

THE RADICAL HUMANIST



ESTABLISHED : APRIL 1937

(Formerly in the name of 'INDEPENDENT INDIA'
since April 1937 to March 1949)

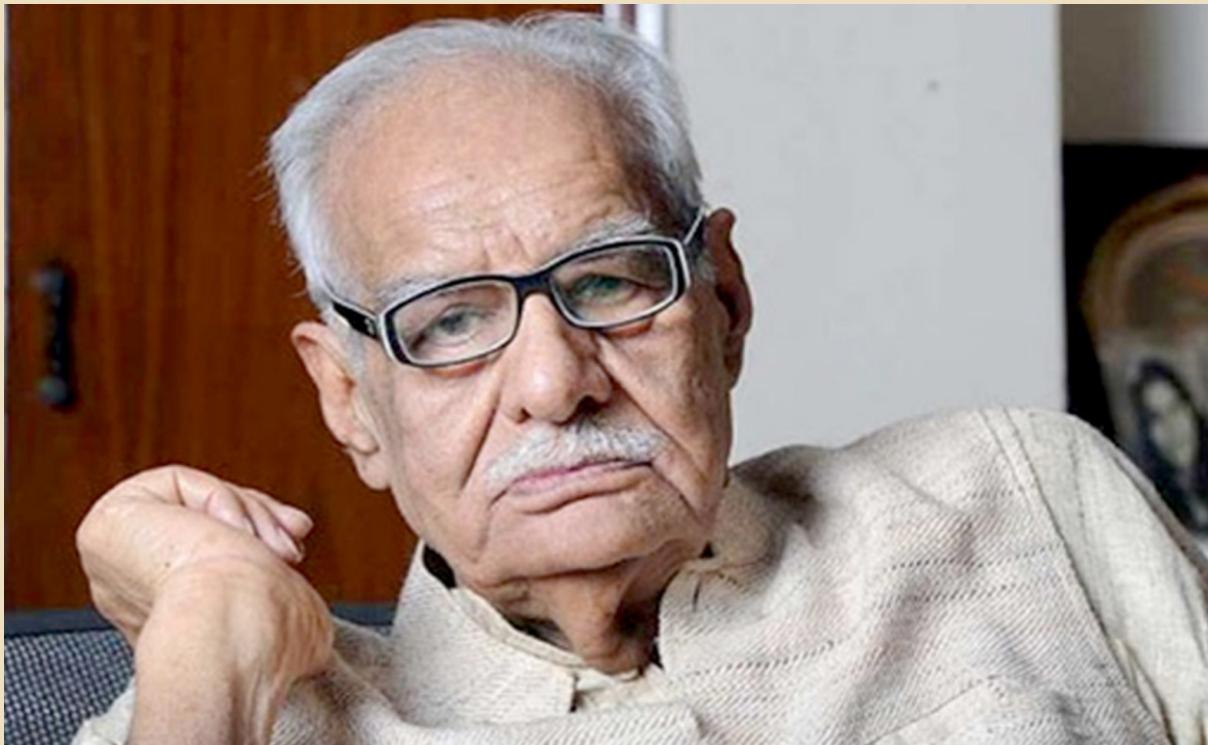
Founder
M.N. ROY

Vol. 82 Number 7

OCTOBER 2018

Rs. 15 / MONTH

Veteran journalist Kuldeep Nayar passes away at 95



**Veteran journalist and former Rajya Sabha member
Kuldeep Nayar took his last breath in New Delhi
around 1 am. on Thursday, 23rd August 2018. He was 95.**

583



Civil rights activist Gautam Thaker passes away at 73

Tributes to Mr. Gautam Thaker

Dear Family members of Late Shri Gautam bhai,

The Indian Renaissance Institute is deeply grieved over the sudden and untimely demise of Shri Gautam Thaker, the veteran radical humanist and well known human-rights activist. Shri Gautam Thaker had been closely associated with the radical humanist activities since his young days. His late father, Shri Dasrath Thaker, was a 'Royist', a veteran radical humanist, dedicated trade union activist and selfless social activist. Gautam bhai duly followed in the footsteps of his father and made valuable contribution to the radical humanist movement. He organized large number of seminars, conferences, study-camps to promote rationalist ideas and human rights movement in the country. He was Life Trustee of the Indian Renaissance Institute. Besides that, he was President of the Indian Radical Humanist Association, General Secretary of the P.U.C.L. (Gujarat unit) as well as General Secretary of the Citizens For Democracy (Gujarat unit). His demise is a severe loss to the radical humanist and civil liberty movements in the country. The Indian Renaissance Institute deeply mourns his passing way and conveys its deepest condolence to the bereaved family.

Dr. Ramesh Awasthi

President, Indian Renaissance Institute

With the sad demise of Shri Gautam Thaker, a part of us, a part of IRHA, a part of IRI, a part of PUCL, a part of so many of those activities in Gujarat has gone, never to return.

Ever since I first met him in Gujarat in 1975 during the emergency, till his last day, never did I ever hear him utter a bad word for anybody. Such a soothing presence is no more. My heartfelt condolences to his family.

Vinod Jain

N.D. Pancholi, Narisetti Innaiah, Satish Chandra Varma, Rekha Saraswat, Anjali Chakraborty, Nazimuddin S.K., Mahi Pal Singh and many other radical humanist friends and Kavita Srivastava, National Secretary, PUCL have also paid their tributes individually to Mr. Gautam Thaker and through the RH send their condolences to the family members and friends of Mr. Thaker.

THE RADICAL HUMANIST

Vol. 82 Number 7, October 2018

Monthly journal of the Indian Renaissance Institute
Devoted to the development of the Renaissance Movement and to the promotion of human rights, scientific temper, rational thinking and a humanist view of life.

Founder Editor:
M.N. Roy

Advisor:
Dr. Narisetti Innaiah

Editor:
Mahi Pal Singh

Editorial Board:
Ramesh Awasthi, Rekha Saraswat,
N.D. Pancholi, Dipavali Sen

Printer and Publisher:
Satish Chandra Varma

Send articles and reports to:
Mahi Pal Singh at E-21/5-6,
Sector 3, Rohini, Delhi- 110085.
(M) 09312206414, 09015020456, 07042548234

or E-mail them to:
theradicalhumanist@gmail.com or
mahipalsinghrh@gmail.com

Please send Subscription/Donation Cheques in favour of

The Radical Humanist to:
Satish Chandra Varma, Treasurer IRI,
A-1/103, Satyam Apartments, Vasundhra Enclave, Delhi- 110096. (M) 9811587576.
Email ID: scvarma17@gmail.com

Please Note: Authors will bear sole accountability for corroborating the facts that they give in their write-ups. Neither the IRI/the Publisher, nor the Editor of this journal will be responsible for testing the validity and authenticity of statements & information cited by the authors. Also, sometimes some articles published in this journal may carry opinions not similar to the Radical Humanist philosophy; but they would be entertained here if the need is felt to debate and discuss them.

	Page No.
CONTENTS :	
Tributes to Mr. Gautam Thaker:	
Dr. Ramesh Awasthi, Chairman, IRI and others	3
Civil rights activist Gautam Thaker passes away at 73 - dna Correspondent	5
Tributes to Mr. Kuldip Nayar:	
Veteran journalist Kuldip Nayar passes away at 95	6
Homage of Citizens For Democracy to Sh. Kuldip Nayar, a Noble Journalist	7
- N.D. Pancholi, Anil Sinha	
Kuldip Nayar passes away: A burning torch in the darkness has gone out	8
- Dr. Prem Singh	
Remembering Shri Kuldip Nayar: From between to beyond the lines	9
- Sanjay Parikh	
Kuldip Nayar – A Crusader for Peace	11
- Sagari Chhabra	
Articles and Features:	
JP's Quest	13
As We Debate GST Collections, Is the New Tax Regime Curbing India's Black Economy?	18
- Prof. Arun Kumar	
What the RBI data on demonetization tells us	20
- Shruti Rajagopalan	
India's VIP culture: Forget Lincoln's definition of democracy. India's government is of VIPs, by VIPs and for VIPs	22
- Ramesh Thakur	
Lala Lajpat Rai & M.N. Roy	24
Prisons and Prisoners	26
How Major Leetul Gogoi's indictment embodies the paradox of AFSPA	28
- Girish Shahane	
The crackdown on civil society	30
Delhi, Mumbai, Faridabad, Hyderabad, Ranchi, Goa: Pune police raids, arrests human rights activists	32
Am I an Urban Naxal?	34
- Prabhakar Sinha	
Declarations and Press Statements:	
Humanists condemn "the politics of division", resurgent in many parts of the world	36
- IHEU Admin	
Joint Statement Against Continuing Arrests of Rights Activists	38
Sharm Inko Magar Nahin Aati! Yet They Do Not Feel Ashamed!	
Supreme Court asks UP govt why Yogi Adityanath should not be prosecuted for alleged hate speech in 2007	39
- India FP Staff	
Hindu right wing group Sanatan Sanstha planned blast at Pune Sunburn festival: Cops	40
- HT Correspondent	
Job crisis in Uttar Pradesh: 3,700 PhD holders, among other over-qualified candidates, apply for peon jobs	41
- FP Staff	
A Patriotic Song	42
- Gurazada Apparao	

Civil rights activist Gautam Thaker passes away at 73

DNA Correspondent

Ahmedabad-based civil rights activist Gautam Thaker passed away at his home early on Saturday. He died following a heart attack. A book on articles by experts in the labour sector, compiled by him, was scheduled for release on Saturday. He passed just hours before the release. Thaker would have turned 74 next Tuesday.

His colleagues in People's Union for Civil Liberties (PUCL) and Movement For Secular Democracy (MSD) as well as from all walks of life paid him rich tributes. Thaker's last rites were conducted in the afternoon. A condolence meeting will be held at 6:30 pm on Monday at Ahinsasodh Bhavan of Gujarat Vidyapith.

Thaker was suffering from heart diseases and was undergoing treatment at a city hospital. He was discharged last Sunday. He complained of chest pain around midnight on Friday and was taken to a hospital, where he was declared dead at about 3:45 am.

Thaker's father, Dasrathlal Thaker, was a freedom fighter. He began his career as a bank employee and rose to become a union leader of Central Bank of India. After late Natwarlal Shah became the Speaker of Gujarat Legislative

Assembly, Thaker led all the unions of banks in the state.

"Thaker took part in anti-Emergency freedom movement. Many of the leaders were arrested but Thaker was told to stay low profile and that is how he managed to be a link among other leaders, keeping communication channels alive," said Prakash N Shah, president of PUCL in Gujarat.

Mahesh Pandya, member of national executive of PUCL said that Thaker was very active on Friday as his book was to be released on Saturday. The book 'Ajvala Ane Avkash – Asangathit Kaamdaorni Duniyama Dokiyu' is a compilation of articles by experts in the unorganized labour sector.

"He took on all governments, advocating the rights of Dalits, tribals, women and children. He created awareness about the rights enshrined to citizens in the Constitution of India. He was greatly influenced by the ideas about liberal humanism of revolutionaries like M N Roy as well as that of a total revolution of Jayaprakash Narayan," said Hemantkumar Shah, member of national executive of PUCL.

Courtesy DNA, Sep 9, 2018 

Prophetic Words of Justice V.M. Tarkunde said in April 1995

In the last 4 or 5 years, majority communalism has been increasing in the country by leaps and bounds. It is being deliberately fostered by a political party and its associates for the purpose of attaining power in the States and ultimately at the Centre. The party and its associates have recently captured power in the important States of Maharashtra and Gujarat. There is a possibility of that party coming to power at the Centre after the next parliamentary election. The party's outlook consists of a combination of aggressive communalism and chauvinistic nationalism, and its conduct as shown by the destruction of the Babri Masjid is based on the doctrine that might be right. The party thus represents an Indian version of fascism. Opposition to such a movement clearly is a part of the Indian renaissance movement. But only a few Radical Humanists are taking interest in opposing the growth of this fascist movement. Actually, all the humanists in the country including Radical Humanists ought to be actively engaged in opposing the establishment of a fascist theocratic State in India.

(Quoted from **Practice of Radical Humanism** published in **The Radical Humanist**, April 1995.)

Tributes to Mr. Kuldip Nayar:

Veteran journalist Kuldip Nayar passes away at 95

Veteran journalist and former Rajya Sabha member Kuldip Nayar took his last breath in New Delhi around 1 am on Thursday. He was 95.

Nayar is survived by his wife and two sons. His last rites were performed on 23rd August, 2018 at the Lodhi Road crematorium, New Delhi.

Several eminent personalities of the country, including Prime Minister Narendra Modi, President Ram Nath Kovind, Union Home Minister Rajnath Singh and Delhi Chief Minister Arvind Kejriwal, paid tributes to Nayar. President Kovind said Nayar was a “determined champion of democracy”. The Editors Guild of India has also expressed condolences on Nayar’s sad demise. Paying its tributes to Nayar, the Guild, in a statement, said that “his many legendary news scoops will continue to inspire generations of young journalists for their sharpness, credibility, speed and standards of due diligence.”

Nayar was born on August 14, 1923 in Sialkot, Punjab, and moved to India after the Partition. In his professional life, Nayar wore many hats. He was an eminent writer and journalist who highlighted human rights violations by the State. He was a nominated member of the Rajya Sabha and a diplomat who served as India’s Commissioner to the United Kingdom.

During the Centre-imposed Emergency in 1975, Nayar was one of the first few journalists to have been put in jail. Later, in an opinion piece in the an English daily, he wrote that “Indians faltered as a nation during the Emergency as Prime Minister Indira Gandhi switched off the lights of the democracy to make all the Indians grope in the darkness of police raj.”

In his long journalism career, Nayar worked with various media houses. While he started his career with an Urdu newspaper called Anjam,

he later worked a correspondent with The Times, London, for over two decades. In 2015, Nayar was awarded with the Lifetime Achievement Award at the eighth edition of the Ramnath Goenka Excellence Award for his contribution to journalism.

Nayar also served as the Press Information Officer to former Prime Minister Lal Bahadur Shashtri and former Union Home Minister Govind Ballabh Pant.

