

# THE RADICAL HUMANIST



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# THE RADICAL HUMANIST

**Vol. 86      Number 3,      June 2022**

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*We are happy to inform that now the Indian Radical Humanist Association (IRHA) website has been re-activated at the following link, courtesy Rahul Jain, where books of M.N. Roy and other humanist literature can be read:*

<https://irhayouthforum.angelfire.com/>

Articles and Features :

## **The need for speaking up for hounded, detained and incarcerated journalists is greater in India today than anywhere else**

*Though the character and contents of the current neo-Emergency are different, there is a common thread between Emergency then and now- Governance by Force and Fear.*

**M.G. Devasahayam**



Forty-five years ago around midnight on June 25/26, 1975, the President of India issued this proclamation: “In exercise of the powers conferred by clause (1) of Article 352 of the Constitution, I, Fakhruddin Ali Ahmed, President of India, by this Proclamation declare that a grave emergency exists whereby the security of India is threatened by internal disturbances.”

I was then the District Magistrate of Chandigarh Union Territory with Jayaprakash Narayan (JP), the Enemy No.1 of the state as my prisoner. Hence, I had a fair insight of the happenings at high levels in Delhi.

This ‘National Emergency’ could be described as an instrument by Prime Minister Indira Gandhi to ‘govern a democratic polity

through despotic means' and in the process extinguishing freedom and liberty. With the presidential proclamation, Fundamental Rights under Article 14, Article 21 and several clauses of Article 22 of the Constitution stood suspended. In short, India lost its democracy. Maintenance of Internal Security Act and Rules were made harsh and courts were prohibited from reviewing them, leave alone giving any relief to the preventive detainees which numbered over 100,000!

Civil Rights stalwart Rajni Kothari succinctly described Indira's Emergency era thus: "It was a state off-limits, a government that hijacked the whole edifice of the state, a ruling party and leader who in effect treated the state as their personal estate. It was the imposition of a highly concentrated apparatus of power on a fundamentally federal society and the turning over of this centralised apparatus for personal survival and family aggrandisement. It was one big swoop overtaking the whole country spreading a psychosis of fear and terror..."

This was then. How about now? On the night of March 24, 2020, Prime Minister Narendra Modi made a proclamation which took effect from midnight: "In the last two days, several parts of the country have been put under lockdown. These efforts by state governments should be taken with utmost sincerity.... The nation is taking a very important decision today. From midnight tonight onwards, the entire country, please listen carefully, the entire country shall go under complete lockdown. In order to protect the country, and each of its citizens, from midnight tonight, a full ban is being imposed on people from stepping out of their homes. All the States in the country, all the Union Territories, each district, each municipality, each village, each locality is being put under lockdown. This is like a curfew...."

This proclamation was not under India's Constitution. As acknowledged by the Prime Minister, states had imposed lockdown

exercising power under Section 2 of the Epidemic Diseases Act, 1897. Disaster Management Act-2005 (DMA) which was invoked to impose 'complete lockdown' do not give any such specific powers to the central government. Section 6 (2) (i) only empowers it "to take such other measures for the prevention of disaster, or the mitigation, or preparedness..." This provision does not relate to pandemic disaster. When state governments had already imposed lockdowns under the relevant law, there was no need for central government to override them and super-impose a draconian nationwide lockdown that too with less than four hours' notice. As it is, this has turned out to be a neo-Emergency that also spread fear and terror.

What has this neo-Emergency actually resulted in? Without any due process or authority of law, it placed every citizen of the country under house arrest depriving him/her liberty and freedom as enshrined in the Constitution. It prevented them from exercising their constitutional right to 'livelihood' thereby exposing them to poverty, penury and destitution. It let loose the brutality of 'police raj' on every citizen treating him/her as 'criminal' or part of 'unlawful assembly'. By slapping sedition charges and indulging in arrest for even expressing mild opinion about the way governments are handling the pandemic, it spread terror among citizens and journalists. By treating individuals as beasts to be beaten-up and sprayed with chemicals, the State took away his/her dignity which is the most precious possession of a human being. The misery of millions of migrant workers and the resultant excruciating exodus, has put India to shame in the international arena!

Since it is neo-Emergency there must be crony-capitalism, and there is plenty even as the country is bleeding from deep multiple cuts. Privatising electricity; selling-off public sector; enacting harsh labour laws to facilitate

corporates; handing over protected forests to carpetbaggers and awarding huge contracts to the favourite few. An unaccounted PMCARES Fund through coerced contributions! And Delhi's Central Vista to build a palatial parliament building and prime minister's house!

This neo-Emergency and its enforcement have been condemned by genuine experts. Calling it 'insane' Vikram Patel of Harvard's School of Public Health said, "Lockdown when infection levels are low, but in such a manner that produces intensified infection among the forcibly disrupted millions of informal workers. Then, when the infection has been properly incubated and intensified, through some combination of incompetence and callousness, allow these millions to be disseminated into the hitherto relatively uninfected hinterland. In this way, the actual policy, as enacted on the ground, maximises both the economic catastrophe, and the ferocity of the epidemic .... Whence this brilliant policy, this hybrid of lock-down and herd immunity, which gives us the worst of both options—economic disaster, and a rampaging epidemic?"

Noam Chomsky, arguably the most celebrated thinker of our times, called it "genocidal" and said, "Indian Prime Minister Narendra Modi gave a four-hour warning before a total lockdown. That has affected over a billion people. Some of them have nowhere to go... People in the informal economy, which is a huge number of people, are just cast out. Go walk back to your village, which may be a thousand miles away. Die on the roadside. This is a huge catastrophe in the making, right on top of the strong efforts to impose the ultra-right Hindutva doctrines that are at the core of Modi's thinking and background."

Chomsky has said what has to be said. During Indira's Emergency period people moved in hushed silence, stunned and traumatised by the harrowing goings on. Bulk of civil services crawled when asked to bend. Higher judiciary

bowed to the dust and was willing to rule that under Emergency regime, citizens did not even have the 'right to life'. Politicians of all hue and colour, barring honourable exceptions, lay supine and prostrate. As for citizens, an arbitrary and arrogant state turned them into mere 'subjects.' Things are no different now, and under neo-Emergency, whatever left of the institutions of democratic governance are being totally annihilated. Governance by force and fear is the new norm. No wonder Noam Chomsky calls India an 'unliveable country!'

Like during Indira's Emergency, Union Council of Ministers is non-existent. States have been drained-out with hardly any role to play. Parliament has been totally subdued and had passed the Nazi-type Citizenship Amendment Act (CAA) without whimper. When the entire country rose in protest, a brutal 'police raj' was let loose even on women and children. Now, under the cover of lockdown, police all over, particularly in Delhi and Uttar Pradesh are busy hounding protesters with sedition charges and are busy registering FIRs and arresting youth and students on flimsiest of grounds. This, while protecting and shielding Hindutva elements who have either indulged in or instigated heinous crimes.

Even a mild-mannered public intellectual like Harsh Mander is not being spared! There are talks that he is being hauled up and may even be arrested for calling upon youth during anti-CAA protests to maintain peace and adhere to "Gandhian Ahimsa." Yes, in an atmosphere fouled by hatred, violence and intolerance, peace and Ahimsa (non-violence) are indeed crimes! Considering the fact that Harsh Mander had resigned from IAS in the wake of the 2002 Gujarat 'genocide' and was the first person to call it 'Nazi-type pogrom', we know where the anger against him comes from. But pray, should the Delhi Police descend to such despicable levels?

( To be Contd....on Page - 6)

**Modi government's lie regarding number of Covid-19 deaths nailed by WHO also:**

## **WHO: 47.4 lakh India Covid deaths, nearly 10 times official count**

*In its report on excess deaths due to Covid, WHO said that an estimated 1.5 crore people are likely to have succumbed to the direct or indirect impact of the disease globally during the first two years of the pandemic — instead of the 54 lakh that have been recorded officially by countries separately.*

**Anonna Dutt**

Covid could have killed as many as 47.4 lakh people in India in 2020 and 2021, either directly due to infection or through its indirect impact, the World Health Organisation said on Thursday. The figure, disputed by India, is nearly ten times the country's official Covid death toll of 4.81 lakh at the end of 2021.

In its report on excess deaths due to Covid, WHO said that an estimated 1.5 crore people are likely to have succumbed to the direct or indirect impact of the disease globally during the first two years of the pandemic — instead of the 54 lakh that have been recorded officially by countries separately.

The numbers come just two days after India released its annual data for registration of births

and deaths for the year 2020, recorded in its civil registration system (CRS), which showed about 4.75 lakh more deaths than in previous years, consistent with the trend of rising registrations being seen over the last few years. The CRS does not record cause-specific mortality.

The Government has repeatedly objected to the process and methodology adopted by the WHO to calculate the excess deaths, and had sent at least ten letters to the global organisation in this regard. On Thursday, the Government said in a statement, "WHO has released the excess mortality estimates without adequately addressing India's concerns."

Courtesy **The Indian Express**, 6 May, 2022. 🌈

### **The need for speaking up for...**

**Contd. from page - (5)**

It all leads to one thing. Though the character and contents of the current neo-Emergency are different, there is a common thread between Emergency then and now- Governance by Force and Fear. The only difference is that the method adopted then was 'Jhatka' and now it is 'Halal'. Effect on freedom and liberty is the same, probably more chilling now!

Emergency 1975 was eyeball-to-eyeball confrontation between Indira Gandhi and JP in which the former lost. After visiting and touring India during Emergency and meeting Indira Gandhi, Claire Sterling wrote a piece in *New York Times* titled "Ruler of 600 million—and alone." What she said was poignant, "Somebody once told me, as I was traveling around India, that the one thing worse than trying to govern the country by democratic persuasion would be trying to govern it by force. Yet that is how Mrs. Gandhi is trying to do now."

The 'Iron Lady' failed then. Why should it be any different now? As the wise one said: "Those who do not learn from the past have no future!"

