

THE RADICAL HUMANIST



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Shri N.K. Acharya
a veteran Radical Humanist
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Demonetization: Claims, Effects and Fears

Mahi Pal Singh

Ever since Mr. Narendra Modi, the Prime Minister of India, declared his decision to demonetise the high value currency notes of Rs. 500 and 1,000 through his television speech on October 8, 2016, the whole country has been plunged into an economic crisis unforeseen before in the country. From October 11, the date fixed for exchanging the old currency notes of not more than Rs. 4,500 on a single day with the new ones from the banks, the country seemed to be standing in long serpentine queues waiting for hours and hours to exchange their notes only to be told that either the new notes had not reached the bank or that the cash was so little that the business for the day was over. Even the ATMs, which were supposed to give Rs. 2,000 per day, were empty and most of them remained so even after 50 days, the period asked for normal conditions to return. The people had no other task or money to do anything else but to stand in long queues day after day as if begging for their own money, to be turned away at the end of the day or to be thrashed with lathies by the police. More than 150 people died standing in queues for long hours waiting for their turn to come, many of them sick and desperate to get some money to run their life and many committing suicides because in the absence of any money at all they were unable to keep either their own body or their families alive.

In the absence of any money to buy the raw material and to pay to their workers, almost all small and medium level factory owners closed them and workers, rendered unemployed, rushed back to their villages or elsewhere where they could keep themselves and their families alive. Farmers were not getting even the cost of their produce, because the buyers had no money, and were forced to destroy their crop. With no

money to buy seed and fertilizers, their fields remained either empty or they had to borrow whatever money they could get at very high interest to saw their fields. Families with sick people could not get medical treatment for them and even fixed marriages had to be cancelled or postponed – all because people had no money. There was chaos almost everywhere. Economic and social activities stood still in the whole country. We are told that a single day's strike call or bandh in a single metro city causes a loss of thousands of crores. How much loss this bandh of the whole country for several months will cause to the nation, the workers, the farmers etc. in terms of finance alone, leaving alone the loss of life, livelihood and extreme hardships faced by people, only time and honest assessment will tell. What can be said at its face value is that it must run into lakhs of crores – to the honest, toiling people of the country and to the nation as a whole. The forecasts of the fall in the GDP and all other parameters of development including human development index are a pointer in that direction.

The declared aim of the demonetisation was to curb black money and corruption, and to control cross-border terrorism. The experience of the post-demonetisation period shows that the experiment has failed in both. Hardly any black money has been tabbed with more than 15 lakh crores of the total of 15.4 lakh crores of big currency in circulation having been deposited in banks. The only losers in the whole process have been the urban as well the rural poor and the middle class people who suffered extreme difficulties for about two months running from banks to the ATMs to exchange the old currency notes and get the new currency notes to meet their daily needs. Those with black money had no difficulty getting their money exchanged even

if it ran into lakhs or even crores. It is quite clear with some cases of possession of large amounts of new currency having come to light and more than 4,000 crores of it having been caught along with some banks/reserve bank officials being arrested for exchanging the currency of influential people. It seems to be only the tip of the iceberg. Lakhs of crores must have been exchanged, of course at a commission between 20% to 30% as disclosed by those caught, thanks to the once in a lifetime opportunity provided by the Modi government to the bank officials to earn a windfall of profit, thereby giving birth to a new class of corrupt officials who might earlier have been as honest as anybody else. It seems that the scheme has worked against its aim of curbing corruption. It is also strange that most of the new currency was provided by the government/Reserve Bank of India not to the large number of public sector banks spread over the whole country including rural areas but to the private sector banks and their ATMs where most of the corruption, apart from the officials of the RBI involved in it, in exchanging the currency, took place. Because of this, most of the PS banks and their ATMs remained without cash and whatever cash was available was in the ATMs of the private sector banks. Whether there was corruption involved in this also so that the black marketers could easily exchange their old currency for new, or it was a government sponsored and well planned move to weaken the Public Sector Banks and strengthen the private sector banks by giving them special treatment over and above the public sector banks is anybody's guess.

Because of demonetization there is absolutely no reduction in corruption anywhere. In the first few days after 8th October, because there was no new currency, corruption was taking place in old currency and as soon as new currency started reaching the people, it was new currency which was used. Ask any roadside fruit/

vegetable vender at Uttam Nagar East to adjoining Milap Nagar in Delhi and you will learn that the police continued to charge Rs. 210 per day and the MCD officials Rs. 120 per week from everyone of them as earlier. This is true of all other spots in Delhi and elsewhere in the country where these street venders do their business. The same is true of all other government departments. The fact is borne out by the fact that soon after the demonetization took place, many government officials have been caught with new currency notes taken as bribe. The only time corruption had stopped almost completely in independent India was in Delhi within 15 days of Kejriwal's government coming to power in its first tenure of 49 days. But in its second tenure of gaining power in Delhi with 67 MLAs out of the total of 70 seats in the Delhi Assembly, it has failed to achieve corruption-free governance mostly because the Modi government, acting through the Lieutenant Governor of Delhi, has blunted every attempt by Kejriwal's government to act against the corrupt, though nobody knows how much corruption he would have been able to control with his MLAs and ministers many of whom themselves have charges of corruption and misdemeanor against them.

When the government saw that demonetization did not seem to achieve its goals, it started talking of its intention to bring in a cashless regime where transactions will be through debit/credit cards. This, the government says, will help in rooting out corruption. It is a farfetched idea in a country where most of the people live in rural areas and small towns. This country does not have a metropolitan culture with people buying their daily needs from malls and big departmental stores. Even in big cities, people buy vegetables/fruit and other daily needs from weekly roadside markets and small shops near their residences with cash. What the government is not telling the people is that by

turning to plastic money they will only enrich the rich people who own big malls and stores and the small shop-keepers and pavement venders will be rendered jobless; the buyers will lose their right to bargain and buy things at lower prices, making some savings because they will be left on the mercy of big store owners and forced to pay the price as given on the tags. Besides, they will have to pay some government taxes and transaction fees when they pay through debit/credit cards. The big store owners will get more and more profits, the government more tax collection and the banks and card floating multi-national companies more money by way of transaction fee and all this money will go from the pockets of ordinary people who pay through these cards. How can, then, the government claim to be on the side of ordinary honest people against whose interests it is hell-bent? Or is it a big scam favouring big businessmen and MNCs and the evil is being presented as a virtue?

The Prime Minister himself, his ministers and party spokesmen have been trivializing the suffering of the people, ignoring the deaths of people as a result of the demonetization, and crying from rooftops that they are against the corrupt and demonetization is meant to root out corruption whereas those opposing demonetization are supporters of black money and the corrupt. Everybody in the country knows that the Congress and the BJP, who together have ruled the country for the most period, are both supporters of big industrialists and

businessmen who own and control most of the money, whether white or black, apart from the corrupt politicians and government officials and it is not the ordinary people who hold black money because they hardly have any money for that matter. Neither of these two parties, nor other political parties for that matter, has shown any commitment against corruption whenever and wherever it has been in power. They fight election on the strength of black money and pay back their donors with favours when they come to power. They have made contesting elections to the legislatures a big money affair, eliminating honest candidates from the contest, however clean and able they might be, thereby hijacking democracy itself. That is the basic reason why none of these political parties agree to come under the RTI Act. Economists and thinkers who have opposed the move of demonetization forced on the country cannot be called supporters of black money holders if they air the grievances of the people and the miseries they have suffered during this period and their objective assessment of the economic situation of the country and the future prospects. If the move of the government has failed to achieve its aims and also caused untold suffering to the people of the country, it is because of the grossly faulty planning and its worst possible implementation. By shifting the blame on to the opposition parties or others who do not see any merit in the whole move, the Prime Minister himself and his government cannot escape the blame and its political consequences.

GENUINE SECULARISM

An alternative development in the democratic and therefore genuinely secular direction will be possible only when the placid background of ignorance, superstition and blind faith will be ploughed up by spread of knowledge, skepticism and a critical attitude. These are the characteristic features of genuine secularism.

M.N. Roy

Mr. N.K. Acharya is no more

Mr. N K Acharya, veteran humanist, expired today, 12 December 2016 at Hyderabad at the age of 93. He edited Indian Rationalist monthly from Hyderabad for several years. The whole Radical Humanist family pays its respectful tributes to Mr. Acharya and conveys its sincere condolences to his family members. His edited book is available with Hetuvadi publication in Inkole, Prakasam district, Andhra Pradesh.

Rationalist Essays

Author: Editors, N.K. Acharya, G.R.R. Babu.

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Imprint: Chirala, A.P., India: Hema Publications,

Physical Desc: 109 p.; 25 cm

Narisetti Innaiah

Late Shri N. K. Acharya: Life Sketch in Brief

❖ Born into a very traditional Brahmin Srivaishnava family in Machilipatnam, Andhra Pradesh on 16 June 1923.

❖ His Father was a practicing lawyer Late Shri. Narasimhacharyulu and mother, Late Smt. Lakshminarsamma, a housewife.

❖ Had his schooling from Jowarpeta (commonly referred as J Branch) Branch School and Intermediate and BA from Hindu College.

❖ During college years, he was actively involved in the Student Wing activities associated with the Independence movement. He went underground during the Quit India Movement and lost one year due to his involvement in the freedom struggle. He moved to Poona (Now Pune) to pursue his Law and joined ILS Law College (A premier law college in the country) and completed his LL.B.

❖ Post LL.B, he married Dr. M. Sowbhagyavalli, his maternal uncle's daughter against the wishes of his family in 1949.

❖ Moved to Bombay around 1945 and

worked with a magazine named "Forum" (which has emerged to be known as India Today) before joining "Times of India".

❖ Despite being a lawyer by profession, Journalism was his first love and remained so throughout his life.

❖ Post Independence, he moved to Guntur after formation of Andhra state and commenced his legal practice and relocated to Hyderabad after formation of Andhra Pradesh and setting up of AP High court at Hyderabad.

❖ This became the turning point in his illustrious legal career spanning nearly "Five Decades" which made him a sought after lawyer for many of his clients not only from Hyderabad but also from many districts across the state (Including Telangana, Rayalseema and Andhra).

❖ In spite of his busy legal practice, he continued his journalistic endeavors with passion. Published his first book in Telugu in early 1950's titled "Mana Guntur".

- ❖ He began writing articles on various current developments and was also associated with the All India Industrial Exhibition Society and edited their Silver Jubilee Souvenir which became immensely popular at that time.
- ❖ His book on AP Land Ceilings Act was acknowledged as one the best books on this complex subject and became very popular making him an acknowledged expert in legal fraternity.
- ❖ He became associated with the Indian Rationalist Association from early 70's and was instrumental in formation of the Association in Andhra Pradesh as a founder member and functioned as the General Secretary for many years.
- ❖ Post Emergency in 1973, he published a book titled " A Critique on Constitution Defaced and defiled by Nani Palkhivala " which is a critical analysis on political environment at that time.
- ❖ He regularly contributed to national and local dailies on legal matters affecting common man and his articles were known for their lucidity, simplicity and clarity. His contribution for a weekly columns in the well known English paper "Mint" for many years and Telugu daily Andhra Jyoti titled "Kortulu – Chattalu" (Courts & Law) for over decade.
- ❖ His articles were featured regularly in Telugu magazine "Hetuvadi" and the English magazine "The Radical Humanist".
- ❖ He demonstrated his belief as true humanist and rationalist by his broadmindedness as he never believed in caste, creed, and religion as barriers to living and relationship. In encouraging his children to choose their partners of their choice beyond these barriers and by celebrating their weddings as registered marriages and with least ostentation, he set an example for others.
- ❖ He was a keen observer, learner and was always believed in updating himself by keeping himself abreast with all modern developments in the field of Information Statement, Law and Education.
- ❖ Post retirement, he immersed himself in the onerous task of writing books on all emerging legal developments and was the probably the one of the earliest to author a Textbook on Patents and Intellectual Property Rights which has gone into Sixth Edition by 2012.
- ❖ Some of his noteworthy publications which have been translated into Telugu include "Arbitration and ADR, Shorter Encyclopedia of Legal Terms, Commentary on VAT, Commentary on Protection of Women Against Domestic Violence, Commentary on Right to Information Act and Guide to CPC".
- ❖ He published 17 books in a span of two decades; a phenomenal achievement. Some of his outstanding works include "Landmark Judgments of AP High Court and Landmark Judgments of Supreme Court" which are a unique collection of cases which had impact at national level. These probably are the first of such compilations.
- ❖ He was also associated with some of the activities of National Law University (NALSAR), Hyderabad and generously donated his valuable collection of over 100 All India Reporter to the library for the benefit of the students.
- ❖ Till the age of 90, he maintained a tough 8 hour regime of reading and writing with high sense of discipline and commitment.
- ❖ During his lifetime, he never made any demands and was known to offer free legal aid to those in need being extremely generous and empathetic by nature.

