwing by a group of persons standing beside the track between Tiruvottiyur and Ennore.

A HUNDRED YEARS AGO SEPT. 17, 1924

The world's shorthand championship

A correspondent writes: Information has been received from Washington that in the annual Shorthand speed competition held on Aug. 18th by the National Shorthand Reporters' association, the championship was won by Mr. Charles L. Swem, a writer of Gregg Shorthand and formerly official reporter to the late President Woodrow Wilson. Mr. Nathan Behrin, the greatest writer of Pitman Shorthand the world has yet produced, secured the second place. The third place was won by Mr. M.J. Dupraw, a young Gregg writer, eighteen years of age.

SCIENCE

How quantum computing can make large language models even better

Quantum processes can help LLMs lower their carbon footprint or become more sophisticated for the same energy usage; sidestep their predilection for 'hallucinating' information; improve the ability to understand syntactics; and are feasible for stationary and nonstationary data

Qudsia Gani
Rukhsanul Haq
Mohsin Ilahi

In recent years, the landscape of artificial intelligence (AI), particularly within the realm of natural language processing (NLP), has undergone a remarkable transformation. We have witnessed the rise of powerful large language models (LLMs) made by OpenAI, Google, and Microsoft, among others, and generative AI (Gen-AI), characterised by its unparalleled ability to generate data based on user inputs.

These sophisticated models have revolutionised human-computer interactions, bestowing upon users experiences akin to human understanding. The advent of these cutting-edge technologies and their wide availability has compelled people at large, industry stakeholders, and governmental bodies to pay attention to their implications.

Problems with current LLMs

LLMs are a cornerstone in AI and mirror the complexities of human language processing. They can classify text, answer questions, and translate between languages. But they also consume a lot of energy to be trained and when put in use.

For example, as models go, LLMs are much larger than other AI applications such as computer vision. The energy consumption of a large language model (LLM) is determined mostly by the number of parameters it has. Larger models demand more computational power for both training and inference. For example, GPT-3 has 175 billion parameters and required around 1,287 MWh of electricity to train. This is around what an average American household consumes in 120 years. LLMs also surpass non-AI applications in this regard.

Training an LLM with 1.75 billion parameters can emit up to 284 tonnes of carbon dioxide, which represents more energy than that required to run a data centre with 5,000 servers for a year.

It's important that we lower LLMs' carbon footprint to ensure they are sustainable and cost-effective. Achieving these goals will give LLMs more room to become more sophisticated as well.

Another shortcoming of LLMs pertains to their pre-trained nature, which restricts the level of control users have over their functioning. These models are trained on large datasets, with which they develop awareness of word-use patterns in diverse linguistic contexts. But such training often also results in "hallucinations." Essentially, LLMs may generate text that is contextually coherent but factually incorrect or semantically nonsensical. This arises from limitations inherent to the training, when the model's understanding may diverge from reality.

A third limitation revolves around the abilities of current LLMs to understand syntactics. Syntax refers to the structural arrangement of words and phrases in a sentence. LLMs excel at processing the semantic (meaning-related) aspects of natural language but struggle with syntax. For example, they may overlook or misinterpret syntactic cues and impede their ability to generate contextually appropriate text. In sum, we need to



Quantum natural language processing has emerged as an active and burgeoning field of research with potentially profound implications for language modelling. Representative illustration. GOOGLE DEEPMIND

develop sustainable, energy-efficient approaches that yield more accurate language models.

Syntactics and semantics

Quantum computing is a highly promising way to address these challenges. It harnesses the remarkable properties of quantum physics like superposition and entanglement for computational needs. In particular, quantum natural language processing (QNLP) has emerged as an active and burgeoning field of research with potentially profound implications for language modelling.

QNLP incurs lower energy costs than conventional LLMs by leveraging quantum phenomena. QNLP models also require far fewer parameters than their classical counterparts in order to achieve the same outcomes (on paper), thus promising to enhance efficiency without compromising performance.

This processing paradigm takes advantage of quantum correlations, an approach in which the system focusses on grammar (syntax) and meaning (semantics) together rather than separately as conventional systems do. QNLP achieves this using a better "mapping" between the rules of grammar and quantum physical phenomena like entanglement and superposition. The result is a deeper, more complete understanding of language.

The approach is also expected to mitigate the "hallucinations" that plague many existing LLMs, as the resulting QNLP models are better equipped to distinguish the contexts of various pieces of information and produce more accurate outputs.

With the help of QNLP, researchers also hope to uncover the mental processes that allow us to understand and create sentences, yielding new insights into how language works in the mind.

Time-series forecasting

From the basic details of quantum mechanics, we learn that a quantum



LLMs are a cornerstone in AI and mirror the complexities of human language processing. They can classify text, answer questions, and translate between languages. But they also consume a lot of energy

system (like an atom or a group of particles) can be described by a quantum state – a mathematical representation that keeps evolving with time. By studying this representation, we can determine the expected outcomes of an experiment involving that system. Based on the same idea, researchers have proposed a quantum generative model to work with time-series data.

A generative model is a mathematical model that generates data, if required, with a user's inputs.

A general model designed to run on a quantum computer is a quantum generative model (QGen). Here, the techniques of quantum computing can be used to create or analyse sophisticated time-series data that conventional computers struggle with. Time-series data is data of something that has been recorded at fixed intervals. This new data can then be used to teach quantum algorithms to identify patterns in the data more efficiently, to solve complex problems related to forecasting (e.g., stock market trends), and/or to detect anomalies.

On May 20, 2024, researchers in Japan reported that a QGen AI model they built could successfully work with both stationary and nonstationary data.

Stationary data refers to information that doesn't change much over time. It stays fairly constant or fluctuates around a stable average. For example, the current price of a commodity like gold or the world's population can be considered stationary; the data doesn't show big

changes in trends over a short period and the values move within a predictable range. On the other hand, nonstationary data keep changing, such as ambient temperature, stock prices, and the GDP. Classical methods struggle to analyse such data accurately.

In the new study, the researchers built a time-series QGen AI model and evaluated its performance by applying it to solve plausible financial problems. They wrote in their preprint paper: "Future data for two correlated time series were generated and compared with classical methods such as long short-term memory and vector autoregression. Furthermore, numerical experiments were performed to complete missing values. Based on the results, we evaluated the practical applications of the time-series quantum generation model. It was observed that fewer parameter values were required compared with the classical method. In addition, the quantum time-series generation model was feasible for both stationary and nonstationary data."

That fewer parameters were required means the model based on the quantum computer could solve the same problems as a classical computer but while requiring less computational resources.

In sum, quantum computing holds considerable potential to revolutionise AI applications, particularly in addressing the challenges posed by current LLMs.

By embracing QNLP and QGen-AI, together with advancements in time-series forecasting, we can pave the way for sustainable, efficient, and performant AI systems.

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Elephants at Kimana Sanctuary in Kenya. AFP

Environment takes centre stage as global summits loom

Agence France Presse

Global warming, biodiversity loss, desertification, and plastic pollution – these urgent environmental challenges will be in the spotlight over the next few months as the United Nations hosts four major sessions to address key threats to the planet.

First up is a Conference of the Parties (COP) dedicated to biodiversity being held in Cali, Colombia, from October 21 to November 1.

These are called every two years to debate how the world can cooperate to better protect the rich variety of plant and animal life in the natural world.

The COP16 isn't expected to break new ground but is more a stocktake of progress since the last summit secured historic assurances for biodiversity.

In 2022 in Montreal, nations agreed to place 30% of the planet under environmental protection by 2030 in a landmark pact aimed at arresting biodiversity loss and restoring ecosystems to health.

In Cali, countries will put forward national strategies to meet this global objective.

Second, the world's most important conference on climate change is being hosted this year by Azerbaijan, a country dependent heavily on oil and gas exports, from November 11 to 22.

While the last summit in Dubai in 2023 delivered a historic commitment to transition the world away from fossil fuels, supporting poorer countries with

The COP16 is expected to assess progress since the last summit, which secured significant pledges to promote biodiversity

climate change will top this year's agenda.

The summit, known as COP29, is expected to land a new agreement on climate finance: money from rich nations most responsible for global warming to developing countries vulnerable to climate change.

There isn't an agreed figure yet, or even consensus on where the money should come from, who should receive it, and what form it could take.

Developing countries are pushing for much more than the \$100 billion pledged in 2009.

The result of the US election, just six days before COP29 begins, could also twist final negotiations.

Third is the least high profile of the three COPs on desertification. This critical session in Saudi Arabia will address the loss of fertile land to desert.

Climate variation like droughts and human activities like overgrazing can result in desertification, a process where land degrades and becomes unproductive.

Experts hope the COP16 on desertification, scheduled to take place in Riyadh from December 2 to 13, can act as a turning point in addressing this problem.

Finally: plastics. In 2022, some 175 nations agreed to fast-track negotiations towards a treaty on plastic pollution, and the final session gets underway on November 25 in South Korea.

The treaty aims to marshal an international response to the plastic trash choking the environment, from oceans and rivers to mountains and sea ice.

Some nations want the treaty to restrict how much plastic can be made, while others, particularly oil and gas producing countries that provide the raw materials to make plastic, want a focus on recycling.

THE SCIENCE QUIZ

Today is the 30th death anniversary of Karl Popper

Siva Shakthi A.

QUESTION 1

Karl Popper is best known for an influential philosophy of science he developed in the 20th century, particularly his concept of _____, which states that scientific theories must by definition be capable of being proven wrong. Fill in the blank.

QUESTION 2

While Popper believed science progresses through the demarcation of science from non-science, which historian of science argued that major changes in science occur when a prevailing scientific framework or a paradigm is overturned and replaced by a new one?

QUESTION 3

Popper attempted to challenge a particular interpretation of quantum mechanics put forth by scientists Niels Bohr, Werner Heisenberg, and Max Born. Popper argued against the idea that particles have definite properties only when they're measured. What is the interpretation called?

QUESTION 4

In a 1934 book, Popper introduced the idea that scientific theories should be testable and refutable to be considered valid in an influential 1934 book. Name it. It laid the foundation for his philosophy and later influenced the work of several scientists and philosophers.

QUESTION 5

Popper was a critic of _____, the belief that science could determine universal truths just by repeated

observation and empirical data. His view made him laud the work of Albert Einstein, which incorporated theoretical innovation alongside empirical testing.

Answers to September 12 quiz:

- Device used to deliver sound and images in 'The Jazz Singer' – Ans: Vitaphone
- Emile Berliner's material of choice for records – Ans: Shellac
- Wavelength of lasers in compact disc players – Ans: 780 nm
- Algorithm for lossless data compression – Ans: Huffman coding
- Device that imprinted audio data on magnetic material – Ans: Tape recorder

First contact: Seema Das | K.N. Viswanathan | Subhadip Pal | Palicherlu V. Prakash | Anmol Agrawal



Visual: Name this German astronomer whose theory of planetary motion helped Popper develop his philosophy of science. ALDERON

Please send in your answers to
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EXPLAINED GLOBAL

TELLING NUMBERS

Pro-Ukraine, once a good samaritan: Man arrested in Trump shooting bid

A 58-year-old man who investigators say hid in the bushes in Donald Trump's golf course in Florida with a semiautomatic weapon appeared in a federal court on Monday. He faces two federal gun charges. The New York Times reported: possessing a firearm as a felon, and possessing a firearm with an obliterated serial number.

Who is Ryan Wesley Routh, 58, the man at the centre of what appears to have been a second attempt to assassinate the Republican nominee in a little more than two months?



Routh stands handcuffed between two policemen after his arrest. Reuters

1 He is a passionate supporter of Ukraine.

Content Routh posted on social media shows that he was a passionate supporter of Ukraine who had travelled overseas hoping to fight in the country's war against Russia in 2022. However, CBS didn't work out as he had expected, CBS News reported.

In an interview with Newsweek Romania in 2022, he said, "My initial goal was to come fight... but I'm 56, so initially they were like, I have no military experience, so they were like, you're not an ideal candidate. So they said, not right this minute. So plan B was to come here to Kyiv and promote getting more people here."

Routh tried to recruit Afghan fighters who had fled the Taliban to aid Ukraine, and urged people to take up arms for the country. It is not clear if his efforts succeeded.

Routh also wrote a 291-page book last year about his disillusionment surrounding Ukraine, according to an Amazon listing that was selling it for \$2.99. The Washington Post said.

2 He's had previous brushes with the law.

Routh, a former roofing contractor from Greenville, North Carolina, faced criminal charges for two separate incidents in 2002 for possession of a weapon of mass destruction, according to The Washington Post.

He pleaded guilty to the first charge in April 2002 — details about the incident

were not publicly available. In the second incident, he was charged with misdemeanours, including a hit-and-run offence, resisting arrest, and a concealed weapons violation.

3 He was once feted as a 'super citizen'.

Much before his issues with the law, Routh was once dubbed a "super citizen" and awarded a Law Enforcement Oscar by the Greensboro chapter of the International Union of Police Association. This happened after Routh in 1991 assisted in helping defend a woman against an alleged rapist. The Washington Post published a profile of him that year with the headline: "Crimefighting pays".