*The writer is a former Army and IAS Officer. The views are personal.*

Courtesy Newsclick, 24 Jun 2020. 🌈



# Towards monolithic society, centralized state? 'Imposing' Hindi, Hindutva, Hindustan

**Bhabani Shankar Nayak**

The Hindutva euphoria in legitimizing authoritarian state power with the help of electoral democracy is another success story in the history of fascism. The liberal, constitutional and secular democracy is falling apart with the ascendancy of authoritarian waves led by Hindutva politics of hate.

The Brahminical social contract based on Hindu caste order, propaganda, populism, relentless indoctrination led religious polarization, and neoliberal capitalism are five pillars of Hindutva fascism. These five pillars are integral to each other in establishing full fledged Hindutva fascism and capitalism in India.

The evolving neoliberal Hindutva has managed to establish a new form of social contract, which has shifted citizenship to a secondary position to normalize systematic exploitation and subjugation of lower caste, working classes, gender and religious minority communities.

The Hindutva populist government led by the BJP is trying to create further centralized and powerful government in Delhi to facilitate crony capitalism. The authoritarian model of Hindutva governance promises good days to Indians but failed to deliver the basic health, education, food security and health to its citizens.

The Hindutva forces are reshaping and institutionalizing a new form of social contract, which is primarily based on caste based Brahminical social order. The Hindutva government is articulating and advancing an ideology of social contract based on othering of religious minorities and marginalized communities in India.

The divisive Hindutva social contract is representing bourgeois social contract that articulates and institutionalizes mediaeval ideas

of Brahminical social order based on caste and class apartheid. The ascendancy of Brahminical bourgeoisie, the Hindutva social contract, is evolving by diminishing secular constitutional democracy in India.

The Hindutva social contract is obscuring everyday marginalization and exploitation in the name of nationalism. The political co-optation of nationalism by the Hindutva regime helps to empower capitalists and marginalizes masses. The agenda is clear.

The Hindutva social contract instils fear and perpetuates economic crisis which destroys citizen's confidence in state and government. Such a process of depoliticization breaks the legal contract between Indian citizens and their state. It weakens all institutions of social welfare and governance.

The Hindutva social contract is naturalizing crisis and imposing its legitimacy to serve the global and national capitalist classes. Such an organised social, political, cultural and economic engineering create a social structure of conformity that is concomitant with the requirements for the expansion of capitalism and its market society.

Modi-led BJP government is creating policies, structures and processes to put the interests of crony capitalists above the interests of Indian masses. The economic policies pursued by the Hindutva forces reflect the nuances of its social contract that accommodates subordinate and superior caste structure on the basis of consumerism as its operational ideology. Under such a structure of Hindutva social contract, the state citizenship relationship is replaced by patron client relationship.

The hegemony of the Hindutva social contract is subservient to the requirements of the global

capitalism in India. The agenda is not hidden anymore. It is clear that the Hindutva fascists are restructuring Indian society, culture and politics to harmonise the primacy of corporates in the everyday lives of people.

In pursuit of neoliberal Hindutva social contract, the Modi led BJP government is subordinating India to imperialist economic structures of global capitalism. Hindutva social contract is corporate social contract.

**“The rise of Adanis and Ambanis is part of the neoliberal project and Hindutva social contract”**

The Hindutva forces are imposing Hindi, Hindutva and Hindustan to create a monolithic society under a centralized state that empowers caste and class elites at the cost of common Indians. The integration and centralization are twin pillars of neoliberal capitalism. It thrives under fascism. Hindutva provides perfect conditions to accelerate and accomplish such an objective. Hindutva is an ideology free zone where corporate profit determines its political future.

Hindutva nationalism is a myth that determines the national life in India based on the frameworks of corporate social contract. The essence of Hindutva social contract is to destroy Indian diversity and its federal polity. It does not believe in individual liberty and

citizenship rights.


The unbridled growth of Hindutva social contract based on integration and centralization runs without any risk because of the caste based Brahminical social order based on hierarchy. It naturalizes exploitation, inequality and repression.

It demolishes any conditions that challenges such an arrangement between Hindutva and neoliberal capitalism in India. The withering away of secular politics, Indian social, cultural and religious diversity and constitutional state helps in the wholesale privatization of state-owned resources, liberalization of economy and laws for the growth of monopoly corporations.

The rise of Adanis and Ambanis is part of this project called Hindutva social contract and its strategies. The systematic dismantling of existing constitutional institutions helps in the growth of illiberal Hindutva social contract and its exclusive dominance led by RSS, BJP and all its affiliates. These forces provide oxygen to a dysfunctional capitalist system.

In this way, Hindutva social contract is taking India and Indians in a ruinous path. The forward march of such an agenda needs to be halted at any cost for the unity and integrity of India and for the present and future survival of Indians.

*\*Glasgow University, UK*

Courtesy **Counterview**, April 15, 2022. 

## Articles/Reports for The Radical Humanist

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Please mail your articles/reports for publication in the RH to:- [theradicalhumanist@gmail.com](mailto:theradicalhumanist@gmail.com) or [mahipalsinghrh@gmail.com](mailto:mahipalsinghrh@gmail.com) or post them to:- **Mahi Pal Singh, Raghav Vihar Phase-3, Prem Nagar, Dehradun, 248007 (Uttarakhand)**

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

- Mahi Pal Singh, Editor, The Radical Humanist



# US panel again recommends India as ‘country of particular concern’

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*The designation is reserved for the worst violators of religious freedom; Pakistan, Saudi Arabia, Iran, North Korea and Russia are also designated as CPCs*

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Anita Joshua

For the third straight year, the United States Commission on International Religious Freedom has recommended to the state department that it designate India as a “country of particular concern”, where the government “engages in or tolerates ‘particularly severe’ violations of religious freedom”.

Both the Joe Biden and Donald Trump administrations had in 2021 and 2020, respectively, ignored the commission’s recommendation to designate India as a country of particular concern (CPC).

The commission is an independent, bipartisan US federal government agency created by the 1998 International Religious Freedom Act (IRFA).

India did not react immediately to the latest recommendation, made in the commission’s annual report for 2022, released on Monday.

The designation “CPC” is reserved for the worst violators of religious freedom. Currently, 10 countries including Pakistan, Saudi Arabia, Iran, North Korea and Russia are designated as CPCs.

Four other countries have received the CPC recommendation along with India: Afghanistan, Nigeria, Syria and Vietnam. The purpose of such a recommendation is to focus US policymakers’ attention on the worst violators of religious freedom globally.

For countries designated as CPCs, the IRFA provides the US secretary of state with a range of flexible and specific policy options (referred to as presidential actions) to address serious violations of religious freedom. These options, which can include sanctions, are not

automatically imposed.

The India chapter of the report says: “In 2021, religious freedom conditions in India significantly worsened. During the year, the Indian government escalated its promotion and enforcement of policies — including those promoting a Hindu-nationalist agenda — that negatively affect Muslims, Christians, Sikhs, Dalits, and other religious minorities.”

The report continues: “The government continued to systemise its ideological vision of a Hindu state at both the national and state levels through the use of both existing and new laws and structural changes hostile to the country’s religious minorities.”

It adds: “The Indian government repressed critical voices — especially religious minorities and those reporting on and advocating for them — through harassment, investigation, detention, and prosecution under laws such as the Unlawful Activities Prevention Act (UAPA) and the sedition law.”

It cites the examples of octogenarian Jesuit priest Stan Swamy who died in custody, the arrest of Kashmiri human rights activist Khurram Parvez, and the difficulties created for NGOs.

The commission has recommended targeted sanctions on individuals and entities responsible for severe violations of religious freedom by freezing their assets and/ or barring their entry into the United States.

It has also urged the US government to advance the human rights of all religious communities at multilateral forums including the Quad ministerial.

( To be Contd....on Page - 13)

# Elections 2019 Among ‘Least Free and Fair’ in Three Decades: Ex-Officials Write to EC

*In a 20-point letter, 64 retired civil servants stated: “there is no doubt that the mandate of 2019 has been thrown into serious doubt.”*

**The Wire Staff**

**New Delhi:** Over 60 retired civil servants have written to the Election Commission of India (ECI) to draw attention to ‘serious anomalies’ in the manner in which Lok Sabha elections 2019 were conducted, saying they were among the “least free and fair elections” in three decades. Held in seven phases from April 11 to May 19, the general elections saw the incumbent Bharatiya Janata Party returning to power with a greater majority.

The July 2 letter addressed to chief election commissioner Sunil Arora, and election commissioners Ashok Lavasa and Sushil Chandra, points that it is the duty of the ECI to be transparent and accountable to the Indian citizens. However, ‘repeated omissions and commissions’ of the poll body, the letter states, have created an impression “that our democratic process is being subverted and undermined by the very constitutional authority empowered to safeguard its sanctity.”

“So blatant have been the acts of omission and commission by the ECI that even former Elections Commissioners and CECs have been compelled, albeit reluctantly, to question the decisions of their successors in office.”

The signatories further note that the poll body moved away from past convention by delaying the announcement of the elections results, showing a “bias” towards “one particular party.”

ECI’s delay till March 10, the letter notes, created “reasonable doubt” that the poll body had done so “deliberately” in order to “enable Prime Minister Narendra Modi to complete the inauguration blitz of a slew of

projects (157 of them) that he had scheduled between February 8 and March 9.” The election body adjusting to the government’s schedule rather than the other way round also raises doubts about the ECI’s “independence and impartiality.”

Writing for *The Wire*, Sidharth Bhatia had raised similar concerns, saying that the voters’ faith in the ECI has deteriorated, which does not bode well for democracy.

The letter, which was also endorsed by 83 veterans, academics and activists, also took note of media reports on voter exclusion. *The Wire* reported in late February that nearly 55 lakh voters in Andhra Pradesh and Telangana were left out of the electoral process due to the linkage of electoral photo identity card and Aadhaar taken up by the ECI in 2015. Activists had said that 40 million Muslims and 30 million Dalits were not on electoral rolls. The signatories state that the charges may not have been true, but “it was incumbent upon the ECI to investigate them and respond promptly.”

“Many voters who had exercised their mandates in earlier elections found their names missing. The ECI’s failure to effectively answer these allegations further tarnished its reputation.”

The ECI’s ‘bias’ in dealing with the flouting of the model code of conduct (MCC) by candidates was much talked about during the election process. After first refusing to act on the repeated complaints against Modi violating the MCC by invoking the armed forces in his speeches during poll rallies, the Election Commission had ended up giving him a

clean-chit.