❖ He was responsible for silently supporting the education and settling a large number of relatives and people in need without seeking any personal credit for the same..

❖ Though a firm rationalist, he never believed in enforcing or compelling his views on others and gave space to people to follow their beliefs and actions. Being highly broadminded he welcomed Tamilian Son-in Law and a Bengali daughter-in-law into the family by performing simple unostentatious weddings.

❖ He lived a fulfilling life full of tremendous contribution showering affection on all who came in touch with him and leaves behind a legacy difficult to emulate.

❖ He is survived by his daughter Dr. N Shobha Rani, an Agricultural Scientist, who retired as Acting Director of Directorate of Rice Research Hyderabad and son Colonel N Ram Gopal, Indian Army (Retired), Daughter-in-law Anubha and grandsons Vikram, Gautam, Anurag and granddaughters Deepti and Akanksha.

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Dr. Prakash Chandra is no more



(7.8.1931- 12.12.2016)

Dr. Prakash Chandra, a veteran Radical Humanist and scholar on M.N. Roy died on 12 December 2016 at the age of 85 years. He was born on 7.8.1931 in Sultanpur, UP. He completed his MA, LLB and Ph D (on M N Roy) from Lucknow University and taught Political Science for more than three decades. He retired in 1992 as the Head of Political Science Deptt., BSM College, Roorkee (Meerut University).

His thesis on “Political Philosophy of M N Roy” was published in 1985 and was considered to be an authoritative exposition of M N Roy’s thoughts and views. He was a lifelong member of “The Radical Humanist” and contributed to the magazine by writing several articles over the years.

He was an author of considerable repute, having authored over half a dozen publications to his credit. His trilogy on International Affairs - International Politics, International Relations and International Law along with Modern Indian Political Thought (all published by Vikas Publishing House) were very well received by the post graduate students of Political Science all over the country as well as by the candidates who opted for this course in competitive examinations for higher services.

In addition, he authored “History of the Indian National Movement” which not only detailed accounts of all the landmark events that led to

the triumph and tragedy of the Indian Freedom Struggle but also re-examined and reassessed those events retrospectively in the light of new researches and writings on the subject.

His final work on “Foreign Policies of Major Powers” was published in 2011. This book was a study of the foreign policies of five major powers (UK, USA, Former Soviet Union and the Russian Federation, China and Japan) as well as India’s own foreign policy and her relations with not only the five major powers but also with Pakistan and other South Asian countries.

He was a highly respected teacher who was idolised by his students, admired by his fellow professors, loved by his friends and neighbours and adored by his family.

Dr. Chandra is survived by his wife, Mrs Kamini Srivastava, his two daughters, Kavita Bhatnagar and Sangita Srivastava and his two doting grand kids, Nikhil Bhatnagar and Kritika Srivastava. His children live in Australia, a country he visited on several occasions and loved it for its multiculturalism and vibrancy.

It is very difficult to sum up in a few words the life of a man who was larger than life itself.

On behalf of the Radical Humanist community I pay our respectful tributes to the memory of Dr. Chandra and convey our humble condolences to the bereaved family.

Mahi Pal Singh, Editor

Very Happy New Year— 2017

ANIMAL FARM?

Dear friends, it is now for the 17th year that I am trying to send messages through my new year greetings. Most of these were published in the Radical Humanist and a few drew interesting responses from Late Justice V. M. Tarkunde and others.

In the coming year the sky seems to be darker. But the rising of the Sun would not be far off, I hope.

Every person, excepting the knowing ones, was stunned by the sudden withdrawal of the high value currency from circulation. On the altar of this highly doubtful and ineffective one-man bravado, millions of daily wage earners are losing their jobs. About a hundred persons have already died while trying to get back their own money. This reportedly includes some 12 Bank Officials dying owing to over duty.

The Opposition Parties, as usual, are opposing with their captive followers. The

meek, timid and afraid general public are still standing in their 'last lines', paying no heed to the Opposition circus. Likewise common people are showing no sign of faith in the gimmicks of the Bangarulakshman Janata Party (BJP). But where is angry spontaneous popular resistance?

The Cabinet Ministers hailed (Hail Hitler?) P. M. Modi with an un-Constitutional Post Facto approval throwing the principle of Collective Responsibility to the winds.

Stalin's Animal Farm, the Soviet Union was peacefully thrown into the dustbin of History through a popular upsurge, when finally the Russians steered clear of their self protecting consumerist (animal?) instinct.

Nowhere the potential Stalins would be stopped until they are treated the same way,

— **ajit bhattacharyya**, M-9433224517,
e-mail-id- bajitrh@gmail.com

SEARCH FOR OUR ABIDING HERITAGE

Thos who have conceived the idea of a Renaissance as a historical necessity know fully well that the great thinkers of ancient India made valuable contribution to the common human heritage. There are two aspects of human thought. One is temporary. That aspect of thought is valid for one particular period of history, but loses its force in another period of changed social environments. But there is an abiding under current throughout the history of human thought. In the absence of that, culture, progress, civilization would be impossible. Whenever mankind comes to a dead end, to what appears to be a dead end, it naturally looks back, trying to draw courage and inspiration from the abiding features in past traditions. It is necessary to discover the abiding features of the culture and thought currents of ancient India. If they can help us to visualize what is in store for us in the future, it will surely be worthwhile to dig in the past. We must dig deep in the mountainous heap of rubbish which has been built up as the bulwark of age- long stagnation, and which is mistakenly cherished even today as our heritage.

M.N. Roy

INDIAN RENAISSANCE INSTITUTE

F-6/625, Shalimar Garden Extension- I, Sahibabad, Ghaziabad 201005 (U.P)

Dt. 26.12.2016

All the members and sympathisers of the Indian Renaissance Institute

BIENNIAL MEETING OF THE INDIAN RENAISSANCE INSTITUTE

28th & 29th January, 2017 AT NEW DELHI

AGENDA

Programme for 28th January, 2017

– 10.00 A.M. TO 5.00 P.M. (lunch 1.00 p.m. to 2.00 p.m.)

1. Confirmation of the minutes of the last General Body Meeting held on 13/14 Feb 2016 at New Delhi.
2. Secretary's Report
3. To receive and adopt the accounts for the IRI for the years ending 31.3.2016.
4. Status of the Court case regarding 13 Mohini Road, Dehradun pending at Nanital High Court.
5. Future management of 13 Mohini Road, Dehradun.
6. Publication and circulation of The Radical Humanist.
7. Publication of the Humanist Literature & M.N. Roy's Selected Works.
8. Role of the present political and social scenario in the country.

Programme for 29th January, 2017

10.00 A.M. TO 5.00 P.M. (Lunch 1.00 p.m. to 2.00 p.m.)

9. "Formation of a feasibility study group on the Radical Humanists' participation in Electoral Process" as proposed by Shri Ajit Bhattacharya.
10. Election of the Trustees
11. Other programmes and activities with the permission of the chair
12. Meeting of Board of Trustees.

VENUE

For both days 10.00 A.M. TO 5.00 P.M.
(Lunch 1.00 p.m. to 2.00 p.m.)

GANDHI PEACE FOUNDATION, 223, Deen Dayal Upadhyaya Marg, New Delhi 110002. Phone No. 011-23237493, 011-23237491

Those who require accommodation may inform me by 15th December, 2016. I request you to make it convenient to attend.

N.D. PANCHOLI, Secretary IRI

(M) 9811099532

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11.	Name not Known	5,000.00	4.	Ms. Rani Drew	10,000.00

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link: <http://www.lohiatoday.com/MNRoy.html>

1. Humanists I Met - Dr. Narisetty Innaiah
2. Journey of a Journalist - Dr. Narisetty Innaiah
3. Radical Humanist Movement in Andhra Pradesh - Dr. Narisetty Innaiah
4. Sane Living - Dr. Narisetty Innaiah
5. Spoiling the Child - Dr. Narisetty Innaiah

Ed.

Articles and Features:

India versus India

The Tenth Justice V M Tarkunde Memorial Lecture

By Gopalkrishna Gandhi

(The Tenth V.M. Tarkunde Memorial Lecture was delivered by Shri Gopalkrishna Gandhi, eminent thinker and former Governor of West Bengal, On 20th November, 2016 at India International Centre, New Delhi. Shri Kuldip Nayar, veteran journalist made introductory remarks while Shri Soli Sorabji, former Advocate General of India presided over the function. Shri Ashok Desai, eminent jurist, made his comments at the end while thanking the speaker and the audience. The video of the lecture is available at the YOUTUBE: <https://www.youtube.com/watch?v=6k77e1QnJpM>

– N.D. Pancholi

It is a singular honour to be asked to give the Justice V M Tarkunde Memorial Lecture and I offer to the Foundation and to Ms Manik Karanjawala my sincerest thanks. It is also a test, for the standards of courage in thought and action set by Justice Tarkunde are mighty tough. No Tarkunde lecturer may tip-toe around the subject or look over the shoulder before speaking. I know I cannot, not from thus podium, follow the advice given in the famous Raj Kapoor song: *Ey-bhai, zara dekh ke chalo....agey hi nahin, pichhe bhi, daanyen hi nahin, baayein bhi, upar hi nahin, niche bhi...Ey-bhai...*

When thinking of what the subject of a Tarkunde Lecture by one like me should be, I saw that it would have to do with our collective *svabhava*, with how civil society and the State fare today, in themselves and in their relationship with each other. And, Justice Tarkunde's legal work hovering over the prospect, the title 'India versus India' suggested itself. I had not long ago spoken on 'India versus the Union of India', but that had a different remit.

Before entering into the theme, I want to say

that there is a deep dichotomy, a fundamental two-ness in the Indian psyche which can be seen as an 'India versus India' phenomenon. We are as a people steeped in the fatalistic acceptance of anything that happens around us as 'given by kismet, ordained by karma, etched on our foreheads as the lines of Fate. And so, acceptance, resignation, detachment are seen as philosophically desirable, spiritually advised and pragmatically sensible. On the other hand, India has also been the site of great reforms, of revolutionary changes, campaigns, agitations, movements for change all of which are about anything but quietist, accepting. They militate against 'kismet'. Fatalist acceptance of the given on the one hand contrasts with the anti-fatalist urge for change. So we have two Indian mindsets at the very taproot of our civilisation. And our present preoccupation with the famine of currency makes me wonder whether we are to admire the great patience being shown by our people or lament the lack of protest among them.

'India versus India' sounds like a litigious title. Do I mean by it that despite the money and the strain involved in litigation, despite all the time

it takes up, legal action is a favourite Indian habit, amounting to an addiction? That we, as a people, delight in taking one another, especially relatives, to court or that the Indian State rather routinely fills its already over-crowded jails with more and ever more under-trials, many if not most of them innocent? In truth I believe that to be quite true. If we were to roll all Indians who are plaintiffs and respondents into two giant collectivities we would have India versus India, a Mahabharata of Mahabharatas that neither Ramanand Sagar nor Peter Brooks would be able to handle. Next to temples, mosques, *gurudwaras*, the most favoured place of recourse is the *nyayalay*. We can be, in a generalisation with exceptions discounted, as a people, *vivadi, adalatbaz*. Where but in India would private perceptions of the public's interest or the public's interest in individual hurt or the travails of an identifiable group, become a whole genre of litigation - the PIL?

If the *awam* seems to be an adept in litigation, the State is on board as well, keeping hundreds of thousands of lawyers in silk, keeping attorneys general, advocates general, solicitors general, their additional, alternatives, and a platoon of public prosecutors and standing counsel ceaselessly, sleeplessly and thanklessly occupied. Together they keep notaries public ready with ink-pad and stamp paper, clerks in the kindergarten of the law but post-Docs in the legal system, tippety-tappetyiing away on their Remington or Olivetti typewriters, rolling out *vakalats*, affidavits, counters, anticipatory bail applications, now in panic over the famine of fifties, twenties and tenners and the most prized of all, the blue note '*ikk sau da note...please...bas...thank you, soniye...*'. The precarious car slots for the judges outside courts beside a mayhem of mis-parked cars, autos, Media OB vans, motor-cycles, fruit-

juice, tea and chat vendors all around and oh, threading their course with grim determination through the tangled mass of dismayed men women, those streams, streams upon streams of starched white shirts, shiny black coats and gleaming shoes, heading towards the equivalent of *suryodaya* on a foggy morning in Kashi, which is that moment when, in the hall there is a sudden hush, chatter ends, laughter freezes, all stand, the Judges enter, take their seats, and as the case on top of the day's listing begins, there comes to be intoned, the mantra of mantras, litigant India's one and true suprabhatic Aum, which is 'Milord...' And we have India versus India.