4 He voted for Trump, then soured on him.

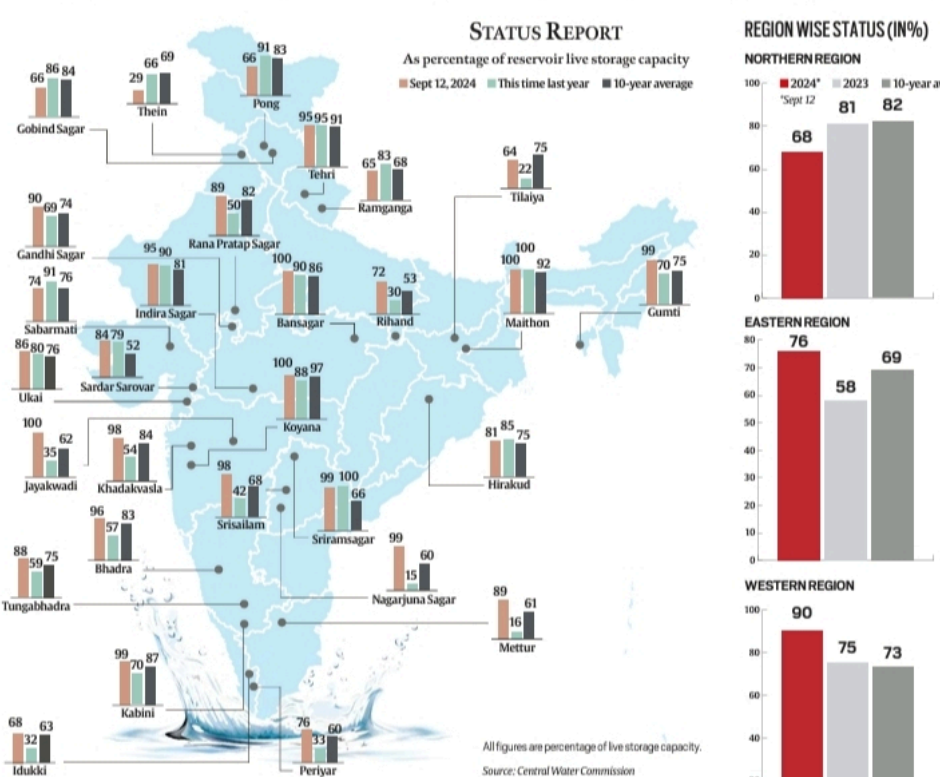
Routh voted Democratic during the 2024 primary election, according to CBS News. However, he appears to have been registered as an unaffiliated voter.

His X account, which has now been suspended, included a number of posts about Trump. CBS News said, "He said Donald Trump While you were my choice in 2016, I and the world hoped that president Trump would be different and better than the candidate, but we all were greatly disappointed and it seems you are getting worse and devolving," he posted in June 2020. "I will be glad when you gone."

EXPRESS NEWS SERVICE

Good rains, full reservoirs

Except in North India, reservoirs are filled close to capacity almost everywhere in the country. The overall storage position is much better than that of last year, as well as the 10-year-average storage at this time



PREGNANCY TRIGGERS LOSS OF GREY MATTER IN WOMEN: NEW STUDY

PREGNANCY TRIGGERS vast changes in a woman's body — hormonal, cardiovascular, respiratory, gastrointestinal, urinary and more. And, as a new study reveals, the brain undergoes major changes too. Researchers said on Monday they have mapped the changes that unfold as a woman's brain reorganises in response to pregnancy, based on scans carried out 26 times starting three weeks before conception, through nine months of pregnancy, then two years post partum.

The study found a widespread decrease in the volume of cortical grey matter, the wrinkled area that comprises the brain's



outermost layer, as well as an increase in the microstructural integrity of white matter located deeper in the brain. Both changes coincided with rising levels of the hormones estradiol and progesterone. Grey matter comprises the cell bodies of the brain nerve cells. White matter is made up of the bundles of axons — long, thin fibres — of the nerve cells that transmit signals in long-distance connections across the brain. The scans showed a reduction averaging about 4% in grey matter. They also showed an increase of about 10% in white matter microstructural integrity.

REUTERS

ANJALI MARAR

BENGALURU, SEPTEMBER 16

SINCE THE southwest monsoon covered the entire country on July 2, the majority of geographical regions have received steady or continuous rainfall. As on September 12, the country had received 836.7 mm of rain, an 8% surplus for this time of the season.

The latest weekly reservoir and river basin data from Central Water Commission (CWC) show the overall storage position is better than that of last year, as well as the normal storage position during the corresponding period.

All-India reservoir status

Of the total live storage capacity of 180,852 billion cubic metres (BCM) in 155 reservoirs, the current available stock is 153,757 BCM, which is 85% of the total live storage capacity. At the same time last year, total water reserves stood at 119,451 BCM; the 10-year average is 130,594 BCM.

Of the 155 reservoirs, 141 have more than 80% of their live storage capacity; only five have 50% or less.

Reservoirs region-wise

NORTH: Eleven reservoirs across Himachal Pradesh, Punjab, and Rajasthan offer cumulative live water storage of 19,836 BCM. The available water stock this week is 13,468 BCM, which is 68% of the total live storage capacity. Storage during the same period last year was 81% of live storage capacity, and the decadal average is 82% — thus, storage during the current year is less.

Until September 11, Himachal (535.9 mm) and Punjab (304.5 mm) recorded 21% and 24% below normal rainfall respectively. More significantly, these states have not received normal rainfall throughout the season.

EAST: Twenty-five reservoirs monitored by CWC in Assam, Jharkhand, Odisha, West Bengal, Tripura, Nagaland, and Bihar together have a live storage capacity of 20,798 BCM. The cumulative reserves available on September 12 was 15,797 BCM, which was 76% of capacity. This number was 58% last year, and the decadal average is 69%.

Even though rainfall received over Nagaland and Bihar showed a negative departure of 28% each till September 11, this has not affected the region's reservoir stocks, thanks to good rainfall over the rest of the states.

WEST: Gujarat, Maharashtra, and Goa have 50 reservoirs under CWC monitoring, with a total live storage capacity of 37,357 BCM. The latest available live water stock was 33,526 BCM, which was 90% of total live storage capacity. During the same period last September, the available water stock was 75%, and the 10-year average is 73%.

The abundant stocks are because both Gujarat and Maharashtra have received very good rain this season; Gujarat in particular, has faced massive floods, and it has rained even in the deserts of Kutch.

CENTRAL: This region has 26 reservoirs in UP, Uttarakhand, Madhya Pradesh, and Chhattisgarh, with a total live storage capacity of 48,227 BCM. As of September 12, the water stock stood at 42,808 BCM, which was 89% of the total live storage. In 2023, this was 78%, and the decadal average is 77%.

All of the central Indian region has benefited from either normal or excess rainfall since the start of the monsoon season in June.

SOUTH: The 43 reservoirs under CWC monitoring in this region have a collective live water storage capacity of 54,634 BCM. The latest stock stands at 48,158 BCM, which is 88% of total capacity — much better than 2023 (49%), and the decadal average (65%).

South India, too, has received ample and widespread rainfall during the past four months. Even Tamil Nadu, coastal Andhra Pradesh and their neighbourhoods, which do not receive much rainfall from the southwest monsoon, have benefited this season, raising dam reserves. Reservoirs in Karnataka went from dead stock in the summer to multiple optimal fillings during this season.

Better, worse than 2023

The storage situation is better than last year in Jharkhand, Odisha, West Bengal, Assam, Tripura, Bihar, Maharashtra, Uttar Pradesh, Chhattisgarh, Rajasthan, Nagaland, Gujarat, Madhya Pradesh, Andhra Pradesh and Telangana, Karnataka, Kerala, and Tamil Nadu.

The situation is unchanged in Goa and Telangana; it is worse than in 2023 in Himachal Pradesh, Punjab, and Uttarakhand.

River basin-wise status

Major river basins have normal or above storage. These include Barak and others (98.72%), Krishna (94.53%), Cauvery (93.54%), Narmada (92.19%), Godavari (91.85%), Tapi (85.96%), Ganga (83.29%), Mahanadi (83.48%), Mahi (83.91%) and Brahmaputra (66.93%).

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Kejriwal wants early elections to Delhi Assembly. What does the law say?

DAMINI NATH

NEW DELHI, SEPTEMBER 16

ARVIND KEJRIWAL is likely to submit his resignation as Chief Minister during a scheduled meeting with Delhi Lieutenant Governor Vinai Kumar Saxena at 4.30 pm on Tuesday.

Kejriwal told Aam Aadmi Party (AAP) workers on Sunday that he would give up his post and give an "agnipariksha" to prove his innocence in the alleged excise policy corruption case, in which he was granted bail by the Supreme Court last week.

will be held in Delhi?

Under Article 324 of the Constitution, the powers of superintendence, direction, and control of elections are vested in the Election Commission of India (ECI). The ECI works backwards from the date on which the five-year term of the existing House is completed before then.

However, Section 15(2) of the Representation of the People Act, 1951, says the election cannot be notified less than six months before the end of the term of the Assembly — unless the Assembly is dissolved before it completes its term.

Can a Chief Minister force the ECI to hold an election before it is due?

Article 174(2)(b) of the Constitution says the Governor "may from time to time" dissolve the Legislative Assembly. The Council of Ministers can recommend dissolution of



Delhi CM Arvind Kejriwal is likely to resign on Tuesday. PTI

the House to the Governor before the end of its term, forcing a decision. Once the Assembly has been dissolved, the ECI has to conduct fresh elections within six months.

In September 2018, the Telangana Cabinet led by then Chief Minister K Chandrababhu Naidu recommended the dis-

solution of the Assembly, whose term was to end in June 2019. The Governor accepted the recommendation, and Assembly elections were held in 2018.

But Delhi is not a "full" state. In Delhi, the Government of National Capital Territory of Delhi Act, 1991, applies. While Section 6(2)(b) of the Act says the Lieutenant Governor may from time to time dissolve the Assembly, even if a Chief Minister of Delhi recommends the dissolution of the Assembly, the final say is the Centre's (through the LG).

In any case, in the present situation, Kejriwal has only said he will resign as CM and asked for early elections — he does not appear to be planning to recommend the dissolution of the Assembly. His successor in the post could be announced after a meeting of AAP MLAs at the CM's residence on Tuesday morning.

What are the things the ECI looks at before deciding the election schedule?

The new Assembly (or Lok Sabha) has to be in place before the end of the current Assembly's term, which means the election process, including giving certificates of election to the winners and the completion of all formalities, has to be completed before that date.

The ECI works backwards from that date, planning the schedule based on the weather, availability of security forces, festivals, training of officers, procurement of EVs, etc.

Before finalising the schedule, the ECI visits the state to take inputs from the administrative and police machinery. It also tries to club together voting in all states where polls are due around the same time.

What is the current state of preparedness for elections in Delhi?

Delhi is not preoccupying the ECI currently. The ECI is currently engaged in conducting the Jammu and Kashmir Assembly election, where voting in the first phase will

take place on September 18. Two more phases will be held on September 25 and October 1.

Voting in Haryana will follow on October 5, and counting in both Haryana and J&K will be held on October 8.

Elections to the Maharashtra and Jharkhand Assemblies are due next; the terms of these Houses will end in November and January 2025 respectively.

Usually, a special summary revision of the electoral roll starts a few months before elections are due. The electoral roll of Maharashtra has already been published with the eligibility date of July 1, which means those who have turned 18 by that date have had a chance to enrol.

The rolls of J&K, Haryana, Maharashtra, and Jharkhand were published in August. For all other states and UTs, including Delhi, the annual revision with the eligibility date of January 1, 2025 will be published on January 6, 2025, as per instructions issued by the ECI.

THE IDEAS PAGE

The EVM distraction

It's time to put conspiracy theories to rest. Unequal access to money and information, not voting machines, is the biggest challenge to level playing field in elections



DESHKAAL
BY YOGENDRA YADAV

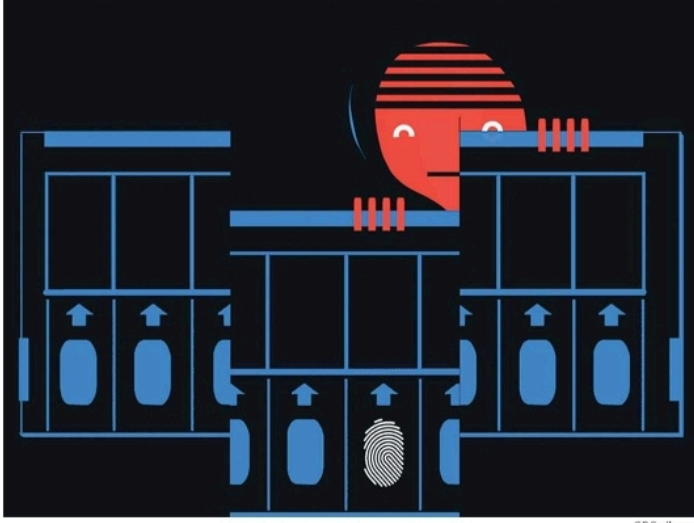
THE DEBATE SURROUNDING the Electronic Voting Machine (EVM) is easily among the most weird passions of our public life. Just as every Indian must prescribe you medicine for every known and unknown disease, every Indian who can barely type an SMS must have an opinion on EVM software. After suffering hundreds of hours of confidential, hush-hush, gyaan on this subject, I have realised that a combination of love for democracy, sense of helplessness and longing for science fiction is injurious to a country's political health. Over the last 15 years, the cast of characters has changed but the script has remained the same, even after the introduction of VVPAT machines. So far, this debate has only served to sow seeds of deep suspicion about the entire exercise of elections while distracting from some real electoral malpractices that remain under the radar. It is time to develop a national consensus on some small steps to put this debate to rest and move on to the more substantive issues of democratic reforms.