He penned nearly 15 books, including his autobiography ‘Beyond the Lines’ in which he wrote about his interview with Pakistan’s nuclear scientist Abdul Qadeer Khan who revealed to him about Pakistan’s nuclear weapons. Some of his other famous books are ‘India after Nehru’, ‘Emergency Retold’, ‘Scoop! – Inside stories from partition to the present’, ‘Distant Neighbours: A tale of the subcontinent’.

Also, filmmaker Meera Dewan made a film on him for the Films Division — ‘In His Inner Voice: Kuldip Nayar’.

Editors Guild of India’s full statement:

The Editors Guild of India offers its condolences on the death of Kuldip Nayar, one of the doyens of Indian journalism and a founder member of the Guild. As the president of the Guild, he provided it with energetic and visionary leadership.

Known to be a reporter’s editor, Kuldip Nayar held many leadership positions in news organisations, including The Statesman and The Indian Express, where he provided both edge and depth to its formidable team of reporters and editors. His many legendary news scoops will continue to inspire generations of young

journalists for their sharpness, credibility, speed and standards of due diligence.

An exemplar, Kuldip Nayar fought, through his writings, the oppressive Emergency regime that had imposed curbs on media freedom and as a result of which he was also arrested.

A prolific writer and an author of many

books, Kuldip Nayar was also a human rights activist and had been appointed India's High Commissioner to the United Kingdom and later nominated as a member of the Rajya Sabha.

The Guild will also soon consider a proposal to honour Kuldip Nayar's memory and contributions to journalism. 

Homage of Citizens For Democracy to Sh. Kuldip Nayar, a Noble Journalist

Citizens For Democracy (CFD) is deeply grieved over the sad demise of Shri Kuldip Nayar who died at the age of 95 at New Delhi. Shri Nayar was member of the national Council of CFD for several years during the decade of 1980s and then its President for a couple of years since 1990. He initiated various campaigns on behalf of CFD for protection of human rights and promotion of communal harmony. Under the auspices of CFD, he started the candle light vigil at Wagah Border in 1994 for the promotion of Indo-Pak friendship which has become a regular annual feature attracting thousands of peace loving Indians every year. He again became the President of CFD in 2012 and vigorously promoted its aims and objectives. He was a Titan among journalists and a Great Humanist. He represented a strong stance against authoritarianism, casteism, communalism and was a pillar of strength to all those who cherished human and democratic values. His demise is a loss to all that is decent and moral in our society. CFD pays its Homage to his illustrious memory and conveys its deep condolences to the bereaved family.

N.D. Pancholi, Anil Sinha,
Secretaries, Citizens For Democracy

The Radical Humanist Rates of Advertisement/Insertion

Journal size: 18cmx 24 cm- Print area: 15cmx20cm

Ordinary	Special	Ordinary	Special		
For One year					
Second Back cover	Rs.2,500	Rs.3,000	2nd Back Cover	Rs.20,000	Rs.30,000
Third Back Cover	Rs.2,500	Rs.3,000	3rd Back Cover	Rs.20,000	Rs.30,000
Last Cover	Rs.3,000	Rs.3,500	Last Cover	Rs.20,500	Rs.30,000
Ordinary page:		Ordinary page:			
Full page	Rs.2,000	Rs.2,500	Full page	Rs.15,500	Rs.20,000
Half page	Rs.1,500	Rs.1,500	Half Page	Rs.10,500	Rs.15,000
Quarter page	Rs. 600	Rs. 900	Quarter page:	Rs. 6000	Rs. 9000

Press Release: 23 August 2018

Kuldip Nayar passes away: A burning torch in the darkness has gone out

Kuldip Nayar was one of the strongest symbols of trust in the Indian civil society. He was among the few persons who could not compromise on basic constitutional and human values even in front of biggest troubles or temptations. His demise is to extinguish a burning torch in today's dark phase for the Indian society and polity.

At the time of the re-establishment of the Socialist Party in 2011 Kuldip Nayar stated that this is the toughest period in the Indian politics after the independence. If the party is revived then do not close it for the sake of future India. He was a special invitee to the National Executive of the Socialist Party since its re-establishment. He used to attend most of the meetings, conferences, conventions and programs of the party and would give his views and suggestions. He was agreed with the socialist party's belief that secularism and democracy cannot be saved after abandoning the socialist goal of the Constitution for neo-liberal policies.

Kuldip Nayar's demise is an irreparable loss to the Socialist Party. The Socialist Party offers humble tributes and the last salute to its special member and guide.

Dr. Prem Singh, President

An Appeal For Donations

For Republishing books written by M.N. Roy & other Humanist Literature

Indian Renaissance Institute has embarked upon republishing/reprinting the large amount of books & other material written by M.N. Roy as most of them have gone out of print, though requests for these books continue to pour in into our office. Connected humanist literature will also be published. Following books, at the first instance, require immediate publication:

'New Humanism'; 'Beyond Communism'; 'Politics, Power and Parties'; 'Historical Role of Islam'; 'India's Message'; 'Men I Met'; 'New Orientation'; 'Materialism'; 'Science & Philosophy'; 'Revolution and Counter-revolution in China'; 'India in Transition; Reason, Romanticism and Revolution'; 'Russian Revolution'; Selected Works – Four Volumes(1917-1922), (1923-1927), (1927-1932) and (1932-1936); 'Memoirs' (Covers period 1915-1923).

We request readers and sympathizers to donate generously for the above project as this literature will go long way in enriching the humanist and renaissance movement in the country.

Cheques/Bank drafts may be sent in the name of 'Indian Renaissance Institute' to: Satish Chandra Varma, Treasurer IRI, A-1/103, Satyam Apartments, Vasundhra Enclave, Delhi- 110096. (M) 9811587576. Email ID: <scvarma17@gmail.com>

Online donations may be sent to: 'Indian Renaissance Institute' Account No. 02070100005296; IFSC Code: UCBA0000207, UCO Bank, Supreme Court Branch, New Delhi (India)

Rekha Saraswat

Satish Chandra Varma

Secretary

Treasurer

At the times when we need many more Senior journalists like Kuldip Nayar Ji, unfortunately, he has left us. But he will always be remembered as a human rights activist, a peace lover. He always supported people's movements and was very approachable at the time of need. Our friend Advocate Sanjay Parikh Ji who practices before the Supreme Court of India and the National Green Tribunal and has widely known for his decades of work in defending the constitutional and human rights of different sections of marginalized and dis-enfranchized people and fought in the matters of environmental justice in the courts of law. He is also the National Vice President of the Peoples' Union for Civil Liberties (PUCL) and travel around the country and abroad asserting the democratic rights of people has written an article on the life of Kuldip Nayar Ji. We are sharing the same with you.

Remembering Shri Kuldip Nayar From between to beyond the lines

Sanjay Parikh

On 26th June 2018, human rights organizations had assembled at the Gandhi Peace Foundation, Delhi to remember the dark days of Emergency. This was an annual affair and Shri Kuldip Nayar was a regular speaker in these meetings. This time, too, he came and spoke. But his speech was different; it came from his heart and was quite moving. He ended by saying that the fight has not ended – there are issues much more serious than the Emergency and they have to be fought fearlessly with deep conviction – by listening to the voice of one's own inner-self. Never give up on truth, was his message to the audience. I told him: 'Today, you were different-very powerful!' He smilingly replied: 'Today, you were more receptive!' It was a long journey for him – 95 years, divided into pre and post Partition. His memories were full of the sad days of the Partition. He knew the price people have paid and therefore, stood for the values India should have after independence. He wrote throughout

his life relentlessly- as editor, writer, a columnist on every possible issue which he thought were relevant for the people and the nation. His heart bled for the poor. He came out openly in support of all those people's movements where he found tyranny and repression of human rights and civil liberties by the State.

He was a staunch defender of the freedom of press and expression and therefore, wrote fearlessly against the emergency imposed by Smt. Indira Gandhi in 1975. He was detained in the Tihar jail under the MISA. His wife, Smt Bharti Nayar, filed a Habeas Corpus petition in the Delhi High Court to quash his illegal detention. The petition came up before Justice S. Rangarajan, a brave and bold judge during the emergency. After the judgment was reserved, the Government decided to release Kuldip Nayar and revoke his detention before the judgment was pronounced. Coomi Kapoor in her write-up (23rd August, 18 in the Indian Express) on Shri Kuldip Nayar, recalls this story.

However, Justice Rangarajan not only delivered the judgment (Bharti Nayar Vs Union of India, dated 15.9.1975) but added a ‘post-script’ to it as to why he was delivering the judgment. He said that Habeas Corpus writ being a public law remedy after the judgment was reserved,” courtesy to the court demanded that we were apprised about the intended action *before* it was actually taken.” Indira Gandhi was quite upset with these remarks and the courage shown by the judge and therefore, transferred him to Gauhati. After Justice Rangarajan retired, I joined law practice with him in 1982. He was quite proud of his judgment in Kuldip Nayar’s case, which was praised, among others, by Lord Denning. I read the judgment and was quite curious to know why he wrote the post-script. He replied that the day when he was going to pronounce the judgment, he felt some unease inside. He added: “I got up around at 3 am in the morning and typed myself the post-script on a manual typewriter. Thereafter, I felt relieved of the burden on my conscience.” I did not know Shri Kuldip Nayar at that time. Justice Rajindar Sachar introduced me to him after he had retired and joined the Supreme Court Bar. Since 1990, it was almost regular to see him in one meeting or the other with Justice Sachar or without him. In one of the conversations recently, I told him what Justice Rangarajan said about the ‘post-script’. His response was: “even during Emergency, there were judges who were guided by their conscience rather than the ambitions.”

I remember that he was very much upset when the domicile requirement under the Representation of Peoples Act, 1961 was removed by an amendment with effect from 28.8.2003 for election as MP in the Rajya Sabha. It meant that one could be chosen as an M.P. from any place to represent that constituency in the Rajya Sabha, though he had no connection with the place. He was of the view that this amendment will destroy the

sacrosanct function of the legislature because the Rajya Sabha is a place where every bill has to be debated properly keeping in view federalism, interests of all the States and their peculiar problems. This amendment was challenged in the Supreme Court and it was heard by a Constitution Bench. Mr. Rajindar Sachar argued and I assisted him in the case. The Constitution Bench upheld the amendment (August 2006). Shri Nayar was very disturbed. He wrote as to how the judgment was wrong. Thereafter, whenever we met, he kept on reminding me that he would like to challenge the judgment before a larger bench of the Supreme Court. The last reminder was when he spoke, as mentioned above, on the anniversary of the Emergency.

If there were meetings in Delhi on any human rights issue concerning people in general, everyone would expect Kuldipji (Kuldip Nayar) and Sacharji (Justice Rajinder Sachar) to come as if they could command (out of regard and affection) their presence. Both of them would never disappoint and it would be an exception, not to find them there. We lost both in a short span. It appears as if a generation has gone: the generation, which represented a selfless breed of human beings on whom we could always depend for guidance.

As a young student, we were asked to memorize renowned authors and their works. I remember one such author was Kuldip Nayar and the book was ‘Between the Lines’. I did not understand it then- the meaning of the invisible gap between the lines. Now I see the gap and look at the great man who was incessantly searching between those visible lines, the invisible truth that spread ‘beyond the lines’ -over the wide canvass of his writings as an independent journalist- which truly he was till his last breath!

(Sanjay Parikh is Advocate, Supreme Court and National Vice-President of People’s Union for Civil Liberties (PUCL) 

Kuldip Nayar – A Crusader for Peace

He was known for his open spirit and sense of solidarity for causes.

Sagari Chhabra

Kuldip Nayar – journalist par excellence, editor, human rights activist and a harbinger of peace in the Indian subcontinent passed away in the early hours of August 23. His cremation was attended by hundreds of his admirers: journalists, activists, politicians and members of the judiciary – several of whom broke into tears while paying their last tribute to a man who stood for the values of peace, secularism and fraternity to the last.

Nayar was born in Sialkot, Punjab in undivided India to Gurbaksh Singh and Puran Devi and at 16 years of age, was present when the resolution for Pakistan was passed in Lahore which he did not take seriously, for ‘how could a mere resolution tear apart the Hindus and Muslims who had lived together for over a thousand years.’ He was a reluctant sibling who was selected by a draw of lots to cross the border with an army Major and witnessed the loot and barbarism that was unleashed in the Indian subcontinent. At a railway station, Nayar was nearly killed, but saved by the intervention of a bystander. His parents were saved at the Sialkot railway station, by a young Muslim who recognised them. The Partition influenced him for life, for he remained a relentless crusader for peace in the Indian subcontinent, lighting candles on the Wagah border on the eve of Independence Day, and tirelessly standing up for inter-faith harmony, brotherhood between communities and secularism.

Having lost everything during the Partition, Nayar started humbly at an Urdu newspaper Anjam. He covered the assassination of Mahatma Gandhi, and later wrote, ‘the extremist Hindus found him in the way of their design to set up a Hindu state. They conspired

and one of them shot him dead on 30 January 1948’. However, he was dismissed from his job, as he failed to recover the property of the brother of the proprietor, and later left to study at the Medill School of Journalism, Northwestern University, on a scholarship. There, he said, “I washed windows and served at the cafeteria. However that was not enough and a journalist Norman Cousins gave \$ 150 for my tuition. When I left for India, I thanked him.”

On returning to India, he could not find an opening in any English newspaper, but he always believed ‘optimism is a moral duty’ and published an article ‘To Every Thinking Refugee’ through Humayun Kabir’s feature agency. Married to Bharti, daughter of freedom fighter, Bhimsen Sachar, he then joined Govind Ballabh Pant as an Information officer, and then served then PM Lal Bahadur Shastri. Here, he was privy to the secrets of the state, but he always maintained that Shastri had an impeccable record in honesty, humility and integrity. After Shastri’s untimely death, he headed the UNI (United News of India) and then joined the prestigious English newspaper, The Statesman as the editor.

When the emergency was declared, my late father, Viren Chhabra, his former colleague at The Statesman, had dinner with Nayar at his house. On leaving, he saw a policeman pretending to read a newspaper in the dark. When he called to warn him in the morning, and he was informed by Nayar’s wife, Bharti: ‘After you left, they came.’ Nayar was then editor of The Indian Express, and the Emergency which he referred to as ‘India’s darkest hour’, undoubtedly brought out Nayar’s finest spirit. He recalled how in jail

he ‘took out flies from a watery dal and lost seven kilos of weight’, and could only meet his son Rajiv and wife over a brief ‘mulakati’. On his release, he became a relentless crusader for the freedom of press, democracy and human rights.