But our laws, our courts, judges and lawyers are not about litigation alone. They have led to decisive, courageous interventions. They have nursed foresight, gestated evolution, protected the intelligence that conserves and the wisdom that reforms. *Husnara Khatoon v/s the State of Bihar* gives an example. India has been notoriously sluggish in the matter of prison reforms, on the condition of prisoners. Kapila Hingorani's petition on behalf of several prisoners won for 40,000 of them release. India versus India stood in *Husnara* in the shape of a thirst for *insaf* versus a fatalistic surrender to *kismat*. Our laws and our law courts have judged issues on the claims of two faculties which make humans of the *homo sapien* - IQ and MQ, the intelligence quotient and the moral quotient, better known as the human conscience. With a bandaged arm, elbow in sling, wrist in a compress of crepe, every digit on the palm wearing, like medallions, square or round patches of band-aid, the bruised yet trusting Indian salutes India's pre-eminent site where India's IQ meets India's MQ - the Indian judiciary.

Every society through each generation knows men and women of high IQs and also men and

women of high MQs and, very significantly, men and women, with both high IQs and high MDs, showing thereby that if it feels great to be smart but it also feels good to have a sense of right and wrong. Such persons are few in number, but they are there. Among them some, even fewer, add courage to their conviction. They express their views without hesitation. No *agar-magar* stops them.

Ever since Gandhi used the phrase 'keeper of my conscience' or 'conscience-keeper' for Rajagopalachari, *ithas has* been overdone. That is one among the minor hassles Gandhi has created. Because of him now, every blunder is a 'Himalayan blunder', every hollow promise is 'a post-dated cheque'. And poor old Western civilisation has become forever 'a good idea'. Overuse however is no reason to not use the phrase 'conscience keeper' when it is right to use it, necessary to use it. Individuals need conscience keepers because their consciences frequently doze off. Nations need conscience keepers because their consciences only occasionally wake up.

Jayaprakash Narayan was one exceptional conscience keeper to our beloved India – a country at once wise and foolish, loving and murderous, offering shelter, sanctuary, *sharanam, ashraya* but also distancing, abandoning, expelling, a country at once varied and yet bonding, so united and so hopelessly divided as to become a spoonerist's special: diversity in unity...I mean... university in diversity...sorry....unity in diversity. JP had humour aplenty in him to laugh at that but he was essentially the most earnest man I have ever met. He knew how India could be at war with a part of itself, a part of India at war with India. He said to Kashmiris – these are not his exact words, but a paraphrasing of what he said – 'Countries, people, behave in strange ways. You know Pakistan and what it did to

you in 1947-48. You know India and what it did for you in 1947-48. You and I can be proud of the Indian officers and Jawans who laid down their lives here, staving the invaders off. Later, things have happened between India and you that should not have happened. I am ashamed of those. I know you mistrust India. I can understand why. India sees Kashmir as part of its map, whereas it should have seen India as part of Kashmir's mind. Your *shikaras*, your *bokharas*, your walnuts, your carpets, your summer breeze, your winter snows have gone into India's consciousness but India's great Constitution, its independent judiciary, its free media, its resurgent womanhood, has not entered your minds. This is not your fault, it is India's. The way Sheikhsahib was treated, the way your elections turned into farces, hurt your *izzat*, your Kashmiriyat is all shameful. But, please, please do recognise the fact that India is a Republic, whose conscience though often asleep, even comatose, can be and is awakened. If shown its error, India can correct its methods. I will do my best to help it do so. Trust India, trust me. Do not, and I repeat, do not go with some delusive dreams which could become the most horrible nightmares'.

This was India versus India trying the non-litigious road of mediation.

And at another end of the country he told the diverse Naga people, similarly, something like (again not his exact words but certainly his message) 'You are a proud, self-respecting people with a distinct culture and history. India, its hinterland particularly, is so wrapped up in its own sense of glory and greatness, real and imaginary, that it does not have the time or the temperament to appreciate your heritage enough. Just as it has branded all south Indians as Madrasi, it has branded all of you as Naga. It does not even know that the Naga are many

people, at least 17 distinct people, with distinct cultures, language, dress. Most Indians think of you in terms of red and black shawls, spears and Republic Day parades. That is India's loss, not yours. India can be mulishly adamant but somewhere it knows how to correct itself, rectify its errors. India can go wrong, India cannot be evil. Trust it, not those further to your north or east, who tell you to look in their direction. That way lies a steep fall into an unknown valley'.

This was again India mediating India.

JP was asked by the Indian state to help solve the problem of dacoits in the ravines of Madhya Pradesh. He got through to them, which was no small success. They wore belts of bullets, their palms were red, their fingernails, black. They were ferocious, yet trapped. Trapped, yet ferocious. The state had wronged them in but was yet afraid to touch them. A giant among the *dakus* asked JP if they can trust the state. What guarantee could he, JP, give them that if they surrendered. Will they, on surrendering, not be tried for multiple murders and hanged? JP said he could not guarantee that they would not be, he could not speak for the Indian state. But this much he said he could guarantee them: If after having been promised amnesty due to Jayaprakash's mediation a surrendering dacoit is hanged, Jayaprakash will die with him. That was enough. The bullet belts were unloosened, guns dropped. To be fair to the Indian state, it kept its word to JP. To a lesser man, one who was no conscience-keeper, it may not have.

Kashmir, Nagaland trusted him. The denizens of Chambal's ravines put their faith in him. The south of India, too, curiously, bonded with him. He was, after all a socialist. The south never saw him in terms of a Hindiwala who without knowing the next thing about, say, Tamil, still

insists on their speaking to him in his language, a typical India versus India signpost. JP was not the shallow politician who would go all *vanakkam-vanakkam* in Madras and then in Hyderabad mix up his Tiru-s with his Garu-s. He knew his India, north-south, est-west. He knew its boundaries and neighbours as well. He knew the India that could hurt its many Indias, the many Indias that could harm India. Conscience is not a mushy heart ; it has a taut mind.

And yet what did the State do the same JP when he raised his voice against corruption, against dictatorship? *Vinashakale viparita buddhi*, JP said softly as he was led to the van taking him to prison, in 1975. What the state did was shameful but what civil society did was worse. In utter cowardice it watched in silence and then went about its business. In Faiz Ahmed Faiz's immortal words persons of conscience are inconvenient and unwelcome to the State and to society. They suffer at the hands of both the King and his loyal subjects.

Hakim-e-shaharbhi, majma 'e-am bhi

The Governor and the populace, both, send

Tir-e-ilzambhi, sang-e-dushnambhi

Calumny's keen arrow, insult's hurtling stone
Such rare people, so rare as to be countable
on the fingers of one hand, personify more
than the word 'conscience'. Their restless
conscience stands four square against its
envious opponent, calm cunning, its clever
rival, conformism.

When their comments are addressed to or
are about seats of power, they suffer
victimisation, persecution, and worse. Even
fewer have the greater courage – temerity,
almost – to speak their minds not just to the
sovereign but to society, to their own *samaja*.
If the sovereign can be vengeful, society can

be vicious. If the state can prosecute, society can victimize. Its weapons are ridicule, calumny, spite. Those who speak up against an unjust State are brave; those who speak up against an unkind people are braver.

Tagore's famous poem 'Where the mind is without fear', when read or recited in the original Bangla, has a resonance that goes beyond its great ring in the English translation: *Chittajethabhoy-shunno...* (Where the mind is without fear)...*uchchojethashir...* (and the head is held high...). *Uchchashir*, we have as when Sakshi and Sindhu win medals for India at the Olympics, whenever Saina soars. And when Dilip Tirkey, the great hockey champ and an MP, sets about organising a tribal village hockey tournament for villagers from Odisha, Jharkhand and Chhattisgarh and says: "The region should develop as a cradle of hockey instead of a nursery for Maoists. The youth of the region should pick up hockey sticks instead of guns." My *shir* is *uchcho* when I read that. Also when Uday Kumar designs the fantastic font of the Indian rupee, combining the Roman R with the Nagari Ra, the Dollar-Pound-Yen double dashes drawn across it. And when an academic of the distinction of Nayanjot Lahiri is awarded, for her magnificent work on Ashoka, the American Historical Association's Richards Prize for the best book in South Asian history. An *uchchosshir* is only natural when these wonderful things happen.

But as to *bhoy* – Boy, O Boy! The Indian mind is not *bhoy-shunno*; it is *bhoy-purno* today. Just consider how cloven we are. A Kashmiri Pandit in the Valley, in his own home, knows *bhoy*, a Kashmiri Muslim in Jammu is in *khauf*, a Naga in Manipur, a Manipuri in Manipur itself, is in fear. And when the Cauvery fever climbs, Kannadigas in Chennai and Tamilians in Bengaluru are in fear, real fear. Karnataka number plates vanish from

Chennai roads, TN plates from Karnataka. Dalits in Bihar have been in *bhoy* of organisations like the Ranvir Sena, since they can remember. Senas are a factor in Indian life, political, social and cultural. What music one may hear, who may or may not act in films are all subjects of Sena's preoccupation in Mumbai and in Mangalore. To them may be added the devotional fervour of an earnest group called the Hindu Sena which organised a *yajna* at Jantar Mantar some weeks ago for Donald Trump's victory. Our one and only official Sena, our Army, of which we are all justly proud, with the Navy and the Air Force, is needed to protect us from external aggression, to defend us. Who are the other non-official Senas guarding? Who are they fighting? India versus India is all one can say, by way of answer.

Being in a minority in India is not an ethnic condition as much as it is a circumstantial state. You can be in a majority one moment, in a minority the next. You can be in a majority in the bus terminus, in a minority in the bus. You can be an Indian while boarding a train, and can become a Hindu or a Muslim on the journey in one moment if your phone or your radio gives a certain type of news during the journey. You carry your minorityism in you; you carry your *bhoy* in you. A divisive India, a suspicious India, a fearful India is in potentiality always, and in reality often, pitted against a diverse India, the India that trusts, helps, supports. There, India becomes its own adversary, India versus India. Acharya Kripalani said famously once and I quote from memory: 'Gandhi ne ek badi Galati kari. Usne hamein sikhaya ki bairiyon se kaise dosti karein. Usne yeah nahin sikhaya ki apnon se kaise dosti karein.'

Partition re-drew India's map. Polarization is re-drawing India's mind. Extremists on both

sides of the Hindu-Muslim divide are at it, vigorously. India versus India is nowhere more visible today than in the recent re-invoking of the demand for a Uniform Civil Code. At a public meeting in Chennai yesterday, Dr Faizan Mustafa, Vice Chancellor of the NALSAR Law University in Hyderabad reminded his audience that those organisations asking for a common civil code now are the same or descended from the ones that had vigorously opposed the Hindu Code Bill in 1949. Protecting certain customs and practices in Hindu society but wanting those in Muslim society to be done away with, is a contradiction that the 'uniformists' must address. The surge in the Hindu right of compassion for Muslim women would have sounded less unconvincing had it been accompanied by a simultaneous concern for gender rights in India as a whole. The Indian state and the ruling party at the centre should be uniform about reform. Equal representation should be a call along with uniform laws. Are Muslims represented anywhere near their proportion to their population in our Parliament, our Assemblies, in the bureaucracy, police and judiciary? Whether they are Hindu or Muslim or whatever, opponents of triple *talaq* should also oppose the obscuring of Muslims from the Indian polity, Indian society.

And here it needs to be said Muslim responses to the uniform civil code idea's revival will be greatly strengthened if Muslim opinion acknowledges, in all fairness and objectivity, that in the matter of post-divorce maintenance and security, a great deal of improvement within the Muslim fold is indeed overdue. Likewise, Muslim aspirations for equal opportunities in the Indian polity and in its social and economic organisations need to be paralleled in the Muslim community's eagerness to end the huge disparities in itself.

The rich-poor divide in India's Muslim population, the gulf between the Persian-Arabic-Urdu speaking Muslims and, for instance, the Tamil or Malayalam speaking Muslims is phenomenal. And in action taken against terror suspects it is the poor Muslim who has to prove innocence first. Reform is needed in each section of society and in every generation.