The EVM debate is the final point in the descent of our democratic imagination. In the 1960s and '70s, we had debates on transforming the way democracy works by rethinking the party system, ensuring de-centring of political power or shifting to proportional representation. By the 1990s, the debate had narrowed to electoral reforms, on conducting free and fair elections through an independent Election Commission that enforces the Model Code of Conduct. Of late, the debate has been circumscribed further to electoral integrity, on how to prevent electoral fraud during polling and counting process. The EVM is a small subset of this already pared-down agenda.

In this context, the Lok Sabha elections provided an unusual opening. The surprising outcome put to rest the suspicion that a massive electoral fraud, an invisible rigging of EVM, has taken place. Clearly, the powers-that-be would not have designed an election outcome where they lost majority and faced humiliation in states like Uttar Pradesh and Maharashtra where they were in power. Going by this elementary reasoning as well as the "small test" on the ground, the EVM has met the minimum threshold of fairness. This is not to say that the overall electoral contest was free and fair or there was anything like a level playing ground. It just indicates the unlikelihood of any large-scale fraud in the mechanism through which voters' choice was recorded. The final election outcome appears to reflect the way people voted.

This should have changed the nature of the debate around electoral integrity in general and EVMs in particular. Sadly, that has not happened yet, just as the present regime refuses to admit that the electoral verdict is a lesson in humility, the Opposition is also unwilling to acknowledge that the poll outcome is a tribute to the robustness of EVMs. It is easy to blame the Opposition for being stodgy or the democracy watchdogs for being nay-sayers. The real problem in this case lies with the Election Commission whose conduct lends credibility to every wild conspiracy theory about the stealing of elections.

One of these theories has to do with the



C.R. Sasikumar

EC's inordinate delay in declaring final turnout figures for each phase. Many leader, activists and observers (including the present author) had raised questions after the first phase. The EC is yet to offer a serious let alone a satisfactory response. This has led many conscientious activists to assume that this was a case of massive fraud, of nearly 6 per cent of total votes being inserted after the polling was over. On this basis, a report entitled 'Conduct of Lok Sabha Elections 2024', released by Vote For Democracy, arrived at a sensational conclusion that there was an artificial "spike" of as many as 4.65 crore votes after the polling was over and that this helped the NDA win additional 79 Lok Sabha seats. This is at best an assumption that cannot be taken seriously till there is some independent corroboration. But if this allegation has gained wide currency, and may damage the legitimacy of the electoral process, the fault lies with the refusal of the EC to come clean.

Then there is the odd case of mismatch between votes polled and votes counted. The Association of Democratic Reforms (ADR) raised this red flag in 2019, following an investigative report by Poonam Aggarwal. As per the ADR's report, Discrepancies between the votes cast and the votes counted in the 2024 Lok Sabha election: Multiple Perspectives, the mismatch is even bigger. The number of votes officially polled in the EVMs and the number of votes counted in the EVMs do not match in as many as 537 out of 543 constituencies! We are not looking at minor tallying errors. The average discrepancy is more than a thousand votes in every seat. Thankfully, the ADR has not rushed to any radical conclusions on this basis, but the EC has not offered any convincing explanation so far.

All this focus on the limited question of polling and counting mechanism has drawn our attention away from some of the bigger and deeper questions of electoral and democratic reforms. A third report, 'Electoral Integrity in India. An Agenda for Change:

We must begin by developing a national consensus on the EVM dispute. First, we must not think of going back to ballot papers, as it invites more problems than it solves. Second, we must find a way for voters to verify and authenticate that the machine has correctly recorded their choice. Foolproof solutions can be designed for that without handing over the slip to the voters. And finally, the paper slips in the VVPAT (and not the EVM display) must count as the official record of the elections.

Learnings from the 2024 General Election", by an Independent Panel for Monitoring of Indian Elections, which included some international observers as well, has collated all the irregularities that were observed in the run up to and during the election process in the Lok Sabha elections. The report highlights various issues related to the structures, processes and actors that resulted in the massive and unfair advantage to the ruling party over the opposition. Unequal access to state power, money and media are the biggest challenges to the idea of level playing ground in elections. These are the kind of questions we need to ask and debate.

In order to do so, we must begin by developing a national consensus on the EVM dispute. First, we must not think of going back to ballot papers, as it invites more problems than it solves. Second, we must find a way for voters to verify and authenticate that the machine has correctly recorded their choice. Foolproof solutions can be designed for that without handing over the slip to the voters. And finally, the paper slips in the VVPAT (and not the EVM display) must count as the official record of the elections.

Besides these changes in the EVM, the Election Commission must accept the ADR's eminently sensible suggestions to carry out an actual and accurate reconciliation of data before the declaration of the final result of any election. The Commission must make public the final number of eligible and actual voters for each booth and constituency (including copies of statutory forms such as 17C, Form 20, Form 21C, Form 21D and Form 21E) within a stipulated time frame. That should take care of many apprehensions and allow us to focus on real issues. A self-proclaimed "mother of democracy" and a global hub of IT deserves to debate the design of democracy and not that of a voting machine.

The writer is member, Swarni India and National Convener of Bharat Jodo Abhiyaan

WHAT THE OTHERS SAY

"If we are to hold to account those truly responsible for the indiscriminate killings in the lead-up to August 5, it is crucial that investigations be based on solid evidence. Blanket accusations and arbitrary cases risk not only the chances of justice but also further division."
— THE DAILY STAR, BANGLADESH

A selective amnesia

Rahul Gandhi's remarks on India in the US do not behove his office, pander to separatist tendencies



HIMANTA BISWA SARMA

RAHUL GANDHI'S RECENT trip to the US has sparked controversy and exposed the risks of his approach. Belittling India's democracy and its institutions on foreign soil may generate headlines. Still, such conduct is unbecoming of the Leader of Opposition, especially given his constitutional oath to uphold India's sovereignty and integrity. It's important to remember that India's democracy is robust, and its institutions — despite challenges — continue to function well, which should be a source of pride for every citizen.

Yet, the LoP's attempt to question the sanctity of India's electoral process, the Election Commission, and the judiciary while abroad paints an inaccurate picture. His claim that the current dispensation has taken control of all institutions seems ironic, given Congress's history of appointing loyalists.

In his conversation with Edward Luce, a columnist known for setting a skewed narrative bringing disrepute to the largest democracy, Gandhi accused the current elected regime of destroying the Constitution — a claim coming from the leader of a party that imposed the Emergency, the only period when India's democratic credentials were threatened.

At Georgetown University, Gandhi presented arguments about caste-based reservation and wealth inequality and his critique of institutional capture by business elites and the government. While he defended caste-based reservation as necessary for ensuring representation of OBCs, Dalits, and tribals in sectors like business and government, he avoided addressing how Congress failed to uplift these communities despite being in power for decades. His assertion that Congress will remove reservation when there is a level playing field too indicates his double speak. His selective framing leaves questions about Congress's role in perpetuating the disparities unhighlighted.

Congress's focus on caste as a political strategy is evident, and Gandhi has latched onto the narrative with his INDI Alliance partners. However, highlighting these issues in foreign forums, especially in the US, does little to advance the cause of justice. Instead, it portrays India as a deeply divided society and opens doors for adversarial elements, and as a matter that demands immediate attention and action or even foreign intervention.

Gandhi's comments about social exclusion and wealth concentration carry potential geopolitical implications. His focus on caste and inequality, when voiced on international platforms, risks being interpreted in ways that empower separatist movements like the Khalistanis.

His false comments about the diaspora event in Dallas that Sikhs in India are being restricted in their religious practices is a dangerous game and was swiftly picked up by Khalistani leaders, turning his rhetoric into fodder for their agenda. The fact that these separatist elements found validation in his

words shows the depth of this issue. Gurpatwant Singh Pannun, the chief of the banned Khalistani group, Sikhs for Justice, openly praised Gandhi's remarks, and linked them to the group's campaign for an independent Khalistan. It raises serious concerns about Gandhi's judgement. Also, his participation in gatherings that include pro-Khalistan supporters is problematic. For the Leader of Opposition to be seen pandering to such philosophies does not augur well for the nation.

His statements seem to lack alignment with the current reality. His remarks about Sikhs facing restrictions in India do not reflect the reality. A 2021 Pew Research Center survey titled "Religion in India", revealed that 93 per cent of Punjab's Sikhs felt proud to live in their state, and, like other religious groups in India, most did not perceive widespread discrimination against their community. In the survey, a remarkable 95 per cent of Sikhs expressed a strong sense of pride in their Indian identity. Gandhi yet again forgot that the party he represents was responsible for carrying out mass violence against Sikhs in Delhi's streets.

Additionally, the distorted representation of China's unemployment issues compared to India does not bode well. China is currently experiencing record-high youth unemployment rates, and its labour market continues to face significant challenges. Gandhi seems to have a fascination with China, overlooking the fact that its so-called development comes at the expense of democratic values and freedom.

He is free to appreciate China although it does not bode well with the very causes he is set to be fighting for but his meeting with Ilhan Omar is something his PR agencies should have avoided. This meeting at Capitol Hill could have severe repercussions for India's image abroad and for the country's national security. Omar has introduced anti-India resolutions and visited Pakistan-occupied Kashmir. Meeting such a figure is not just diplomatically questionable but also poorly reflects Gandhi's judgement as the leader of India's Opposition. Upholding India's sovereignty and integrity must be the LoP's guiding principle.

This linkage becomes more apparent when considering that Jammu and Kashmir, another region with a history of separatist tendencies, which has recently shown signs of stability, is also approaching elections. Gandhi's critical comments about Indian democracy and the exclusion of marginalised groups fuel the arguments of the minuscule minority that are sponsoring for self-determination, whether in Punjab or Kashmir.

Gandhi is risk-taking creating an image of a fractured India through the rhetoric which emboldens separatist movements and undermines efforts to maintain national cohesion. Such statements, especially when echoed on international platforms, would have dangerous ramifications. They play into the hands of those who seek to destabilise the nation.

Whether intentional or not, Gandhi's presentation in the US demands introspection within the INDI Alliance; complacency in such sensitive matters can have outcomes no Indian voter desires.

The writer is Chief Minister of Assam



ANIL BALUNI

THE NARENDRA MODI government 3.0 completing 100 days, in a pleasant coincidence, coincides with the birthday of our Prime Minister, which is being celebrated as sewa diwas. The last 100 days have been historic in many ways with the nation witnessing a slew of new development projects.

PM Modi has dedicated his life to people's welfare and the nation's development — first as a swayamsewak and party worker, then as an MP, then as a Minister, and finally as Prime Minister. With the understanding and empathy of someone born in a poor family, the PM has worked to ensure the wellbeing and welfare of the poorest. This is seen in the first 100 days of the Modi 3.0 government as well.

Through various initiatives — from ensuring free medical insurance cover to those over 70 years to launching of the Unified Pension Scheme for welfare of our farmers including health of MSP, schemes for development of industries and welfare of poor, giving the go-ahead to construct three crore new houses for poor under PM Awas Yojna, focus, policy interventions for green energy — the PM has given an altogether new dimension to his pledge of making India a developed nation by 2047.

The foundations of the development works that have been accomplished in the first 100 days of the government were laid earlier this year when the PM tasked the bureaucracy to prepare a 100-day roadmap for the third

The first 100 days

Decisions taken so far underline the priorities of the Modi government

term. This was to ensure that the development works continue unhindered and work on all projects continues smoothly even during the transition to a new government.

In the past, we have seen the first 20-25 days of a new government being filled with celebrations, and the real governance starting only after two-three months. This trend has been changed by PM Modi who has devoted his entire life to the growth and prosperity of our nation. He is a true *farmgiri*.

Renewing his focus on strengthening infrastructure, the PM has cleared projects worth over Rs 3 lakh crore. Some of these include a major port being developed in Vaduvai in Maharashtra with an expenditure of Rs 76,200 crore. Similarly, Rs 49,000 crore has been earmarked for 62,500 km long rural roads under the Pradhan Mantri Gram Sadak Yojana, which will benefit 25,000 villages. Capital expenditure has been increased to Rs 11.11 lakh crore, which will give a boost to employment generation. Other important projects include 936-km long eight national high-speed road corridors worth Rs 50,600 crore, and 12 new industrial smart cities.

In the past 100 days, 15 Vande Bharat express trains have been flagged off and eight new railway line projects have been cleared. For enhanced air connectivity, upgrading and development of airports have been ongoing in Varanasi, Bagdogra (West Bengal)

and Bihra (Bihar). Work has also started an ambitious project to connect Himachal Pradesh and Ladakh through Shinku La tunnel. All these projects will create around 4.5 crore job opportunities, give a fillip to economic development, infrastructure and connectivity.