The BJP president as well had allegations of MCC violation levelled against him for saying that “illegal immigrants would be thrown into the Bay of Bengal,” however, as the letter notes, “Only when pulled up by the Supreme Court did the ECI suddenly discover its powers, even then exercising them selectively on the small fry and ignoring the more egregious cases of violation by the Prime Minister and the BJP Party President.”

In the 20-point letter, the signatories then go on to take note of the ‘glaring bias’ in the case of Mohammed Mohsin, a 1996-batch Karnataka cadre IAS officer, who the EC suspended in mid-April for checking Prime Minister’s Modi’s helicopter, saying it was not in accordance with the poll body’s guidelines.

“It was pointed out, even at that time, that similar checks had been carried out on the helicopters of the Odisha CM Mr. Naveen Patnaik and the then Petroleum Minister Mr. Dharmendra Pradhan, with no objections from the dignitaries concerned. However, the ECI could not and did not explain its double standards.”

The letter also takes note of NITI Aayog, the Central government think-tank, calling on bureaucrats to provide the PMO with information about destinations Modi was to visit on the campaign trail. The retired civil servants point out that while this was a “blatant violation of the MCC”, the commission “merely dismissed the complaint.”

Further, from repeated media violations of the ruling party and lack of transparency in electoral funding to dwindling confidence in EVMs, the letter notes that “Viewed in totality, there is no doubt that the mandate of 2019 has been thrown into serious doubt.”

“The concerns raised are too central to the well-being of our democracy for the ECI to leave unexplained. In the interests of ensuring that this never happens again, the ECI needs

to pro-actively issue public clarifications in respect of each of these reported irregularities and put in place Page 6 of 12 steps to prevent such incidents from occurring in future. This is essential to restore the people’s faith in our electoral process.”

§ § § § §

#### **Full list of signatories**

1. S.P. Ambrose IAS (Retd.) Former Additional Secretary, Ministry of Shipping & Transport, GoI
2. Mohinderpal Aulakh IPS (Retd.) Former Director General of Police (Jails), Govt. of Punjab
3. G. Balachandhran IAS (Retd.) Former Additional Chief Secretary, Govt. of West Bengal
4. Vappala Balachandran IPS (Retd.) Former Special Secretary, Cabinet Secretariat, GoI
5. Gopalan Balagopal IAS (Retd.) Former Special Secretary, Govt. of West Bengal
6. Chandrashekhar Balakrishnan IAS (Retd.) Former Secretary, Coal, GoI
7. Sharad Behar IAS (Retd.) Former Chief Secretary, Govt. of Madhya Pradesh
8. Madhu Bhaduri IFS (Retd.) Former Ambassador to Portugal
9. Pradip Bhattacharya IAS (Retd.) Former Additional Chief Secretary, Development & Planning and Administrative Training Institute, Govt. of West Bengal
10. Meeran C Borwankar IPS (Retd.) Former DGP, Bureau of Police Research and Development, GoI
11. Sundar Burra IAS (Retd.) Former Secretary, Govt. of Maharashtra
12. Kalyani Chaudhuri IAS (Retd.) Former Additional Chief Secretary, Govt. of West Bengal
13. Javid Chowdhury IAS (Retd.) Former

- Health Secretary, GoI
14. Surjit K. Das IAS (Retd.) Former Chief Secretary, Government of Uttarakhand
  15. P.R. Dasgupta IAS (Retd.) Former Chairman, Food Corporation of India, GoI
  16. Keshav Desiraju IAS (Retd) Former Health Secretary, GoI
  17. M.G. Devasahayam IAS (Retd.) Former Secretary, Govt. of Haryana
  18. K.P. Fabian IFS (Retd.) Former Ambassador to Italy
  19. Arif Ghauri IRS (Retd.) Former Governance Adviser, DFID, Govt. of the United Kingdom (on deputation)
  20. Gourisankar Ghosh IAS (Retd.) Former Mission Director, National Drinking Water Mission, GoI Page 7 of 12
  21. S.K. Guha IAS (Retd.) Former Joint Secretary, Department of Women & Child Development, GoI
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  23. Wajahat Habibullah IAS (Retd.) Former Secretary, GoI and Chief Information Commissioner
  24. Sajjad Hassan IAS (Retd.) Former Commissioner (Planning), Govt. of Manipur
  25. Jagdish Joshi IAS (Retd.) Former Additional Chief Secretary (Planning), Govt. of Maharashtra
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  32. Subodh Lal IPoS (Retd.) Former Deputy Director General, Ministry of Communications, GoI
  33. P.M.S. Malik IFS (Retd.) Former Ambassador to Myanmar & Special Secretary, MEA, GoI
  34. Harsh Mander IAS (Retd.) Govt. of Madhya Pradesh
  35. Lalit Mathur IAS (Retd.) Former Director General, National Institute of Rural Development, GoI
  36. Aditi Mehta IAS (Retd.) Former Additional Chief Secretary, Govt. of Rajasthan
  37. Sonalini Mirchandani IFS (Resigned) GoI
  38. Deb Mukharji IFS (Retd.) Former High Commissioner to Bangladesh and former Ambassador to Nepal
  39. Shiv Shankar Mukherjee IFS (Retd.) Former High Commissioner to the United Kingdom Page 8 of 12
  40. Sobha Nambisan IAS (Retd.) Former Principal Secretary (Planning), Govt. of Karnataka
  41. Amitabha Pande IAS (Retd.) Former Secretary, Inter-State Council, GoI
  42. Alok Perti IAS (Retd.) Former Secretary, Ministry of Coal, GoI
  43. T.R.Raghunandan IAS (Retd.) Former Joint Secretary, Ministry of Panchayati Raj, GoI
  44. N.K. Raghupathy IAS (Retd.) Former Chairman, Staff Selection Commission, GoI
  45. J.P. Rai IAS (Retd.) Former Director

- General, National Skills Development Agency, GoI
46. V.P. Raja IAS (Retd.) Former Chairman, Maharashtra Electricity Regulatory Commission
  47. C. Babu Rajeev IAS (Retd.) Former Secretary, GoI
  48. M.Y. Rao IAS (Retd.) Former Chairman and MD of Grid Corporation of Orissa
  49. Satwant Reddy IAS (Retd.) Former Secretary, Chemicals and Petrochemicals, GoI
  50. S.S.Rizvi IAS (Retd.) Former Joint Secretary, Ministry of Environment and Forests, GoI
  51. Aruna Roy IAS (Resigned)
  52. Deepak Sanan IAS (Retd.) Former Principal Adviser (AR) to Chief Minister, Govt. of Himachal Pradesh
  53. N.C. Saxena IAS (Retd.) Former Secretary, Planning Commission, GoI
  54. Abhijit Sengupta IAS (Retd.) Former Secretary, Ministry of Culture, GoI
  55. Aftab Seth IFS (Retd.) Former Ambassador to Japan
  56. Ashok Kumar Sharma IFS (Retd.) Former Ambassador to Finland and Estonia
  57. Navrekha Sharma IFS (Retd.) Former Ambassador to Indonesia
  58. Raju Sharma IAS (Retd.) Former Member, Board of Revenue, Govt. of Uttar Pradesh
  59. Rashmi Shukla Sharma IAS (Retd.) Former Additional Chief Secretary, Govt. of Madhya Pradesh
  60. K. Ashok Vardhan Shetty IAS (Retd.) Former Vice Chancellor, Indian Maritime University, GoI
  61. Jawhar Sircar IAS (Retd.) Former Secretary, Ministry of Culture, GoI, & former CEO, Prasar Bharati
  62. Parveen Talha IRS (Retd.) Former Member, Union Public Service Commission
  63. P.S.S. Thomas IAS (Retd.) Former Secretary-General, National Human Rights Commission
  64. Hindal Tyabji IAS (Retd.) Former Chief Secretary rank, Govt. of Jammu & Kashmir
- Courtesy **The Wire**, 4 July 2019. 🌈

### US panel again recommends...

Contd. from page - (9)

Further, it says the US Congress should raise religious freedom issues in the US-India bilateral relationship and highlight them through hearings, briefings, letters and congressional delegations.

Courtesy **The Telegraph Online**, Wednesday, 27 April 2022.

**Note:** This was before the display of “Bulldozer Brand” of Hindutva!  
- **M.G. Devasahayam** 🌈

### The Radical Humanist on Website

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

– **Mahi Pal Singh**

# Election Commission-BJP Nexus Is All too Clear – and Bengal Is the Latest Example

*Since the 2019 Lok Sabha polls, Nirvachan Sadan has acted more as an appendage of the ruling elite – perfectly in line with the classical populist authoritarian playbook.*

**P. Raman**

In their seminal work *How Democracies Die*, Harvard professors Steven Levitsky and Daniel Ziblatt put it succinctly: democracies die at the hands of elected leaders who subvert the very process that brought them to power. The elected authoritarians slowly, but steadily, weaken the critical institutions like the judiciary and press and the established political norms.

The authoritarians employ ingenious methods to get re-elected with a bigger majority. That will give them not only legitimacy but an aura of invincibility. Of over two dozen global studies on poll rigging, *How to Steal an Election in Broad Daylight* by Nic Cheeseman and Brian Klaas and *How Autocrats can Rig the Game and Damage Democracy* by Lucan Ahmad Way and Steven Levitsky stand out.

Levitsky narrates how the ruling parties pack judiciaries, electoral commissions and other independent bodies to ensure that the incumbent will win critical electoral, legal or other disputes. The professors mentioned rigging techniques like gerrymandering, rotten borrows and putting up namesakes to confuse the voters. None of this is new to Indians.

Amit Shah's operation in West Bengal could well offer much more valuable input for political scientists. The home minister's political aides, BJP's state *prabhari*, union ministers assigned to the constituencies, local BJP leaders, the CRPF, and most disturbingly the Election Commission and its observers worked in tandem for four months. Look at the turn of events:

- EC singled out West Bengal by announcing an eight-phase election

spread over five weeks. A furious Mamata Banerjee burst out: "Is Amit Shah running the Election Commission? He is giving instructions to EC. Now EC has removed my security officer on his (Shah's) instructions."