Nayar however had to resign due to differences with the proprietor. He said, “I could never find another job in journalism,” but he kept on writing becoming a star syndicated columnist, a man whose words and insights carried weight about the birth and emergence of three countries – India, Pakistan and Bangladesh – internationally. His column was printed in 80 newspapers in 14 languages in India and abroad. He later became High commissioner to UK, and a nominated member of the Rajya Sabha.

Nayar, however, cannot be categorised as only a journalist, as he believed in ethical action. He spearheaded the PUCL (People’s Union of Civil Liberties) and CFD (Citizens for Democracy), and went for many fact-findings. He was known for his open spirit and sense of solidarity for causes. Despite his age, he would go to the Narmada valley, and find common cause with the people who had been displaced, he would be seen lighting a candle for the Burmese people during the military oppression and at peoples’ gathering for the poor and the marginalised. He was a familiar sight at Jantar Mantar where he and his brother-in-law, Rajindar

Sachar, were known to be indefatigable.

Nayar wrote, “When I crossed the border on September 13, 1947, I had seen so much blood and destruction in the name of religion that I vowed that the new India which we were going to build would know no deaths due to differences in religion and caste.” Sadly, the resurgence of communalism proved him wrong, but Nayar kept on urging the young to stand up for secularism and peace. He did not practice hierarchy. He would cross a foyer to wish someone years his junior and sit on a dirty street-side on a dharna – expressing solidarity with the poor and the marginalised. He was always full of encouragement, exhorting all of us to work for the poor and the cause of secularism. In fact, on a Doordarshan interview, at age 93, I called him the ‘youngest person I know, in spirit and heart’. “How do you do it?” I asked. “I have seen Partition,” he replied, simply.

When I wished him on his birthday on August 14, he promised me the last round of our archival recordings, and as he entered hospital shortly after, it never happened. I visited him at the hospital where his spirit was admirable, but age was against him. However, to those of us who had the fortune of engaging with him, his luminous spirit will shine on forever.

(Chhabra is an author and a filmmaker.)
Courtesy News Click, 31 Aug 2018 

The Radical Humanist on Website

‘The Radical Humanist’ is now available at <http://www.lohiatoday.com/> on Periodicals page, thanks to Manohar Ravela who administers the site on Ram Manohar Lohia, the great socialist leader of India. Some of Roy’s important books are also available at that site.

- Mahi Pal Singh

Articles and Features:

JP's Quest

Kuldip Nayar

(By way of tribute to Sh. Kuldip Nayar, we reproduce below 24th JP Memorial Lecture held on March 23rd 2004 at Nainital, organised by People's Union for Civil Liberties and delivered by him – Editor)

I feel honoured that the People's Union for Civil Liberties has asked me this year to deliver the 24th JP Memorial Lecture. Jaya Prakash Narayan was a tall man; the PUCL is his creation. He wasn't built to be a hero: slight of figure, racked by illness, battle-worn. Yet, he proved to be the outstanding hero who won us the second freedom in 1977, 30 years after the first one.

Like Mahatma Gandhi, he inspired us to rise above our petty self and acquire a bit of nobility while fighting for the emancipation of the country from its bondage. We did not measure up to his standards. Our weaknesses pulled us down. We failed. The fault is ours, not that of JP's message or his effort.

I had the privilege of knowing him. He did me the honour by picking me up for participating in the movement which he launched to awaken the society – the society which had become oblivious to the defects which had crept in the system. Ideals for which the freedom was won has receded into the background.

The Congress governments had done little to make political freedom meaningful, much less attain economic freedom. The white Sahib had left and the brown Sahib had sit in the chair. There was no change in the style or the content of governance. People from the authorities as oppressive as before, political leaders loud in rhetoric but weak in performance.

Prime Minister Mrs. Indira Gandhi had even mutilated the system beyond recognition. For the first time she inducted an extra-constitutional authority to her government. This was her son, Sanjay Gandhi, who believed that India required autocracy, not democracy, for 'better and

quicker' administration. One lakh people were detained without trial high hundred and arbitrary actions were carried out with impunity. While the press gagged and resultant blackout of authentic information, Sanjay Gandhi have played with the country.

I got an inkling of Sanjay Gandhi's thinking when I met him. I was writing my book, *The Judgement*, when Kamal Nath, his friend and a director on the Indian Express Board, asked me whether I would do the book on the emergency without talking to Sanjay Gandhi. I told him that I would like to meet him if it was possible. He arranged the meeting.

I recall that Sanjay Gandhi was standing under a tree when I met him. The ground was littered with papers and some discarded pieces of furniture. My first question to him was: How did he think he would get away with it? He said that if elections had not been held they would have been running the government. Then, why did you hold them?, I asked. "You should ask that suggestion from my mother", he said. "In my scheme of things, there were no elections for three to four decades."

How would you have ruled?, I inquired. "There are enough of bureaucrats who are of my thinking", he said. "In any case, there has been hardly any instance of disobedience during the emergency. Fear had done the job. I have persons like Bansi Lal (then Defence Minister), who would have seen to the compliance of what we had in mind." He was, indeed, a picture of dismay and defeat.

Roughly two years before the emergency, JP rung me up to invite me to inaugurate a

Students' meeting at Patna. I was then the Delhi Editor of The Statesman. I could never imagine that the meeting was a precursor of some type of revolution. A spark he kindled at that meeting would one day turn into a conflagration to consume Mrs. Indira Gandhi's government which, in any case, had become too inept and too authoritarian.

JP called upon the youth to fight against undemocratic methods. He wanted them to be in the forefront to agitate for the removal of ills that parties had injected into the country's body politic. Morality was the point he underlined. He was in favour of a party less government, all political parties giving their shoulder to task of building the country and the betterment of people.

The meeting was a success in the sense that JP went from Bihar to Gujarat where the students' stir (*navnirmaan*) forced the state government to quit. It was another matter that students like Laloo Yadav, who was in the chair at the meeting, derailed the movement when the Janata government assumed the reins of the government.

The only morality they knew was how to capture power and to sustain it by hook or by crook. This was an anti-thesis of what JP stood for. Today's Bihar, the cradle of JP's stir, is an example.

JP's movement was for cleansing. Was it possible to retrieve the nation which showed the best of its qualities of sacrifice and dedication during the struggle for independence? Could he put it back on the road to idealism and values? Although the target was Mrs. Indira Gandhi's autocratic and corrupt rule, JP raised the larger question of propriety and morality in public life. Ultimately, the movement developed into people's wrath against the mode of governance.

Strange, the elite remained distant. Cocooned in its own way of living and thinking, it did not participate in what looked risky. No doubt, it was disturbed over the concentration of power in the hands of Mrs. Indira Gandhi and a few

others. Even an ordinary police was seen to be law unto himself. But the response was confined to the drawing room tittle-tattle.

The elite was simply afraid. Others too caved in. Even the press which was asked to bend began to crawl. Never did even Sanjay Gandhi imagine that it would be so easy. JP was disappointed in his own way. He did not expect the Congress, a party of his once-comrade, Jawaharlal Nehru, would go to the extent of suspending fundamental rights guaranteed by the Constitution. And he definitely expected more resistance from the thinking class.

There is a wrong assumption in certain quarters that the JP movement provoked Mrs. Indira Gandhi to impose the emergency. On the other hand, it is believed that the emergency was imposed to suppress the JP movement. Both were independent developments. What was common between the two was their failure. Both exposed the deficiencies of the society and the governing class. Mrs. Indira Gandhi imposed the emergency not because there was a rightist combination building up to dislodge her. There was not a shred of evidence to support the thesis. She imposed it because after winning at the polls on the Garibi-hataao slogan in 1972, she was finding it difficult to govern. She had failed to deliver. People felt cheated. They were restive.

The JP movement was a failure because it evoked very little response when the time came. As Mrs. Gandhi put it, not even a dog barked. People were not inspired with lofty ideals of liberty and fair play to rise against Mrs. Indira Gandhi's dictatorial ways. They were where they were: cowards. Fear instilled in their mind made them avoid contact with the families of their friends in detention. The middle class did not stand up even against the excesses committed before their eyes. However, they defeated her when the occasion arose. That was their catharsis.

At least some of JP's thoughts could have been implemented by the Janata government.

It was his creature. He had swept the polls and put a rag-tag combination in power. The Janata party government could have repaired the damage the emergency had caused to the system and the institutions. Crime had been politicised and politics criminalised. There was no awareness of what was right, nor a desire to act according to what was right. Both public servants and politicians had lost their sense of duty. JP had asked the police not to obey illegal orders. But they had become a willing tool of tyranny which lasted nearly 20 months.

The post-emergency government did little to restore the health of democracy except to make the re-imposition of emergency difficult. Institutions were not helped to get back their vigour. Electoral reforms were necessary and a committee was formed to make recommendations. It did but the government was formed to make recommendations. It did but the government was not earnest about implementing them.

It is a tragedy that public servants or politicians who misused their power during emergency were never punished for the excesses they committed. The guilty changed colours overnight and sought a godfather within the Janata party. When Mrs. Gandhi returned to power in 1980, the few public servants who had done their job honestly without staining their record were punished. The most telling effect of the emergency was on the common man who began to wonder whether there was any line dividing right from wrong, moral from immoral.

The Janata government should have taken steps to restore people's confidence in the rule of law. But its leaders got caught in power politics and petty personal quarrels. They had hardly any time, much less inclination, to make changes in the system which was reeking with crime and corruption. JP had wanted them to break the cartels of tainted politicians. Most had become part of it.

JP found himself helpless. When he returned

from America after medical treatment, he specially flew through Delhi. By then, the Janata government was a few months old. From the plane he looked at the tarmac. The airport was deserted. Having chosen Morarji Desai as the prime minister, even though Jagjivan Ram had a majority of the Lok Sabha members behind him, he was looking from Morarji. None was there, not even JP's devoted followers. He did not expect such a cold reception. Still he enquired whether Morarjibhai, Chaudhary Charan Singh or Babu Jagjivan Ram was present at the airport. The government was represented by the information Minister Kaushik. JP was visibly disappointed as he described the scene to me subsequently. He felt as if his need for the Janata was over the moment he put it in the gaddi.

As the Janata government went on bungling and as their internal bickering went on hitting the headlines, JP tried to intervene. He wanted to get some of them to Patna where he was lying sick. When I met him during those days, he was despondent and forlorn. Would Mrs. Gandhi come back? I asked him in desperation. He said he didn't know. But one thing he made clear was that she would never dare to impose the emergency again.

On my return to Delhi, I met Prime Minister Morarji and complained that JP felt neglected. Morarji burst in anger and said in a loud tone: Did he expect him to go to meet him? "You know I never went to meet Gandhi", said Morarji, "He is not taller than Gandhi".

JP's real disappointment was not Morarji but the Sangh Parivar. He had permitted its members to join the movement on the promise that they would sever their links with the RSS which he suspected was involved in the assassination of Mahatma Gandhi. Nathu Ram Godse, the killer, was a RSS member.

Whenever JP would insist on the Jansangh members in the Janata Party to officially disassociate themselves from the RSS, he was

told that they were in the process of doing so. He felt cheated. He made no secret of the fact that they had gone back on their word. This was true. They had no intention to do so. Even after joining the Janata, they stayed in touch with the RSS. They worked as a group although they were in different ministries. They did not want to renege their promise in the lifetime of JP who they knew was very sick. Once he died, they appeared in their true colour.

When the Janata Party came to consolidate its rank, they refused to cut off ties with the RSS. The Janata's difference with the RSS was ideological. It saw the RSS waiting to replace the pluralistic India with the Hindu Rashtra. The Janata woefully realised how the Jansangh members had used the two years' time in the government to penetrate, not only the administrative machinery but the media, official and private.

It was obvious that the Jansangh members only wanted credibility which they did not have before the secular Janata party accommodated them under its umbrella. Once they got it, they formed a new party, the Bharatiya Janata Party (BJP) which played the Hindu card with a vengeance. JP had apprehended such a development. He had even realised that he had gone wrong in having taken them on their face value. But by then, he had died.

Today when the Hindutva forces are gaining ground, it is a relief to see that Bihar, JP's state, is substantially free from it. But his two staunch followers, George Fernandes and Nitish Kumar, are ardent supporters of the BJP. George Fernandes, once JP's trusted hand, is the standard bearer of the BJP-led National Democratic Alliance (NDA).

We, human rights activists and civil liberty workers, cannot run away from the blame. We have failed to stall the advancement of saffronisation. Even the areas where we have worked for years are not free from communalism. In Rajasthan where human rights

activists successfully won the right to information, the BJP has captured two-third of state assembly seats. The places where we claim to have the deepened influence at the grassroots went totally to the BJP.

The point which we must consider is where we have gone wrong. Why the saffronisation is reaching places where we are in touch with people all the time. Are we short in our commitment? In fact, the larger question which all human rights activists and civil liberty workers must face is why communalism is raising its ugly head once when we gained some strength.

The obvious inference is that it is Mahatma Gandhi's sacrifice which saved us for more than four decades. The Sangh Parivar could not cross even the double digit figure in the Lok Sabha. Is it because of the contamination of the educated middle class? Is it the defeat of secular ideology at the hands of communal entities?

Whatever the reason, we cannot minimise our failure. We must analyse why we have not been able to convince the people among whom we have worked that parochialism and sectarianism come in the way of their own welfare and that of the country's development. I hope that our own ranks are free from the taint of communalism and casteism.

While taking stock of our work and approach, we should ask ourselves: is it sufficient to confine ourselves to the field work? Why have we been shunning elections? Is it because of fear to loss? Still at the time of polling we have taken interest in elections and voted for non-BJP forces because they, we believe, are a lesser evil.

Let us admit that there is no running away from the polls in a democratic setup. If we want a peaceful transition in the country, Parivartan, we have to get into Parliament and state assemblies. We cannot sit back and see the misuse of power by those who have no faith in the ideals we pursue or the changes we want to bring about.

I concede that it may take us a long time to

win a majority but even then the presence of some of us in Parliament and the state assemblies will make the difference. At present we run after MPs and MLAs to ensure that our voice is heard at the places where the decisions are taken. While in Rajya Sabha, I recall that the briefing by Aruna Roy from Rajasthan helped me in the Parliamentary committee on Home Affairs to have amendments made in the legislation on the Right to information.