PM Modi has remained committed to the growth of our agriculture sector and welfare of our farming community. He started his third term with the release of the 17th instalment of Kisan Samman Nidhi. His second decision was on MSP, where he increased the purchase price of Kharif crops, thus ensuring extra income to our farmers. Similarly, seven schemes worth Rs 14,200 crore under the Digital Krishi Mission to increase productivity and Rs 12,100 crore for the Polavaram irrigation project have also been cleared. "Mission Mausam", where Rs 2,000 crore will be spent on improving our weather-related forecast and other interventions, will also benefit our farmers. Similarly, the AgriSURE fund, formed to promote agri start-ups and rural entrepreneurs, will bring revolution in our agriculture sector. Special impetus has been given to improve agriculture in J&K. Similarly, India's co-operative sector has got a new lease of life under the PM's leadership.

Permission has been granted to open 113 new medical colleges, which will not only strengthen the medical infrastructure but also increase the number of MBBS seats. For the

common man, the PM has given relief on the tax front.

The PM has been consistently proving his mettle on the world stage, so much so that global leaders now look up to him to address any complex issue. There is a consensus developing in the Western world that if there is one leader who can play a pivotal role in ending the Russia-Ukraine war and bring peace to the region, it is Narendra Modi. India has evolved as a true global leader due to the unwavering diplomacy and statesmanship of the PM. Apart from strengthening ties with our time-tested friends, he is making new friends. His recent visits to Italy, Russia, Ukraine, Austria, Brunei and Singapore are a testimony to this. While the world still remembers the highly-successful G20 summit in New Delhi, India also stole the show in the recently-concluded G7 meet in Italy. Under Modi, the last 10 years have been remarkable for Indian diplomacy.

The first 100 days of the Modi government 3.0 clearly underline the priorities of the Prime Minister — to make a prosperous, developed and strong India. His vision of creating a true welfare state, where ease of living is ensured, particularly for the poor and backwards sections, women and youth, Dalits and tribals, farmers and villagers, is taking shape.

The writer is Lok Sabha MP (Garhwal, Uttarakhand) and BJP national media head

LETTERS TO THE EDITOR

IN INTEREST OF ALL

THIS REFERS TO the editorial, 'Restoring balance' (IE, September 16). Lowering the price of essential commodities like onions during an election period appears more like a political move than a genuine attempt to relieve the common man. The government should focus on improving onion yields, providing adequate resources to farmers, and creating buffer stocks to manage shortages. This would ensure that the voters who brought the government to power are not repeatedly burdened by such issues.

Aman Adiga, Dharmakal

THIS REFERS TO the editorial, 'Restoring balance' (IE, September 16). The export duties on onion and basmati rice have been slashed by the government to fetch good prices for farmers' produce. A bumper kharif crop is expected this season, so to keep prices at a remunerative level, especially in the poll-bound Haryana and Maharashtra, the Modi government has changed the export-import policy of commodities. The government has to balance pro-consumer and pro-farmer food policies. Being a predominantly agrarian economy, export and import policies largely affect every section of the population.

Atul Thakre, Nagpur

IN POOR TASTE

THIS REFERS TO the article, 'Failing Sikhs again' (IE, September 16). The Opposition leader's comments about Sikhs are deeply condemnable and reflect a discriminatory mindset. These remarks not only harm the narrative of diversity but also undermine the immense admiration they have earned in our society. These divisive politics disregard the inclusive ideals of Mahatma Gandhi and India's cherished unity.

Shaswat Jena, Chazibad

TIME FOR CHANGE

THIS REFERS TO the article, 'Mamata, the establishment' (IE, September 16). Mamata Banerjee has always revelled in her image as the street fighter and the underdog. However, this time the shoe is on the other foot. The doctors have taken to the streets against the rape and murder of a junior resident doctor at the state-run R.G.K. Hospital. Her government has shown marked indifference in dealing with the crime, leading to the snowballing of the incident. Mamata's desperation to recover lost ground is seen in the passage of the Bill seeking death penalty for rape. The West Bengal CM needs to act quickly to arrest this slide.

Vijai Pant, Hampur

The EDITORIAL PAGE

The Indian EXPRESS

FOUNDED BY
RAMNATH GOENKA

BECAUSE THE TRUTH INVOLVES US ALL

WEATHER PROOFING

Mission Mausam cannot have a set template. It will need to evolve with unravelling of complexities of climate science

IN THE LAST decade, extreme weather events have repeatedly underscored the need to upgrade systems that forecast the ways of the elements. The National Monsoon Mission, launched in 2012, did provide the country with an umbrella framework that can be tweaked to predict weather on multiple timescales. But with climate change threatening to make weather even more chaotic in the coming years, greater precision in predicting heavy downpours, heat spells and sea-level changes is a major prerequisite in securing lives and livelihoods and preventing social and economic disruptions. The state of knowledge on cloudbursts and lightning — it claims more lives than floods and landslides — is nascent. It is welcome, therefore, that the government has placed weather preparedness on a mission mode. Last week, the Cabinet cleared the Rs 2,000-crore Mission Mausam which hones in on indigenous research on instruments that gauge atmospheric pressure, wind speeds and humidity. It will involve adding around 70 doppler radars, 10 wind profilers and 10 radiometers. To put this scale of the Mission in perspective, the IMD has so far installed less than 40 doppler radars and the agency gets wind profiler data largely from the navy.

Climate knowledge has developed immensely in recent years. Yet, it remains an emerging science, with myriad local facets. The Mission could help the met department have a keen ear to the ground. At the same time, the policy cannot have a fixed template: it will need to evolve with the likely unravelling of some of the complexities of climate science. In recent years, AI-aided research has shown promise in enhancing weather prediction at costs less than conventional computing power. It's also a nebulous technology. However, policy-makers should not neglect to explore AI's potential in making the country climate smart. The challenge in all this will be to balance ambition with a realistic approach. One component of the mission, for instance, focuses on controlling rainfall. Cloud seeding has been used in a limited way in the US, China, parts of the UAE, Russia and Australia. However, the science and environmental effects of weather controlling mechanisms are not well understood and the jury on their cost-effectiveness and utility for large-scale operations is still out.

Weather prediction is one part of making the country climate resilient. A related aspect is to make cities, towns and rural areas ready for the erratic behaviour of the elements — predicting landslides, floods, and shielding people from their cataclysmic effects. Slope-wise early warning landslide systems are expensive. Yet, the growing number of land slips in the country means susceptibility assessments and investments in warning systems cannot be postponed. Similarly, glacial lake outbursts — in Sikkim last year, for instance — underline the need to identify the most vulnerable among such water bodies and model their peak discharge under different scenarios. Finally, climate preparedness will require urban and infrastructure planners to be sensitive to local socioeconomic conditions and ecology. Coordination between agencies and experts in these areas with Mission Mausam's endeavours could make for more robust approach.



SNEHA BANERJEE

SINCE THE ENFORCEMENT of the Surrogacy (Regulation) Act and the Assisted Reproductive Technologies (Regulation) Act, 2021, several concerns have been flagged. Some provisions are being challenged in the Supreme Court for their constitutional validity.

The first tussle that courts in India had with surrogacy, in the 2000s, were cases of children who ran the risk of being rendered stateless when they were born out of transnational surrogacy arrangements, which have been effectively banned since 2016. More recently, courts have also examined the status of parenthood via surrogacy with regard to maternity leaves, and various issues around the eligibility for commissioning parents as well as women who can act as a surrogate. *Jayashree Wad vs Union of India* (2016) argued for a prohibition on commercial surrogacy, which was brought about by the Surrogacy Act. However, there hasn't been a close examination of the question of payments to the women who act as surrogates which would follow from considering the nature of their labour.

The Surrogacy Act prescribes a prohibition on "buying or trading the services of surrogate motherhood by way of giving payment, reward, benefit, fees, remuneration or monetary incentive in cash or kind, to the surrogate mother or her dependents or her representative." Any "willing woman" between the ages of 25 to 35 years can act as a surrogate, once in her lifetime, altruistically, which includes coverage of medical expenses and a provision for insurance. Her informed consent is obtained through a form that delineates her rights and duties, including an "agreement" that she will "relinquish all rights" over the child upon birth. Some clauses in this also indicate that she is providing "help" to the seekers of surrogacy.

Payment to surrogates was a regular practice in the private healthcare sector that provisioned surrogacy as one of the options for seekers of infertility treatment. Various drafts of the ART bills that included provisions to regulate surrogacy, also recognised it. It was in

Pay the bearer

As SC hears challenges to Surrogacy Act, compensation in such arrangements requires closer examination

2016, when a separate Surrogacy Bill was announced, that a prohibition on payments was proposed. There have been legitimate concerns of possible exploitation around the hierarchy between intending couples and clinics on the one hand and poor or distressed women who acted as surrogates at the best of intermediaries, on the other. It remains debatable if removal of provisions for any kind of payment to the surrogate necessarily addresses this concern.

Another important argument against a payment model has been that it amounts to the sale of children. The draft ART Bills addressed this by proposing schedules of payment at different points in the pregnancy, so that it is amply clear that the payment is for the "service" of gestation.

It is also noteworthy that surrogacy is a mediated practice, given that gestational surrogacy requires intrusive medical intervention. It is also now a regulated practice with a central role of various bodies like the appropriate authority, district, state and national boards that receive applications, certify eligibility and redress grievances. Surrogacy is referred to variously as a "practice" and a "procedure", in the Act. The term "service" is cautiously deployed, primarily to refer to what the clinics do, and is used in the context of defining commercial surrogacy such as "services of surrogate motherhood". So, if the "service" is what is paid for, what the women act as surrogates are thought of as providing is "help". Therefore, the expenses incurred are sought to be provided for as an insurance cover that addresses damages and in the worst-case scenario, compensation for death. It is worth pondering over: if compensation is deemed appropriate for the death of the woman as a consequence of performing this labour, why can't compensation be given when they are alive?

Before its enactment, the Surrogacy Bills were examined by at least two Parliamentary Committees. The Department-related

Parliamentary Standing Committee of the Rajya Sabha's 102nd Report made some important recommendations for the 2016 Bill, which are relevant here. It noted that "Pregnancy is not a one-minute job but a labour of nine months with far reaching implications regarding her health, her time and her family. In the altruistic arrangement, the commissioning couple gets a child; and doctors, lawyers and hospitals get paid. However, the surrogate mothers are expected to practise altruism without a single penny". It recommended allowing "reasonable compensation" over and above medical expenses and insurance coverage. Compensation should be fixed by regulatory bodies and not according to the bargaining power of parties involved, it argued. Further, that "compensation should be commensurate with the lost wages for the duration of pregnancy, medical screening and psychological counselling of surrogate; child care support or psychological counselling for surrogate mother's own child/children; dietary supplements and medication, maternity clothing and post delivery care".

Transitioning from a primarily commercial arrangement that clinics and other intermediaries facilitated, to one where intending parents are to seek "help" from a "willing woman" to act as a surrogate, has not been smooth. On the one hand, there have been instances of arrangements going underground with reports of rackets being busted. On the other, several of those who desire parenthood via surrogacy have struggled to find someone who would agree. Both these extremes show the need for regulating fair compensation. While the legislative intervention has set these important issues aside, it remains to be seen whether the Supreme Court views the question of fairness in compensation as distinct from the narrow logic behind prohibition.

The writer is assistant professor, Department of Political Science, University of Hyderabad. Views are personal

MAKE ROOM FOR HER

As more women enter medicine, it is time to iron out systemic inadequacies, patriarchal mindsets

ONE OF the lacunae in the documentation of India's medical history has been the fact that it covers little of the lives and struggles of women doctors. The journeys of Anandi Bai Joshi, Kadambini Ganguly or Haimabati Sen — some of India's first female doctors — into popular consciousness might have been impeded by the fact that there were so few women who studied medicine in the late 19th-early 20th century that their stories got archived as exceptions. In the last decade though, this has shown a happy remedial tendency. Data from the All India Survey on Higher Education (AISHE) shows an upward graph in the enrollment of women in medicine. For every 100 men, there were 100 women enrolled in medical colleges in 2020-21. This was an increase from 88 in 2011-12 per 100 men to 110 in 2019-20, with a slight dip during the pandemic. There have been other significant — and welcome — departures. More women are opting for what have, for long, been male bastions — cardiology, oncology, neurology.

This upsurge is a welcome alignment of aspiration and opportunity and the work of generations of attitudinal shift. Women are no longer willing to be thwarted by societal expectations of marriage and motherhood or the premium placed on care work at home, notwithstanding their professional qualifications. The AISHE data bears this out. From just seven women in 2012-13 in 2012-13 in cardiology, the number rose to 78 against 220 men in 2020-21. In oncology, there were just 29 women against 95 men in 2012-13, but in 2020-21, the figures stood at 116 women against 123 men. In neurology in 2012-13, there were nine women against 118 men, but in 2020-21, this grew to 78 women against 173 men.

However, despite the projection that almost half of Indian surgeons in the coming decade will be female, and as the R G Kar rape and murder of a doctor in Kolkata has shown yet again, the system remains unprepared to receive women in its fold. Sexism in the classroom and the workplace, absence of basic facilities such as separate changing rooms and washrooms, inadequate security arrangements and little protection against violence large and small are all functions of a masculine imagination of the workplace. As more women enter medicine, this is an opportune moment to fix all that is broken. It could begin with more women in leadership roles who realise that it is not the late-night shifts that are the problem but the fact that women need to be worried about them in the first place.