- EC ordered the removal of Virendra as the director-general of police and replace him with P. Nirajayan. The Commission also ordered the transfer of the sub-divisional police officer of Haldia and the circle inspector of Mahishadal in Purba Medinipur. A furious Mamata Banerjee hit out again: "Who is running the Election Commission? Amit Shah, are you running it?" EC said the cops were removed on recommendations of its special observers Ajay Nayak and Vivek Dube whose very credibility TMC had questioned.
- Sitting in her wheelchair, Mamata alleged Amit Shah was "instructing" Central forces. "This is shameful. The people will give them a befitting reply," she roared.
- In the midst of the polls, the enforcement directorate probing the Saradha ponzi scam attached assets worth Rs 3 crore of TMC spokesperson Kunal Ghosh, Satabdi Roy and Debjani Mukherjee. Roy claimed she had returned the money a year ago. The two TMC leaders asked why similar action was not taken against BJP leaders like Mithun



Chakraborty. Also, during polls, the CBI grilled Rujira Banerjee, Mamata's nephew's wife, in an alleged coal smuggling case.

- “BJP leaders sitting in hotels are distributing huge amounts of money. They are conducting horse-trading,” Mamata alleged and asked. “Where is the Election Commission? Where is their *naka* checking?” she asked. “The BJP is bringing goons from Bihar, UP to disrupt peace in Bengal.”
- At Nandigram, she alleged inaction by Election Commission. “We have lodged 63 complaints since morning. But no action has been taken. We will move the court. This is unacceptable,” she thundered.
- In a rare concession, the EC reduced its 48-hour campaign ban on Assam BJP leader Himanta Biswa Sarma to 24 hours after he expressed “regret”. Weekly newsmagazine *Outlook* quoted a critic having questioned the EC for different rules for DMK's A. Raja and Sarma. Raja too faced a similar ban by the ECI but despite rendering an apology, it was not relaxed.
- The chief election commissioner openly encouraged his special police observer Vivek Dubey who was brought from another state. He thought he could bludgeon the state administration into submission. About 1.30 lakh central armed forces were posted in West Bengal, obviously with the active assistance of Amit Shah. The latter combined his role as home minister as well as the BJP boss.
- We have not heard complaints of large-scale rigging, but from deciding the polling schedule to making and implementing COVID-19 guidelines,

the EC has gone out of the way to enable the ruling party at the Centre, says Yogendra Yadav, psephologist and activist.

- After the results came out, Mamata Banerjee alleged if the Election Commission had not ‘rigged’ the polls, BJP would have been reduced to less than 30 seats. She sought electoral reforms to protect the democratic fabric.

#### **Explicitly partisan**

Sunil Arora was brought in as chief election commissioner in December 2018, just four months before the Lok Sabha polls. Since then he was seen as an appendage of the ruling elite. It was alleged that he delayed the 2019 Lok Sabha poll rollout up to March 10, 2019 to give enough time for the Prime Minister to complete his inauguration spree. The Supreme Court had to intervene six times to warn Nirvachan Sadan against deviations from the principle of fair play.

In the course of two months in the run-up to the 2019 Lok Sabha polls, as many as 40 serious complaints were filed with the commission by the opposition leaders. Never in the past had the commission received as many as 40,000 complaints from the political parties and candidates. Decisions on some of the opposition complaints were kept pending for over a month.

On April 16, 2019, the Supreme Court threatened to drag the CEC to the court to explain his failure to impose restrictions on hate speech. Two weeks later, on April 29, 2019, the apex court ordered to hear the complaints of non-action by the commission in several specific complaints. That day, Nirvachan Sadan hurriedly called a full meeting of the commission to hear the complaints against Modi and Shah and ‘others like Rahul Gandhi’.

The chief election commissioner's reputation

as an impartial institution suffered because it showed unusual reluctance to take up complaints of the code violation by the Prime Minister. On April 1, 2019, Modi said at Wardha that Rahul Gandhi was contesting from a “safe” constituency “where the majority community is in minority”. The communal undertone was apparent. Yet it took four weeks for the EC to conclude that Modi’s was an “innocent” remark. At Latur on April 9, 2019, Modi made a direct appeal to the first-time voters asking them to dedicate their votes to the Air Force team that struck at Balakot and the martyrs of Pulwama. Nirvachan Sadan held that Modi did not directly appeal for votes in the name of armed forces.

As per rules, the campaign in West Bengal was to end at 5 pm on May 17, 2019. The EC issued the unprecedented order on May 16, 2019, afternoon following complaints from the local BJP leaders. What made it all the more strange was that the ban came into effect from 10 am. Why 10 am? As per chief minister Mamata Bannerjee, the revised timing was to facilitate a Modi rally in Bengal which was to end at 10 am that day.

However, Ashok Lavasa, one of the commissioners, did not support the CEC on many of his contentious decisions. Such decisions were taken by a split verdict of two-

to-one. This included the clean chit given to Prime Minister on his speeches on April 1, 6 and 9, 2019. For this, Lavasa had to suffer harassment by agencies like the enforcement directorate. Suddenly, his wife, son and sister came under investigation. Finally, in August, 2020, he resigned as election commissioner to join Asian Development Bank.

The *Outlook* weekly suggested that Sunil Arora may well get a gubernatorial post after retirement. Of late, such *quid pro quo* has happened in other cases, including that of chief justice of India. That is not the point.

Incumbents like Sunil Arora are offshoots of what the GroundTruth Project calls authoritarian’s playbook. *Democracy Undone: The Authoritarian Playbook* is a study chronicling techniques used by seven populist authoritarians, including Narendra Modi. Undermining institutions is top on the populist agenda. The other six are to rewrite history, target outsiders, exploit religion, weaponise fear, divide and conquer and erode truth.

**P. Raman** covered politics for national dailies since 1978 and is the author of *Strong Leader Populism: How Modi’s Hybrid Regime Model Reshaping Political Narrative, Ecosystem and Symbols*.

Courtesy **The Wire**, 10 May 2021. 🌈

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# Why Indians are falling for BJP's 'politics of negation' that shifts focus from governance failures

*On the surface, this appears to be a strategy to discredit political opponents.  
But it is serving the cause of re-wiring the country's people and social space.*

**Nitin Sinha**

Since the Assembly election results in five states last month, two debates have dominated political discourse in India. One, that mass leader and Prime Minister Narendra Modi has acquired more steel in his armour to become invincible. Two, the Congress is working hard to make itself irrelevant, and soon, extinct.

There are several finer points to both these debates. One interlinked topic that has been debated for a while is the question of who and where the formidable Opposition is: “*vipaksh kaun aur kahan hai?*” This question is particularly raised to juxtapose the dismal performance of the Congress and its inability to perform well in polls against the great election winning-machine that the Bharatiya Janata Party has become.

Seen from the mechanisms of elections and the necessity of winning them to remain a significant political force, the state of the Congress has become the primary explanation for the invincibility of the BJP. In these explanations, the fate and fortune of two parties are tied together, of course in a diametrically opposite direction.

The current political situation is often analysed through the comparison and connection between the Congress and the BJP. However, this article does not aim to nitpick with those involved in such debates.

Instead, in dissecting their modes of explanations, I am suggesting three things. First, as elections instigate a close analysis of political parties, we need to keep simultaneously investigating the nature of the nexus between people and political culture.

Second, in the current ecosystem of politics, elections and its infrastructure (mobilisation, rhetoric, media fabrication, amplification and others) are not merely acts of the political but the social as well. Third, negation has become the modus operandi of the ruling dispensation and its followers, which on the surface appears to be a strategy to discredit their political opponents but is serving the cause of re-wiring India's people and social space.

## **Congress 'loathing', Hindu rashtra**

One type that passionately offers up the Congress-BJP tug-of-war explanation is the die-hard supporters of the saffron party who are now enjoying the-dream-come-true moment of the organisation controlling state power. However, in their analyses of the political situation (which includes explaining the winnability of the BJP), they keep the Congress at the forefront.

This is a curious case of negation in which their genuine commitment towards the BJP is heavily refracted, to the extent disguised, by the constant loathing of the Congress. Loathing the opponent is a perfectly valid exercise in any electoral process but their inability to directly accept the fact that they support the BJP for its “positive agenda” is disappointing, to say the least. In a nutshell, the agenda can be summarised by the phrase “the making of the Hindu rashtra”.

Away from the electoral gains earned through the freebie-based welfarism, there should be no mistaking that the making of a Hindu rashtra is under way at full swing at all levels – by attempted legal changes and by

weaponising one minority community by subsuming it under the majoritarian impulse against another minority community through films.

The time when the final contours of the Hindu rashtra become sharply recognisable is still undecided but the matter of it robustly being a “work in progress” is clear. Still, right from the top of the BJP leadership down to its common supporters, the techniques of mobilisation and self-rationalisation of and by people are based on negation rather than openly embracing the nature of the change that is under way.

Why do they need a decimated Congress – soon perhaps to be completely obliterated from the political horizon of India if it does not find a way to reconnect with the people – and not talk about the “vikas”, the progress, that has been made in the last eight years?

Linking “parivaarvaad”, or dynasty politics, with democracy, as Narendra Modi has done, shows the obsession which the Congress occupies within the ruling dispensation. While the Congress’s party structure has been put under the national scanner – for all the right reasons – the media and citizens have little interest in knowing about the kind of authoritarianism developing within the BJP. Linking the fate of Indian democracy to the Congress’s mode of functioning is an extremely clever way to keep the focus away from matters of governance.

The tone and tactic of mobilisation for the 2020 Bihar assembly elections were similar as well. The ruling dispensation of the BJP and Janata Dal United raked up the ghost of “jungle raj”, which allegedly existed 15 years ago but did not talk of their own work during nearly the same length of time.

Similar rhetoric was deployed during the 2022 Uttar Pradesh Assembly elections. If voted to power, the Samajwadi Party, according to the BJP, would have brought

back the days of “goonda raj”. Mid-way into the campaign, “parivaarvaad” was also thrown in to discredit political opponents.

Evidently, the negation – talking about the opponent’s past and not their own present – is the core of the mobilisational technique of the BJP and its supporters, which shifts the onus of evaluation from the present to the past.