If the swagger of *dharma gurus* in Hindu India more than meets its match anywhere it is in the disproportionate hold of Islamic clerics in the life of the Muslim population. The grip of religious leaders on the thoughts and fears, suspicions and frictions of ordinary Indian of all denominations is increasing and threatens to widen divides and deepen obscurantism, superstition, bigotry and patriarchy.

The illiberal majority's minority baiting must not be matched by illiberal minority silence or inaction in areas where reform is due. Homogenising diversity is not a step in equality; it is a design in domination. Equally, keeping much-needed reform out is not a step in minority self-protection; it is a sign of regressive self-isolation. Freedom and evolution go together. India is versus India when one Indian community bullies another Indian community into conformity or submission. India is versus India when one Indian community bullies its own constituents into conformity or submission.

In the ethnic enervations of India, the most important contestations of India get overlooked. These concern the individual Indian. Dr Ambedkar envisaged the individual as the basic unit of the Indian polity, not the village or the panchayat. He saw in India every Indian, and in every Indian, India. Can an individual sue himself or herself? Can India really be versus India? India has shown it can. In matter after matter, Indians have demanded and got relief from India. And yet they have not got their due.

The individual citizen has been accorded dignity in Shreya Singhal, where the Supreme Court struck down Section 66A of the Information Technology Act which was going to invade privacy, in NALSA where the court recognised transgender people as a third gender; and in Novartis where on an appeal from a judgment of the Madras High Court, the court struck down a patent granted to Novartis over a cancer drug. If the Indian is India then that India has won in these cases over the India which diminishes the individual.

The Courts however are as fallible as any human institution and I would be failing in my duty to the veracity of Justice Tarkunde if I did not place on record my disappointment over some other orders in which the Indian who is India has been disregarded. In *Bombay Dyeing v. Bombay Environmental Action Group*, for instance, a PIL filed by the Bombay Environmental Action Group (Bombay Dyeing appealed to the Supreme Court) the judgment had the effect of depriving several Mumbai residents of access to parks and recreational spaces.

India's ecological integrity does not seem to be a worry to most politicians, entrepreneurs, administrators. The networking of rivers is a matter in which I had hoped our Courts would see what is clear, namely, that rivers are not just streams but a whole set of inter-dependent

and unique natural properties which need to be conserved, not an un-explored grid that needs to be architected. Here, the court issued a mandamus to the Central government to link India's rivers, at the potential cost, as Shyam Divan has pointed out, to India's ecological integrity. India versus India could not have found a more powerful negative example than in this order.

India is exploited, misused, disfigured by India. Our tobacco, *guthka*, plastic and construction lobbies seem to enjoy an indemnity unheard of anywhere else in the world. All of them strike at the heart of life. The sources of our breath, of the water we drink and give to our children to drink contain either their products or their effluents or their debris or all of them. We are breathing toxins, drinking the most harmful substances that can be imagined. As Chennai which choked on its own real estate jungle knows from last year's experience, we are being sucked into our own chortling sewers. Nowhere is India its own enemy as in its losing battle against the despoliation of its physical environment.

We need chastising. We are all, because of not doing enough, not doing it in time, sinning against our own children and grand children. India is cannibalising itself. Who will file a PIL for India's natural resources? Will India sue itself?

Martin Luther King, Jr. noted: “Lamentably, it is a historical fact that privileged groups seldom give up their privileges voluntarily.”

Let us in an upper caste-dominated society acknowledge the vast undeserved space we occupy. Let us cede what has to be ceded.

Demonetisation: Politics trumps economics

The possible macroeconomic consequences of demonetisation are cause for concern as cash is the lifeblood of the economy

Deepak Nayyar

The government, exactly halfway through its term, concerned about perceptions that little had changed, wanted to do something bold.

It is exactly one month since Prime Minister Narendra Modi announced the decision that Rs500 and Rs1,000 notes would cease to be legal tender acceptable for payments in settlement of transactions. There was some provision for exchange or deposit of old notes at banks, but with specified limits on sums and time.

The past century has witnessed several demonetisations, when governments have decided that existing national currencies, guaranteed by the sovereign, are no longer legal tender. It has happened in: (a) countries that have experienced hyperinflation—where inflation rates are measured per week or per month rather than per annum—such as Germany in 1923 or Argentina thrice in the 20th century; (b) countries on the verge of economic collapse, such as Zimbabwe in 2015; and (c) countries in deep economic or political crises, such as Ghana in 1982, Nigeria in 1984, Myanmar in 1987, Zaire in 1993 and the USSR in 1991. In most, outcomes were failures, if not disasters.

The situation in India is completely different from what it was in these countries at the time of demonetisation. The economy is characterized by rapid growth and price stability. The polity is a vibrant democracy with an elected government. Hence, past experience elsewhere has little relevance. Yet, history matters.

What, then, is the rationale for demonetisation

in India? The stated objective is economic. The government hopes to eradicate black money, as also combat corruption, smuggling, and counterfeit notes. The unstated objective is political. The government, exactly halfway through its five-year term, concerned about perceptions that little had changed, wanted to do something bold. For the Prime Minister, there is also a pro-poor populism, in acting against the rich who evaded laws, and in reaching out to people directly, without any intermediation through his political party. The state elections to come in early 2017 are part of the same political calculus, not only because Modi wishes to be seen as a man of the people, but also because demonetisation will wipe out any hordes of black money held in cash by opposition political parties. Of course, it must be recognized that economics and politics, closely intertwined, are inseparable. Indeed, their interaction is likely to shape future outcomes.

The implementation of the demonetisation decision requires evaluation, even at the end of one month, because it has affected the lives of most people. The logistics of this exercise would have been tough in a perfect world. But it is exceedingly difficult in a situation where 86% of currency notes in circulation have been withdrawn at one stroke in what is essentially a cash economy. Poor implementation has made the situation far worse. The replacement notes, either unseen (Rs500) or of little use (Rs2,000), are scarce. Millions have queued at banks and ATMs, which do not have enough cash. Getting one's own money is an elusive quest.

***Frequent changes in rules about what a

citizen can or cannot do suggest day-to-day reactions rather than prior planning. The stipulated limit on exchange of old notes for new at banks has been changed thrice and the facility has been simply discontinued five weeks before the announced date. The acceptance of old notes for specified transactions, at petrol pumps, pharmacies or public utilities, has been introduced and withdrawn in a haphazard stop-go manner. The regulations about the deposit of old notes at banks, or the limits on what people can withdraw from their own accounts, have kept changing. The ground was simply not prepared.*** [Emphasis added.]

What does demonetisation mean for ordinary people? Some essential facts provide part of the answer. In India, just 53% of adults have bank accounts, but two-fifths of these accounts are dormant. And only 15% of existing bank accounts are used to make or receive payments. Bank penetration would have been far less but for the 250 million accounts that were opened under the Pradhan Mantri Jan Dhan Yojana (PMJDY) during 2014-16, of which 60 million accounts have zero balances even now. It is clear that almost half our population has no access to the banking system, and an even larger proportion does not use it. [Emphasis added.]

Thus, an overwhelming proportion of economic transactions—more than 95%—are in cash. This is particularly true of rural India, home to more than two-thirds of our people, where the density of bank branches and ATMs is less than one-fourth that in urban areas. It is just as true of the informal economy in urban India—construction, wholesale retail trade, hotels and restaurants, domestic services, transport, and small-scale manufacturing—where sales and purchases are mostly in cash; so are wages. Given this reality, the quest for a cashless economy could be futile, even if we

assume that everyone can buy and use smartphones. It is a noble idea, but its time has not yet come.

It is no surprise that this massive notebandi has disrupted lives. The demonetisation of Rs500 notes, which constituted about 46% of cash in the economy, has been particularly damaging, since these are the medium of exchange in the market and store of value at home for most ordinary people. It would serve little purpose to recount stories of difficulties faced, or tragedies experienced, by people without money in hospitals, pharmacies, and bank queues. There is widespread distress in rural areas and much hardship in towns and cities, particularly for the poor. Even if the object is to penalize the dishonest rich—the idea has popular support—should 99% of people pay this price for punishing the guilty 1%? The irony is that their own money is now being rationed to people by government. The inconvenience is turning into irritation. If cash remains scarce for long, it could turn into resentment and anger.

***The economics underlying demonetisation has three flaws. First, all black money is not held in cash, and all cash is not black money. Political parties, corrupt government officials, lawyers, doctors, traders or builders, might keep some black money in cash, but more than 90% is in the form of gold, real estate, foreign accounts and used in consumption or business expenditures. Similarly, less than 10% of cash in the economy would be black money. Second, it is very difficult to separate black money from white money because the distinction is not once-and-for-all. White money used to purchase something becomes black if the shopkeeper does not pay sales tax but could become white again if he then buys something with it for which he is billed with tax. Third, demonetisation would indeed wipe out stocks of black money held in cash if it cannot be laundered. But it

could be business-as-usual with new notes as flows of black money resume, unless there are changes in government regulations or behaviour patterns of individuals and institutions that induce such transactions.*** [Emphasis added.]

The possible macroeconomic consequences of demonetisation are cause for concern. Cash is the lifeblood of the economy, 86% of which is gone, while complete replacement could take months. This shock-therapy is bound to disrupt real economic activity. Consumption expenditure in the economy will drop sharply, for ordinary people starved of cash, and for the rich who cannot spend their black money on eating-out, luxury goods or tourism. Investment simply cannot pick up with this massive liquidity crunch, which means no cash for the informal economy, and erosion of investor confidence. Output will contract. So will employment, as workers are laid off, hurting livelihoods and dampening consumption demand to reduce output further through multiplier effects. Economic growth, already stuttering, is bound to slow down. Gross domestic product (GDP) growth projected for 2016-17 will not materialize. Even when things return to normal, macro-economic effects might linger and dampen growth for longer.

What does this mean for the government? The total value of demonetized notes is about Rs14 trillion, and Rs11.5 trillion has been deposited, while Rs350 billion has been exchanged, in banks. People can continue to deposit old notes in banks until 3 December and with the RBI until 30 March. If the total amount that is exchanged and deposited is less than Rs14 trillion, the difference would accrue to the RBI as a windfall gain since its liabilities would be reduced by that amount. In principle, reduced liabilities on balance sheets are not transferable to the profit-and-loss accounts. But that might be possible as the RBI is not a corporate entity. If this sum is treated as a

surplus of income over expenditure, under the RBI Act, its board decides how much of the surplus can be paid to government as dividend, keeping in mind its responsibility for macroeconomic stability.

It is not possible to predict what the reduction in RBI liabilities will be following demonetisation. Much will depend on the ability, or ingenuity, of people to move their cash holdings into bank deposits. The obvious avenues are deposits of less than Rs2.5 lakh, cash-in-hand held by small businesses, and the agricultural sector which is income-tax-exempt. In three weeks, Rs365 billion has been deposited in PMJDY accounts, almost doubling total balances. Laundering old notes at a discount is a new business. The government, worried about such leakages, introduced yet another amnesty scheme on 28 November, which allows cash deposits in banks without limits until 30 December, but 50% is payable as tax-cum-penalty and another 25% is placed as a zero-interest four-year deposits.

Obviously, politics trumped economics in the demonetisation decision. But Modi has taken a big gamble. And the stakes are high. If the negative consequences for people and for the economy persist, or become worse, economics might trump politics. Will it? The actual outcome is uncertain, unpredictable and unknown. Perhaps only the results of the forthcoming state elections, especially in Uttar Pradesh, will reveal what people really think.

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Demonetisation: Reasons and excuses that seem more like afterthoughts

Two things that the government itself is not denying are hardships caused to people and setback to economy. It is, however, rationalizing these as the “price we need to pay to clean up the system”.

Vivek Deshpande

Of late, however, the main thrust of the government justification has been on the need to shift to cashless economy.

We have seen enough explanations by the Narendra Modi government of the provocation for the demonetisation bombshell. The first and the foremost justification was that it would reduce the huge pile-up of black money into a pulp of waste paper. It had also cited counterfeit currency menace as an equally important urgency. Tagged with it was also the reason of terrorist funding with counterfeit currency to unleash mayhem in India. At last came the cashless economy argument. But with almost all the cancelled old currency notes now set to return to banks, the black money argument appears to be fast petering out. And with terrorist attacks continuing, the efficacy of demonetization in containing the menace has also come into serious questioning. Now remains the cashless economy argument to support the move. [Emphasis added.]

Over the last one month, the government announced a slew of measures to minimize the severe inconvenience caused to ordinary citizens, labourers, farmers and other poor sections across the board. The huge setback caused to the country's economy due to slowing down of trades and businesses on the wake of currency crunch is being passed off as temporary. As recent as on Thursday, Finance Minister Arun Jaitley announced many rebates and incentives to encourage digital transactions.