Although JP favoured a party-less government, he conceded that there had to be a government which would need to be captured through election. He proved it after the emergency by sweeping the polls. Mahatma Gandhi used the Congress party as his instrument for the struggle to oust the British. We should have some platform, some forum, which people come to identify with clean and credible alternative. It will be tough going but we should be prepared for failures in the beginning. In the process we may initiate some thinking among the naxalite and other similar groups that power will not come through the mouth of cannons but through the elected bodies which wield power.

Many may find such efforts confusing and feel that elections may divert our attention from the real problem. There is no more pressing problem than making people free from poverty. The state power is necessary for any meaningful effort to do so. If the nation is to preserve the fundamental values of a democratic society, there is no option. The JP movement ultimately had to capture power.

But, how do we ensure that the people sent to the Parliament and the state assemblies do not behave the way in which the Janata party did. There will have to be two wings – one consisting of those who are engaged in legislative business and the other of those who do constructive work. Both should be answerable to a central body. Mahatma pursued the same line when leading the struggle for independence.

While shuttling between Patna and Mumbai

for medical treatment, JP realised the necessity of reconstructing something different. He did not have many days to go. He was confined to Patna. His indomitable spirit had kept him alive, not only physically but also mentally.

He telephoned me one day. I was then in the Indian Express. He sounded as healthy as I found him when he rung me up to inaugurate the students' meeting at Patna. He asked me to meet him. He said he would invite some more people, especially economists, to think afresh. Ideologies, he said, had failed to find an answer to the country's problems. Something new had to be done and soon. He admitted that neither socialism, nor any other ism, would bring the desired result. There should be a new economic policy to give priority to the basic problems of people.

JP wanted real social and economic progress to usher in and believed that it would not happen until the opportunity was given to an ordinary man and woman to develop. The touchstone was how far any political or social theory made the individual to rise above his petty self and think in terms of the good of all.

Strange, Jawaharlal Nehru once made the same point in a lecture on 'India's Today and Tomorrow'. He said: "We talk of the welfare state and of democracy. They are good concepts but they hardly convey a clear and unambiguous meaning. Democracy and Socialism are means to an end, not the end itself. We talk of the good of society. Is this something apart from and transcending the good of the individuals composing it? If the individual is ignored and sacrificed for what is considered the good of society, is that the right objective to have?"

JP admitted that the Marxism had thrown considerable light on the economic process but was in many ways out of date. His purpose of inviting me and some others was to do our own thinking. JP was, essentially, trying to find a path which was suited to India's genius. I could not respond to his call quickly. When I reached Patna, it was too late. He had passed away by then. 

As We Debate GST Collections, Is the New Tax Regime Curbing India's Black Economy?

Prof. Arun Kumar

Computerisation of the billing system was aimed at curbing one source of black money generation. But has the complexity of the system led to creation of new avenues that are unchecked?

Last week, the government stated that states and union territories have been paid Rs 52,077 crore since July 2017 to compensate them for the shortfall in their tax revenue. After the last goods and services tax (GST) council meeting in July, it was reported that several states and union territories have reported shortfall in revenue of up to 43%.

Given this background, should the GST council have announced cuts in tax rates on several items? Reports suggest that the bureaucracy was unhappy with this decision since it could lead to an increase in the fiscal deficit. This is an election year, so, there will be pressures for additional expenditures which would lead to a widening of the deficit unless more resources are garnered. The finance ministers of Kerala and Punjab criticised the manner in which these decisions were taken in the GST Council and argued that federalism is being dented.

Prime Minister Narendra Modi, addressing the nation in his 'Mann ki Baat' in June, had hailed GST as a "celebration of honesty". He said, "Everything is technologically processed so there is no scope for irregularities in taxation, as it used to be prior to the launch of GST."

The moot point is: are revenues from GST more buoyant than earlier?

In all, 1.1 crore businesses are registered under GST – initially only half of them filed returns and paid tax. The number has risen to 70% but the tax collection has hardly increased. After crossing Rs 1 lakh crore of collection in April 2017 (due to year-end factors) it was Rs 95,610 crore in June

2018. But refunds are also pending so this figure may not be very different from the earlier monthly figures in 2017-18.

Changes in laws often lead to problems and GST is no different. Crooked businesses have to develop new ways of bypassing the new laws. Reports of evasion of GST are slowly growing, implying that the process of discovery is on.

The finance minister had earlier announced that 5% of the businesses pay 95% of the tax. So, mere filing of more returns does not necessarily translate into more tax payment.

Honesty implies that the black economy is declining. BJP, during its election campaign in 2014, had promised that it would be able to curb the black economy quickly. The government launched demonetisation hoping to eliminate the black economy. But with all the old notes coming back to the RBI, that proved to be futile.

Can it promote honesty?

Demonetisation is a one-shot measure which can't stop the process of black income generation. GST, in contrast, can potentially check this process. But will it?

Businesses generate black incomes via under and over invoicing of their sales and purchases. A trader selling 100 yards of cloth at Rs 10 per yard may declare only 95 yards sold at Rs 9.5 per yard. A sale of Rs 1,000 is shown as Rs 902.50 via under invoicing. Black income of Rs 97.50 is generated. To produce this textile, the producer may have bought cotton worth Rs 300 but declared it as Rs 350 via over invoicing and generated a black income of Rs 50. He may have employed two workers and paid them Rs 20 each but may declare that he had employed three people and paid them Rs 25 each. This is muster roll fudging and another black income of Rs 35 accrues. He also over invoices overheads, like, transportation,

entertainment and so on. Thus, 20% of the revenue becomes black income while the white income, the declared profit becomes negligible.

There is a catch. If person A buys from person B (whether raw material cotton or the finished cloth), then A would want to show a higher cost while B would want to show a lower revenue. This is feasible only if there are two books of accounts and it will escape detection if the tax authorities cannot match the invoices.

Earlier, without computerisation of accounts of all businesses, the tax authorities could not match the billions of invoices generated monthly by businesses. GST and computerisation changes this by enabling the matching the invoices of sellers and buyers. Both have to file returns on the GST network (GSTN). Each business has to register and is allotted a number (GSTIN) and all their invoices carry this number so that they can be cross checked. Since, theoretically, all transactions from raw material to the final product/service are tracked this is feasible in principle.

So, theoretically, due to computerisation, mis-invoicing is not possible and black incomes cannot be generated by businesses in legal activities. Of course, illegal activities like producing spurious drugs, adulterating food and smuggling can continue to generate black incomes.

However, what if no bill is issued and transactions remain outside the GST network from beginning to end? Cases of fake billing to claim input credit have been surfacing with regularity. Various exemptions granted under GST make this easy. The exemptions were necessitated by the need to serve multiple goals such as keeping essential goods cheap by not taxing them, or leaving small businesses out of the GST network so as not to adversely impact them. These exemptions and multiplicity of tax rates has made GST complex.

Complexity in rules enables black incomes to be generated. Officials scrutinising the accounts of a business are unable to catch manipulation of complex rules in the short time they have. That is

why taxation should be simple, which is possible if it does not try to achieve multiple goals. GST has become complex because of its faulty design and the massive data requirements.

Black incomes are also generated by misclassification of goods. Perfectly fine chemicals may be shown as scrap sold at throw away prices. Ceramic tiles may be declared as damaged and sold at a discount. Further, multiplicity of tax rates enables businesses to misclassify goods and services and evade tax. Professional fees can be under invoiced since they have few inputs. Doctors seeing 25 patients may claim that they have seen 20 patients.

The e-way bill introduced to track movement of goods and check black income generation has also added to the complexity. Scrutiny of the content of the vehicle is required and this has encouraged the reappearance of the inspector raj. Without checking, misclassification becomes easy. Under GST, trucks can be stopped for checking anywhere and not just at the state borders. The police seem to be doing this and there are reports of extortion of money.

Changes in laws often lead to problems and GST is no different. Crooked businesses have to develop new ways of bypassing the new laws. For example, in 1982, when a law was introduced in Mumbai to acquire under-valued flats, transactions stopped. But, within 18 months, they revived and exceeded the old level because a way was found of circumventing the new law.

Reports of evasion of GST are slowly growing, implying that the process of discovery is on.

GST cannot check the process of black income generation in spite of computerisation; its form is changing. The need is to transform the human element but then GST would not be needed to generate 'honesty' and tackle the black economy.

Courtesy **The Wire**, 16 Aug 2018

Prof. Arun Kumar is Malcolm S. Adiseshiah Chair Professor, Institute of Social Sciences and author of *The Black Economy in India*, Penguin (India). 

What the RBI data on demonetization tells us

The entrepreneurial talent is unfortunately trapped navigating regulatory roadblocks. This unproductive entrepreneurship has helped India survive demonetization and also shackled growth

Shruti Rajagopalan

Last week, the Reserve Bank of India's (RBI's) annual report confirmed that ¹ 15.3 trillion of the demonetized currency in November 2016, i.e. 99.3%, is back in the banking system. What does it mean when only ¹ 107 billion, or 0.7% worth of the old notes, were not returned?

The assumption was that a significant share of the old notes were held by tax evaders and criminals who, in the interest of avoiding legal scrutiny, would eat their losses and not exchange their currency for the new notes in circulation. The RBI would reduce its liabilities because of the unreturned notes and the Indian government would receive a revenue windfall. This one-time dividend to all Indians would be paid for by participants in the underground economy, who would be effectively taxed at a 100% rate on their illicit wealth. In November 2016, experts and government officials made wildly optimistic predictions that 10-30% of the notes would remain unreturned.

What is surprising is that Indians managed to return virtually all the old notes in such a small window. Financial writer and blogger J.P. Koning points out this peculiarity by contrasting Indian demonetization to the euro. When the euro was introduced in January 2002, there were long fixed windows to redeem existing national banknotes before their money status was revoked. At the end of the 10-year period, 99.15% of Italian lira and 98.77% of French francs had been returned. Remarkably, Indians managed to return 99.3% of the value demonetized in a 60-day period. The return rate is even more incredible when one considers that, unlike the European demonetizations,

which allowed unlimited redemption, the Indian demonetization imposed per-person ceilings on exchanging old notes for new notes with the rest having to be deposited into a bank account.

That 99.3% of the currency came back could mean one of three things. First, while there really was 10-40% black money in the economy, tax evaders and criminals never held this wealth in cash holdings; they were adept at laundering before demonetization through shell companies, tax havens abroad, and Swiss bank accounts. As they never held black money in cash, there was no problem in returning their old notes to the RBI through deposits. A second possibility is that Indians did hold large amount of black money in cash, but they are so adept at reacting to draconian state policies that in a mere 60 days, they displayed extraordinary entrepreneurship and managed to launder their money and deposit it in banks. This could have been done through shell companies, foreign accounts, deposits in Jan Dhan accounts, sending the money to Nepal to launder and return to India, or paying temple trusts/cooperative banks/political parties/middlemen a small premium to launder the money. A third, highly unlikely, scenario is that there really isn't much black money in India, in cash or even otherwise, and the law-abiding, punctual citizens returned the old notes in time.

It is probably a combination of the first two possibilities that has led to this outcome. Indians are experts at circumventing laws and regulation. We even have our own term for it—*jugaad*. *Jugaad* has many meanings—finding a makeshift, low-cost, or creative solution to a problem; being entrepreneurial and innovative;

removing obstacles; or troubleshooting. This curious Indian talent has made its way into academic journals and financial papers and is discussed in conferences at Ivy League schools. *Jugaadu* is used to describe someone adept at *jugaad*, and is almost always a compliment. Through 70 years of draconian regulations under socialism, Indians have honed this skill. There is a fix for everything, all rules can be managed. It's only a question of cost. As entire cottage industries at varying levels of sophistication survive on providing these services, the cost of circumvention decreases. This ability makes Indians robust to shocks and adapt very quickly to unforeseen events. Even a 60-day window to exchange banned notes will lead to a higher yield than windows 60 times longer in non-*jugaadu* developed countries.

While this makes Indians flexible and adaptable, and helps them grow and prosper in a hostile environment, it also means that unless rules are very well designed and enforced, very few policy measures will have the intended outcome. There is so little trust in the state among Indians and there is so much adeptness at bypassing state enforcement that even well-designed schemes are hard to execute and demonetization was a highly flawed idea to begin with.

Everyone is aware of and has borne the enormous costs imposed by demonetization. Over 1% loss of gross domestic product (GDP), loss of entire small-scale industries, supply chain disruptions, drop in employment, and the multi-seasonal effect on the agricultural sector, not to mention the loss of lives and livelihood during the transition period that was botched by the government in its changeover to new notes. However, there is another long-term effect one needs to think about—some of the new tricks Indians learnt to launder money as a result of demonetization.

A huge cost borne because of the way India functions is that this kind of unproductive entrepreneurship, which spends so much resource in simply circumventing the state, could have been used productively to unleash more innovation and growth. The entrepreneurial talent is unfortunately trapped navigating regulatory roadblocks. This unproductive entrepreneurship has helped India survive demonetization and also shackled growth.

Shruti Rajagopalan is an assistant professor of economics at Purchase College, State University of New York, and a fellow at the Classical Liberal Institute, New York University School of Law.

Courtesy [Livemint](#), Mon, Sep 03 2018. 

Articles/Reports for The Radical Humanist

Dear Friends,

Please mail your articles/reports for publication in the RH to: mahipalsinghrh@gmail.com, or theradicalhumanist@gmail.com or post them to: E-21/5-6, Sector- 3, Rohini, Delhi- 110085.

Please send your digital passport size photograph and your brief resume if it is being sent for the first time to the RH.

A note whether it has also been published elsewhere or is being sent exclusively for the RH should also be attached with it.

- Mahi Pal Singh, Editor, The Radical Humanist

India's VIP culture: Forget Lincoln's definition of democracy. India's government is of VIPs, by VIPs and for VIPs

Ramesh Thakur

Last week, the Madras high court ordered the National Highways Authority of India to separate ordinary citizens from VIPs at toll gates, with a dedicated lane for the latter. Of course, high court judges are included in the list of VIPs. The court held it to be 'disheartening' and 'very unfortunate' that judges are 'compelled to wait in the toll plaza for 10 to 15 minutes'.