As a counter to this, the main Opposition parties in these two states, the Rashtriya Janata Dal and the Samajwadi Party, kept the discourse of their mobilisation fixed to people’s issues (“logon ka mudda”). This included unemployment, impoverishment, price rise and others. But people failed them and instead voted the BJP to power.

### **People, political culture**

Several learned commentators have said – even on March 10 when the results were declared – that raising questions of the people is unjustified. In making this argument, the blame, according to them, must be placed on political parties, and more so, on their communication skills. To an extent, going by the results in other states, most aptly in West Bengal, this argument would appear correct. However, at the general level, there appears to be a grave misunderstanding on this issue.

The motive behind putting people at the centre of an attempt to understand this new political culture is not to deride or mock them. It is also not from an intention to deflect the blame deserved and earned by the main Opposition party, the Congress, on to the people. It is to understand the mechanism in which people are no longer electoral subjects who exercise their vote every five years and feel neglected for the rest of the time. They have now become active, 24/7 participants and shapers of the new political culture.

If elections and their results are entry points to ponder over the nature of politics, then the electorate cannot be left out of any

analysis. Once again, what appears on the surface – from a once-in-five-years vote-wielding citizen relapsing into a neglected entity, to becoming a voluble participant in shaping political discourse – is a welcome change. But a deeper investigation into the nature of that voluble participation shows something else at work.

It is exactly at this point that analysis must move beyond the narrow focus on Congress-BJP and bring into the picture another axis, that of people-political culture. After all, the charismatic leader who has so far denied giving an open press conference revels in directly communicating his “*mann ki baat*”, his inner thoughts, with the people. Can people be left outside of this new formation, even if we just assign them the role of listeners (which anyway would be a wrong thing to do)?

This new political culture has been nurtured diligently by the ruling dispensation through various mechanisms: control over the media, making institutions pliable, criminalising dissent and activating the hydra-like tentacles of hate in which a command from the top is no longer required to naturalise religious conflict in neighbourhoods and mohallas.

This is all done in the name of *vikas*, nationalism and selfless service to the nation. The BJP’s biggest success is not winning elections but educating people how to gloss, deflect, and negate the real agenda – which otherwise is clear to the people – under the apparent benign terms of development and nationalism.

In this regard, people have become active shapers and consumers of this new political culture. They, therefore, should not escape the weight of analysis. They should not be treated merely as docile receivers of political campaigns and programmes. They cannot have it both ways: to act as passive agents of good or bad communication strategies of

political parties when suitable, and yet become the bearers of hatred-filled divisive politics that is on display in the physical as well as virtual worlds.

The question remains: if people are mobilised to the extent that hatred has become so normalised that it has now become invisible to many, why is negation still the preferred mode of mobilisation and rationalisation? Why are “*jungle raj*”, “*goonda raj*” and “*sattar saal ka raj*” (the 70-year reign) invoked time and again? Why is the pride in the making of a “*Hindu rashtra*” not directly accepted and celebrated by BJP supporters?

I doubt if this hesitation hints at the lingering effect of the erstwhile discursive and normative values enshrined in phrases such as secularism or inclusiveness. Seeing it as hesitation itself would be a mistake.

It is not hesitation but a strategic use of negation that works at both political and social levels simultaneously. Negation is a strategy – internalised by the people, perhaps even unknowingly by some – that appears to be designed for electoral purposes (to discredit the political opponents) but caters to the much bigger idea of re-wiring the mind at the social level.

It appears benign and perfectly valid that a political party would criticise its opponent within the parameters of electoral challenge. But through this discourse of negation – supported through the fake news industry and amplified by pliant media houses – what is attempted, and largely achieved, is discrediting those very normative values of the nation itself in which the erstwhile social fabric was located.

### **Mainstreaming of politicising conflict**

The electoral battles of India have exceeded the limits of just being political. By no means is it suggested that social conflicts of various kinds, including religious ones, did not occur earlier, as a result of political instigation and



people's participation. It is also easily discernible, if we look back at the politics of the late '80s through the '90s encapsulated in the phrase "*mandal vs kamandal*", the politics of social justice vs the politics of Hindutva, that the political and the social have had significant overlaps.

What it means to say is that the existing normative mechanism of dealing with such conflicts have been carefully made less and less credible. Any political leader hesitating to even visit the spot of the communal riots, as noticed during the 2020 North East Delhi riots, is a case in point.

All conflicts are political at one level, yet they can also be disparate, contextual, regional and episodic. In the new political culture, there is a mainstreaming of the politicisation of conflict itself. It is happening along with the politicisation of religious identity, which is nothing new but is distinct in its scope and meaning.

Religion as a technique of political mobilisation and religion as an ingredient of statecraft (for instance, using religious identity for legal purposes as was the case with the enactment of the controversial Citizenship Amendment Act) are two distinct things.

There is also a mainstreaming of redefining dissent in newer ways. A political dissenter has been converted into a national traitor (*gaddar*) worthy of being shot (*desh ke gaddaron ko goli maaro*). A social activist or a journalist exposing the functioning of any state institution is labelled an anti-national. A word against the government is liable to be equated with a word against the country.

This is the form of a decontextualised, emotionally-manufactured idea of loyalty to the nation, which basically means that citizens must be loyal to the current political dispensation. The nation has become synonymous with the ruling party and people

must cease to remain citizens of the nation-state and become the uncritical followers of that political party.

Second, the deflection from the present to the past in the evaluation of governance has created a decontextualised understanding of history. New pasts and new social realities are being conceived on a daily basis. The biggest tool of this decontextualised debating propensity of new India is "whataboutery", which flattens the past and the present at the altar of the convenience of (post) truth. What is at the core of this process of deflection is the decontextualisation of a historical past.

The social re-wiring for understanding the nature of conflict along religious faultlines and the intellectual gloss required for it by rewriting the historical past from the viewpoint of superiority of one religion or religious community over the other must go hand in hand in this project. The decontextualised understanding of the past, which at once breeds the feeling of superiority and victimhood at the expense of "foreigners", is indispensable for the current political power and its followers for controlling the present.

It is only through the combination of establishing a monopoly over the historical past and ruling the present by generating a mix of feelings encompassing both superiority and victimhood that a blurred constituency of history-myth, faith-fact, and religious-political has been created.

Third, and most importantly, through this process, what appears to be a political change/churning/turmoil has become deeply social. The fight between political parties – the tactics of discrediting – is not just political anymore. Because, in that fight, political culture and people are deeply enmeshed, so it is also deeply social and divisive.



Some hold the view that what the BJP is electorally receiving from the people is the pure “Hindu vote”. While there is some element of truth to this, it does not explain a more complex process at hand. Examples from other states, most importantly from West Bengal and Punjab, but also to a great extent from Bihar where the Rashtriya Janta Dal performed well, shows that the “Hindu vote” is not a monolithic entity, both in terms of being “Hindu” and being a “vote”.

Clearly, for every Hindu supposedly voting as a “Hindu” for the BJP, there is one who is not. Second, the vote is territorially divided: people in states are still voting out the BJP but it appears that in the political imagination of India, the Hindu identity comes forth as a consolidated identity. This political imagination, nonetheless, is equally social, manifesting itself in matters of policing of choices over food, dress, and romance.

### **Opposition parties**

I had earlier mentioned that there are two types of people who use the Congress-BJP tussle to think about the current situation. The second type does not need too many words. They are those who mock the Congress under the shade of being liberal – more as a sign of their suffering, frustration, and lament at the unchanging nature of the party in relation to the power which a dynasty holds over it. Some of them, not so ironically, also praise Modi for his great oratory and communication skills. Some of them, still further, see hope in the rising electoral success of the Aam Aadmi Party.

Thinking of the Congress, the necessity for change is perhaps way past its shelf life. Still, electoral accountability requires change, and so should it happen. But there remains a doubt if changing the head of a weakened political party is going to change the fast-shifting terrain of a new political culture

nurtured by the ruling dispensation, media, and a sizeable chunk of people.

As it appears currently, the electoral success of the Aam Aadmi Party (or even the Trinamool Congress) would fail to change the new political culture. Borrowing a leaf from the playbook of the BJP will not necessarily change the content and texture of that leaf.

### **Conversing with the people**

When politics has decisively and divisively entered the private spaces of our everyday life, an equally important and sustained measure – apart from political parties gearing themselves to take on the giant election winning machinery – that should be adopted is to keep conversing with the people.

Not raising questions of the people might unwittingly mean shielding them from any accountability. This accountability is less about the strict political choice they make in choosing one political party over another but more about what kind of new social relationships they imagine forging with different communities and groups in the society.

Political choices based on religious majoritarianism, punitive hypernationalism, and the institutional and moral policing of dissent have shaken social faith in the values and practices of togetherness (and equally importantly, weakened the ways in which conflicts were resolved). The current politics of India is hardly political in its scope and ambition, in its effect and reach. As politics has become emotive, the social appears to be perilously mangled. It is the future of the social that requires raising uncomfortable questions of the people.

*Nitin Sinha is a Senior Research Fellow at the Leibniz-Zentrum Moderner Orient in Berlin.*

Ccourtesy **Scroll.in**, April 15, 2022. 

# The message in the bulldozers at Jahangirpuri

Amrith Lal

## Jahangirpuri violence: 'Utter failure' on part of Delhi police, says court

A Delhi Court has observed that there was “utter failure” on the part of Delhi Police in stopping the unauthorised Hanuman Jayanti procession in Jahangirpuri last month that triggered communal clashes there. The court made the observation while rejecting a clutch of bail pleas, and said that the issue seems to have been simply brushed aside by senior officers, and complicity, if any, of the cops needs to be investigated.

Courtesy **The Times of India**, 10.5.2022.