SMALL SCREEN CINEMA

Emmy Award winners underline how TV is now the medium for complex, intelligent storytelling

THE 76TH EDITION of the Emmy Awards was among the most demure, mindful of sensitivities of the current moment. The hosts — *Schitt's Creek's* Eugene and Dan Levy — steered clear of jokes at the expense of actors. That's not to say the night was uneventful. The list of awardees underscored how television — and OTT platforms — is now the medium for complex storytelling that recognises its audience's intelligence. FX's *Shogun* bagged 18 awards and became the first majority non-English-language show to win the Outstanding Drama Series category. Jeremy Allen White and Ebon Moss-Bachrach won their second straight awards for *The Bear*. Netflix's *Baby Reindeer* came away with four awards, including Best Limited Series. Some of the other winners were *Hacks*, *Slow Horses* and *The Crown*.

Shogun, Australian-British writer James Clavel's 1975 historical novel, was first adapted into a miniseries in 1980 and won several Emmys. However, it was a story about Japan, centred on a White Englishman. The reason for its remake, according to Gina Balan of FX Entertainment, is it "needing to tell [the story] as much from the Japanese side, casting Japanese-speaking actors". Such attention to detail speaks to a cultural moment that celebrates diversity, individual specificity and the blurred lines of the genre. Fans of *The Bear* will agree with Eugene when he says, "I know some of you will be expecting us to make a joke about whether *The Bear* is really a comedy — but in the true spirit of *The Bear*, we will not be making any jokes."

The serious comedy, the witty drama, the historical epic — the mainstream on American TV — appear to be moving beyond genre shows. It seems to be fulfilling the role that many, including Martin Scorsese, believe that films have abandoned. Shows, over a longer time, are able to explore "individual voices that express their... personal ideas".



AJOY KUMAR AND AKASH SATYAWALI

IN HER COLUMN "Why Rahul Gandhi needs an education", if September 15, Tavleen Singh indulged in another diatribe against Rahul Gandhi. Riddled with unseemly remarks and sweeping generalisations, the column draws conclusions worthy of a summary rejection. Since such arguments are becoming a regular affair, we write to set the record straight.

Singh's principal bone of contention is Gandhi's remark questioning the fairness of the 2024 election process. She argues that if the BJP controlled the election, it should have won a majority. Establishment cheerleaders will often rely on such logical fallacies.

The right to vote is amongst the most crucial rights. But can any reasonable person claim that voting alone makes a democracy? It must be supplemented by transparency and ensuring a level playing field for all participants. A voter must be able to make an informed choice.

In the run-up to the Lok Sabha elections, the Congress's bank accounts were frozen, later converted to a lien of a substantial amount. Investigative agencies have been on an overdrive to target opposition politicians. A concoction of fear and favour has turned most of the mainstream media into a partisan entity. The Election Commission watched on as the prime minister led an outright communal campaign. When Rahul Gandhi talks about a "controlled election" he alludes to the systematic erosion of the level playing field. That the BJP failed to get a majority despite all odds stacked in its favour shows that this is a deeply unpopular government held together by propaganda and oppression.

Vladimir Montesinos, the infamous Peruvian intelligence officer, was known to control the media that helped consolidate support for the Alberto Fujimori government.

OUT OF SYNC, WITHOUT BASIS

Tavleen Singh's umbrage at Rahul Gandhi's statements is unfair and ill-informed

Montesinos is accused of bribing media channels through advertisements. Nine of the 10 Peruvian channels were paid handsomely to broadcast favourable news. His downfall came when the 10th channel, a small network with only 10,000 subscribers, decided to broadcast a leaked video showing Montesinos bribing a judge. In hushed voices, people will talk of Indian Montesinos. The now shelved broadcasting bill is in line with how this government seeks to control every public avenue.

This brings us to the larger debate on how we view democracy. Should it be confined to casting a ballot? Should we ignore election finance that legalises corruption, promotes cronyism? Should we judge our institutions' health by referring to the lowest standards? In their first speeches in the Constituent Assembly, B.R. Ambedkar and Rajendra Prasad eloquently put how mere existence of an equitable governance framework does not guarantee equality. We must constantly strive towards raising our standards. As India matures, it must take a hard look at its journey so far and review the policy framework. The demand for a socio-economic caste census that Rahul Gandhi champions is a steppingstone towards a more socially just order.

Singh takes umbrage at this demand while skipping past the BJP's doublespeak on the issue. Across the political aisle, there is an agreement in principle that we must conduct a caste census. As Yogenendra Yadav mentioned in these pages "Ten half-truths about caste census" (September 3), the BJP had endorsed a nationwide caste census in 2010 and the inclusion of other backward classes in the next census in 2018.

We wholeheartedly agree with her on the need to strengthen the education sector and

vehemently disagree that education alone is the panacea to all evils. An analysis by Ankur Pallwal in *Nature* reveals how in elite research institutes like IITs, IISc, TIFR, over 90 per cent professors and assistant or associate professors are from privileged castes. Without official mandates, candidates from marginalised sections will continue to face discrimination. Singh made a sweeping claim that "many 'socialist' prime ministers" ignored the need to provide "real education instead of just basic literacy". She then goes on to say that one of PM Modi's biggest failures is doing little to improve school education. We cannot but gawk at the obnoxiousness of these statements. Caste remains one of the barriers to getting an education. At Independence, India's literacy was 18.3 per cent, which increased more than four times by 2011, reaching 73 per cent. Governments, Congress, Janata Parivar, and others introduced measures to improve students' proficiency on different scores. PM Modi has presided over the gradual withdrawal of the government from education. This trend started in Gujarat where not a single public university came up during his tenure as chief minister. In this year's budget, the allocation was reduced by 7 per cent.

Rahul Gandhi is an easy target. As Leader of Opposition, he has chosen to speak for the people. Behind the veneer of high growth rates is the reality of rising inequality. These issues are finding resonance with people. Targeting Rahul Gandhi is irrational, and as people showed this June 4, it's out of fashion. We urge Singh to get with the times.

Kumar is member, Congress Working Committee. Satyawali is National Coordinator, AICC Research Department

SEPTEMBER 17, 1984, FORTY YEARS AGO

SRI LANKA RELENTS

THE SRI LANKAN government will grant citizenship to 95,000 stateless people of Indian origin and send back 100,000 others who had opted for Indian citizenship. President J.R. Jayawardene announced. The announcement followed an expression of regret by the CWC president, S.H. Donnan, at the delay in granting citizenship to the stateless. Fears had been expressed earlier that India may use the issue to intervene in the island's affairs.

NTR CM AGAIN

BOWING TO THE mounting democratic will

of the people, Andhra Pradesh Governor Shankar Dayal Sharma dismissed the one-month-old ministry of N. Bhaskara Rao and installed N. Rama Rao as chief minister again. Rama Rao was sworn in as CM along with his first batch of 10 ministers.

INDO-CHINA TIES

INDIA AND CHINA said they attached the greatest importance to relations with each other and vowed to try hard and get over the main obstacle — the border problem — to raise their ties to the high level of the Fifites. In New Delhi, they were said to have made "reasonable progress" in their attempt to marry the

five general principles put forward by the Chinese and India's six working propositions.

PAKISTAN'S HAND

THE GOVERNMENT HAS got clear evidence to show that Punjab terrorists are getting support from Pakistan. The evidence collected by the government after interrogation of some terrorists, especially those arrested in Rajasthan, and the supply of pistols to the hijackers at Lahore airport, has convinced it about Pakistan's hand in the Punjab trouble. An authoritative source told this correspondent: "It is very clear now that Pakistan is deeply involved in the Punjab trouble".



Text & Context

THE HINDU

NEWS IN NUMBERS

The percentage of independents in fray in Jammu & Kashmir

40 A total of 365 candidates have filed their nominations as Independent candidates to contest the three-phase polls. This is the second-highest number of Independents to contest the polls in J&K. PTI

Bail granted to MPs linked to Pak's ex-PM Imran Khan

10 At least 30 people from Khan's Pakistan Tehreek-e-Insaf party — including 10 MPs — were remanded in custody last Tuesday, two days after they led a major rally in the capital, Islamabad. AFP

Death toll due to Typhoon Yagi in South East Asian countries

400 Yagi battered Myanmar, Vietnam, Laos and Thailand with powerful winds and a huge dump of rain over a week ago, triggering floods and landslides. AFP

The amount of aid the U.S. will provide Bangladesh

202 in \$ million. USAID will provide a grant to Bangladesh for its three sectors: good governance, social, human, and economic opportunity, and resilience. PTI

Deaths due to gang infighting in Mexico's cartel bastion

30 The fighting follows the arrest of Sinaloa Cartel co-founder Ismael "El Mayo" Zambada, who claimed he had been delivered into custody against his will. AFP
COMPILED BY THE HINDU DATA TEAM

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Why is T.N.'s education funding on hold?

Why has Tamil Nadu not received its Samagra Shiksha funds for this year? What are the conditions attached to the release of Tamil Nadu's education funds? How does the National Education Policy 2020 affect funding? Why is the three-language formula a contentious issue?

EXPLAINER

Priscilla Jebaraj

The story so far:

Tamil Nadu is yet to receive this year's funds from the Union government under the flagship education scheme Samagra Shiksha. According to the State government, the Centre has linked these funds to the complete implementation of the National Education Policy (NEP) 2020, which includes provisions that the State has opposed, including the contentious three-language formula. The impasse has come to a head over the last two weeks, with a public war of words between the Centre and State erupting on X.

What is Samagra Shiksha and why has Tamil Nadu not gotten funds under it?

Samagra Shiksha is an integrated Centrally-sponsored scheme for school education from nursery till Class 12, with components for teacher training and salaries, special education, digital education, school infrastructure, administrative reform, vocational and sports education, with grants for textbooks, uniforms, and libraries, among others. The scheme's estimated outlay between 2021 and 2026 is ₹2.94 lakh crore, with the Centre and States contributing funds in a 60:40 ratio. For 2024-25, Tamil Nadu's allocation under the scheme amounts to ₹3,586 crore of which the Central share is ₹2,152 crore, with a first quarterly instalment of ₹573 crore, which has not yet arrived halfway through the financial year.

In a letter to Prime Minister Narendra Modi last month, Tamil Nadu Chief Minister M.K. Stalin accused the Centre of imposing a prerequisite for the fund's disbursement, namely, the signing of a Memorandum of Understanding (MoU) for another Centrally-sponsored education scheme called PM Schools for Rising India (PM Shri). This scheme, being run from 2022-2027, aims to create 14,500



In limbo: The State implements a two-language formula, making it mandatory for all students to study both Tamil and English throughout their school years. PTI

model schools across the country to showcase the implementation of NEP 2020, and has a much smaller project cost of ₹27,360 crore. The Centre has sent at least 10 letters to Tamil Nadu from September 2022, asking the State to sign the MoU, which included an agreement to fully implement the NEP.

In March 2024, the State gave an undertaking that it would do so, with Tamil Nadu Education Minister Anbil Mahesh saying that this was because the PM Shri MoU was being linked to funding for the much larger Samagra Shiksha — the delayed third and fourth instalments from 2023-24, and the full funds for the current year. In July, the State signed a modified MoU, dropping the paragraph on NEP implementation, however, this was unacceptable to the Centre. In his August letter, Mr. Stalin noted that States which had signed the MoU had received the funds, and in a September post on X, accused the Centre of "denying funds to the best-performing States for refusing to bow to the NEP".

The Union Education department has taken umbrage at this implication. In response to an article by *The Hindu*, a Ministry spokesperson said it was "misleading" and "incorrect" to suggest any such "quid pro quo". However, the fact remains that Tamil Nadu has not signed the complete PM Shri MoU and has

not received Samagra Shiksha funds.

What is Tamil Nadu's problem with the NEP 2020?

In a post on X, Mr. Mahesh said the State's objections "relate to specific elements like the three-language formula and curriculum changes", and noted that "Tamil Nadu is already implementing many acceptable aspects of NEP through its own initiatives". He also warned that linking the release of Samagra Shiksha funds to full NEP compliance "infringes upon the State's constitutional autonomy in education".

Tamil Nadu's draft State Education Policy (SEP), submitted in July, clearly indicates that the State wants to stick to the 5+3+2+2 curricular formula, rather than the NEP, which includes the pre-school years. The SEP also proposes five years as the age of entry to Class I, as against six years in the NEP. The State wants undergraduate college admissions to be based on Class II and 12 marks, rather than a common entrance test as proposed by the NEP. The biggest hurdle, however, is the NEP's three-language formula.

Why does Tamil Nadu oppose the three-language formula?

The NEP 2020 recommends the mother tongue or the local language as the

medium of instruction till Class 5 and says that all school students should be taught at least three languages, of which two must be native to India. This three-language formula recommendation has been in every NEP since 1968, and has been implemented in many States by teaching the local language, as well as English and Hindi, with Sanskrit also offered as an option, especially in Hindi-speaking States.