NHAI decided to challenge the directive. One might have expected the judges to be rather more concerned that more than a million cases have been pending in 24 high courts across India for over a decade. According to CJI Dipak Misra, the total backlog of cases at all levels of the judiciary is a staggering 33 million! The impact of this delay should weigh a bit more heavily in the minds of the learned judges while they leave matters of administration in the hands of the executive branch of government.

What is telling about the directive is the VIP mentality that has become part of the DNA of India's ruling elite. Contrary to Abraham Lincoln's famous definition of democracy, India has a government of VIPs, by VIPs and for VIPs. They do what they can, the people suffer what they must. In the heyday of European empires, colonial masters ruled imperiously over conquered subjects. During the Raj, the British class system fused seamlessly with India's caste system to entrench social divisions even more rigidly.

After independence, India proudly declared itself a sovereign democratic republic and added the word 'socialist' in the Constitution. The central tenet of the four words taken together – sovereign, democratic, socialist, republic – is

the sovereignty of the people. Politicians and officials are their servants. But as in other self-described socialist and communist paradises, India's ruling elites captured all the privileges while the disempowered populace was saddled with poverty, scarcity and general misery.

The elite moved into the newly-vacated opulent bungalows of Lutyens' New Delhi, even as the growing mass of destitute citizens lived in slums that sprang up along the city's outskirts. Gradually political office became the fastest route to miraculous wealth acquisition and conspicuous consumption. In time the brazenness of privileged behaviour spread to an all-encompassing sense of entitlement as the political and bureaucratic elite, in that order, began to act like feudal overlords over citizens.

The more that the quality of public services (health, education, infrastructure) decayed and institutions were degraded and corrupted, the greater was the distance between the lifestyle of the closed circle of the elite and ordinary citizens. Inevitably this morphed into the VIP culture that Indians by and large detest with a depth of contempt, anger and resentment that is difficult for foreigners to fathom.

The Congress party bears particular responsibility for this sorry state of affairs as the party of government in New Delhi and most states after independence. One of the great attractions of Prime Minister Narendra Modi's election winning slogan of good governance in 2014 was it promised to restore the rightful balance in relations between citizens, officials and politicians. 'Twas not to be. In this as in most other respects, the gap between boastful rhetoric and actual practice remains distressingly

wide: the 56-inch chest has been overshadowed by a 96-inch tongue.

Modi has tried to lead by example in some respects and is not in the least bit ostentatious himself. Nor has he given any indication so far of abusing his office for private gain or mistreating citizens. But this was the defence that his predecessor Manmohan Singh adopted without success: that the sea of corruption in which so many of his ministers were drowning was no indictment of his performance, for he himself was squeaky clean.

Similarly, although Modi himself has not been seduced by the VIP culture, he has failed to assert himself against those from within his and allied parties who have very publicly abused their offices. Perhaps he did learn the trick of bathing with a raincoat from Dr Saheb after all.

An obvious display of VIP culture that strikes foreign visitors is the list, in full public display at airports, of more than 30 categories of VIPs exempt from pre-boarding security screening. And how else other than a deeply instilled VIP culture do we explain Shiv Sena's MP Ravindra Gaikwad's air rage last year when he boasted he'd used his slippers to hit a 60-year old Air India staffer 25 times?

In a civilised country Gaikwad would have been expelled from the party, charged with assault and lost his seat. The party would have moved quickly to apologise to the attendant and the people and promised that such appallingly thuggish behaviour is neither condoned by nor acceptable to the party. But not in India's corrupted political culture. Instead, Shiv Sena threatened to disrupt air travel. The Centre capitulated to this mobster-like blackmail and ordered Air India to take Gaikwad off the no-fly-list. Throughout the highly publicised episode, Modi's silence was as eloquent as his predecessor's on maha-scandals.

Compare this to a notorious incident in Pakistan – supposedly a less robust democracy – where on 15 September 2014, former interior minister Rehman Malik held up a plane for two hours. When he finally boarded, angry passengers harangued him and refused to let the plane take off until he had been thrown off. A passenger uploaded a video of the incident to YouTube. Two weeks later he was sacked from his unrelated job but not before his video was widely shared and praised by a public sick to death of Pakistan's VIP culture.

Courtesy **Times of India**, September 4, 2018 

Who is a revolutionary?

What is a revolution? And who is a revolutionary? A revolutionary is one who has got the idea that the world can be remade, made better than it is today; that is was not created by a supernatural power, and therefore could be remade by human efforts. A revolutionary further starts with the knowledge that the world has been remade time and again, and that the process of remaking the world takes place of necessity. Those Indians who have felt the necessity of remaking our country, and are convinced that the people of India have the power to do so, are revolutionaries. One cannot be a revolutionary, without possessing scientific knowledge. One must have the conviction that not only human beings can remake the world, can make and unmake gods, but ever since the birth of the race have been doing that. Human nature is to set up gods, topple them down, and set up new ones.

- **M.N. Roy**

Lala Lajpat Rai & M.N. Roy

Kameshwar C. Wali

Roy had come to America as an emissary of revolutionary nationalism. Essentially he was in alliance with Germany in the fight against British Imperialism. At the suggestion of Dhanagopal Mukherjee at Stanford University, brother of a leading revolutionary in Calcutta named Jadu Gopal. Who said “to wipe out the past and begin as a new man,” Roy took the name Manabendra Nath Roy (M.N. Roy) on June 16, 1916. Through Jadu and his girlfriend, he met a bright young graduate student, named Evelyn Trent, and soon fell in love. After a couple of months on the west coast, the couple arrived in New York in October 1916. Evelyn went with Roy against the wishes of her parents and family, shortly there afterwards they got married.

While in New York, Roy was interested in meeting other Indian revolutionaries in the United States to seek their assistance in pursuing his plan to go to Germany. However, he found them divided and poorly organized, and got no help from them. Instead Roy found congenial company and new friends among “Radicals”, the common American designation for Socialists, Anarchists, Syndicalists (communists were not yet born). They tended to be pacifists, some of them anti-Imperialists, and only friends and sympathizers. To keep up with their ideas, Roy led them to the New York Public Library where they found socialist literature. They also met and befriended Lala Rajpat Rai (1865-1928) and went to public meetings with him, known as Lalaji, who was a well-known nationalist leader who had come to America a year before as an advocate for India’s Independence. A *Warrior on the Platform*, he had won the sympathy and support of many liberal Americans. When Roy was returning home, he was stopped in London. He was aware of the threat of being

imprisoned in India. As all colonial nationalists, he was pro German and while in America he was suspected of conspiracy due to his contact with Germany, the enemy. He had returned to America, frustrated and embittered, and even more anti-British. In the meantime, the political atmosphere had changed in the land of liberty, and still more unpleasant experiences awaited the anti-British propaganda. His liberal friends gave him the cold shoulder on the ground that any anti-British propaganda, either in the press or from the platform, was to help Germany.

Old, lonesome and homesick, he enjoyed the company of the young Roys. He had purchased the works of Marx and other socialist classics. He was very happy whenever Roy cooked Indian dinners. One day he asked him if he could make *Rasgollas!* Proud of Bengali culture influencing Punjabi taste, Roy went to great lengths to make them. Since it required ingredients that were unavailable, he invented a new recipe and succeeded. “*I was myself surprised when the experiment succeeded, and the old man behaved like a child,*” says Roy in his memoirs. They became friends. The basis of their friendship, however, was not only gastronomical. It depended on the fact that both were frustrated. Lalaji longed to return home and address one mass meeting before his death. Roy had left India to get help from Germany, to free India, which seemed to go nowhere.

One evening at a socialists meeting, where Lalaji was the speaker, a crucial moment dawned in Roy’s life. Lalaji had ended his talk that was full of anti-British tirades; the absurdity of a great country of ancient civilization remaining in colonial subjugation. It was followed by a vivid description of the poverty of the Indian masses. After the end of the talk, a man in the back of the hall stood up

to ask a question. After expressing his and the rest of the audience's general sentiment against colonial exploitation and sympathy for India's aspirations, he asked, "How did nationalists propose to end the poverty of the Indian masses?" Lalaji replied, "Oh, let us first be masters of our home." Not satisfied with the casual and evasive answer, the questionnaire continued by the man in a rather provocative manner, "What difference would it make to the Indian masses if they were exploited by native capitalists instead of foreign imperialists?" Lalaji flew into a towering rage and retorted, "It makes a big difference whether one is kicked by his brother or by a foreign robber." It created a sensation in the audience and a frigid silence.

"At the beginning, I shared Lalaji's indignation," says Roy, "but also felt uncomfortable; there was something wrong in our case. Suddenly, a light flashed through my mind; it was a new light." He continues, *"I left the hall alone, still quite confused in my mind, but vaguely visualizing a different picture of freedom. Keeping away from Lalaji and other Indian friends, I frequented the New York public Library to read the works of Karl Marx and discovered new meaning in them. It was which I defended not long before I accepted socialism, except in its materialist philosophy. That was my last ditch which I defended still for quite a long time."*

He was also influenced by daily discussions with Evelyn, who had some acquaintance of American radical tradition and together attended radical meetings and made friendships with several young radicals.

He was in the process of writing an essay on colonialism and pacifism, which led him to rethink his ideas. The revised version read by

a socialist friend received great approval and Roy was ready to get it published. But that couldn't happen. Shortly thereafter, America ended its state of neutrality and entered the war in support of the British and marked a great change in American policy. During the following months, several Indian revolutionaries together with their German contacts were arrested. Roy was arrested at the Columbia University campus when he was coming out of a meeting presented by Lalaji. He was questioned and was released with the command to appear the following day at 11a.m. at the Town Hall before a Grand jury.

Fortunately, his militant nationalist activities were not known in the US, because he had come to the US under a false name. The attorney indicted him for violating the immigration law of the US. The jury endorsed the indictment and he was released, pending the trial on personal security with a strict warning not to escape; he was under strict surveillance.

Roy had come to America on the way to Germany. His brief stay on the west and east coasts of the US convinced him he was not going to get help, either from the Germans or from the so-called representatives of the Indian Revolutionary committee of Berlin. On the eve of leaving India for the first time a year before, he had jumped bail of Rs. 10, 000 to avoid a possible life-long imprisonment. He was not going to take the chance of ending up in prison here in the United States.

After the indictment, the first thing the Roys did was changing their residence, but that was not enough, as they were under constant surveillance. One evening they left their residence, went to a restaurant and after dinner took a taxi and got on the train for the border-town of San Antonio, from which they then escaped to Mexico. They had come to know from socialist acquaintances in New York and Stanford that Mexico was in a state of

permanent social revolution. David Starr Jordan, the President of the Stanford University was deeply interested in the political developments of their neighbour, Mexico, where one of his friends, General Salvadore Alvarado was engaged on some kind of socialistic experiment as Governor of the Province of Yucatan, home of Mayan civilization. He had given an introduction to Alvarado and had advised him to see the experiment if he ever went to that country.

A new life began in Mexico, where he founded the first communist party outside of Russia. Roy took an active role in politics, establishing socialism with President Carranza, who in 1916 drafted a new constitution which divided Mexico. Another attempt to return to India via China with armed help from Germany, which was a hazardous

journey to the West coast, was unsuccessful. Through Borodin he was invited to Russia by Lenin, to attend the second congress in August 1920. He went to Moscow, not so much as to attend the congress, but to enlist himself in the International Revolutionary Army operating under the command of the General Staff of the World Revolution, the Communist International.

Kameshwar C. Wali is Professor Emeritus in the Physics Dept, Syracuse University, Syracuse, NY, USA. Author of A Biography of S. Chandrasekhar, the renowned Scientist of the last century and some other books. He had met Roy in 1949 and had correspondence with him till the end. An article giving details of that meeting and his relations with Roy was published in the July 2015 issue of *The Radical Humanist*. 

Prisons and Prisoners

J.L. Jawahar

Recently the prisons in India are put under a magnifying glass to show the conditions prevailing therein. The honorable court in the exalted imperial Britain wanted to ensure that the culprit who was a wilful defaulter to crores of rupees is comfortably interned in India. Even after the government of India gave assurances of the conditions, the lawyers from defence demanded that there would be no natural light inside the prisons. In order to convince the court the government immediately took video of the rooms where the Hon'ble Mr. Mallya would be placed once he is allowed to be taken to India. It appears the court was convinced that Mr. Mallya, the defendant would be imprisoned legitimately. But the courts wanted to show humanitarian considerations and prove their credentials in that regard. After all, the defendant is not an ordinary person.

Unfortunately the people at the higher strata of society also commit crimes and those crimes

would be magnificent, commensurate with their status. The system takes more care about the comforts available to them when they are imprisoned, which happens rarely. After all, the law and rules are made by the people at higher levels. Naturally they take more care about their class. Punishment depends on the class of the criminal rather than on the crime committed. The rule of law demands that all are equal before law but it is agreed that some are more equal than others.

The law of a country prevails within the boundaries of the country. But when the known culprit escapes and flies out of the country, it shows either laxity or inefficiency of the enforcing authorities or a clandestine understanding with them. But once the culprit escapes from the country he has to go to some other country as there is no place on earth which is not part of some country. If it is an imperial country like Britain it is more safe

there than in other smaller countries. In such a case the government has to plead with that country to send back the culprit to face the law. Surprisingly that other country, Britain in this case, takes more care about the welfare and comforts of the offender than the country of which he happens to be a citizen. Either because of civility or because of some agreement with the country they could not refuse to extradite the person. For that purpose India had to take all the trouble to prove before the imperial powers that the person whose extradition is sought has really committed a crime which deserves punishment. That is in addition to the trouble taken before the courts of the own country itself.

After it is agreed that the person shall be extradited, it is usual for the foreign country to ascertain whether the person would be given death punishment. It has become popular to claim that death penalty is inhuman and extradition can be denied if the death penalty is to be imposed. An assurance would be sought that such punishment would not be given in that case even if the law of the land demands it. In this case such danger does not arise as corruption and money laundering are not crimes to attract death penalty. Even then, for their own reasons, the courts in Britain tried to show more care about the culprit than they show about their own citizens. They want to ensure about the comforts that would be available to the prisoner under the conditions prevailing therein.