While many economists of highest stature have dissected the black money argument of the government to show how the demonetisation move is actually going to end up as a vain bid to stamp out corruption, most of the supporters and even top leaders from the ruling BJP have been citing “common people's support” to the move to drive home its sanctity. Not many Modi-supporting economists have tried to put out any strong economic calculations and arguments to rebut the claims made by the critics of demonetisation. Two things that the government itself is not denying are hardships caused to people and setback to economy. It is, however, rationalising these as the “price we need to pay to clean up the system”.

Of late, however, the main thrust of the government justification has been on the need to shift to cashless economy. Surprisingly, however, some very respected experts have virtually condoned the negative impact of the move by pushing arguments that don't befit their intellectual acumen and integrity. Nandan Nilekani, architect of Aadhar card, was trying to stress that the impetus the move is likely to be the universalisation of Aadhar-based digitisation of financial and administrative transactions. A very eminent administrator like former Chief Election Commissioner S Y Quraishi has also ventured to say that demonetisation will be to good effect if it is going to take us forward on the path of long-cherished electoral reforms, chiefly funding of political parties and elections.

Jaitley claimed on Thursday that demonetisation has led to doubling of plastic currency use percentage at fuel outlets from 20 to 40 pc. He has also announced rebate on such transactions, which he said would reduce the need for hard currency notes. Fair enough. But the question is do all these things need demonetisation as a necessary prerequisite? If the government would have announced Rs 10 lakh insurance cover for railway commuters using online reservation facility even without demonetisation, it would still have hugely enhanced the use of plastic currency. Clearly, demonetisation was not needed to encourage use of plastic currency or digital transactions. In fact, demonetisation wouldn't have caused as much damage as it has done now had it been effected after significantly enhancing the use of plastic currency and digital transactions first thereby vastly reducing dependence on hard cash currency use.

Similarly, it is difficult to understand how and why electoral reforms couldn't have been undertaken without demonetisation. They could and should still have been. Not only would it have prevented rise of speculation and conspiracy theories about the ruling political party getting the privilege to exhaust its suspect funds before the announcement but would also have lent a great "charity begins at home" credibility to its reformist countenance.

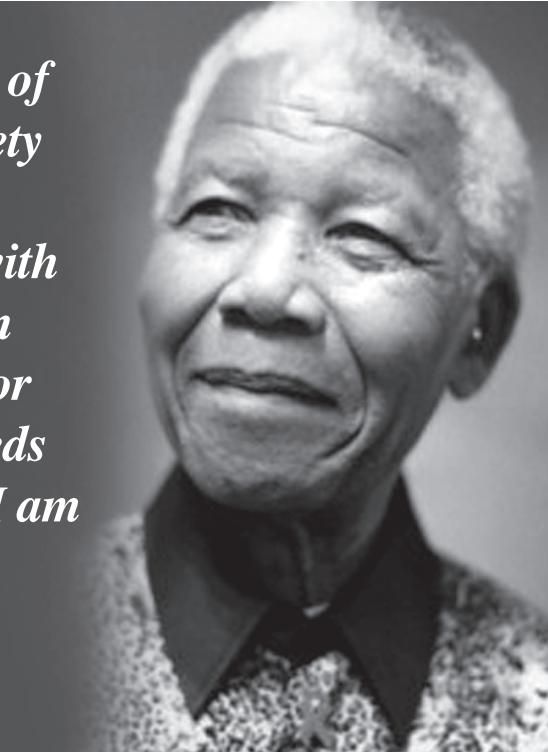
Clearly, the measures and steps being undertaken now as also the silver lining that some experts are preferring to view about demonetisation didn't need demonetisation and are either afterthoughts or benign overlooking of the unnecessary and avoidable disturbance demonetisation caused to national life.

Courtesy **Indian Express**, December 10, 2016

Views of the author are personal

"I have cherished the ideal of a democratic and free society in which all persons live together in harmony and with equal opportunities. It is an ideal which I hope to live for and to achieve. But if it needs be, it is an ideal for which I am prepared to die."

– Nelson Mandela



Demonization: Assault on the People

Ram Puniyani

The month old gamble of Mr. Modi (November 2016) has put the whole country in an unprecedented chaos. The demonetization of 86.4% of the circulating currency in the form of Rs 500 and 1000 rupee notes has put into jeopardy the life of major sections of society. Nearly seventy people have died in the queues to withdraw the money from Banks/ATMs. The daily wage workers have to lose their daily earning to withdraw the cash, many daily wage earners had to go back to their villages for lack of work, the small trade has been damaged severely, farmers are neck deep in trouble while probably those holding the 'black money' don't have to suffer such an ordeal. The 80% of estimated black money is stashed in the overseas tax heavens; roughly 15% of such wealth is in the form of real estate, gold and shares etc. It's only 5% of money which is in the form of currency notes. It is for this 5% quantum that 86% currency has been demonetized and millions of people, who barely make their two ends meet, have been put to such a massive discomfort.

The impact of this is that the hard earned money of the peasants and common people in the cooperative banks, agricultural credit societies, housing societies and so on has been frozen in a single stroke. The agricultural-rural economy is close to paralysis. The massive loans of corporate houses have been labeled as 'Bad loans' and have been waived off. All these expose that the true intention of this assault is not eradication of black money, but to unleash a social engineering for draining away the meager earnings of the common people in to the coffers of corporate billionaires through the banking system. This move has full backing of those who deal with black money or those Corporate

giants who stand to benefit as their loans are being waived off.

The response to this has been very diverse. Most of those standing in long queues have expressed their opinions though their life and sweat. While few among them have also praised the effort by saying that in the long run it will be better for them. Most of the opposition parties though disunited as usual have vehemently criticized the move of the government. Prominent economists and substantial section of media have scathingly criticized the move of the government. The critics of the Modi policy, again as usual are being labeled as anti Nationals. Baba Ramdev, the fellow traveler of Modi politics used the word 'Deshdrohi' (anti national) and RSS groomed Devendra Fadnavis, the Chief Minister of Maharashtra, used the word Deshvirodhi (against the nation) for these critics. The large section of followers of Modi mania, despite their discomforts are holding that it is a good move. Their delusion is that in the long term the system will be better and they will benefit. Modi launched an app to conduct the survey to show that people's opinion is with him, while few surveys are showing growing resentment against this move.

It's no mystery as to why this must has been undertaken. Two major Gujarati papers had carried the news of demonetization several months ago. Many are arguing that it is to cripple the opposition parties in the forthcoming elections in UP and Punjab in particular. The idea is to reduce the campaigning capability of opposition parties. There are reports that BJP has lots of real estate just prior to demonetization. The problem of 'bad loans' given to the corporate are being aimed to be solved through

the public funding for Corporate giants through the banks, through the massive deposits which is the goal of this move.

Modi campaign for power in 2014 was built around the promise of *Acche Din* and bringing the black money from overseas banks and then depositing of 15 Lakhs in every body's account. The social scenario has worsened abysmally during last two years. The prices of commodities reached sky high during this period. Tur dal has shot up from Rs. 60 to 150 per KG. Despite the drastic fall in the prices of crude oil in international market from 119 per barrel to 30 per barrel, the petrol price in India has come down only from Rupees 67 to 60 or so only. Corporates like Mallya have made merry by running away with huge debts. This along with the non realization of boastful promises like rupee becoming stronger vis a vis dollar are nowhere in sight. The agrarian crisis has been worsening. With the demonitisation the production in unorganized sector has come to a near halt. It seems Mr. Modi, taunted by opposition and critics on his boastful promise, now wants to claim that so many efforts are being done in this direction. As such the major area of non taxed money remains untouched. There is a push towards cashless economy where large number people

seem to be unprepared for that.

During last over two and a half years the so called fringe elements of RSS combine, Modi's ideological pond; has become bolder and has thrown up non issues, identity related one's in the public domain. These emotive issues which took off from the Ram Temple-Babri Mosque dispute have been joined in by issues related to Holy cow, beef, pseudo nationalism Bharat Mata ki Jai, abolishing the autonomy of education institutions, creating a growing atmosphere of intolerance leading to returning of awards by eminent writers and social workers has come to the fore. The deeper issues related to poverty alleviation, employment, malnutrition, health and matters pertaining to agrarian crisis have been buried under the weight of pseudo nationalism. This hyper nationalism has also worsened the state of affairs in Kashmir and relations with neighbors; with Pakistan and Nepal in particular.

This seems to be a move which will benefit the corporate World and is creating huge suffering for the average people. The propaganda, 'this will benefit us' has been created with great amount of success. But can this deceptive propaganda win over the reality for so long?

The Radical Humanist on Website

February 2015 onwards 'The Radical Humanist' is 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. Only the logo/the name of the magazine needs to be clicked for opening it.

Now the books by M.N. Roy are available at this website under the section 'Socialist Movement' and then going to the dedicated page for "collected works". They may be downloaded from there and read.

- Mahi Pal Singh

DEMONETISATION

Modi's Note Ban May Spell Catastrophe for the BJP

Prem Shankar Jha

Demonetisation has hit every sector of the economy from construction to automobile at the same time and its ripple effects are likely to be felt for months to come.

Remember the old adage, 'You can fool all the people some of the time, and some of the people all the time, but you cannot fool all the people all the time?' Narendra Modi's government is reluctantly learning its truth now. Exactly a month after the sudden announcement of the demonetisation of Rs 500 and Rs 1000 notes, even the tame audio-visual media has, almost unanimously, turned against his government on this issue. Their consensus echoes an epitaph favoured by Bismarck, "it was not a crime; it was a mistake".

The mistake is so elementary that it leaves no room for doubt that Modi announced the demonetisation without consulting either the Reserve Bank of India or the economists in the finance ministry and *NITI Aayog*. One of the most basic equations in economic theory – $MV=PT$ – seems to have been forgotten. It is the base of the quantity theory of money upon which the whole neoliberal macroeconomics of today rests.

In layman terms, the equation states that the money supply in an economy (M) multiplied by the number of times it changes hands in a year (V) equals the average price level (P) multiplied by the number of transactions (T) that take place during the year. PT is the gross revenue generated in the economy during the year. Take away double counting – the resale of intermediate goods from one producer to the next – and you arrive at the GDP of the country.

Neo-classical economists use it to show that

if you double the money supply, prices will simply have to double in the long term. But implicit in this is the belief that the velocity of circulation of money is very stable as it reflects the culturally determined habits of saving and consumption, and will therefore remain unchanged. The volume of transactions in any given period is, therefore, constant.

This assumption does not, in fact, hold true all the time. In his book *General Theory of Employment, Interest and Money*, J.M. Keynes showed that in actual fact, V rises or falls depending on the optimism or pessimism about the future course of the economy. Thus prices can, in fact, increase – and output can respond – without an increase in money supply, and fall without a reduction in it. This is the basis of Keynes' theory of the trade cycle, one of the two that together fully explain this endemic seesaw in a market economy.

But Keynes never envisaged the possibility that a government would, of its own volition, bring the circulation of money to a near halt and force V down close to zero. For, since anything multiplied by zero is zero, it would, therefore, kill the market economy and drive it back to barter. That is precisely what the demonetisation is doing. For an already tottering economy, this is a disaster. For the political future of the BJP, it is a self-inflicted goal that may well cost it the match.

I got some idea of how much we had fallen after demonetisation when a sweet shop owner told me that on the day after demonetization, his sale had fallen from Rs 30,000-40,000 per day to a mere Rs 700. A bookshop owner in Connaught Place told a friend that his sales had

fallen from Rs 20,000-30,000 a day to Rs 12,000 in the past month. A high-end optician in Khan Market, New Delhi told me that his sales had fallen by 25% in the past month. Automobile sales, which had been rising at 11% a year in the first half of the year, fell by 38% for Mahindra & Mahindra, 28% for Tata Motors, 20% for Hyundai and 22% for Renault in November. There is not a single retailer who does not have a similar story to tell.

If this is the condition of demand in the urban areas, where more people have bank accounts and use credit cards, it is not hard to imagine what the situation is in rural areas where where moneylenders still meet four-fifths of the demand for credit, and nearly all the transactions are done in cash. Two-wheeler sales have fallen by 35-40% because 65% of all the sales are done in cash and tractor purchases have fallen by a whopping 63% because only farmers and a few construction companies buy them.

The worst affected sector is construction. After being starved for funds for nine years, the construction industry has been pushed further down by demonetisation. The immediate impact has been on employment, for not only is it India's second largest employer – providing jobs to 45 million people – but since employment in agriculture stopped growing a decade and a half ago, it has also been the principal creator of new jobs.