*“The bulldozer is at the door, due process is underfoot, and the Supreme Court cannot unsee the danger. The sequence of events speaks for itself: **At Jahangirpuri in northwest Delhi** Wednesday morning, seven bulldozers rolled in, accompanied by over 1,000 policemen, to demolish “illegal encroachments” in an area still tense because of the flaring of **communal violence on the occasion of Hanuman Jayanti** on Saturday - and they continued on their mission to raze for well over an hour after the Supreme Court ordered them to pause. Evidently, the BJP-led North Delhi Municipal Corporation follows the BJP’s agenda ardently, even when the Court directs it to hold its hand, even when it goes against the law. At Jahangirpuri, the fig leaf-of illegal constructions - is so thin it does not even require a puff of Delhi’s acrid air to be blown away. After all, in dense urban sprawls across India, encroachment of public spaces is so widespread that it is not remarkable anymore - what is striking is the selective action taken in its name by the state. In Jahangirpuri, as in Khargone in Madhya Pradesh only days earlier, the timing was a dead giveaway. ‘Illegal encroachment’ has become the pretext for a BJP administration to target ‘rioters’ after the eruption of communal violence, who belong overwhelmingly to one community.”*

The above extract is from the editorial (**‘The Encroachment’**, April 21) this newspaper published the day after the North Delhi Municipal Corporation despatched bulldozers to Jahangirpuri to demolish what it deemed to be illegal structures and encroachment. The editorial offers no

defence of illegalities, encroachments or rioters. On the contrary, it is a plea for the rule of law. At the heart of rule of law, a cornerstone of constitutional democracy, is due process. In Jahangirpuri, the state ignored due process. The bulldozers were in action, even after the Supreme Court ordered that

the demolitions be stopped, as part of a political agenda that reeked of retribution and communal hatred. The episode was eerily similar to the Turkman Gate demolitions during the Emergency though the scale of violence was far greater: The then Supreme Court was a mute spectator to the dismantling of civil rights, and there was no Brinda Karat to stand in front of the JCB as Indira Gandhi had locked up the entire Opposition.

The editorial warns that “any attack on due process... goes to the fundamental promise that lies at the heart of a constitutional democracy - to protect lives and safeguard rights”. “Due process”, the editorial argues, “is not just what is written into the rule-book. It is inscribed in the everyday relations between institutions and citizens and government. It is what keeps them honest, and respectful of each other’s freedoms and spaces.”


The Jahangirpuri demolitions were a continuation of the aggressive mobilisations that marked Ram Navami and Hanuman Jayanti earlier in the month. If Hindu right-wing groups were behind the mobilisations that triggered the violence on these festival days, the bulldozers signalled the intent of a partisan administration to punish who it considered to be the perpetrators of violence.

That, Ashutosh Varshney argues, is a departure from the pattern visible in past riots (**‘The difference this time’**, April 23). He writes that though religious processions have a history of triggering riots, rarely have Ram Navami and Hanuman Jayanti been occasions that furthered the communal divide. But what he considers “infinitely more dangerous” is the state’s response to these riots. Varshney writes: “In the past, processions might have caused riots, but the state rarely gave up the principle of neutrality in dealing with them.” He further states: “Conceptually speaking,

when a state either explicitly favours a community or looks away when a particular community is hounded, intimidated and attacked, it is no longer a riot, but a pogrom. Unleashing bulldozers on any given community without proper process is not simply illegal, it also qualifies as the beginning of a pogrom if the community is ethnically, religiously or racially defined.”

Pratap Bhanu Mehta (**‘With eyes wide open’**, April 21) writes that “it is a measure of our perversion as a society that Ram and Hanuman are now tropes to prepare the ideological groundwork for pogroms”. He argues that majoritarian communalism in India has changed its character. It is neither instrumental in nature nor episodic or local. Mehta writes that “the orgies of hate and prejudice are not aberrations. They are now the norm. They are the norm because the highest levels of political authority, including the prime minister, by silences or dog whistles, condone it. They are the norm because elites openly spout it, without shame. They are the norm because being communal in some ways has become almost a necessary condition of political advancement and is fast becoming the default common sense of civil society”. Mehta concludes his essay on a chilling note: “Almost all the preconditions for widespread pogrom-type violence are now in place in India. You almost dread the thought that India has reached a point where the question is not ‘if’ but ‘when’.”

Shahrukh Alam’s article (**‘Difference as affront’**, April 22) reflects on the dangers that underlie the attempts to misrepresent diversity as a threat to unity and as emotional secessionism and the insistence to conform with a homogenous idea of culture.

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# Petrol Price Hike and Modi Govt's Hypocrisy

**Prabhat Patnaik**

Petrol and diesel prices in the country have been hiked 12 times, with more such daily hikes in the offing. On each occasion, the hike had been by at least 80 paise per litre, so the price per litre of petrol in Delhi is now over Rs 100 a litre and diesel around Rs 93 a litre.

The explanation for these hikes is that the prices for the companies had remained frozen for some time (because of the elections in several states) even as international oil prices were rising, with the companies absorbing the rise. Now that they have been allowed to raise their prices, they are catching up, and the burden has to be borne by the consumer, since the government cannot afford to lose any revenue by reducing taxes per litre.

The last time that petro-product prices had been hiked by the oil companies was on November 4 last year. For 137 days after that, it is argued, there had been no price-increase for the companies. During this period, however, there had been a rise in crude oil price in the international market from \$82 per barrel to \$117 per barrel, which meant a loss of revenue for the public sector oil companies alone of \$2.25 billion, or Rs 19,000 crore. (Though the prices have declined a bit after this article was written).

Oil companies now have to adjust their prices upward to prevent such revenue losses. In fact, if world oil prices stabilise at \$100, then the increase in retail price of petrol will have to be Rs 9-12 per litre for a full "pass-through", whence it follows that if the governments, both at the Centre and the state level, are not to suffer any revenue loss, then petrol prices will have to increase even further, by another Rs 7 per litre or thereabouts in Delhi if the world crude-oil price stabilises at \$100 a barrel.

This argument, however, misses the main point. As the companies raise their prices, it causes not just retail price inflation in petro-products, but a general inflation in the economy because of its cost-push effects. This also raises the expenditure of the government in money terms in order to achieve the same real spending targets, for which the government has to raise its revenue as well. This means that the government, too, has to raise the nominal taxes on petro-products to garner larger revenue to meet the same real spending targets.

The act of increasing petro-product prices, in short, does not remain confined to the oil companies alone. It has a multiplier effect: it is necessarily followed, down the line, by all those entities that claim a share of the retail price of petro-products. The rise in inflation then is much larger.

Prices can at all reach a plateau in such a situation only if some people's money incomes do not rise to compensate them for the price-rise, that is, if there are some who are only "price-takers" and not "price-makers". These can only be the working people.

In other words, the fiscal strategy of raising resources for the government through taxing petro-products, necessarily presumes that the working people will be hurt by it. If they are not hurt, and their money incomes rise alongside inflation, then there will be no end to inflation. Hurting the working people, therefore, is the *raison d'être* of this entire strategy. To adopt such a fiscal strategy and at the same time to shed tears for the working people, is the height of hypocrisy.

The point to note here is that there is no automaticity about the rise in the retail prices

of petro-products just because world crude oil prices have risen; one is not the inevitable consequence of the other. The rise in retail prices of petro-products is a fiscal strategy; these retail prices have to rise if there is a rise in world crude prices only because of this fiscal strategy, and only if the fiscal strategy remains unchanged.

To talk about the inevitability of the rise in the retail prices of petro-products is to take this fiscal strategy itself as inevitable, and, therefore, to conceal from the people the fact that it is a chosen strategy, a deliberate act of choice. In fact, at present, the taxes imposed by the Central and state governments account for more than half of the retail price of petrol.

The case of the state governments is understandable: they have very few sources of revenue which they can tap at their discretion. After the introduction of GST (goods and services tax), the area of discretion has shrunk quite sharply, and petro-products happen to be one of the three commodities where the rates are not fixed by the GST Council but can be fixed at the state government's discretion. State governments' taxing petro-products, therefore is quite understandable; they have little choice in the matter, since they have no ability to impose direct taxes.

But the Central government has ample scope for raising resources through other means, which it is deliberately not using. Its resort to taxing petro-products instead of imposing direct taxes on the rich is, therefore, a choice made on its part. It is a class bias; there is nothing inevitable about it.

It may be thought that petro-products are used mainly by the rich, so that taxing them does not impinge seriously on the poor; but this is wrong for at least three reasons. First, among petro-products there are many that are directly used by the working people, an obvious example being cooking gas. Second, a rise in

petro-product prices raises transport costs, because of which all commodity prices rise, including even basic commodities like foodgrains that enter so strongly into the consumption basket of the poor.

Third, even if petro-products entered neither directly nor indirectly into the production or transport of the goods used by the working people, and entered only into the production of goods needed by the capitalists, for the latter to maintain their real command over these goods they would raise their profit mark-up and hence the prices even of goods consumed by the working people. Hence an increase in petro-product prices hurts the poor, not so much the rich, who can take steps to protect themselves against inflation, and do take these steps.

It is perfectly possible to keep petro-product prices unchanged (and even lower them) despite the rise in crude oil prices in the world market, by moving to an alternative fiscal strategy that relies on direct taxes on the rich for raising revenue; prominent among such taxes are wealth and inheritance taxes. But, it may be asked, what about reducing the domestic consumption of petro-products that becomes especially necessary when crude prices rise in dollars; how can that be achieved without a rise in prices?

Those who are not "price-takers" but "price-makers" can manage to keep their real absorption of petro-products intact; the only group whose absorption of such products may shrink, as we have seen, is the group of "price-takers", namely the working people. Even in their case the effort generally would be to economise on the consumption of other goods to maintain the absorption of petro-products, so that a recession is generated in the economy causing even larger unemployment; and indeed it is this which becomes the means of effecting a cut in absorption.

( To be Contd....on Page - 39 )

# Silence of the Powerful

## *Why the Corporate Czars are Silent over increasing attacks on Social Fabric and rising Communalism*

Subhash Gatade

Celebrity actors and players share an interesting commonality in this part of South Asia.

Their moral compass normally veers towards the 'righteousness' of the rich, powerful and the influential.

Lynching of innocent people on the streets for their faith, social and governmental hounding of lovers belonging to different communities, call for genocide of religious minorities from public forums and similar hate filled acts, nothing normally impinges on their conscience.

Corporate elites are qualitatively no different.

Occasionally, there are feeble voices of disagreements also.