Recent inspection reports revealed the horrible conditions prevailing in the British prisons – *blood, vomit, cockroaches, rats, air thick with drugs, staff hiding in fear of violent prisoners*. It is also reported that “It is virtually impossible for journalists to visit prisons except for a rare manicured walk-about with a minister.” That is the condition in prisons of UK. Columnists like Polly Toynbee have reported the same in the media and there had

been wide discussion about it. There are allegations that the inhuman conditions resulted in psychological derangements of prisoners also. The conditions in prisons for women are more horrible, they say. There is no humane treatment of children held with mothers. That is the condition prevailing in most of the 102 prisons run by the government and 14 prisons run by the private organisations. Yes, private organisations are allowed to run prisons. Is it not dereliction of duty of a government? Can we in India think of entrusting prisoners to the care of private organisations? There have been street demonstrations with placards demanding “Save British Justice.”

But the judiciary of that country insists that the offender shall be lodged in a prison to reflect the social status and capitalist rank of the culprit. Anybody can understand the minimum or reasonable comforts that could be made available. But what is the limit for luxuries that can be demanded? Demanding proof of availability of natural light shows the hypocrisy of the judicial system there. Perhaps they expect ‘homely’ comforts in prison. We must be grateful for they did not object to imprisonment itself.

It is not that the officers and lawyers presenting the case on behalf of India before the Hon’ble court in Britain are not aware of the conditions prevailing there. But they cannot afford to prejudice the court by raising such awkward questions. They have to get things done. They had to make a video of ten minutes to show the court and convince them that the offender would be given all the comforts commensurate with his status, in spite of the fact that he committed a crime. That is how law is made and practiced.

24 August, 2018

6-3-596/65 Naveen Nagar

Khairatabad, Hyderabad – 500 004

Mob : 990 850 2144

jjasthi@yahoo.com 

How Major Leetul Gogoi's indictment embodies the paradox of AFSPA

The Supreme Court judges hearing the appeal by 300 soldiers against the act have a duty to uphold the rights of Indian civilians. Girish Shahane



The indictment of Major Leetul Gogoi by an army Court of Inquiry is a sad revelation of where our military draws its moral and legal lines. In May, Major Gogoi booked a room in The Grand Mamta in Srinagar, intending to spend a few hours with a female who hotel staff say was 17 years old but is described as an adult by the local police and her family. After he was denied the room thanks to the hotel's policy forbidding Kashmiri women from sharing accommodation with unrelated men, his driver got into a scuffle with hotel staff, leading to the police being called in and the case blowing up in the media.

The reason it got wide attention is that Major Gogoi is a national celebrity, the officer who ties a Kashmiri civilian named Farooq Ahmed Dar to the front of his jeep as a human shield during protests in 2017. Some commentators felt that act ought to have invited a court martial, but he was instead given a commendation by the army chief General Bipin Rawat.

It's extraordinarily difficult to get members of India's security forces punished for atrocities committed in Kashmir, because they are

protected by the Armed Forces (Special Powers) Act, a piece of legislation that was applied to Assam and Manipur in 1958, followed by other states in the North East, and extended to Jammu & Kashmir in 1990. Through Congress-led, Bharatiya Janata Party-led and Third-Front governments, AFSPA has remained a shield of impunity for Indian troops operating in insurgency-hit regions.

Central sanction

Theoretically, AFSPA permits the prosecution of soldiers who commit heinous crimes, but requires the Central government to sanction it. For 60 years, however, prosecution has remained nothing more than an abstract idea. Of the more than 500 complaints that have been forwarded from North Eastern states, not a single case has been allowed to go forward by the Centre. Jammu & Kashmir's state government suggested 50 cases for prosecution between 2001 and 2018, not a large number considering there are half a million troops stationed in the state. Only the most egregious excesses were sought to be punished, and yet

the Union government refused to sanction a single prosecution from among the 50.

In the fog of war, the line between self-defence and murder is often blurred. Troops risking everything and having to make split-second decisions about life and death cannot be expected to choose perfectly each time. The legal process ought to, and does, take this fact into account. There are, however, acts motivated by retribution or greed that come nowhere close to the category of split-second error. Take the case of the Macchil killings, in which army personnel bribed counter-insurgents to bring poor civilians to them, whom they then murdered in cold blood and claimed were terrorists from across the Line of Control, all to gain medals and speedy promotions. After the bodies were discovered, officials initiated a cover-up by tampering with DNA samples to back the lie about the dead men's identities. The state police investigators persevered, and the offending army personnel were given life sentences, a unique event in the history of states under AFSPA, only for the Armed Forces Tribunal to suspend the punishment and set the men free.

We can only guess how many Macchils have taken place in AFSPA states. Over 2,000 corpses have been found in unmarked graves in Kashmir, some bearing marks of torture, some decapitated. These are among the state's thousands of disappeared civilians, whose families will find neither closure nor justice. No argument for national security can legitimise impunity for such acts.

Verma suggestions rejected

Nor can national security ever provide just cause or cover for rape. There may be occasions when innocents are killed after being misidentified as terrorists, but the violation of women's bodies by security forces cannot happen by error or accident. In 2012, protests following the brutal rape and torture of Jyoti Pandey in Delhi spurred the Manmohan Singh administration to appoint a committee tasked

with recommending revisions to India's sexual assault laws. Most suggestions of the committee, headed by the retired Supreme Court judge Jagdish Verma, were accepted, but not the one which asked for AFSPA to be revised because it legitimised sexual violence in conflict zones.

In 2016, the Supreme Court finally paid heed to decades of agitation and argument against AFSPA, including Irom Sharmila's heroic marathon hunger strike, and the naked protest of 12 Manipuri mothers against the killing of a girl named Thangjam Manorama. Hearing a plea for a proper investigation into 1,528 deaths in Manipur, Justices Madan Lokur and UU Lalit held that, "It does not matter whether the victim was a common person or a militant or a terrorist, nor does it matter whether the aggressor was a common person or the state. The law is the same for both and is equally applicable to both". The judgement shredded AFSPA's umbrella of impunity, and gave hope to hundreds seeking justice for the loss of family members. Before such justice could be delivered, 300 soldiers appealed to the Supreme Court to reverse that verdict, claiming it would demoralise serving troops and place the nation in peril.

I hope the panel of Supreme Court judges hearing the soldiers' appeal will concur with Justices Lokur and Lalit in upholding the rights of Indian civilians. To understand what's at stake, consider this paradox. The mother of the girl Major Gogoi was to meet in Srinagar told the press that the officer had "raided" their home several times in the past. Had Gogoi, during one of those raids, raped the girl, he would still be serving with honour in the army. In case of a complaint against him, the entire military apparatus would have been activated to defend him, as it has defended every soldier charged with a crime. But because Major Gogoi befriended the girl and she met him of her own free will, he was found guilty of "fraternising with a woman", and faces summary dismissal.

Courtesy **Scroll.in**, 31 August, 2018. 

The crackdown on civil society

Neera Chandhoke

With the raids and arrests, activists are being penalised for their unwavering vigilance

It is a truth universally acknowledged that the modern democratic state, armed with technologies of surveillance and control, possesses the kind of power that has never ever been exercised by any other state in history. In a **democracy**, the individual transits from subject to citizen. Yet there is no one more vulnerable and more helpless than our rights-bearing citizen if the, otherwise, democratic state decides to terrorise, kill and drill fear and trepidation in the mind of the body politic. The other dominant institution of our times, the market, is completely amoral. It is supremely indifferent to human suffering. It has neither sympathy nor room for citizens exploited by the state, and by its own need for resources, labour, and profit.

A vital sphere

The only sphere that stands between the individual and the omnipresent and omnipotent state is **civil society**. In this figurative space, individuals come together in webs of associational life. Associations have the capacity to challenge the brute power of the state through petitions, protests, *dharnas* and ultimately judicial activism. Given unresponsive political parties, citizens can access centres of power and privilege only through a vibrant civil society.

Civil society is, of course, a plural sphere, and all manners of associations find space for themselves here, from football clubs to reading groups to film fan societies. Each democratic association is important, but we cannot deny that civil liberty and **human rights** groups are an essential precondition for human well-being. Some Indian citizens were randomly and arbitrarily imprisoned during the Emergency (1975-77) and the fundamental rights of others were truncated.



It is, therefore, not surprising that in the aftermath of the Emergency, the civil liberties movement made a dramatic appearance on to the scene of Indian politics. The movement which developed into, or acted in concert with, the human rights movement took on an extremely significant task, that of protecting the fundamental right to life and liberty granted by the Indian Constitution.

Every political revolution in the world has begun with the rights to life and liberty. These two rights lie at the core of other rights that have been developed and codified as critical for human beings. The two rights stretch from the right not to be tortured or killed, to the right not to be arrested and imprisoned by the lackeys of the state without due cause. The right to life is a basic right, but our lives do not mean anything if we are incarcerated for no rhyme or reason.

In the decades that followed, human rights groups have become the custodian of the Fundamental Rights chapter of the Indian Constitution. They have investigated cases of arbitrary imprisonment, custodial deaths, deadly encounters and coercion of any citizen who dares to speak up against the state or dominant groups. These organisations have carefully documented the causes and the triggers of communal and caste violence, and established an excellent archive on the abuse of power by governments. They have asked questions which few Indians have had the courage to ask. And above all, they have protected the rights of vulnerable sections of our own people, the Adivasis, the Dalits and Muslims.

Civil liberty and/or human rights activists are lawyers, academics, journalists and public minded citizens of India. What matters is their very human concern for the poor and the disadvantaged, the dispossessed and the vulnerable. What matters

is that civil society activists protect the moral conscience of our society. Not all civil society groups do so, some are in the sole business of getting funds from the state or others. Not all sections of the media do so, they are often cowered down by their corporate bosses, and the lure of fame and lucre. Unhappily, the majority of Indians keep quiet when their own fellow citizens are tortured by the police, stripped of access to resources and livelihoods, lynched, exploited by corporate India, and neglected by the mainstream media. Human rights activists shoulder the fight for the rights of the oppressed.

The turf wars

Their role is crucial for democracy because today we are ruled by a government that openly defies ethics and morality, that casts itself in the mould of realism, and that is supremely indifferent to the plight of millions of its citizens. We are ruled by leaders who dismiss the need for civil society because the cadres and the front organisations of its ideological backbone, the *Rashtriya Swayamsevak Sangh*, seek to dominate the space between the individual, the market and the state. The consequences are serious. Over 10 years ago, during UPA I, we were speaking of the right to food, to employment, to education, to information and to land. We theorised that India was moving towards a social democratic state vide civil society activism. Today there are few organisations that articulate the right not to be lynched, or who struggle for the right to life and liberty. Human rights activists are among these few organisations. They have courageously taken on the challenge posed by corporates, a ruthless state and its venal police, and the cadres of right-wing organisations that specialise in violence.

Activists have been penalised for their eternal vigilance, which, as Irish lawyer-politician John Curran said in 1790, is the price we pay for liberty. The government and right-wing organisations have pursued and terrorised human rights activists. On August 28, lawyers, poets, academics and activists known for their defence of the dispossessed were

targeted by the Maharashtra police. The houses of Sudha Bharadwaj, Varavara Rao, Vernon Gonsalves, Arun Ferreira, Gautam Navlakha, Anand Teltumbde and Stan Swamy were raided, and some of them imprisoned.

The reasons for the harassment of these warriors in the cause of justice are unsubstantial and unconvincing. The police simply cannot establish that their speeches at the *Elgar Parishad* meeting in Pune in December 2017 incited the violence unleashed on a Dalit gathering at Bhima-Koregaon on January 1, 2018. It was earlier reported that the peaceful gathering was attacked by activists belonging to two Hindu right-wing organisations: Shiv Pratishthan led by Sambhaji Bhide, and Hindu Ekta Manch led by Milind Ekbote. Mr. Ekbote, committed to Maratha/Hindu supremacy, was arrested in March 2018. Soon he was cleared by the police and the **Maharashtra** government. Now a completely different set of agents has been brought in and charged with urban Maoism, a term that has neither a history nor a geography. It is simply silly.

Boomerang effect?

This is the latest blow inflicted on civil society by a party that wishes to see only its own organisations dominating the space of associations. The attempt might just rebound on the party. The well-known Italian theorist Antonio Gramsci, jailed by the Mussolini government in the 1920s, set out to answer a crucial question. Why had a revolution occurred in semi-feudal Tsarist Russia, and not in the Western capitalist world as predicted by Marx? He concluded that revolutions only happen when the government directly and unashamedly exercises brute power, as in Russia. They do not happen in countries which possess civil societies, for here projects of domination and resistance can be played out. Citizens just do not need to revolt. Is there a lesson our rulers need to learn from this piece of profound wisdom?

Neera Chandhoke is a former Professor of Political Science at Delhi University

Courtesy **The Hindu**, August 30, 2018 

Delhi, Mumbai, Faridabad, Hyderabad, Ranchi, Goa: Pune police raids, arrests human rights activists

Sudha Bharadwaj, Arun Ferreira, Vernon Gonsalves, Gautam Navlakha, Varavara Rao were arrested.



Vernon Gonsalves, Arun Ferreira, Gautam Navlakha, Sudha Bharadwaj, Varavara Rao

On Tuesday morning, teams of Pune police raided the houses of activists in Mumbai, Ranchi, Hyderabad, Delhi, Faridabad and Goa. By evening, joint commissioner of police, Shivaji Bodakhe, confirmed the arrests of five activists: **Vernon Gonsalves and Arun Ferreira** in Mumbai, **Gautam Navlakha** in New Delhi, **Sudha Bharadwaj** in Faridabad, **Varavara Rao** in Hyderabad.

Others whose houses were searched include priest and activist **Stan Swamy** in Ranchi, Rao's daughters in Hyderabad, activists **Kranti Teluka** in Hyderabad, Dalit scholar **Anand Teltumbde** in Goa. Teltumbde's house was raided in his absence. Police reportedly took the keys from the security guard and walked in.

Bharadwaj, who has worked as a human rights lawyer in Chhattisgarh for many decades, was the first to be detained at the Surajkund police station in Faridabad. She was subsequently arrested.

Navlakha filed a petition in Delhi High Court,

challenging the order of a local court granting Maharashtra police transit remand to take him to Pune. The High Court stayed the order and will hear his petition on Wednesday.