But the bulk of its workers are migrants from other states who are paid by the day, or at best by the week, and they ask for their wages in cash. Therefore, in order to pay them, their employers need to maintain large daily stocks of cash. Those were the cash reserves that Modi made worthless overnight. What is worse, even their current overdraft facilities, and their bank deposits, are not available to them because the government has put a Rs 24,000 a day limit on all withdrawals.

Unsurprisingly, anecdotal evidence suggests that the industry has virtually ground to a halt. The employers' shortage of cash has translated into a shortage of jobs and stalled construction. Earnings by have fallen by 80-90%. Until November 8, for instance, the *mazdoor naka* near the Madhuban garden in Bhandup in Mumbai was among the largest in the city, with nearly 500 construction workers thronging it every morning. On November 30, there was just a trickle of 30 workers waiting hopefully for jobs there.

In desperation, more and more workers are accepting payment in the old currency notes, and sending a member of their family to queue in front of banks all day to exchange it for legal tender. But as the employment opportunities have continued to dwindle, an increased number have joined a return flow of migrants to their villages in order wait until the times get better. Bus companies that brought migrant workers from Orissa to Gujarat are now plying in the opposite direction. There is a similar return of migrant workers to Andhra and Telangana from Mumbai and other cities in Maharashtra, and now, increasingly, from Delhi, Uttar Pradesh, Bihar and Rajasthan.

Construction is not the only sector in which jobs have disappeared. A fortnight after demonetisation, the Engineering and Export Promotion Council estimated that more than 400,000 workers had been laid off in the textiles and garments industries and as many as 60,000 in the leather industry. These are only a few lightning flashes illuminating the storm that is enveloping India's poor.

Demonetisation is also laying waste to small and medium-sized producers and artisans in the country. It has not even spared the service industries, for except in software and domestic service, income and employment in every other service industry is directly related to production

in the primary and secondary sectors of the economy.

The story of a utensils manufacturer in Noida that has lost more than half of its employees is the story of hundreds of thousands, perhaps millions of SMEs all over the country. In the month after demonetisation his sales have dropped by 90% for only one dealer has placed orders with his company during this period. More than half of his 40 workers, nearly all of whom are migrants, have been forced to go home, a journey that the government is considerably facilitating by asking the railways to accept old currency notes.

He has so far been able to retain the remaining employees only because a grocery store has been willing to provide basic food on credit. But the latter's finances are not endless either. What is more, the remaining workers still need some money to send home. So the company's finance manager has been standing in bank queues until 1:30 p.m. every day to withdraw money. However, after ten days of doing so, he was unable to withdraw any cash.

Demonetisation has not even spared the service industries, for except in software and domestic service, income and employment in every other service industry is directly related to production in the primary and secondary sectors of the economy. An idea of the hardship and loss of employment that it is causing, even if it is temporary, may be had from the fact that 90% of the country's 300 million workers are in the unorganised sector and, with few exceptions, are paid entirely in cash.

What Modi has inflicted on India, therefore, is far worse than a natural calamity or a recession. For the first hits only parts of a country, while the second often spares agriculture and exports. But demonetisation has hit every part of a country and every sector of

an economy at the same time.

Today, as the data for November pours in, a few of the government's spokespersons and apologists are still trying to minimise the damage demonetisation has done by quoting the data for the whole of November, not just slurring over the fact that the first eight days saw the small surge of demand that had begun in April, but also on last-minute festival season rush.

But the retail sales data for December confirm that the post-November 8 data cited above, that the decline in sales is continuing. Even the automobile sector, where cash is least used is still experiencing a shortfall of over 20%, and two wheeler sales remain down by half.

The government spokesperson is reassuring customers that that demand will bounce back as soon as the cash crisis is over, but while this happens in sales, production will have to wait for three months' accumulation of inventories to be liquidated in order to revive.

So the impact of demonetisation will not end when the currency replacement is complete because of the ripple effects that the sudden, two-month long contraction of demand has set off in the economy.

These effects that J.R. Hicks – another great 20th-century economist – dubbed the “accelerator,” are well known to any student who has studied his theory of trade Cycles. But if anyone in his government pointed them out to him, he chose not to listen.

As many experts have pointed out, not only was demonetization unnecessary but also badly bungled. It was unnecessary because the government knew from its income tax raids that people hold merely 5-6% of their undeclared income in cash, and the balance is in gold, precious gems, real estate and *benami* shareholdings.

It was inept because not only had the government not printed the more than 20 billion new currency notes needed to replace the old, but it also changed their size to ensure that they could not be dispensed from the 150,000 ATMs in the country without extensive modifications. In the end, therefore, demonetisation has created no gainers, only losers. They now have two and a half more years to remember that they owe their

hardships to a government and a prime minister who had promised them *acche din*, but has so far failed to deliver.

Courtesy thewire.in

*Prem Shankar Jha is a senior journalist and author of *Twilight of the Nation State: Globalisation, Chaos and War, and Crouching Dragon, Hidden Tiger: Can China and India Dominate the West?**

An Appeal to the Readers

Indian Renaissance Institute has been receiving regular requests from readers, research scholars, Rationalists and Radical Humanists for complete sets of books written by M.N. Roy. It was not possible to fulfil their demands as most of Roy's writings are out of print. IRI has now decided to publish them but will need financial assistance from friends and well-wishers as the expenses will be enormous running into lakhs. IRI being a non-profit organization will not be able to meet the entire expenses on its own. Initially, following 15 books have ordered for print: 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; Memoirs (Covers period 1915-1923).

Cheques/Bank drafts may be sent in the name of 'Indian Renaissance Institute' at: N.D. Pancholi, Administrative Office, Flat No.F-6, Plot No. 625, Shalimar Garden Extension-I, Sahibabad, Ghaziabad-201005. (U.P.) Ph. 0120-2648691, (M) 9811099532.

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Thanking you.

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Dear PM, Why The Double Standards After Demonetisation?

Saturday, December 10,2016

E.A.S. Sarma

(Note: Former IAS officer, E.A.S. Sarma in this letter to Prime Minister Narendra Modi asks whether the government operates on double-standards, and whether there are a separate set of rules for NDA ministers and for the common Indian citizen. Sarma specifically points to the absence of probes against current and former BJP Minister's who have recently been in the news, following demonetisation, for lavish weddings in their families. The letter is reproduced below.)

To
Shri Narendra Modi
Prime Minister

Dear Shri Narendra Modi ji,

I enclose two news reports, one that appeared today in Hindustan Times on “50 chartered planes to ferry VVIPs to Nagpur for Gadkari’s daughter’s wedding”, and the second in today’s Times of India, “Weddings put off as families struggle to tide over crash crunch.”

Apparently, there is one set of rules and standards for NDA Ministers (please see my letter addressed to the Enforcement Directorate, forwarded here on a similar wedding equally lavishly celebrated last week by your Minister Mahesh Sharma) and another set of rules and standards for the common man on the street.

As a result of the prevailing cash crisis, many families have put off their scheduled weddings. Many other weddings have broken down. But, Gali Janardhana Reddy, Mahesh Sharma and Gadkari feel no crisis whatsoever, as they seem to have the blessings of bigwigs from both BJP and the NDA. While your Ministers are indulging in such unhealthy extravagance, is it not ironic that you yourself should exhort the common man to stand in queues to uphold your grandiose mission to fight against black money?

Those that stand in the queues like myself feel that your intentions are great and temporary inconveniences should be ignored. At the same time, we feel perplexed to find no Janardhana Reddy’s, Mahesh Sharma’s and Gadkari’s in the queues. Adding insult to injury, they flaunt their wealth and mock at the public at large. Are we living in a civilised society, Mr Modi?

I am asking the Enforcement Directorate to investigate the source of every rupee that these Super-Citizens have spent and the cash component of every expense they have incurred. I am not sure whether the Enforcement Director has the authority or an inclination to carry out an impartial investigation, as the numerous cases of overseas accounts standing in the names of some of your Chief Ministers brought to their notice by me, are yet to be investigated by the Central investigation agencies till now.

I do not think that any marriage in the West can boast of 50 chartered flights being arranged as it seems to be the case with Gadkari.

Are these chartered flights paid for by the corporate houses? Who are those corporate houses? Are there quid pro quos involved? How many Five-Star rooms have been booked on behalf of Gadkari at Nagpur? How many air-conditioned cars are deployed to ferry the VIPS to and fro?

Who has paid for the same? What was the expenditure incurred on the wedding celebrations?

Have Gadkari and his associates withdrawn cash from banks at the expense of all those languishing for days in long serpentine queues in front of banks and ATMs?

Are the local senior Income Tax officials have already compromised their position by attending the wedding reception as honoured guests?

Who are the NDA, RSS and BJP bigwigs who attended the wedding and endorsed the extravagance?

This calls for a full-fledged investigation, Mr. Modi.

I am marking a copy of this letter to Hasmukh Adhia, the Union Revenue Secretary so that he may feel that he too has the obligation to order an investigation into this conspicuously celebrated Gadkari wedding, especially at a time when his Department is harassing small jewelers and petty contractors in the name of “tightening” the noose around the necks of “black marketeers”.

I believe that in a democracy like ours, we need an explanation on this questionable wedding from the highest level in your government. I believe that the CBDT and the Enforcement Directorate should investigate and report on this. The public at large have not yet fully digested the initial “clean” certificate provided by the Income Tax Department on the details of Gali Janaradhana Reddy’s spending on his daughter’s wedding. This has certainly eroded the credibility of your government in regard to the demonetisation measures.

If you do not act quickly and firmly on these letters of mine, I will be constrained to seek judicial intervention, as every citizen in this country has the right to question the basics of governance.

I am circulating this letter widely to generate a public discussion and a debate on NDA’s true stance on profligacy and conspicuous expenditure in the context of demonetisation.

Regards,

Yours sincerely,

E A S Sarma

Former Secretary to GOI

Visakhapatnam

Courtesy **thecitizen.in** December 13, 2016

Demonetisation is immoral, theft of people's property: Steve Forbes

The Nov 8 move to spike the Rs 500 and Rs 1,000 notes had damaged the Indian economy

Calling India's demonetisation drive as immoral, Steve Forbes, Editor-in-Chief of *Forbes* magazine, said it also amounted to theft of people's property.

The November 8 move to spike the Rs 500 and Rs 1,000 notes had damaged the Indian economy, future investment and was also an assault on the privacy of common man life by inflicting more state control.

"India's government perpetrated an unprecedented act that is not only damaging its economy and threatening destitution to countless millions of its already poor citizens but also breathtaking in its immorality," the respected magazine said.

The denomination has triggered an unprecedented cash crunch across the country, forcing millions to stand for long hours in queues at banks and ATMs to withdraw money.

"Without any warning, India abruptly scrapped 85% of its currency. That's right: Most of the country's cash ceased to be legal tender. Shocked citizens were given only a few weeks' notice to take their cash and turn it in at a bank for new bills," the magazine said.

Forbes pointed out that governments do not create resources, people do.

"What India has done is commit a massive theft of people's property without even the pretence of due process — a shocking move for a democratically elected government.

"Not surprisingly, the government is downplaying the fact that this move will give India a onetime windfall of perhaps tens of billions of dollars."

Forbes compared the demonetisation with the forced-sterilization drive undertaken by the then Indira Gandhi government during her Emergency regime of 1975-77.

"Not since India's short-lived forced-sterilization programme in the 1970s — this bout of Nazi-like eugenics was instituted to deal with the country's 'overpopulation' — has the government engaged in something so immoral.

"It claims the move will fight corruption and tax evasion by allegedly flushing out illegal cash, crippling criminal enterprises and terrorists and force-marching India into a digitised credit system.

"India is the most extreme and destructive example of the anti-cash fad currently sweeping governments and the economics profession.

"Countries are moving to ban high-denomination bills, citing the rationales trotted out by New Delhi. But there's no misunderstanding what this is truly about: attacking your privacy and inflicting more government control over your life.

"By stealing property, further impoverishing the least fortunate among its population and undermining social trust, thereby poisoning politics and hurting future investment, India has immorally and unnecessarily harmed its people, while setting a dreadful example for the rest of the world."

The magazine said the economic turmoil in India had been compounded by the fact that the government "didn't print a sufficient amount of the new bills, lest word leaks out as to what was about to take place.

“The new bills are also a different size than the old ones, creating a huge problem with ATMs. Even though [India](#) is a high-tech powerhouse, hundreds of millions of its people live in dire poverty.”

Saying India’s economy was based mostly on cash, Forbes condemned the stringent rules and taxation policies of India.