Tamil Nadu has had a long-standing opposition to this formula, dating back to social movements in the pre-Independence era. From a widespread agitation against mandatory Hindi in the 1930s to violent anti-Hindi riots in the late 1960s, to protests against the NEP and Navodaya schools in 1986, there has been a consistent political consensus on the issue.

Instead, the State implements a two-language formula, making it mandatory for all students to study both Tamil and English throughout their school years, and they are free to choose Hindi or any other language as an optional third. "We embrace Tamil as a pillar of our identity while also ensuring future generations are equipped with English proficiency," Mr. Mahesh said in a recent post on X.

NEP 2020 says that "there will be a greater flexibility in the three-language formula, and no language will be imposed on any State", indicating that it is not mandatory to include Hindi as one of the three languages. However, this would still allow students to choose Tamil as a third language, to be studied for just a few years in middle school.

All major political parties in Tamil Nadu have rejected this formula on principle. When Union Education Minister Dharmendra Pradhan asked whether this "principled" stance against NEP meant that Tamil Nadu was opposing education in the mother tongue including Tamil, Mr. Mahesh responded that the State's policy has "always prioritised inclusive learning with Tamil as a cornerstone, while empowering students with knowledge in English".

THE GIST

▼ Tamil Nadu hasn't received its Samagra Shiksha funds for the current year.

▼ Tamil Nadu rejects the NEP's requirement for teaching three languages, preferring its own two-language formula.

▼ The disagreement over NEP compliance has led to heightened tensions and a public exchange between Tamil Nadu and the Centre.

How do emergency provisions impact Centre-State relations?

What is the federal structure of governance in India? How do Articles 355 and 356 affect federalism?

Rangarajan R.

The story so far:

The recent spate of renewed violence in Manipur has once again triggered the discussion around Centre-State relations and the use of emergency provisions by the Centre.

What is our federal set-up?

India is a federation with governments at the Centre and the States. The Seventh Schedule to the Indian Constitution distributes the power between the Union and States. Under this scheme, it is the domain of the State governments to maintain law and order in their respective States.

What are emergency provisions?

The emergency provisions are provided in Part XVIII of the Constitution. Articles 355 and 356 deal primarily with the affairs of government in a State under this part. Article 355 imposes a duty on the Centre to protect every State from external aggression and internal disturbance. It

also specifies that the Centre should ensure that every State government operate according to the Constitution. Article 356 allows for the imposition of the President's rule if a State's government cannot function in accordance with constitutional provisions. While in the U.S. and Australia, federal government functions also involve protecting States, their constitutions do not contain provisions for removing State governments.

B.R. Ambedkar explained the purpose of Article 355, keeping in mind the federal character of our polity, that if the Centre is to interfere in the State's administration under Article 356, it must be by or under some obligation which the Constitution imposes on the Centre. Hence, Article 355 was incorporated to check any arbitrary or unauthorised use of Article 356.

What have the courts ruled?

Dr. Ambedkar again in the constituent Assembly wished that Articles 355 and 356 would never be called into operation and would remain a dead letter. However, it was a travesty of the Constitutional

principles and federalism that Article 356 was misused on several occasions removing elected governments that enjoyed majority in the States. Reasons varied from loss in Lok Sabha elections to deterioration of law and order in the States. It was only after the Supreme Court's categorical judgement in the S R Bommai case (1994) that such misuse was restricted. The court held that Article 356 should be imposed only in the event of a breakdown of constitutional machinery, as distinguished from an ordinary breakdown of law and order. It also held that the imposition of the President's rule is subject to judicial review and should not be misused for political reasons.

On the other hand, the scope of Article 355 has been widened by various Supreme Court rulings. In *State of Rajasthan Vs Union of India* (1977), the court had a narrow interpretation of Article 355 as justifying the employment of Article 356. However, in subsequent cases such as *Naga People's Movement of Human Rights Vs Union of India* (1998), *Sarbananda Sonowal Vs Union of India* (2005), and *H.S. Jain Vs Union of India*

(1997), the legal position with respect to Article 355 has shifted. The scope of actions under this article has been widened to permit all statutorily and constitutionally available actions by the Union to discharge its duties of protecting the State and ensuring that its governance is in accordance with the Constitution.

What are the suggestions?

The Sarkaria Commission on Centre-State Relations (1987), the National Commission to Review the Working of the Constitution (2002), and the Punchhi Commission on Centre-State Relations (2010) have all opined that Article 355 not only imposes a duty on the Union but also grants it the power to take necessary actions for the effective performance of that duty. Imposition of the President's rule under Article 356 must be used as a last resort in situations of utmost gravity and urgency.

The situation in Manipur is grave. Large-scale violence against innocent civilians, women and children; looting of ammunition from police armoury; drone and missile attacks targeting civilians cannot be viewed as just an ordinary breakdown of law and order. Constitutional as well as political expediency, considering that the same party is in power at the Centre and the State, has resulted in Article 356 not being invoked. However, under Article 355, all possible instructions and actions should continue to be pursued to restore normalcy at the earliest.

Rangarajan R is a former IAS officer and author of 'Polity Simplified'. Views expressed are personal

THE GIST

▼ India's federal system divides powers between the Union and State governments, with States responsible for maintaining law and order.

▼ Articles 355 and 356 of the Constitution allow the Centre to intervene in States under certain conditions. Article 355 mandates the Centre to protect States from internal and external threats, while Article 356 permits the imposition of President's rule if a State's government fails to function according to the Constitution.

EXPLAINER



Kuno National Park in Madhya Pradesh was found to be the most suitable for introducing the cheetahs because of its habitat and adequate prey base. PTI

What is the current status of the introduction of African cheetahs?

Project Cheetah has encountered significant setbacks, including prolonged captivity and cheetah fatalities; with long-term success hinging on finding sufficient habitat, scientific management, and community support, the project's future depends on overcoming these enormous challenges

Ravi Chellam

The Cheetah Action Plan (CAP) represents India's ambitious effort to introduce African cheetahs into its ecosystems, with a focus on both conserving the species and restoring the health of savanna habitats. However, the project has faced several challenges since its inception, including extended captivity of the cheetahs and fatalities, raising questions about its long-term prospects.

What is Project Cheetah?

The CAP states that the translocation of a large carnivore, African cheetahs in this case, is a strategy to conserve threatened species and restore ecosystem functions. It also states that India plans to assist the Government of Iran, and the international conservation community with conserving the Asiatic cheetah and increasing its distribution range to include protected landscapes in India.

The CAP also says cheetahs will be a flagship species for the degraded dry-open forest/savanna ecosystems in India and increase the value of restoring and conserving them, as well as improve the fortunes of local communities through eco-tourism. It has been estimated that the released population should reach the carrying capacity of Kuno National Park in about 15 years and that of the wider Kuno landscape in 30-40 years. According to the CAP, the introduction programme requires long-term (at least 25 years) financial, technical, and administrative commitments from the Ministry of Environment, Forests and Climate Change (MoEFCC), the National Tiger Conservation Authority (NTCA), the Madhya Pradesh Forest Department, and the Wildlife Institute of India.

Why are the African cheetahs in captivity?

Per the CAP, radio-collared male coalitions were to be released first from their holding enclosures (*bomas*) after a period of one to two months. The radio-collared females were to be released one to four weeks after the males, depending on how comfortable the males

were in their new environment. India has missed these timelines. The quarantine period in Kuno for all the cheetahs was longer than specified. Once the cheetahs were released into the bomas, they endured a prolonged period of confinement. In fact, the 12 surviving adult cheetahs of the 20 brought from Africa have spent almost all of the last 12 months in captivity.

Such long-term captivity can only be interpreted as a misguided attempt by those managing the cheetahs to play it safe, possibly in the belief that the mortality of the cats can be mitigated in captivity and that they will also be easier to breed.

The problem? Captive cats quickly become unfit to be released to range free in the wild, which is Project Cheetah's objective. A Namibian policy categorically restricts the captivity period for wild large carnivores to three months. If the period exceeds this duration, the carnivore should either be euthanised or be held permanently in captivity.

As per this policy, the 12 adult cheetahs and the 12 cubs currently in Kuno are unfit to be released into the wild.

Why did so many cheetahs die after moving?

Deaths and births are part and parcel of the lives of all species. That said, in such international projects, utmost care should be taken to assess and choose individual animals before they are imported. Once the cats are in India, we are responsible for deploying the best available knowledge and management practices to ensure they thrive, not just survive.

There have been failures on both these fronts. One female cheetah imported from Namibia had a pre-existing and chronic renal ailment resulting in her death in captivity in March 2023. A male from South Africa died in captivity in April 2023 due to suspected hypokalaemia and the resulting acute heart failure. A female from South Africa died in captivity in May 2023 as she was mauled by a male coalition in an enclosure while the managers were trying to get her to mate. All three cats died before they were released at all.

In late May 2023, three of the four cubs

born to Jwala were found dead due to heat stroke. Between July 11 and August 2, 2023, two males from South Africa (one free-ranging and the other in captivity) and one female from Namibia (free-ranging) died. The official reason was that these cats contracted dermatitis, followed by myositis and septicemia. The root cause was allegedly the growth of a winter coat during the Indian summer and monsoons. This is physiologically impossible since a shorter day length is required for the winter coat to grow.

In January 2024, a male from Namibia died in captivity due to septicemia. In August 2024, another male from Namibia – the only free-ranging African cheetah in Kuno – died apparently due to drowning. A few cheetah researchers with decades of experience said none had heard of a single instance of a free-ranging cheetah drowning.

Two of the cubs born in a litter of six died in June and August 2024. One cub's spine was broken.

Why are the cheetahs located in Kuno?

The CAP states that 10 sites were surveyed in five central Indian States to determine their suitability for introducing African cheetahs. Of these, Kuno National Park in Madhya Pradesh was found to be the most suitable for introducing the cheetahs because of its habitat and adequate prey base.

But even in Kuno, the cheetahs have largely been held captive. About 80 sq. km has been fenced off in Gandhi Sagar Wildlife Sanctuary and cheetahs were initially supposed to be released there by December 2023 or January 2024. Now the plan seems to be to introduce the cats in late 2024 or early 2025.

A captive breeding facility for the African cheetahs is being built in the Banni grasslands of Kachchh, Gujarat. Some cheetahs are likely to be housed here. Nauradehi Wildlife Sanctuary in Madhya Pradesh has also been mentioned as a potential site for introducing African cheetahs.

Who is responsible for the cheetahs?

An expert committee appointed by the NTCA and chaired by Rajesh Gopal has

the overall responsibility for guiding the project. The NTCA and the MoEFCC are the institutions responsible for all high-level decision-making, including negotiating with the African countries to procure the cheetahs.

The Wildlife Institute of India has been providing technical inputs and the Madhya Pradesh Forest Department has been responsible for the field implementation.

Will Project Cheetah have measurable outcomes?

The CAP outlines both short-term and long-term success criteria for introducing cheetahs in India. In the short term, the goals include a 50% survival rate for the first year, cheetahs establishing home ranges, successful reproduction in the wild, and generating revenue for local communities through eco-tourism. These goals are currently not being met due to prolonged captivity, which contradicts the plan's original prescriptions. Long-term success is measured by cheetahs becoming a stable part of the ecosystem with natural survival rates, establishing a viable metapopulation, improving habitat quality and prey diversity, and benefiting local economies through sustainable conservation efforts.

Does Project Cheetah have a sunset clause?

In some sense, the long-term criteria for success like the establishment of a viable metapopulation in India should be viewed as the sunset clause. Such projects will need almost constant management attention.

The timelines stretch across a minimum of 15 years but more realistically 30 to 40 years, as per the CAP.

But the big question still remains: does India have sufficient habitat (4,000 to 8,000 sq. km) of the required quality to establish a viable population of free-ranging cheetahs in the wild?

Ravi Chellam is a wildlife biologist and conservation scientist based in Bangalore. He is CEO of Metastring Foundation and Coordinator of Biodiversity Collaborative. The views expressed by him are independent and personal



FROM THE ARCHIVES

Know your English

K. Subrahmanian
Uppendran

"Good morning!"
"Good morning indeed!"
"What do you mean 'Good morning indeed!'"
"Well, it seems strange that you wish me 'good morning' at 6 o'clock in the evening."
"What if it's 6.00 in the evening? I'm seeing you for the first time today, aren't I?"
"Yes."
"As I'm seeing you for the first time today, I must say 'good morning!'"
"You can't do that. You wish someone good morning only if it's morning. That is before 12 noon."
"So the way you greet someone depends on the time of day you greet him/her."
"That's right."
"Wait a minute. Now it's 6.00 o'clock in the evening. So what do I say to you now? Good evening. And if I see you at 3.00 o'clock in the afternoon, I should say 'good afternoon', right?"
"Yes. As I said, the way you greet a person depends on the time of the day. If you meet someone before noon, you say 'good morning'. If you meet someone between noon and 6.00 o'clock in the evening, you greet him/her with a 'good afternoon'. Any time after 6.00 o'clock in the evening, you say 'good evening'."
"When do you say 'good night'?"
"You say 'good night' when you bid someone good night. It's used only when you take leave of a person."
"So can I say 'good night' to you, if I take leave of you at 3.00 o'clock in the evening?"
"No."
"So 'good night' is said when you take leave of someone at night. Is that right?"
"Yes, that's right. And the usual response to good night is good night. Just as the usual response to..."
"Good morning is good morning and good afternoon is good afternoon. And when you take leave of a person in the morning or afternoon, you don't say 'good morning' or 'good afternoon'. Either you say 'good day' or the more usual 'good bye'..."
"Please stop. I see that you have understood."
"I certainly have. Well, I'd better get going."
"Where are you off to?"
"Gokul's house."
"What for?"
"Gokul met with a fatal accident this morning."
"How did it happen?"
"His car ran into a buffalo."
"A buffalo?"
"Yes. The poor chap is in terrible pain."
"Who, the buffalo?"
"I wouldn't refer to the buffalo as 'he', would I?"
"Then who are you talking about?"
"About Gokul, of course!"
"But I thought you said he was dead."
"I certainly did not."
"Didn't you say Gokul met with a fatal accident?"
"But I didn't say he died."
"But that's what you meant."
"No, I didn't."
"Listen, if you say someone was involved in a fatal accident, it means he/she died in that accident. Fatal accidents always result in someone's death."
"But this accident only resulted in Gokul breaking his collar bone."
"It wasn't a fatal accident."
"Thank goodness!"
Published in *The Hindu* on May 25, 1993

THE DAILY QUIZ

September 17 marks the day when the princely State of Hyderabad merged with the Indian Union in 1948. Here is a quiz about key figures and events

Serish Naniseti

QUESTION 1

He was the first and the last Agent-General of India in the princely State of Hyderabad. Name him.