The raids are connected to investigations into a public meeting organised days before caste-related violence erupted at Bhima Koregaon near Pune on January 1. *Scroll.in* has reviewed the search warrants which cite sections of the anti-terrorism law, the Unlawful Activities (Prevention) Act, and sections of the Indian Penal Code relating to the offence of promoting enmity between groups.

Mumbai

Arun Ferreira, a human rights activist and lawyer, confirmed that raids were being conducted on his house by members of the Vishrambaug police station from Pune. The raid at Vernon Gonsalves's house began at around 6 am, a relative confirmed.

Ferreira, who in 2012 was acquitted of charges of being a Naxalite, told *Scroll.in* that

he has been involved in the case against Surendra Gadling, a Nagpur-based lawyer who was among the five social activists arrested in June on charges of stirring up violence in Bhima Koregaon.

The Pune police has been investigating the circumstances that led to violence at Bhima Koregaon, where large groups burnt and stoned vehicles and property. One person died during the clashes. An initial outcry focused attention on the role of Hindutva groups in instigating the violence. But in March, the state government said that there was no evidence against Shiv Prathishtan Hindustan leader Sambhaji Bhide who reportedly gave an inflammatory speech near the village of Bhima Koregaon days before the New Year violence.

Since June, the police investigation pivoted to focus on activists working with Dalits, Adivasis and political prisoners instead. The police have been claiming that speeches made at the public meeting in Pune, called the Elgaar Parishad, actually sparked the violence. The investigators have been targetting activists they allege helped organise the meeting.

Ranchi

The search warrant issued for **Stan Swamy**'s house by Assistant Police Inspector Shivaji Pawar of Pune city's Swargate division says that they had received confidential information about Swamy and so wanted to seize his laptop, hard drives, mobiles, notebooks and other technical equipment to prevent him from destroying information.

"The Maharashtra and local police came at around 6 am and knocked on [Swamy's] room [in Ranchi] and said they have to conduct a search operation," said Siraj Dutta, an activist from Jharkhand who witnessed the raid. According to Dutta, the police confiscated Swamy's mobile, laptop, some audio cassettes, some CDs, and a press release on the Pathalgadi [movement] released a few weeks ago.

With its epicentre in the state's Khunti district,

the Pathalgadi movement uses an Adivasi practice of installing stone tablets – traditionally used to mark graves – in order to list out provisions from the Indian Constitution that award vast powers to gram sabhas, village councils in Adivasi-dominated Fifth Schedule areas. The movement has been driven from the constant infringement of Adivasi lands rights for mining and industry.

"They wanted him to sign on a panchayat nama in Marathi, but Stan and all of us there refused," Dutta added. "Stan requested a translation, which they did not give, but they gave an undertaking, explaining the whole statement to him in English and Hindi. The whole thing was video recorded. They made him sign on the panchayat nama, which basically explained the seizure list and that they had done this raid. Then they went away."

Xavier Dias, a friend of Swamy's who is also an adivasi rights activist in Ranchi, said that Swamy has not left the state in two years. When he travels outside the state, it is only to Chennai for health checkups. Swamy is a cancer survivor. On August 11, Swamy had organised a Loktantra Bachao Andolan in Ranchi, which 150 people had attended, Dias said.

Hyderabad

Apart from the houses of writer and activist **Varavara Rao** and his family, the police have reportedly raided the homes of **Kranti and Naseem**, who are associated with the publication Virasam.

The houses of two of Rao's daughters and sons-in-law have been searched. This includes **Professor K Satyanarayana**, a Dalit activist who teaches at the English and Foreign Languages University, and is married to Rao's daughter Pavana.

"There is a raid still going on at Prof Satyanarayana's house on the campus," said his colleague. "Teams from the Pune police and Telangana police are still inside, and they are not letting anyone in. Some of his colleagues

and staff are waiting outside.”

The police have also searched the house of Rao’s daughter Anala and her husband Kurmanath, who is a journalist.

Previous arrests

On June 6, teams from the Pune police arrested advocate **Surendra Gadling**, professor **Shoma Sen** and activist **Mahesh Raut** from their homes in Nagpur. In a coordinated

operation, the police also arrested activists Sudhir Dhawale in Mumbai and Rona Wilson in Delhi, and brought all five of them to Pune.

They have been accused of having Maoist links and have been charged under sections of the controversial Unlawful Activities (Prevention) Act.

Courtesy **Scroll.in**, Wednesday, August 29th 2018 

Am I an Urban Naxal?

Prabhakar Sinha

I have been a PUCL functionary in Bihar from 1981 to 1991* and at the national level from 1988 to 2016*. The Bihar PUCL had members from various political parties including the different CPI (ML) parties. Karpoori Thakur, the tallest leader in Bihar, was a member of the Executive Committee till his last breath. Ravi Shankar Prasad (the present Law Minister) was one of the Secretaries till 1987 and was unanimously elevated as General Secretary in 1988 (he left when he joined the BJP since a member of a political party cannot be an office bearer). The PUCL stood for the human rights of everyone including the Naxals. It enquired into the violation of rights committed even by organised non-State players like Senas and the Naxals. When we enquired into the violation of the human rights of the Naxals, the members of the team consisted of persons not sympathetic to them (PUCL has a rule to not have any person on the Fact Finding Team who is sympathetic to any of the parties to the dispute). Often Ravi Shankar Prasad and I were on the team constituted to enquire into the atrocities committed against the Naxals. PUCL spoke for any victim whether he was a victim of the police atrocity or Naxal violence or an atrocity committed by the landlords or the police against the Naxals or their followers. Bihar was an area of Naxal activities right from the early 70s (J.P. spent several years at Mushahari,

Muzaffarpur where the Naxals had been very active). They were both victims and victimisers. PUCL spoke against them when they committed atrocity against anyone and stood by them when they were victimised (Bihar PUCL has published a 1000 page report of its activities from 1981 to 2006). PUCL has also published reports against the RJD government and the Nitish Kumar government. The organisation has no axe to grind and has been acting strictly according to its constitution.

But no government called us Naxals for speaking against it for the violations of the rights of the Naxals. They could differentiate between an organisation opposing violations of the human rights of Naxals and supporting their politics including capturing power with the help of gun. The BJP, which is a creature of the RSS also could see this difference under Atal Bihari Vajpayee because he was not a CREATURE of the Sangh as Modi is. Atrocities were committed even under him. In fact, innocent individuals were implicated in false cases as supporters of Naxals by all governments, but the entire rights movement was never branded as Naxals as Modi has done. Modi, unlike Vajpayee, is 100 % a child of the Sangh, which has been a great admirer of Hitler and Mussolini. He spent his life preaching the ideology of the Sangh, which is fascist and which views a section of our citizenry as unwelcome outsiders

and is intolerant of dissent. Its intolerance has increased ever since strong dissent has obstructed its move to acquire the land and forest of the Adivasis and others to give them to his paymasters for their projects. Now, they want to bulldoze the Adivasis and the other poor and want to silence the rights organisations so that there is no one to speak against their terror.

Let the government take me as a sample of an “Urban Naxal” for the last 42 years*, enquire into my role as a PUCL functionary and otherwise to decide whether I could or did

*I have been with the PUCL since its inception during the emergency. I have been Vice President, Bihar PUCL since 1981, President from 1981 to 1991; Secretary or Organisational Secretary, National PUCL from 1988 to 1990, National Vice President from 1990 to 2009 and three term President from 2009 to 2016.

I am the best specimen to investigate whether I have been an ‘Urban Naxal’ working for the Naxals or not.

#The other so-called ‘Urban Naxals’ have been Justice V.M. Tarkunde, Justice Rajindar Sachar, Prof. Rajani Kothari, Socialist Leader Surendra Mohan, Prof. Amarik Singh and many others all of whom were with the PUCL till their last.

★ “The following is the criteria of the membership of the PUCL: Every adult person shall be eligible to be member of the organisation if he/she believes that civil liberties must be maintained in India, now and in the future, irrespective of any economic or political changes that may take place in the country.”.

Every member has to sign a declaration that

“The people of this country have a right to know every public act, everything, that is done in a public way, by their public functionaries. They are entitled to know the particulars of every public transaction in all its bearing.”

Justice K K Mathew, former Judge, Supreme Court of India, (1975)

support the ideology or acts of the Naxals. If they find that I am not an urban Naxal, they should end this propaganda, but if they find I am really a Naxal masquerading as a human rights activist, they should proceed against me according to the law.

But I would like to reiterate that I would fight against the violation of the human rights of any human being (as I have been doing) regardless of the allegation against him. That does not make me an ‘Urban Naxal’ or a terrorist or supporter of terrorists.

he/she subscribes to the aims and objects of the PUCL and pledges to abide by its constitution.

The aims and objects of the PUCL exclude political ideologies and issues and confine themselves to the issues of civil liberties to make it possible for the people committed to different ideologies and the members of different political parties to join the organisation to make it a powerful champion of civil liberties in India.

Most importantly, the PUCL is committed to use of peaceful means for itself and does not accept violence as a means of achieving political objectives.

The PUCL has been publishing a monthly bulletin since 1981 which may be referred to for finding its stand on violence including its disapproval of Naxal violence.

Note: Arun Shourie and Arun Jaitley were actively associated with the adoption of the PUCL constitution at the Delhi conference of November, 1980. Arun Shourie was elected General Secretary and Arun Jaitley a member of the Executive Committee.

September 5, 2018

Declarations and Press Statements:

Humanists condemn “the politics of division”, resurgent in many parts of the world

By : IHEU Admin on 5.8.2018

Representatives of the worldwide humanist movement have condemned the spread of “the politics of division” in various countries and regions, and urged governments to resist consolidating power by demonizing minorities.

Representatives of humanist and secular organizations under the umbrella of the International Humanist and Ethical Union (IHEU) approved The Auckland Declaration Against The Politics of Division, at the IHEU General Assembly in New Zealand today.

The resolution (see below) focuses on the demagogic tendency, “resurgent in many parts of the world... exemplified in a new generation of so-called “strong men” politicians, who purport to stand up for popular interests, but who are eager to diminish human rights and disregard minorities in order to gain and retain power for their own ends.” Such leaders are “a present threat to human dignity, the rule of law, human rights, and freedom globally.”

Humanists have been particularly concerned about trends in Russia, the United States, China, India, Hungary, Poland, the Philippines, and Turkey.

Welcoming the resolution, **Sara Passmore**, president of the Humanist Society of New



Zealand which hosted the IHEU in Auckland, said “I’m delighted that this resolution has been approved here in New Zealand. This is a country that is working hard to

redress historical injustices.

“Even so, we have an increasingly divided population, with a false narrative of persecution dominating headlines to the detriment of genuine discussion about human rights. I hope that these efforts in New Zealand would serve as

something of a model: as the Auckland Declaration says, we must proactively resist the tendency to divide and demonize human beings.”

Introducing the resolution at the IHEU General Assembly, president of the IHEU, **Andrew Copson**, said, “I think it’s fairly safe to say that around the world, demagogues of various stripes have been on the rise in recent years. In Turkey, the Philippines, even the United States, there are serious threats to human rights – and perhaps now even to the very value of truth itself. ... Almost everywhere there is some discussion of “fake news”, “alternative facts” and the pros and cons of free media; there is a rising dissent against universal human rights; and — this is the main focus of our resolution — a concerted attempt from many quarters to divide humanity. ...” “the Politics of Division” refers to the committed attempt to drive wedges between human beings, whether it’s ethnic majorities against minorities, indigenous-born against immigrants, attacking refugees, or singling out people by race, religion or belief, sex, sexuality, gender identity, or any other arbitrary characteristic under which people are demonized.

“I do believe this is happening more – and in more countries where in previous decades we might have thought that such division was being resisted. ... I believe it is imperative that as humanists we have some response to these anti-Enlightenment, anti-human trends, and I commend the resolution to you.”



The full text of the resolution follows below.

Auckland Declaration against The Politics of Division

The right of all people to participate in the government of their society has been a foundation of human freedom and happiness wherever it has existed. We are fortunate to live in a world in which, through the efforts of humanists as well as religious believers, democracy is widely recognised as being the most just, rational, and effective form of governance available to humanity. Today, more people than ever before have the ability to shape the political direction of the community in which they live.

However, wherever there is democracy, there is always the risk of its abuse by demagogues, who seek to exploit the genuine grievances of sections of the population by misdirecting blame onto unpopular minorities, which may include pre-existing and competing political groups who are maligned as “elites”. Demagogues frequently employ intolerant forms of nationalism as well as other forms of prejudice and hatred. Their rhetoric appeals to negative emotions rather than to empathy and reason.

This politics of division is resurgent in many parts of the world. It is exemplified in a new generation of so-called “strong men” politicians, who purport to stand up for popular interests, but who are eager to diminish human rights and disregard minorities in order to gain and retain power for their own ends. They are a present threat to human dignity, the rule of law, human rights, and freedom globally.

Against this tendency, we affirm:

The best ethical foundation from which to approach the problems of today's world and the future of us all is to try to see humanity as one global community. The greatest achievements of human progress and solidarity can be won by rejecting the politics of xenophobia and tribalism and instead working together for the common good.

Democracy is much more than a periodic

opportunity to vote. For democracy to flourish it must be underpinned by the rule of law and the principle of equality under the law for all. Respect for human rights as defined in The Universal Declaration of Human Rights of 1948, including the right to freedom of expression, should be a minimum standard for all democracies. The human rights of minorities, not just majorities, must be upheld and protected. Freedom of expression must include the right to openly criticize political parties, leaders, and policies. As well as voting positively for representatives, democracy must respect the value of a free press and include systems of transparency, accountability, and the capacity for the people to criticize and peacefully replace failing and unpopular governments.

Democracies can thrive only in a culture of open debate. Debate and rational inquiry should seek to settle disagreements in a peaceful and tolerant manner.

Today's problems are more complex than ever before. Any politician claiming to have easy answers to them must be subjected to great scrutiny.

Across the world the speed of human progress is accelerating but the fruits of human progress are not being evenly enjoyed. Infant mortality is declining, life expectancy and income are increasing but many are still in poverty in a world of plenty. Too often, human rights are violated, there is insecurity, and in many countries there are new threats to economic stability, the environment, and social protection. These problems should be addressed by individuals, non-government organizations, governments, and international organizations.

We reject the politics of division and call on all politicians and citizens to reject the over-simplified policy-making and rhetoric which characterize it and to recognise the damage to humanity that divisive politics can cause.