“Moreover, much of it operates informally because of excessive rules and taxes. The government bureaucracy is notorious for its red tape, lethargy and corruption, forcing people to get by on their wits.”

Coming down heavily on the reasons cited by the Modi government for the note ban, the magazine said: “Human nature hasn’t changed since we began roaming this planet.

“People will always find ways to engage in wrongdoing. Terrorists aren’t about to quit their evil acts because of a currency change.

“As for the digitisation of money, it will happen in its own good time if free markets are permitted.

“And the best cure for tax evasion is a flat tax or, at the least, a simple, low-rate tax system that renders tax evasion hardly worth the effort.

“Make it easy to do business legally and most people will do just that.”

As a remedy, the magazine suggested: “What [India](#) must do to fulfill its desire to become a global powerhouse is clear: slash income and business tax rates and simplify the whole tax structure; make the rupee as powerful as the Swiss franc; hack away at regulations, so that setting up a business can be done with no cost and in only a few minutes; and take a supersize buzz saw to all the rules that make each infrastructure project a 100-year undertaking

Courtesy **Business Standard**, New Delhi, December 23, 2016

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Simultaneous Parliament and State Assembly Elections not possible and against federalism

Rajindar Sachar

(Prime Minister Modi has been repeatedly throwing the idea for holding simultaneous elections to Lok Sabha and State Assemblies. Justice Sachar in the following article points out that the very suggestion is unconstitutional and against federalism, and there is some ulterior motive. It is strange opposition and other concerned are not taking this sinister move seriously. It should be opposed forcefully. – N.D. Pancholi)

Prime Minister Modi has for last 6 months kept a continuous refrain for holding simultaneously Lok Sabha and State Assembly polls and the supposed advantages that would flow from it. As was to be expected number of newspapers and persons are picking up this matter. It is unfortunate that Election Commission of India and Niti Aayog should have gone along with this suggestion without even the minimum constitutional requirement of a public debate and Seminars – and more unforgivably without discussions of the matter with other major political parties and the State governments. In order to have a worthwhile debate, it is necessary to know the legal and factual situation at present.

The present life of Lok Sabha expires in May 2019. Modi's repeated emphasis on simultaneous poll is actuated by the realization that the mood of exhilaration that he was able to create in 2014 Parliamentary poll is diminishing very fast. The background situation from 2004 – 2014 of UPA regime had exposed so much scandals both financial and administrative that people were sick of goody but not visible prime Minister Manmohan Singh because of the domination of Indira Gandhi family. The exposure by the Supreme Court of telecom and Coal scandals had made BJP task easier. By itself BJP under leadership of other than Modi (helped fully by RSS) may not have done that well. But Modi had created an illusion of strong and honest government in Gujarat that

people were willing to ignore or even forget one of the worst period under Modi, namely the state supported mass slaughter of Muslims in 2001. Such was the communal passion aroused by RSS that country which was already disgusted with the corruption and inefficiency of UPA government and also heightened by the split amongst the various political parties that Modi romped home with overwhelming majority of seat in Lok Sabha but with just 31% of votes – of course greatly helped and boosted by corporate funding

That illusion has now been exposed. Even ardent supporters of Modi now do not place hundred percent bet on Modi winning Lok Sabha polls in 2019 - that is why the effort of Modi to work out a strategy so as to keep his rivals also caught up with State Assembly polls so as not to put combined pressure on him in Lok Sabha Polls.

But this strategy of Modi is not constitutionally possible. After emergency, Constitution (44th Amendment) has provided in Article 83 and Article 172, of the Constitution that Lok Sabha and State Legislatures of the State shall continue for five years from the date appointed for its first meeting and no longer. Thus the factual situation at present will show that it is constitutionally not possible to hold simultaneous polls in May 2019.

This is because it would require to extend the term of States Chhattisgarh, Madhya Pradesh

and Rajasthan (by 5 months), Mizoram (by 6 months) and Karnataka (by 12 months) which is not constitutionally possible. Of course the terms of Haryana and Maharashtra (by 5 months), Jharkhand (by 7 month) excepting NCT of Delhi (by 8 months) could be curtailed as these states are BJP government, but Delhi would not agree. Punjab, U.P. must go to polls in the next 2 months - obviously no one can expect Tamil Nadu, Bihar, J & K, West Bengal and Kerala all opposition parties to agree whose terms are upto 2021. Assam can go to polls in 2019 though due in 2021 as they are BJP - will Modi agree to curtail its term where BJP has for the first time come to power.

Non BJP states like Tamil Nadu, West Bengal whose terms expirers by 2021 will never agree to curtail their period terms. The Central government whose terms would expire by 2019 cannot continue thereafter without holding fresh elections due in May 2019.

If however Modi is so keen on holding simultaneous polls even with some States he can hold it along by dissolving Parliament in 2017 and then hold simultaneous polls by dissolving also at same time BJP State Assemblies whose terms are not yet over as mentioned above. If Modi is not willing why is he trying to cover his government's failure by conjuring up these illusory undemocratic solutions.

But a greater principle of democracy is involved in simultaneous polls of parliament and state assemblies unless by fortuitous circumstances the five year period of parliament and State Assemblies happen to coincide on its own. This contrived situation trying to be brought up by Modi has very dangerous implication and against the basic structure of our constitution which is impermissible. According to Supreme Court of India Article 1(1) India is a Union of States which means a federation of States.

Our constitution specifically provides exclusive

list – I empowering the Central government which alone can legislate on certain subjects in list-I in Seventh Schedule. The States alone can legislate List - II - Parliament cannot. Both Centre and State can legislate in List - III. State List - II includes very important subjects like Agriculture, law and orderon which only state can legislate and Centre has no jurisdiction. Obviously voters have different aspects, priorities when voting for State Assemblies or Parliament. In Delhi laws Act the Supreme Court of India (1951) specifically held; "The State legislature under our Constitution is not a delegate of the union parliament. Both legislatures derive powers from the same Constitution. Within its appointed sphere, the State Legislature has plenary powers".

Modi wants to deny this strategic advantage of States and weaken decentralization which is the core of our constitutional jurisprudence.

Examples of other countries like U.S.A. and Europe would also show that it is constitutionally recognized that the priorities and interests of State in day to day governance are emphasized differently. Thus in U.S.A a rather extreme position prevails - that law and Medical degrees of one state are not even recognized in the rest of States. As far elections they have different laws in each state. They have separate laws for poll for Presidents election and separate for Senate and House of representatives and also separate for various states. Of course this is an extreme example borne possibly of history of USA which had Civil War.

We wisely did not go so far. Also the distinction between the priorities of Centre and the states are different. The sooner Modi relinquishes this idea of simultaneous poll it is better. This gives unfair advantage to national parties as against state parties and distorts the sentiment of voters that government be close to the people of area concerned.

New Delhi, Dated: 29/12/2016

Humanists from India who have visited USA

Some research facts and information

(From time to time many humanists from India have visited USA and played some role. It started with M N Roy in 1915 and continuing till now 2016. These humanists visited their families, relatives, friends and some of them contributed to thought through universities, magazines and lectures. A few of them did research on various topics. The list of visitors may not exceed 100 from various states of India. On each visitor a brief note is attempted and when material is available somewhat detailed matter will be placed for readers. Starting with Manabendranath Roy the list continues with Ellen Roy, Evelyn, Tayyab Shaik, Sib Narayan Ray, Samaren Roy, Vithal Mahadev Tarkunde, Govardhan G Parekh, Indumati Parekh, Premnath Bazaz, Gouri Malik Bazaz, Suyesh Malik, Balraj Puri, B. D. Sharma, Chandrakant Daru, Jayantibhai Patel, Nanavati Kiran, Ramesh Awasti, Sangeeta Mall, R M Pal, Laxman Shastri Joshi, Bandiste, Gogineni Babu, Innaiah Narisetti, G Veeranna, Siddarth Baksh, Vijayalakshmi, Sharif Gora, Ravipudi Venkatadri, Vasant B Karnik, Bipin Shroff, Prakash Narayan, Jashti Jawaharlal, Ravela Somaiah, Aruna, Polu Satyanarayana, Dr Santi Sri, Rakahl Datta, Gora, Lavanam, Vijayam, Suresh Parekh, Dhawal Mehta, Narendra Dhabolkar, Deepak Girma, Kumar Kelkar, Sharad Bedekar, Nanda Khare, Raosaheb Kesav, Dr Madhukar, Dadu Chandane, Arvind Gupa, Avula Sambasivarao, Mulukutla Venkata Sastri, Abburi Varadarajeswararao, C R Dalvi, Malladi Subbamma, Avula Gopalakrishna Murthy, V R Narla, Venigalla Komala, Deepak Girma, Justice R A Jahagirdar, M K Samant, Sharad Abhayankar, Thirbhai Poonawala, Dr Madhukar Deshpande, Shalini Oak, Amlan Datta, Alapati Ravindranath, JBH Wadia, CLN Gandhi, C Bhaskararao, Maitri, Patri Umesh, Premanand, Malathi. More details will come gradually along with pictures.)

Several Humanists have toured United States of America since days of first World War. It started with the adventurous steps of Manabendranath Roy (Narendranath Bhattacharya) in 1926 from Stanford University, San Francisco. At that time Roy was a militant nationalist trying to seek weapons from Germany to neck out the British from India. He met Dhan Gopal Mukherjee who was a poet and a friend of Jawaharlal Nehru, at Stanford University. He welcomed M N Roy and for the first time suggested to use Manabendranath instead of Narendranath. M N Roy came into vogue from then onwards. Dhangopal also introduced M N Roy to Evelyn Trent, a fresh graduate from the university. They liked each other which led to their marriage in the presence

of Lala Laj Pat Rai in New York. For a few months they stayed in New York, met several revolutionaries from India, faced wrath of police and finally M N Roy along with Evelyn escaped through train to Mexico. That was the first and last visit of M N Roy to USA.

After the death of M N Roy in Dehra Dun in 1955 his second wife Ellen visited USA, met her brother and corresponded with the first wife of M N Roy.

Another outstanding intellectual and follower of Radical Humanism Prof Sib Narayan Ray visited USA as a part of his world tour to collect information about M N Roy and his contributions. Sib Ray met professors, visited libraries, collected material and delivered

lectures in Stanford University. Sib Ray met the first wife of M N Roy and Professors like North who knew M N Roy. Later the collected material on Roy was brought out by Oxford press in four volumes.

Samaren Roy visited USA, contacted Bengali associations in USA and also collected rare material about M N Roy. Later he came out with writings like Restless Brahmin and Life History of M N Roy.

A B Shah from Bombay who founded Secular Society in India attended study camps of M N Roy in Dehra Dun and Kolkata and made a thorough study of 22 thesis of Radical Democracy. He wrote critical alternative for the thesis. A B Shah visited USA, gave talks and made self experiments about the use and abuse of LSD. It was done similar to Aldous Huxley (details in Doors of Perception). After taking the medicine his reactions and behaviour were recorded. All these scientific studies were conducted in USA. Then AB Shah worked in the editorial board of The Radical Humanist weekly. He also edited another intellectual magazine called The Humanist, a half yearly from Bombay on the model of Minerva of Edward Shils.

Mr Tayyab Shaikh, a close follower of M N Roy from Germany came to India in 1930s and published the first biography of M N Roy under the title: The Man Who Looked Ahead-M N Roy. The author's name was published as A K Hind (to avoid harassment from the British police). M N Roy and radical humanists requested him to represent Radical Democratic Party (RDP) in the founding conference of UNITED NATIONS held at San Francisco in 1945. Tayyab presented the view point of the Radical Democratic Party there that India needs not only independence but also a constituent assembly. From then onwards Tayyab Shaikh went into oblivion.

Evelyn Trent the first wife of M N Roy not only travelled along with M N Roy through Europe and Soviet Union but also founded the Communist Party of India in exile from Tashkent. She wrote several articles under the pen name: Shanti Devi. Many scholars from India and abroad approached her through Professor North for the role of Roy in Indian and foreign politics.

Mr AGK (Avula Gopalakrishna Murthy), a follower of M N Roy and radical humanism from Andhra was invited by state department of USA. Accordingly AGK visited America in 1963 and gave radio interview about humanism in Los Angeles during December 1963 (director Olinger recorded it). AGK met the brother of Allen Roy in New York and they remembered the events that led to the tragic end of Allen in Dehra Dun. AGK was invited by the editorial board of Washington post where he attended and briefed about journalistic trends in India. AGK addressed another meeting about journalism in India at Milwaukee library institute. AGK introduced the literature of children and secular writings of B V Narasimharao, Kondaveeti Venkata Kavi to school children in Ohio State.