QUESTION 2

He was born in present-day Bangladesh and was the first cousin of actress Devika Rani. In 1948, he secured the surrender of the Hyderabad armed forces in Secunderabad on September 18. Who was he?

QUESTION 3

He was the commander in chief of Hyderabad armed forces who surrendered to the Indian army in September 1948. Who was this soldier?

QUESTION 4

They were volunteers of armed men created

by the Majlis Ittehadul Muslimeen in Hyderabad. They functioned as Nizam's stormtroopers and created a reign of terror in the interiors of Nizam's Dominion before the merger of the princely State. Name this group.

QUESTION 5

She unfurled the Indian flag in Hyderabad near the British Residency building on October 2, 1942, heeding the call of the Quit India movement, and went to jail. The zoological park in Darjeeling is named after her as she served as a Governor of that State for 11 years. Who was she?

QUESTION 6

The Nizam's army started bringing weapons from Pakistan into Hyderabad with an Australian pilot carrying on the surreptitious mission using WW-II vintage Lancasters in 1948. This movie director from Hyderabad, who was 13 then, confessed to throwing pebbles into the planes to disable them.



Visual Question:

The Tricolour fluttering over this colonial building was first unfurled on September 18, 1948. It is now the presidential retreat in winter, and a tourist destination the rest of the year in Hyderabad. What is this building called now?

Questions and Answers to the previous day's daily quiz:

1. Which club won the inaugural season in 1929-30 and which one won the latest in 2023-24? **Ans: Barcelona and Real Madrid**

2. Who holds the record for having scored the most goals?

Ans: Lionel Messi

3. Who are the two players holding the record for the most appearances? **Ans: Andoni Zubizarreta & Joaquin**

4. How many non-EU players can be named by a side for each match? **Ans: 3**

5. What is the name of the second division to which lowly placed clubs in La Liga are relegated? **Ans: Segunda division**

6. Name the founding member club of La Liga that got promoted for the current season. **Ans: Espanyol**

7. Which are the three founding clubs that have never been relegated from the prime division in La Liga history? **Ans: Real Madrid, Barcelona & Athletic Bilbao**

8. Who scored the first hat-trick in the 2024-25 season? **Ans: Raphinha for Barcelona against Valladolid**

Visual: Identify this legendary player. **Ans: Raul Gonzalez** The only player to have appeared in 550 matches for a single club

Early Birds: Tamal Biswas | Parimal Das | Arun Kumar Singh

Word of the day

Censorious:

Harshly critical or expressing censure

Synonyms: disapproving, condemning, complaining

Usage: She was surprised by the censorious tone of the review.

Pronunciation: bit.ly/censoriouspro

International Phonetic Alphabet:

Alphabet: /sɛn'sɔ:riəs/

For feedback and suggestions for Text & Context, please write to letters@thehindu.co.in with the subject 'Text & Context'

Opinion

TUESDAY, SEPTEMBER 17, 2024

Better late than never

The govt has done well to wake up to the shortcomings of the 2021 scrappage policy

IT'S GOOD THAT the government has realised, even if belatedly, that the vehicle scrappage policy announced in 2021 needs to be reviewed. Last week, Anurag Jain, secretary, ministry of road transport and highways, told an industry conference that the government was now working on a scrappage policy based on pollution potential instead of the current one, which is based on the age of the vehicle. The reason cited by him was consumers complaining why should they be made to change vehicles if they have maintained them well. The statement makes it clear that the earlier policy was rushed through without taking inputs from the larger stakeholder community. Obviously, the auto industry would favour a scrappage policy as it would lead to mandatory repeat purchase thus fuelling demand. Estimates suggest that the move would boost sales by 4-5% annually.

But the policy was not announced at the behest of the auto industry. Its purpose was to lower pollution in general and specifically in the Delhi-National Capital Region (NCR), which suffers from smog every winter. While there are several reasons for such conditions in the region, chief of which is stubble burning by farmers of Punjab and Haryana, the main thrust was borne by vehicle owners. This is evident from the fact that the 2018 Supreme Court (SC) order on scrapping of older vehicles in the NCR has not provided much of a relief from the smog. The 2021 policy specifically targets over 15-year-old commercial and over 20-year-old private vehicles, requiring them to undergo mandatory fitness tests. Vehicles that fail these tests must be scrapped, with owners offered incentives to purchase new vehicles. Under the SC's order, petrol vehicles older than 15 years and diesel vehicles over 10 years are not allowed to ply on NCR roads.

To make the policy palatable to the consumers, the government had added that original equipment owners (OEMs) will have to give discounts on the new cars bought in lieu of scrapped ones and even the government would provide relief in the form of road tax rates. Recently, the OEMs agreed to offer discounts of up to 1.5% - 3% against scrapped vehicles on the ex-showroom price for passenger vehicles for a period of 1 to 1.5 years. That the policy lacks sense can be gauged from the fact that if a vehicle is being scrapped because it is unfit to be used, and is causing pollution, then why should incentives be provided to disband it? Emission technology for vehicles is advancing thus reducing pollution to a great extent. Since 2020, PV manufacturers have had to switch to BS 6 norms, from the earlier BS 4. In BS 6 diesel engines, the nitrogen oxide limit gets reduced by 70% from the previous standard, and OEMs had to make heavy investments to implement it.

The point is clear. If a vehicle is of modern technology and has been maintained well, there is no logic in mandating a phase-out after 15 years. The running of vehicles anyway varies from city to city. For instance, a vehicle in a city like Delhi would clock 100,000 km faster than in smaller cities. The government should scrap the current scrappage policy, and move to a regime which focuses on fitness of vehicles. To ensure this, gtr pollution norms, and renewal of registration based on fitness is the way forward. A meaningless one-size-fits-all approach will always reach a dead end.

Walmart has seized the baton from Nvidia. What?

CONSUMER STAPLES ARE one of the sleepiest sectors of the US stock market. Investors buy them for their low volatility and generous dividends, not exhilarating upside potential. But lately, toothpaste, bleach, and certain big-box food retailers seem to be acting like the new semiconductors.

The S&P 500 consumer staples sector has returned 18.9% year to date, pushing the blended forward price-earnings multiple to 21.5 at the time of writing, near the highest since 2022. Some of that reflects optimism around juggernauts including Costco Wholesale Corp. and Walmart Inc. — which command multiples of 51.2 times and 30.8 times forward earnings, respectively — but the frothiness extends to other parts of the diverse super-sector as well.

Colgate-Palmolive Co., Procter & Gamble Co., and Coca-Cola Co. now trade at 27.9 times, 24.7, and 24 times blended forward earnings. Those multiples are 3, 1.3, and 0.8 standard deviations above their 2014-2023 averages — not 2021 meme-stock expensive, but certainly expensive on their own terms.

And this is a relatively recent phenomenon. Staples valuations exploded upward in early August, propelled by the sense that the economy was shifting from "very good" to "so-so." Data since then has revealed that the unemployment rate, while still low, is generally on the rise. Meanwhile, Nvidia Corp., the superstar stock of the 2022-2024 bull market, failed to deliver the magnitude of earnings surprise that markets had grown to expect. As a result, the S&P 500 semiconductor sub-industry has deflated to a 28.4 times forward P/E ratio, after a 90% rally from late 2023 pushed industry multiples as high as 36.1 times.

That being the case, it made sense to seek a degree of safety in companies with steady cash flows and high dividend yields that are less sensitive to economic cycles, part of what we in the commentariat labelled the Great Rotation. To be clear, I'm not saying that staples are literally priced like semiconductors (they're not), but they're certainly rich for what they are. Since the end of July, Nvidia has returned just 1.8%, while Walmart has returned 17.8% and Costco is up 11.4%. The question now is whether staples are still really safe if you buy them, in some cases, near multi-decade high valuations.

Sellside analysts seem to be struggling with the same riddle. Based on consensus price targets aggregated by Bloomberg, the market cap-weighted S&P 500 consumer staples index may rise just 1% in the coming 12 months. Adding the projected dividend yield of 2.5%, Wall Street is projecting a 3.5% total return, the paltriest of any sector. That's fine if it plays out like that, but you can do better in a 12-month Treasury bill without the risk. To prefer staples, you'd have to believe that there's some hidden bull case that analysts are missing, and I just don't see it.

The most exciting action is in the likes of Costco, which is hiking membership prices, and Walmart, which is capturing more affluent customers. Yet in my colleague Andrea Related told me recently, many of these retail companies are finding it harder in general to push through price increases, instead discovering that they often have to offer more promotions to keep increasing sales volumes, which weighs on profitability. The sky is not the limit, at least not at this point in the economic cycle.

If history is any guide, the boost from this rotation has mostly played itself out. Eventually staples stall or roll over too, either because (a) growth scares fade and investors rotate back into sexier stocks, or (b) macro worries are validated and everything starts to fall together. I still think we're in the first type of situation, but the staples upside looks pretty tapped out either way.

Of course, one thing that's true for every corner of the market is this: Events rarely unfold exactly as expected, and valuations can remain stretched for extended periods of time. Personally, I've never been great at timing the turns. Timing is just a parlour game. But if it's peace of mind that people are after, staples stocks sure looked a lot safer before their prices reached the stratosphere.

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Needs more charge

E-DRIVE incentive for EVs falls short

The Prime Minister's E-DRIVE scheme (Electric Drive Revolution in Innovative Vehicle Enhancement), unveiled last week, marks a significant shift in funds allocation away from the promotion of private electric vehicles in favour of e-buses, charging infrastructure and testing agencies. The real surprise, though, in this two-year scheme with a budget of ₹10,900 crore, is that there is nothing on offer for e-cars.



In fact, the incentives for all private vehicles are lower than under the five-year FAME 2 (Faster Adoption and Manufacturing of Electric Vehicles) scheme which came to a close this April. The policy's e-push looks underwhelming. It seems that EV promotion in the case of private vehicles will be gradually delinked from demand subsidies. Broadly, there appear to be two thought processes at work here: first, it is important to push fuel-run buses and trucks off the road for the level of pollution they generate; and second, car owners are more troubled by 'range anxiety' (distance to the nearest charging station) than vehicle cost. The first is acceptable, not the second.

As for the reduction in individual buyer subsidies for e-2Ws under E-DRIVE, it appears that the first round of subsidy cuts in June 2023 has not significantly impacted their sales. This has led to the government and market observers to project a rise in the share of e-2Ws from 5 per cent in FY24 to 7 per cent at the end of this fiscal and 10 per cent in FY26. The biggest driver of e-2W sales seems to be the pump price of petrol. If battery prices fall with scale, these vehicles may remain competitive at lower levels of subsidy. Therefore, a higher allocation towards e-buses (40 per cent of the E-DRIVE budget) vis-a-vis e-2Ws (25 per cent) cannot be dismissed out of hand. E-buses can yield gains in terms of beneficiaries per unit of energy used, emission reduction and possible economies of scale in making battery modules. The last could drive India's production linked incentive for advanced battery cells.

But the exclusion of cars is mystifying. They were allocated about 6 per cent of the FAME 2 budget of ₹11,500 crore. An allocation of 18 per cent of the E-DRIVE budget for charging infrastructure, against 10 per cent in FAME 2 can be seen as an indirect expenditure for e-cars, but this is not enough. When seen against the lenient mandates drawn up by the Bureau of Energy Efficiency in June this year for e-cars, there can be no getting away from the feeling that their exclusion will work to the benefit of existing ICE auto majors. The policy tilt towards ICE vehicles could also slow down India's ambitions of becoming a global auto hub at a time when EV adoption is going to increase. These mandates must be revisited. A subsidy for cars in E-DRIVE must be considered. As for further cleaning up the sector, charging by day should be encouraged, since the renewables component will be higher than at night. Finally, a clean auto policy remains a work in progress, with its numerous components yet to fall into place.