What Kiran Mazumdar Shaw – founder of India's largest biopharmaceutical company Biocon – did was exactly this only. She expressed her indignation about growing religious divide in the country and underlined how it would be detrimental to India's global leadership in ITBT (Info

rmation Technology and Bio Technology)

Definitely her statement which was couched in 'economic terms' was very mild, but it did not stop attacks by right-wing trolls.

The immediate trigger for her decision to speak out might have been the denial of permission to non-Hindu traders to carry on business around temples but the issue was simmering since quite some time.

There were many voices of support as well but none from the community of corporates expressed solidarity with her.

### **Speak No Evil, See No Evil**

This silence by the powerful has nothing exceptional about it.

Would it be apt to say that their dictum for these times has become 'Speak No Evil, See No Evil and Hear No Evil'?

Perhaps Rahul Bajaj's last public appearance can be seen as a classic example wherein he had asked few tough questions to Amit Shah about mass lynching, glorification of Gandhi's assassins or the atmosphere of fear in the industry, which was followed by complete silence from Indian Corporate world's Who's Who – who had gathered there – as if what the late Bajaj was talking was tale from another planet. (<https://thewire.in/government/rahul-bajaj-amit-shah-dissent-pragya-thakur>)

Forget larger constitutional issues or social problems, this docility/passivity of these corporate leaders extends to their own personal matters as well.

It was only last year that a magazine close to the ruling establishment made wild allegations against a blue chip company like Infosys and called it 'anti national' or accused it of helping 'naxals, tukde tukde gang' etc. The mere fact that the Income Tax portal, which the leading blue chip company was managing for the government, faced technical problems for few months, was reason enough for the RSS affiliate to unleash an attack on Infosys.. (<https://indianexpress.com/article/india/infosys-with-anti-national-forces-ally-of-tukde-tukde-gang-rss-linked-journal-7489281/>)

Around same time Tatas and many leading business houses (<https://www.livemint.com/news/india/piyush-goyal-faces-heat-for-criticism-of-businesses-including-tata-11628934780425.html>) were branded as not doing enough for national interests, in a public meeting addressed by Piyush Goyal, a close confidant of Modi-Shah.

What happened later was an eye-opener, despite the fact that the charges were baseless and unfounded (-do-) it did not even provoke both



the Companies to counter this malafide campaign or send a letter of disapproval to the concerned persons.

With no complaint from the ‘aggrieved party’ the matter just ended at that. .

### **‘Hum Do, Hamare Do’**

One plausible explanation could be that the silence of these corporate elites is grounded in the carrot and stick policy of the ruling dispensation.

Providing special favours to groups ready to fall in line or unleashing the might of various investigation agencies – right from Income Tax, ED to the CBI – against the recalcitrant groups is a known secret at least with this regime.

Perhaps it would be worthwhile to recall how the GMR group – which was once number one in the airport operator group – which managed the highly profitable Mumbai airport as well and was reluctant to hand it over to the Adanis, was persuaded to do so.

One knows every big corporate group has skeletons in its cupboard and a vindictive government knows very well how to discipline such groups.

It was an apt description by Rahul Gandhi, ex-President of the Congress who openly said in parliament how the Modi-Shah dispensation is a ‘Hum Do – Hamare Do’ govt ; alluding to the big two Corporate houses in the country who have made it really big in recent years..

The metamorphosis of the Adani group from a non-descript entity in early years of 2000 to a global player is lesson worth studying.

How Adani progressed in around two decades is a separate story.

It was only last week that news came in that State Bank of India has underwritten the entire debt requirement of 12,770 crore for the Navi Mumbai International Airport project which is a Adani airport now. (<https://www.thehindu.com/business/Industry/sbi-underwrites-the-entire-debt-of-12770-crore-of-adanis-navi-mumbai-airport/article65271859.ece>)

Unpacking the ‘Corporat-Hindutva Alliance’ what Professor Prabhat Patnaik tell is worth emphasising According to him.”’.*[I]n a period in which neo-liberal capitalism has lost its steam, the corporate-financial oligarchy wants an ideological prop different from the one it had used earlier, namely the promise of a high GDP growth and its potentially beneficial effect for all. This no longer suffices when growth slackens. Orienting state policy in favour of this oligarchy and yet preventing any revolt from below requires a discourse shift, which Hindutva provides. This is the basis of the formation of the corporate-Hindutva alliance which currently rules the country.*’ (<https://www.thehindu.com/opinion/lead/decoding-the-corporate-hindutva-alliance/article29577507.ece>)

### **Biggest versus Strongest Democracy**

Silence or docility of the Corporate elites in the biggest democracy in the world can easily be contrasted with that belonging to the strongest Democracy in the world namely USA.

We can recall how the Corporates there resisted Trump’s ‘White Supremacist’ policies in their own ways. An example from the early years of Trump Presidency would suffice.

Flush with victory and rearing to fulfil his agenda of immigration ban on select Muslim majority countries, Trump suddenly announced this ban which created havoc with thousands of people stranded at different airports.

Not to be silenced the Corporate groups there – and their number was not insignificant – challenged this ‘unjust order’.

Right from Airbnb which offered free housing to people affected by the ban ([https://www.airbnb.com/weaccept?af=14383374&c=tw\\_us\\_gen\\_brand](https://www.airbnb.com/weaccept?af=14383374&c=tw_us_gen_brand)) to google which created a crisis fund to support imm immigrant-rights organizations (<https://www.upworthy.com/15-companies-that-took-bold-stands-against-trumps-immigration-ban>), a section of the Corporates preferred to be heard – knowing very well the

price it involved.

What happened to Boeing was before them which had to face fall in share prices because of a stand in favour of trade agreements (December 2016) – which was contrary to what Trump envisaged. (-do-)

Can the difference be explained on the basis of the hollowing out of institutions here – which were already not very strong – and the way the ruling dispensation has ruthlessly used them to browbeat political opponents or cover up all its acts of omission and commission?

One also needs to look at the difference of trajectories of similar entities.

As opposed to advanced societies where *[f]reemarket thinking and liberalism have gone hand in hand, economic interests are interlocked with interest in the maintenance of cultural hierarchies and the Hindu supremacies that the lynchings claim to defend.* ‘

(<https://theprint.in/pageturner/excerpt/unlike-american-ceos-india-inc-under-bjp-is-becoming-timid-regressive/101992/>)

It is rather a sad commentary on the state of affairs here that the Judiciary which offered a ray of hope to the deprived and the persecuted has also not found itself up to the mark. The manner in which the electoral bond issue is lying before it unaddressed since few years, the way it has allowed overnight dissolution of a state and its being turned into union territories etc could be said to be few of the pointers to the state of affairs.

Remember despite its own limitations the American judiciary did give many a sleepless nights to the machinations of Trump who wanted to tinker with it.

### **Faustian Bargain?**

The fascination of the Corporate elites towards Modi extends much behind the NDA days.

Perhaps it need to be reminded that in the early years of the second decade, when Modi was CM of Gujarat and UPA was still leading a successful

government at the centre, many leading Corporate bosses had readily joined these summits and even wished/ rather proclaimed that Modi will become a PM of India.

Modi's complete embrace of the Neoliberal model, his open invitation to industrialists to come to Gujarat and a promise to be sensitive towards their concerns, the industrial peace which had been achieved under his regime ( thanks to the repression and coercion of trade union activities) and the rise of a highly polarised society as a culmination of 2002 riots under his watch, as opposed to UPA governments slow rediscovery and retracing of welfare era policies, or its reluctance to giving free play to market forces, including its enactment of the Land bill, which made it difficult for the Corporates to get land, all had enhanced Modi's popularity among the Corporates.

Perhaps the last clinching thing was the benefits of a polarised society available to the industrialists.


Strategists of capital can envisage very well that possibility of massive protests on issues of hunger, basic survival etc – as a consequence of these Neoliberal policies is always a live thing. People cannot always be fed merely on slogans of a 'New India'

And any such united struggle by the people can play havoc with the future of the profit making machine inherited, furthered by the Corporate honchoos.

Neighbouring Sri Lanka – once considered a model of Neoliberal path – is facing upheaval of sorts from its own people.

Whether one wants to admit it or not this is a faustian bargain of a different kind where Corporates have been given free rein to make money and Hindutva Supremacists forces / formation are busy spreading their 'cultural writ' far and wide.

**Subhash Gatade** is a social activist.

Courtesy **Countercurrents.org**, 13 April 2022. 

# Who wants better Judiciary?

S.N. Shukla

It is widely acknowledged that a major reason for the **sharp deterioration in the calibre and performance** of the higher Subordinate Judiciary, and consequently, of the one third High Court Judges elevated from it, has been the absence of a service like IAS to tap the most brilliant legal talent at young age and groom them by proper professional training and inculcate in them the values of integrity (both financial and intellectual), impartiality and imparting justice without fear or favour. Notably, in pre- independence India both District Magistrates and District Judges used to be from the India Civil Service (ICS) and the latter were elevated as High Court Judge and even Supreme Court judge. However, unlike ICS, in the absence of All India Judicial Service (AIJS) law graduates generally prefer IAS and other Central Services and Provincial Civil Service (PCS) Executive and PCS (Judicial) is usually their last choice which, evidently, *tells heavily on its quality*.

2. Still, till now formation of AIJS has been only under discussion and debate at various fora **for more than 60 years** despite recommendations made from time to time by various bodies. In **1958** the first Law Commission recommended creation of Indian Judicial Service in the “*interest of efficiency of subordinate judiciary*”. The conferences of Chief Justices of High Courts in 1961, 1963 and 1965 favoured **early steps** for setting up the service. However, it took another 10 years to amend Article 312 of the Constitution to specifically provide for an All India Judicial Service. To beat it all, even the said amendment has remained unimplemented for the last **44 years** despite-

- (i) Detailed recommendations of the Law Commission in its 77th Report (1978) and 116th Report (1986).