V M Tarkunde (Vithal Mahadeo Tarkunde) visited during 1978 after the emergency in India and explained the situation to the world public and press in USA

Chandrakant Daru, the secretary of Indian Humanist Association visited USA and educated the public about emergency in India as imposed by Indira Gandhi. Daru an outstanding lawyer in India spread the thought of M N Roy and humanism. He died in USA with lung cancer.

Ms Indumati Parekh, the President of Indian Radical Humanist Association visited USA and conducted study conferences in Washington about women's education, decentralization, radical democracy and thought of M N Roy. I

participated in those seminars in Washington during her tour.

Mr Premnath Bazaz, a follower of M N Roy was one of the earliest visitors to USA who toured extensively and delivered lectures about the Kashmir situation. He was very popular among Kashmiris in USA. His book: The historical role of Bhagavad Gita and Studies in Secularism were quite popular in USA. I met him in India in the Radical Humanist conference at Hyderabad during 1972, introduced him to famous journalist humanist V R Narla (the author of The Truth about Bhagavad Gita).

Dr Gauri Malik, (daughter of Premnath Bazaz) was a frequent visitor to USA. She did great service in humanist organization. During her visit to USA I introduced her to the President of American Humanist Association Mr Edd Doerr. Gauri died in USA.

Jayantibhai Patel, the President of Indian Radical Humanist Association visited USA and spread the thought of humanism and M N Roy.

Mr B D Sharma, the President of Indian Renaissance Institututer, visited USA and in his own way introduced M. N. Roy's renaissance ideas to the public.

Tarkateerth Laxman Shastri Joshi from Wai in Maharashtra visited USA and addressed the Marathi literary conference in New York. His book Critique of Hinduism as translated by G D Parekh was quite popular in USA.

J B H Wadia the radical film producer visited USA and through him film world knew M N Roy and humanism. Wadia introduced Nadia into films and the stunt movies were immensely popular. Wadia published his memoirs with M N Roy. During his visit to Bombay Roy used to stay with J B H Wadia.

R.M. Pal who was quite close to M N Roy and was also with him during his last days in

Dehra Dun visited USA and Canada, delivered talks on human rights and civil liberties.

Justice R.A. Jahagirdar, President of Indian Radical Humanist Association visited USA and spread the secular thought of M N Roy.

Justice Avula Sambasivarao visited USA and spread the humanist thought in America.

Mr V R Narla, (Narla Venkateswararao) parliamentarian, visited several times and toured museums, libraries, met intellectuals where he discussed about humanism and Roy in USA

Mr M V Sastri from Andhra was the earliest legislator who invited M N Roy to Telugu people. He visited USA addressed meetings in Seattle, Chicago, New York addressed journalists, and students about M N Roy and Humanism. This happened during 1963.

Mr Alapati Ravindranath from Andhra visited USA and studied outstanding journals, collected a lot of material. He was pioneer of Telugu journal Jyothi from Tenali where he introduced M N Roy and Ellen Roy. Later he spread the thought through Misimi monthly.

Bipin Shroff from Ahmedabad visited USA where he met the evolutionary scientist Richard Dawkins and participated in humanist meetings, discussions. He introduced M N Roy's humanism in some study circles in USA.

Mr G R R Babu visited USA a few times as executive of International Humanist Union. Then he met Mr Edd Doerr, President of American Humanist Association and Mr Kenneth Marsalek, President of Washington Humanist Secular Society. He delivered a few speeches in Baltimore, Buffalo etc. Along with Mr Innaiah Narisetti he toured few places and met humanists in USA. Mr Gogineni Babu toured USA as founder of South Asian Humanist Society, addressed meetings, enthused a few software engineers and conducted study classes

for students.

Dr Innaiah Narisetti and his wife Komala Venigalla started visiting USA since 1992, met innumerable humanists and established contacts with humanists in India. He also founded the Center for Inquiry Indian Chapter. He addressed several meetings in Buffalo, New York, Rochester, Baltimore, Maryland, Tampa and Detroit. Along with Mr Lavanam and Umesh Patri he addressed humanist conference in Detroit, conducted talks in Center for Inquiry, Buffalo, Washington, New York. The American Theist Association recorded his interview conducted by the President Ms Johnson and Ron Barier. His books were published by Prometheus books in USA. 'M N Roy and Radical Humanism' compiled and edited by Innaiah was brought out by Prometheus books with the encouragement of Paul Kurtz. He

participated in the international conferences at Washington and Buffalo. He met and talked with Sam Harris, Christopher Hitchens, Paul Kurtz, Margaret Downey, Richard Dawkins, Ibn Warrack, Taslima Nasrin, Michael Shermer, Tom Flynn, Toni Pelt etc.

Narisetti Innaiah met Prof Robert North and his wife Dorothy in Stanford University. They revealed a few things about M N Roy whom they had met in Dehra Dun. Innaiah presented his research papers to Stanford University about Evelyn Trent, the first wife of M N Roy.

This is the first part of the role of humanists in USA.

More names have been collected and details are being worked out.

Innaiah Narisetti from USA

Human Rights Section:

Fire on the Mountain Even as State Repression increases, Indigenous People's voice to claim their rights resounds.

Stan Swamy

Historic Injustice: The Supreme Court of India in a landmark judgment (Criminal Appeal No: 11 of 2011) observes: "The injustice done to the tribal people of India is a shameful chapter in our country's history. The tribals were called 'rakshas' (demons), 'asuras', and what not. They were slaughtered in large numbers, and the survivors and their descendants were degraded, humiliated, and all kinds of atrocities inflicted on them for centuries. They were deprived of their lands, and pushed into forests and hills where they eke out a miserable existence of poverty, illiteracy, disease, etc. And now efforts are being made by some people to deprive them even of their forest and hill land where they are living, and the forest produce

on which they survive." [section 36].

Law vs People: Realizing this injustice, the British rulers introduced some legislations in view of protecting the tribal people and their rights over natural resources. *Chotanagpur Tenancy Act, 1908 (CNT)* and *Santal Pargana Tenancy Act, 1949 (SPT)*. These laws were meant to prevent land-alienation of the indigenous Adivasi community. However, over the years some loopholes were made especially in CNT Act through which indigenous land can be taken for public sector undertakings such as mines and industries. Under this guise thousands of acres of land has been forcibly taken using the outdated Land Acquisition Act of 1894 enacted by the British.

The compensation fixed by petty bureaucrats was meager without any rehabilitation of the displaced. A minimal estimate is about 24 lakh acres of land alienated and 19 lakh people displaced. Further push came in with Liberalisation Policy adopted from early 1990s paving way for private industrialists to invest in mining and industries.

MoUs on paper only: Even as the govt went on signing MoUs with prospective industrialists, people's resistance movements began to emerge. Consequently very few industrialists could set up their industries leading to an industrial deadlock and most of them had to go back empty handed. Big projects such as Neterhat Field Firing Range, Koel-Karo River-Water Project, Arcelor-Mittal project where people's resolve not to give their land are some of the success stories of people's resistance. It was in such a predicament that UPA govt enacted the 'Land Acquisition Act, 2013' by which better compensation and rehabilitation was offered. Some significant features are: (1) compensation amount enhanced to four times the market rate, (2) obtaining environment clearance for the industry/mine, (3) obligatory public hearings wherein the consent of 80% for private industries and 70% for public sector industries, (4) social audit by independent expert group to assess the economic, social, cultural impact on the communities because of the industry/mine functioning in their midst. Only on the satisfactory fulfillment of the above conditions, industries/mines would be given the go-ahead signal.

Mass protests overwhelm Ordinance of NDA govt to scrap the salient features of the 2013 Land Acquisition Act. This was a desperate attempt to salvage the assurances the govt had made to industrialists that they would face no problems in setting up industries. This arrogant action of the govt aroused the

intellectuals, farmers associations, working class, dalit and adivasi communities to take to the street at local, regional, national levels and denounce the duplicity of the NDA govt. This determined protest by the masses finally brought the govt on its knees and forced it to withdraw the much hated Ordinance.

Shifting the burden of dismantling the 2013 Land Acquisition Act to State Govts, the NDA govt asked the States to enact their own laws / ordinances / amendments so that the corporates can easily acquire land and start their industries and mines. Now that Jharkhand Govt is a BJP govt and has been faithfully carrying out the dictates of the national NDA govt worked out the sinister plan of passing an Ordinance which sought to tamper with the CNT & SPT Acts. This Ordinance was passed by the State Cabinet just a few days before the commencement of the State Assembly on 28th July 2016. It should rather have been placed in the Assembly, but the govt knew it would be difficult to get it through since the opposition would oppose it vehemently. Sad but true, the State Governor signed it and forwarded it to the President of India for his approval after which it would become a law. Happily, the President had the discretionary sense to forward it to the Central Govt and the National Commission for Scheduled Tribes and asked for their comments. While the central govt has been silent on the matter, the ST Commission responded saying it would be highly unconstitutional to pass such an ordinance. Nearly five months have passed and the President has not given his approval. This placed the NDA govt at the centre and the state govt in Jharkhand in an awkward situation where their plot against the indigenous people could not materialize.

Ordinance becomes Amendment!: Jharkhand Govt's proposed Amendments to CNT & SPT Acts are a scapegoat to hide its

real intent of duping the indigenous community that the above Acts are good and will be preserved but with a few amendments which will open a new path to development! But sufficient awakening is taking place among the affected people and they will no longer be fooled.

Where attendance register becomes 'consent' document!: Sensing the predicament of the govt, indigenous parties, organizations and movements demanded the Vth Schedule of the Constitution be observed in letter and spirit and that govt's proposed amendments should get the approval of Tribes Advisory Council (TAC) before presenting them on the floor of the Assembly. The govt wishing to give the impression that it abides by the constitutional requirements convened a formal meeting of the TAC in September 2016 but the anomaly was the Chief Minister who is not even a tribal made himself the chairman and conducted the meet. Laughable but true, the attendance register was taken as the consent document and the general public was informed through the ever obliging media that the resolution of the govt had been passed by the TAC!

A three-minute miracle! Opposition to the proposed Amendments to CNT & SPT Acts became voluminous on the part of indigenous mass movements and opposition political parties. Rallies, public meetings against the amendments became the order of the day. Opposition parties assured the people that they would not allow the bill to be passed in the State Assembly. Both the ruling party and the opposition parties were geared up for the battle and an obvious tension

prevailed all over the state. When the State Assembly gathered, the opposition parties members were up on their feet and demanded that the bill be discussed first before any attempt to pass it. An uproar prevailed and then lo and behold it was announced that the Bill has been passed by a voice vote! All this took place in a matter of three minutes!

It is NOT agricultural land for non-agricultural purpose... BUT snatching indigenous land for out-sider industrialists. What are the objectionable elements in the proposed amendments? (1) Article 49 allowed transfer of indigenous land only to industry and mining. The proposed amendment will open the door to creating infrastructure, rail lines, colleges, hospitals, transmission lines etc. etc. in fact for any and every thing. (2) Article 21 restricted the use of agricultural land only for agricultural purpose. In other words, agricultural land cannot be changed to non-agricultural business purposes. The proposed amendment will allow any and every non-agricultural use. It is important to keep in mind that whatever agricultural land is still in possession of the indigenous community, has been possible because of Article 21 of CNT and Article 13 of SPT Act. So if the amendment becomes a law, no land will be left with indigenous communities. Frightening reality indeed!

This plot of the capitalist ruling class against the Indigenous Peoples must be resisted at all costs. If we fail in this struggle, Indigenous Communities will be wiped out from the map of central India.

Human Rights Day, 2016

Lie - hunting is my profession. This is thankless job. But someone must tell the truth, if it is not to remain an empty concept. I have been lie-hunting ever since I learned to think for myself to distinguish facts from fictions. It has not won me popularity.

M.N. Roy

Humanists from India who have visited USA



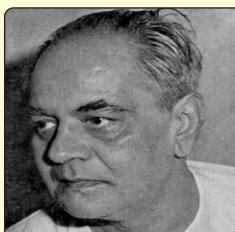
V. M. Tarkunde



M.N. Roy



Sibnarayan Ray



G.D. Parikh



Indumati Parekh



A.B. Shah



Tayyab Shaik



Chandrakant daru



R.M. Pal



Gauri Bazaz



B.D. Sharma



Narisetti Innaiah



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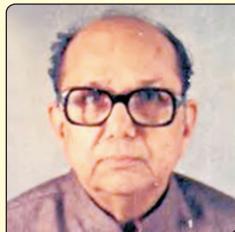
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