FROM THE VIEWROOM.

The bun and the cream

TCA Srinivasa Raghavan

Soon after Coimbatore's cream bun burst into the news, my friend Brijeshwar Singh called me to grumble about Indian tax collectors' general knowledge. They don't know what a cream bun is, he said.

Brij, a former member of the IAS, is also an early version of Google. So I googled cream buns. And lo! He was right.

What passes for a cream bun in Coimbatore and the rest of India isn't a cream bun at all. In fact, it's no longer made in India, except perhaps in some bakeries in Kollam, Kerala. The pictures on the website, however, suggest that it's more of a brioche which is a French pastry. I will have to go there and find out.

A cream bun, unlike what the tax fellows think, isn't a bun with cream spread between its two cheeks.

No Sir. It's a bun in which the cream, along with egg yolk and

sugar, is mixed in the flour before the batter is baked.

The recipe according to FoodCom is 4 cups of plain flour, 60 grams of butter, 1/2 cup of sugar, 1/2 cup lukewarm milk, 1 cup lukewarm water, 30 grams of compressed yeast, 1 egg yolk and 1 teaspoon of water. Then you bake the mixture and voila! you have the real cream bun.

Different countries have different versions of it. But they all have one thing in common: the cream is mixed with the flour before it is baked, not after. That's where the confusion lies.

So when it comes to taxing a poor old man who has to see the value added to it.

If it's just cream that's been applied between two halves of a bun there's not much value that's added. If not, there's quite a lot of value added. After all, if you ordered the bun and the cream separately, would the government still call it a cream bun? Or, as Orthodox Jews sometimes wonder, is electricity free?

NBFCs will gain from formalisation

BENEFICIAL. In today's digital age, it will allow NBFCs to gain cheaper credit from diverse sources, to innovate responsibly



ASHIMA GOYAL

Indian financial reforms aim for a deep, stable, commercially viable financial sector that can safely and efficiently finance development with inclusion. The liberalisation that started in the 1990s followed a unique combination of domestic market/regulatory development and gradual capital account convertibility that avoided domestic crises and survived the global financial crisis (GFC) with minimal impact. But over-stimulus and pro-cyclical regulation after the GFC contributed to large bank non-performing assets (NPAs). Credit crashed with the over-regulation that followed, hurting growth.

The pandemic was expected to make things worse. Public sector banks (PSBs) were seen as fragile. But because of liquidity injections and time-barred regulatory support that built on recoveries from bankruptcy reforms, NPAs improved instead of deteriorating.

Clear lessons, in addition to the earlier ones on diversity and balance, are the importance of countercyclical prudential regulation that support in bad times and create buffers in good times, inducing better behaviour and reducing financial fragility.

Is regulation currently applying these lessons? Let us examine complaints from non-bank financial companies (NBFCs) of over-regulation from these perspectives.

CONTRIBUTION OF NBFCs: NBFCs have a special role in a heterogeneous India, since their prime differentiator is leveraging tacit customer knowledge to reach finance to unbanked corners thus improving financial inclusion, unlike the arbitrage of post-GFC stronger bank regulation in the West, which has encouraged proliferation of hedge funds and shadow banks.

In India also regulation was lighter for NBFCs than for banks since NBFCs are largely not permitted to raise deposits from customers. Statutory liquidity ratios, etc., are not imposed but they also do not have advantages of banks such as access to the RBI's liquidity windows. Lender of last resort (LOLR) facilities are provided against the collateral of G-secs. The dominant source of liquidity for NBFCs is banks with 40-50 per cent share.

After 2014, NBFCs' credit creation boomed, especially in consumer and real estate credit, making up for slowing bank lending. NBFCs grew to 20 per cent of bank balance sheets. Some, however, borrowed short and lent long in 2017 when excess liquidity followed the



FINANCIAL SECTOR. Has surprised positively after the pandemic

demonetisation episode. IL&FS, a large systemic NBFC, had non-transparent governance that hid a stretched balance sheet. But absence of a LOLR contributed to illiquidity, becoming insolvent in 2018 as aggregate liquidity tightened. After it defaulted, lending to NBFCs froze. They were in deep trouble with the inability to roll over short term credit and funded in long-term loans. Banks were refusing to lend to them and they had no access to LOLR facilities. Systemic spillovers inevitably followed. Conditions eased as liquidity was expanded in 2019. But after this episode regulations are being tightened.

Since NBFCs number about 9,000 and vary in size the RBI is following a tiered approach, which is stricter for the large possibly systemic NBFCs. As they lose the regulatory advantages without getting facilities banks, their business models are no longer viable. Some may follow the path of HDPC housing finance, which merged with its parent bank, thus reducing diversity in financial services. Those without supportive parents are exiting wholesale credit, going into other businesses or seeking foreign funds.

There is more awareness of risks, after the lessons of the last decade. In 2021, when liquidity was again in excess due to the post-Covid stimulus, only three

Better capital adequacy, disclosure, accounts, risk-based lending and consumer protection are in NBFCs' own interest

NBFCs had large short term commercial paper exposures very different from 2017. Many hold liquidity in excess of regulatory requirements, raising their cost of lending. Regulatory moves to improve corporate governance, loan standards and asset quality for all led to protests that smaller NBFCs lack expertise and clients such as MSMEs were not used to rigid reporting requirements and would find it difficult to comply. But better capital adequacy, disclosure, accounts, risk-based lending and consumer protection are in NBFCs' own interest.

In today's digital age, formalisation will allow NBFCs to gain cheaper credit from diverse sources, to innovate responsibly and do well. Production and use of reliable data is the way forward rather than making excuses for poor standards. Those with better processes are the ones that will do well. Adequate buffers encourage appropriate risk-taking. Eventually, even smaller NBFCs may be able to get a good rating, based on objective criteria, despite rating agencies size bias. Borrowing, as well as lending, can be cash-flow based if data generating systems are reliable. Diverse sources of funds can become available. For example, credit back-ups for lower rated bonds require good financial information.

Thus, data issues are beyond audit functions and apply to the larger universe of NBFCs. They can build on India's digital public infrastructure; help with leveraging local information to sustain advantages in distribution while ensuring data privacy; prevent loan pushing.

A self-regulatory organisation can oversee a dynamic process of capacity building. An industry that suffered from the failure of a member has much to gain by building in peer monitoring and knowledge sharing to raise and maintain industry standards.

THE ROLE OF REGULATORS

While industry angst against regulation often results from a short-term view that ignores long-term benefits, or an inability to understand how counter-cyclical regulation works, regulation that keeps the overall objective of furthering inclusive development in mind can evolve towards a better balance between discipline and support. Industry that sees the one must also see the other: loosening must follow tightening when there is space.

Since regulators intervene at multiple points, trade-offs between instruments can be actively utilised. For example, if risk-weights are tightened for areas where credit growth is excessive, aggregate liquidity can be kept neutral. Feedback from industry, when informative and in the aggregate interest, can help rationalise and reduce compliance costs. The tendency to over-react and generalise from one episode must be avoided.

To illustrate these principles, consider co-lending, which combines low-cost bank funds sources with NBFC distribution skills. It should be a win-win since it builds on natural synergies. It was actively encouraged by regulators as a way to lower loan costs and expand reach. But it is growing very slowly. With the recent tightening of risk-weights, bank credit growth to NBFCs fell from 34.7 per cent in July 2023 to 8.2 per cent in July 2024. While interconnectedness increases spillover risks it also raises efficiency. Co-lending is an example of the latter type as it leverages comparative advantage. Stability must not be at the expense of efficiency.

Conflicting messages are going from the regulator. One message is banks must limit exposure to NBFCs. But what are the alternatives? Possibilities on the liability side must be first expanded. Given NBFC heterogeneity, uniform liquidity access may not be possible. If larger ones are given access conditional on holding collateralisable securities they may reduce liquidity hoarding. But more alternatives need to be actively worked on, such as re-financing mechanisms, availability of ESG finance, specialised credit from NABARD, credit warranties and other measures to develop bond markets.

The financial sector has surprised positively after the pandemic. Regulators made major contributions. NBFCs also demonstrated resilience, flexibility and learning. But more is required to achieve the financial inclusion necessary for broad-based sustainable growth.

The writer is Emeritus professor, IGIDR

Grey areas in GST Council recommendations

As regards exemptions, the suggestion that all past transactions be regularised on 'as is where is basis' isn't clear

Mohan R Lavi

It was expected that at the 54th meeting of the GST Council a final call would be taken on two transactions that have been debated on quite a bit — tax on online gaming and on insurance services. The Council decided to maintain a state silence on online gaming and decided to form a Group of Ministers (GoM) to provide recommendations on GST on health and life insurance. The GoM is quite large, with representatives from 13 States. It remains to be seen if they can come up with a solution for GST on health and life insurance in about 50 days' time.

Since the 53rd meeting of the GST Council, the phrase "as is where is basis" has caught the fancy of the Council. The recommendations made at the 54th meeting have used this phrase at least half a dozen times. Transport of passengers by helicopters on seat-share basis would attract a GST of 5 per cent. Supply of research and development services by a government entity or a research association, university, college or other institution using government or private grants would be exempt.

Affiliation services provided by State/Central educational boards, educational councils and other similarly placed bodies to government schools are exempt from GST. Import of services by an establishment of a foreign airlines company from a related person or of its establishment outside India, when made without consideration attracts no GST. A film distributor or sub-distributor acting on a principal basis to acquire and distribute films need not charge GST. Services that are incidental, ancillary or integral to the supply of transmission and distribution of electricity by transmission and distribution utilities to their consumers, when provided as a composite supply are also exempt from GST.

OPEN TO INTERPRETATION

For all the above transactions, the Council has recommended that all past transactions be "regularised on 'as is where is basis'". With no guidance as to what this phrase means, taxpayers would be hoping that GST officers do not interpret this to mean that the exemption is only prospective resulting in tax having to be paid on all past transactions.



GST REGIME. Radical changes unlikely in the near future

The GST Council recommended changes in GST rates on an eclectic range of items from namkeen, cancer drugs and car seats. The 53rd meeting introduced Section 128A in GST laws — this Section provided for waiver of interest and penalty levied on certain specific orders. However, interpretation of the section generated more questions than solutions. As a follow-up, the 54th meeting recommended insertion of rule 164 in CGST Rules, 2017, along with certain forms, providing for the procedure and conditions for availing of benefit of waiver of interest and penalty or both, relating to tax demands under

Section 73 of CGST Act, pertaining to FYs 2017-18, 2018-19 and 2019-20, as per Section 128A of CGST Act.

To avail the benefit of waiver, the tax component has to be paid on or before March 31, 2025. Taxpayers should brace for some more circulars and forms. Buoyed by the success of the e-invoicing mechanism, the GST Council recommended roll-out of a pilot for B2C e-invoicing.

The Council also appointed another GoM to look into the issue of compensation cess — a levy that was introduced to compensate States for their loss of GST revenue. When introduced, the cess had a sunset date of June 2022 which has been extended to March 2026. A few State Governments such as Karnataka have complained that they have been short-changed on the compensation cess since what was due has not been paid.

GST laws are at a phase where one can only expect a tinkering of the existing provisions. Radical changes such as morphing the 18 and 12 per cent rate into 15 per cent are unlikely at least in the near future.

The writer is a chartered accountant

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Small vendors gain

This refers to E-commerce boom has helped small vendors'

(September 16) When E-commerce came into the fore, it was called doom's day for brick-and-mortar businesses, especially small vendors.

But the latter has survived. Though 2031 brick-and-mortar vendors are a small sample size for a vast country like India, it does reveal a picture which is not negative at all. If small vendors can become a constructive part of e-commerce or quick commerce, then it is kind of a win-win situation for all stakeholders.

But what is really heartening is that small vendors are adopting digital technologies in smaller towns as well. For deeper penetration of ONDC, the government may have to handhold and provide all support at the ground level.

Bal Govind

Noida

Delineation of powers

Appropriately Judiciary vs Executive, the elusive balance (September 16), the equation between the two has remained tenuous ever since law based democratic governance took

roots in nations. What sustains this is the core linkage to both the Constitution. The RG Kar Hospital case was taken up suo motu. But then the Supreme Court would not step beyond its constitutional relevance to restore normalcy, a responsibility which the Executive alone must own. In the US, episodes and casualties of gun violence are growing exponentially, yet the apex court in the US does not sermonise on gun control laws. It is the remit of the legislature to enact more progressive legislation and this does

not fall within the purview of its court. The cruises in scrupulously adhering to dividing lines enshrined in the Constitution.

N Narayanan

Tamil Nadu

Can't fool voters

This was with reference to 'Arvind Kejriwal to step down as Delhi CM, calls for early election' (September 16). It is ironic that Kejriwal, who is a by-product of the anti-corruption crusade of Anna Hazare, was behind bars for alleged money laundering linked to the Delhi liquor policy.

Looking at various scams, money laundering and corruption, the Indian voter is in a confused state of mind as to whom to trust and vote for. Voters are aware that there is high level of corruption in all States. Parties and leaders should realise that henceforth they are answerable to a smarter and younger India that cannot be fooled by empty one-time money generating schemes, loan waivers, and big hollow speeches. The Indian voter has become smart, and cannot be taken for granted.

Veena Shenoy

Thane