We commit ourselves to addressing the social causes of the politics of division: social inequality, a lack of respect for human rights, popular misconceptions about the nature of democracy, and a lack of global solidarity; and we call upon our member organizations and all humanists to

join us in this work.

We urge humanists internationally to uphold and advocate the values of democracy, rule of law, equality, and human rights, and to identify and resist the politics of division wherever they see it in their own nations and internationally. 

Joint Statement Against Continuing Arrests of Rights Activists

30th August 2018, Press Club of India, New Delhi

We, the undersigned, strongly oppose and condemn the illegal raids carried out in different cities, and arrests of Gautam Navlakha, Sudha Bharadwaj, Arun Ferreira, Vernon Gonsalves and Varavara Rao by the Maharashtra Police on 28th August 2018. These are only the most recent arrests in a continuing wave of repression spearheaded by the police at the behest of their political leaders and their communal and casteist agendas against people's movements and human rights defenders. The targeting of these democratic rights activists and organizations is an attack on the poor and marginalized sections of our society on whose behalf these activists have been raising their voices.

The following are some of the significant aspects of the arrests:

1. The current five arrests have been carried out under FIR No.4/2018 at Vishrambagh PS, Pune in connection with Bhima Koregaon clashes. Under the same FIR a similar wave of arrests was carried out on 6th June against activists, Surendra Gadling, Shoma Sen, Rona Wilson, Mahesh Raut and Sudhir Dhawale. Those arrested on 28th August were not named in the original FIR. Nor did any of the names, barring one, of those arrested in June feature in the FIR.

2. The use of the draconian Unlawful Activities Prevention Act (UAPA) as an instrument to target political dissent. Stringent UAPA sections on unlawful activities, terrorist

acts, recruiting for terrorist acts, being members of terrorist organisations, support for terrorist organisations and providing funds for terrorist organization were added to the FIR and tailored for the arrests made in June and August.

3. Significantly, the two accused, habitual offender Milind Ekbote and godman, Sambhaji Bhide in the Bhima Koregaon case who were named in the very first FIR have never been penalized under UAPA. The Maharashtra government has in fact refused to prosecute Bhide.

4. The August arrests highlight violation of all due procedures, in a mockery of the legal system. The Delhi HC has questioned the irregularities and pointed lapses on part of Maharashtra Police while hearing the Habeas Corpus petition against the transit remand ordered by the CJM Saket Court in the context of Gautam Navlakha's arrest.

5. There is a generic narrative of urban Naxalites, support to or association with Naxalite organisations, planned assassinations etc being circulated to create a climate of terror where members of civil society will hesitate to protest and dissent.

6. The invoking of UAPA against rights activists, which ensure long term incarceration, denial of bail, bans is meant to muzzle voices of democratic dissent. The Supreme Court has rightly observed that "dissent is the safety valve of democracy. If it is not allowed the pressure

cooker will burst.”

We demand :

1. Immediate and unconditional withdrawal of FIR No.4/2018 at Vishrambagh PS, Pune, Maharashtra and all held under it.
2. Return of all items such as laptops, mobile phones etc. seized during the illegal arrest and search operations
3. Appropriate action against Maharashtra Police for launching a vicious and malafide attack against activists.
4. Withdrawal of all cases under UAPA and immediate end to such political acts of vendetta.
5. The unconditional repeal of UAPA.

Signed by :

1. Aruna Roy, Mazdoor Kisan Shakti

Sangathan

2. Arundhati Roy, Author
3. Bezwada Wilson, Safai Karamchari Andolan
4. Harish Dhawan, Peoples Union for Democratic Rights
5. Jignesh Mewani, Dalit rights activist
6. Kalyani Menon Sen, Women against Sexual Violence and State Repression
7. Kavita Sarivastava, People's Union for Civil Liberties
8. ND Pancholi, People's Union for Civil Liberties
9. Prashant Bhushan, Advocate
10. Sanjay Parikh, Advocate, People's Union for Civil Liberties



Sharm Inko Magar Nahin Aati! Yet they do not feel ashamed!

Supreme Court asks UP govt why Yogi Adityanath should not be prosecuted for alleged hate speech in 2007

The Supreme Court on Monday issued a notice to the Uttar Pradesh government in connection with an alleged hate speech delivered by Chief Minister Yogi Adityanath in 2007.

A Supreme Court bench comprising Chief Justice of India Dipak Misra asked the government to reply as to why he should not be prosecuted for allegedly giving a hate speech in 2007, according to *ANI*.

The bench issued the notice while hearing a plea challenging Allahabad High Court's decision in the case, according to *India Today*.

The Allahabad High Court on February dismissed a writ petition which sought a CBI probe into Uttar Pradesh chief minister Yogi Adityanath's involvement in 2007 Gorakhpur riots case.

In November 2008, the petition was filed by Mohammad Asad Hayat and Parvez, who said a hate speech by the chief minister had triggered the riots in which one person was killed. Parwaz

India FP Staff Aug 20, 2018

was a resident of Gorakhpur and had filed an FIR in connection with the riots and Hayat was a witness in the case.

In January 2007, an altercation involving a group of Hindus and Muslims broke out during a Muharram procession in Gorakhpur which led to the hospitalisation of a young Hindu, Raj Kumar Agrahari.

The district magistrate had made it clear that Adityanath should not visit the site as it may incite tensions. He initially agreed but after Agrahari died, he disobeyed the magistrate and travelled to the site with a group of his followers. Adityanath then started a non-violent dharna on the site. However, inflammatory speeches were made and some of his followers even set fire to a nearby mazar (Muslim mausoleum). Curfew was imposed by the local police, but Adityanath broke it and was subsequently jailed.

His arrest led to further unrest and several coaches of the Mumbai-bound Mumbai-Gorakhpur Godan Express were burnt, allegedly by protesting *Hindu Yuva Vahini* activists. The

tensions escalated to riots across Gorakhpur leading to the burning of mosques, homes, buses and trains.

Updated Date: Aug 20, 2018



Hindu right wing group *Sanatan Sanstha* planned blast at Pune Sunburn festival: Cops

Maharashtra Police's Anti-Terrorism Squad tells court the accused considered the music festival to be "against Hindu culture".

The Maharashtra Anti-Terrorism Squad (ATS) on Tuesday claimed in a special court that five recently arrested sympathisers of the Hindu right-wing group *Sanatan Sanstha* (it has distanced itself from them and said they are not its members) planned to plant explosives at last year's edition of Sunburn, an annual electronic dance music festival in Pune.

All five were arrested earlier this month from Nalla Sopara, Pune and Jalna in connection with an arms case, and were remanded to ATS custody.

Prosecutors appearing for the ATS made these assertions before a special court constituted to try Unlawful Activities (Prevention) Act cases. On Tuesday, four of the five accused – Vaibhav Raut, Sharad Kalaskar, Sudhanva Gondhalekar and Shrikant Pangarkar – were produced in court, with prosecutors seeking an extension of their custody. Special court judge Sameer Adkar extended their custody by seven days. The fifth accused, Avinash Pawar, will be produced in court on August 31.

ATS officials claimed in court that two of the accused – Gondhalekar and Raut – planned to attack the music festival scheduled in Pune for December 2017 because they felt it was "against Hindu culture". Sunburn was held in Goa until 2015, and shifted to Pune in 2016. ATS also claimed that the five accused were involved in throwing petrol bombs outside cinema halls in Kalyan (a city in Thane district, 50 km north-east of Mumbai), and Belagavi (earlier known

as Belgaum) in Karnataka for screening the Hindi movie 'Padmaavat'. ATS further claimed that the accused planned to attack individuals who they thought were propagating or engaging in activity that was "against the Hindu religion".

Atulchandra Kulkarni, Maharashtra ATS chief, said he could not "confirm the names because it will pose a security threat to the individuals."

The individuals include an author-historian; a former Marathi newspaper editor and three Marathi authors and play-wrights, ATS officials said on condition of anonymity. Hindustan Times is not naming them because of the perceived security threat to the individuals.

The ATS officials also said they had recovered three motorcycles, including one from Nalla Sopara and two from Pune, and claimed one of three bikes, allegedly owned by Kalaskar, may have been used in the murder of journalist Gauri Lankesh in Bengaluru in September 2017.

In their raids, ATS officials claimed to have recovered 10 pistols, one air pistol, one country-made revolver, 10 pistol barrels, six pistol bodies, six magazines, three handmade magazines, one half-prepared country-made revolver, and seven hand-made pistols from Gondhalekar.

Sunil Gonsalves, the public prosecutor appearing for ATS, told the court that the weapons used by the accused had been dismantled and were thrown away at different places to avoid detection, and that they needed to be recovered. He didn't elaborate.

Courtesy **Hindustan Times**, Mumbai, 29 August, 2018.

Job crisis in Uttar Pradesh: 3,700 Ph.D. holders, among other over-qualified candidates, apply for peon jobs

When educated people with Ph. D.s are applying in large numbers for peon jobs in a region, it is a strong indication of a job crisis. This is what is happening in Uttar Pradesh, where Ph.D. holders, post graduates, among 93,000 candidates, are applying for peon jobs.

The post which requires a minimum eligibility of Class 5 now has applicants which include 3,700 PhD holders, 50,000 graduates and 28,000 post graduates, who have applied for 62 posts of messengers in Uttar Pradesh police, according to *The Economic Times*.

The only criteria to apply for the post of a peon requires the candidate to know how to ride a bicycle. However, the police department, considering the huge stock of over-qualified applicants, has decided to conduct a selection process for the post that has been lying vacant for 12 years. The exam includes reasoning, general knowledge and mathematics to test the skills of candidates.

FP Staff Aug 30, 2018

According to officials, the high-paying post with a starting salary of Rs 20,000 per month caught the attention of the candidates.

Labour and Employment minister Swami Prasad Maurya had told the Uttar Pradesh legislative council on Wednesday that there are more than 21 lakh registered unemployed people in the state.

Replying to a question raised by Congress legislator Deepak Singh during Question Hour, Maurya had said, “The number of jobs in the government sector are limited, while in the private sector the numbers are very high. The state government organised Investors’ Summit in February this year, and in a span of four months projects worth Rs 60,000 crore have started. If the conditions are favourable, then we will give jobs to 33 lakh persons.”

With inputs from PTI

Courtesy **Firstpost**, Aug 30, 2018 

THE RADICAL HUMANIST SUBSCRIPTION RATES

In SAARC Countries:

For one year - Rs. 200.00

For two years - Rs. 350.00

For three years - 500.00

Life subscription - Rs. 2000.00

(Life subscription is only for individual subscribers and not for institutions)

Cheques should be in favour of **The Radical Humanist**.

In other Countries:

Annual subscription (Air Mail) \$ 100.00; GBP 75.00

Note: Direct transfer of subscription amount from abroad may be sent to:

IFSC Code: CNRB0000349, MICR Code: 110015012 in the Current Account Number 0349201821034 at Canara Bank, Maharani Bagh, New Delhi- 110014, India.

Cheques and money transfer details may be sent to: **Satish Chandra Varma, Treasurer IRI**, A-1/103, Satyam Apartments, Vasundhra Enclave, Delhi- 110096. (M) 9811587576.

Email ID: <scvarma17@gmail.com>

A Patriotic Song

By : Gurazada Apparao

Gurazada Apparao, 1884-1915, is the greatest of Telugu poet of modern times. His writings are crusades of people's movement. His writings are masterly in all genres of literature. Simplicity, lucidity and euphony, cadence and rhythm illuminate his writings. He wrote essays, poems, lyrics for children, short stories and all-time great play, ranked one of the best in the world **Kanya Sulkam** meaning selling young girls for a price. Translated into English by my close friend of college days the well known professor Velcheru Narayana Rao of Wisconsin University and published by Indiana University, Bloomington, titled **Girls For Sale**. He created a new Telugu poetry metre. Mutyalasaralu meaning strings of pearls.in which he wrote the exceedingly poignant and moving story poem of a girl's sale to an old man and her tragic end. His

*Love your country, brother
Nurture which is good.
Stop idle banter, ponder on effective betterment,
Aim for crops in abundance;
Only sufficient food provides strength;
Only strength builds a real human being.
If people are weak, how can the country prosper?
Learn the art and craft of creating self sufficiency
Of goods in the country.
Sell your goods to other countries.
The goods that cannot bring money,
Cannot bring repute and prosperity.
Do not look back as the past is nothing but little gain.
Go forward, do not slow down,
Falling back once means always being behind.
Undo differences in acquiring education and
Enmities in trade.
Do not indulge in useless quarrels,
Burn the sword of enmity.*

writings had a great motivational force: so much so that the evil practice of selling young girls for a price in marriage to very old people in the northern parts of Andhra Pradesh came to an end. He was a reformer, rational and totally against untouchability. He started the movement before Gandhiji's foray. Modern Telugu literature's origin was the great literary output of Gurazada. He wrote elegant English. His articles were published in Calcutta in well known English journals of the time. He wrote English poetry as well as an English story poem **Sarangadhara**. He was made a fellow of the Madras University and headed a few important literary and educational bodies in the then combined Madras Presidency.

The patriotic song written in 1910-13 is sung in all important public functions in the Telugu speaking regions along with the national anthem.

*Do not boast of your patriotism,
Render real worthwhile
Service and then show the people.
Do not bog down in jealousy,
Always wish for the happiness of others,
Learn how to be united.
The sinner weeping over others' prosperity
Can never be happy.
Being happy at others happiness will bring in
Happiness in abundance to the intelligent.
Give up some self gain to render help to others;
A country means not mere clay
A country means people;
Shoulder to shoulder all should move forward
Just like real brothers the people of all religions
And races should live,
Even if religion is different.
When the minds are alike
The nation will rise and glow in the world.
A big tree is the country. Pick the flowers of love;
The sweat of the people provides riches and food,
The poetic message hidden in the leaves
Reaches down, inspiring love for the country.*

(Translation from Telugu and introduction by P.A.S. Prasad)



సహద విగ్రహం. 81 : అంట్టునుల ప్రేమిరాజు



If Hindu Raj does become a fact, it will, no doubt be the greatest calamity for this country. It is a menace to liberty, equality and fraternity.

It is incompatible with democracy.

It must be stopped at any cost.

Dr. B. R. Ambedkar