- (ii) The well considered categorical recommendation of the Apex Court in the Judgment dated 13.11.1991 in Writ Petition (C) No. 1022 of 1989 **reiterated** in the judgment dated 24.8.1993 (AIR 1993 SC 2493) **while rejecting the plea for its review**.
- (iii) Recommendation of the First National Judicial Pay Commission.
- (iv) In principle agreement in the Conference of Chief Ministers and Chief Justices in **2009**.
- (v) Support by Foundation for Democratic Reforms for creation of AIJS on the lines of IAS and IPS.
- (vi) Recommendation of the Department related Parliamentary Standing Committee in **2012** and deliberations in the Conference of CMs & CJs in 2015.

3 Accordingly, when there was no response to the representation to the Union Law Minister, our organization Lok Prahari filed a PIL writ petition (C) No. 1068/2017 in the Supreme Court. It was submitted that the objections of some State governments were evidently not valid and tenable for the reasons detailed in the WP. Likewise, the objections of some High Courts on the ground of erosion of their control contemplated under Art. 235 overlooks that by the 42nd Constitutional amendment the administration of justice was shifted from the exclusive state control to the concurrent area and the following words were deleted from entry 3, List II and added at (11A) in the List III- “Administration of justice: Constitution and organisation of all Courts, except the Supreme Court and High Courts”. To achieve this objective provision was made in Article 312 for creation of an All India Judicial Service. Not only this, **after** noticing the objection of the High

Courts on the ground of erosion of their control contemplated under Art. 235, the Apex Court in the judgment in the case of All India Judges Association (cited above) noted in its Para 10A: *"We are of the view that the Law Commission's recommendation should not have been dropped lightly. There is considerable force and merit in the view expressed by the Law Commission. An All India Judicial Service essentially for manning the higher services in the subordinate judiciary is very much necessary. The reasons advanced by the Law Commission for recommending the setting up of an All India Judicial Service appeal to us", and commended to the Union of India "to undertake appropriate exercise quickly so that the feasibility of implementation of the recommendation of the Law commission be examined expeditiously and implemented as early as possible. It is in the interest of the health of the judiciary throughout the country that this should be done."*(Para 11)(emphasis supplied). While rejecting the plea for reviewing this earlier direction, it was observed on 24.8.1993 that *"all the objections which are now taken in the review petition have been fully dealt with by the Commission"*. Still the direction dated 13.11.1991, albeit recommendatory, has remained unimplemented for the last 30 years. Not only this, even the requisite Resolution for implementing the constitutional amendment in pursuance of the said commendation of the Apex Court has not been brought in the Rajya Sabha so far. This shows the respect of the successive Central governments for the well considered recommendations of the Apex Court.

4. The prayer in our Writ petition was to direct the respondents to (i) take immediately requisite steps to operationalise the provision in Article 312 of the Constitution for creation of AIJS, as inaction on their part for the last 40 years amounted to nullifying the constitutional

amendment made in 1976, and (ii) to ensure that, after the requisite Resolution by Rajya Sabha and passing of law for this purpose, AIJS is constituted and *becomes functional within a period of one year after its creation*.

5. The grounds taken in the writ petition were as follows:

- (1) Operationalisation of the amendment in Article 312 of the Constitution is necessary for fulfillment of the Resolve in the Preamble of the Constitution. As held by the Apex Court in the case of A.K. Gopalan, *"Any interpretation of the provisions of Part III of the Constitution without reference to this solemn declaration is apt to lead one into error."*
- (2) Non-operationalisation of the provision in Article 312 for creation of an AIJS has been a major reason for sharp deterioration in the calibre and competence, and consequently performance and conduct, of the subordinate judiciary and higher judiciary elevated from it.
- (3) Inaction on the part of the Executive and Legislature for the last 42 years for no valid reason in this matter of great public importance relating to the administration of justice impinging on the fundamental rights of the citizens amounts to negation of the promise held out in the Preamble of the Constitution and runs contrary to the view of the Apex Court in the judgment in All India Judges Association Versus Union of India.
- (4) Objections of some states and High Courts to the creation of AIJS are clearly untenable as the same had already been considered at length and found unacceptable by the Law Commission in its 116th Report, and the recommendation of the Law

Commission for creation of an AIJS was unequivocally endorsed by the Apex Court in the judgment in the case of All India Judges Association.

- (5) Even otherwise, there is no valid excuse to defer the implementation of the Constitutional Amendment on the specious plea of opposition by some states as the same was already ratified by the requisite majority of states and in any case, the Resolution by Rajya Sabha will reflect their consensus on this issue as clarified in the reply of Dr. Ambedkar at the time of the constitutional amendment.
- (6) Opposition by some High Courts to the creation of the much needed AIJS is also not tenable in view of the clear view expressed by the Apex Court, and the provision in Article 312(4) that the law providing for creation of AIJS may contain provisions for Chapter VI of Part VI of the Constitution and *it will not be deemed to be an amendment of the Constitution*.
- (7) Moreover, the objections of High Courts, mainly concern the matters relating to operationalisation of the AIJS, and not to the creation of the Service as such. These have already dealt with in detail by the Law Commission in its 116th Report and can be taken care of at the stage of finalisation of the Rules and Regulations of the newly created service. As observed by the Apex Court in the judgment dated 24.8.1993 *"The law creating the service will also regulate the recruitment and the service conditions of the persons appointed to the service"*.
- (8) In view of the inexcusable failure and continued inaction on the part of the respondents to even take the first step of bringing up the requisite resolution

for this purpose in Rajya Sabha, intervention of the Apex Court has become necessary in this matter of great public importance relating to administration justice affecting the daily life of 'We the People'.

- (9) It has been held in a catena of cases like (1998) 1 SCC 226 etc. cited in the writ petition, that where there is failure on the part of Legislature and Executive, the Apex Court can issue necessary directions to fill in the gap to sub-serve public good.

6. In this connection, it is relevant that in State of Bihar Vs. Ramjee Ram (1998) 8 SCC 499 a 3 Judges Bench of the Apex Court had ruled that *the court competent to entertain proceedings for implementation of the directions in All India Judges Association case is only the Supreme Court* and the High Court ought not to have exercised that jurisdiction.

7. In view of the position stated above, the writ petition deserved to be allowed in the light of grounds taken therein. However, it was dismissed in limine without even hearing the petitioner in person fully vide following **cryptic** order dated 3.12.2018 –

*"Having heard the petitioner-in-person and upon perusing the relevant material, we are not inclined to entertain the present writ petition. The same is accordingly dismissed."*

8. Thus, the writ petition was dismissed summarily without-

- (i) issuing notice to the Union of India even though, just a few days before the order, the Union law Minister himself was reported in the Hindustan Times dated **31.10.2018** to have pitched for having an All India Judicial Service,
- (ii) *noticing the submissions* of the petitioner in person in the brief filed



- on 12.3.2018 and at the time of hearing,
- (iii) *mentioning, leave alone dealing with, the issues raised and the grounds taken* in the writ petition having serious implications for proper effectuation of the Justice promised in the Preamble of the Constitution, and
  - (iv) indicating any reason for not entertaining it and as to why no case under Article 32 was made out.

9. Thereupon, a Review Petition was filed for review of the order dated 3.12.2018 dismissing the writ petition; along with an application for its hearing in open Court considering the importance of the matter. It was submitted therein that-

- (i) Dismissal of the writ petition for implementation of the well considered orders dated 13.11.1991 and 24.8.1993 *on the same issue* by a three Judge Bench in the earlier pending WP(C) No. 1022/1989 was against the settled law in (1995) 4 SCC 96, applied in (2012) 4 SCC 516 (at p.531), that **earlier decision of a Bench cannot be overruled by another co-equal Bench**. In case of any difference of opinion the matter was required to be referred to Constitution Bench as per Article 145(3) of the Constitution and Rule 2 of Order VI of the SCR, 2013.
- (ii) The *settled law and practice requires* that when one WP has been accepted another petition on the same issue should also be entertained, as done recently in several cases,
- (iii) In view of the decisions in cases of BALCO (2002) 3 SCC 333 and Chaufal (2010) 3 SCC 402 *a genuine PIL like this should not have been dismissed in limine like a Special Leave Petition*, especially when the petitioner organisation's concern for

such issues had been accepted by the Apex Court in para 1 of its landmark judgment in reported in AIR 2018 SC 1041.

- (iv) Such an important writ petition under Article 32 for fulfilling Resolve in the Preamble and enforcement of fundamental right under Article 21 and upholding the Constitution and the law laid down by the Apex Court itself could not be dismissed summarily by a cryptic non-speaking order *without even giving any reason for not entertaining the same*,
- (v) The main stakeholders in the matter, the litigants, should not remain remediless if a constitutional amendment having a direct bearing on their fundamental right to life and liberty and administration of justice is not effectuated by successive governments **for no valid reasons**.
- (vi) In view of the settled law that it is not merely a right of the individual to move the Supreme Court but also a duty of Supreme Court to enforce the guaranteed rights, the writ petition under Article 32 could not be refused to be entertained.
- (vii) As per the decision in (2018) 10 SCC 1 (Para 109), the wording of *Article 312(4) could not be read to require that the consent of **all** the state governments and High Courts is necessary* for bringing up the requisite resolution in the Rajya Sabha for implementing the aforesaid constitutional amendment and the judicial order dated 13.11.1991 in WP (C) No.1022 of 1989. *As such, in view of the provisions of Articles 256 and 257 of the Constitution it is not open to some of them to stall its implementation and provide an*



*excuse to the respondents for not acting on, and thereby nullifying, the said amendment to the detriment of the quality of subordinate judiciary and litigant public of the country for whose benefit the said constitutional amendment and the recommendation of the Court were made.*

- (viii) The order sought to be reviewed cannot and should not stand *being per incuriam of the direction, albeit recommendatory, in this regard in the judgment dated 13.11 1991 in WP (C) No.1022/1989 which yet to be complied.*
- (ix) In case the basic points made and the rulings of Constitution Benches cited in the petitioner's written submissions filed on 22.3.2018 were taken into consideration, the conclusion to dismiss the writ petition could not be reached .
- (x) In the facts and circumstances of the case the Review Petition *meeting fully* the requirement of Rule 1 of Order XLVII of the Supreme Court Rules, 2013 and the law laid down by this Hon'ble Court in this regard, particularly in terms of case law cited the Review Petition, deserved to be allowed keeping in view the great public interest involved.
- (xi) The application for condonation of delay in filing the review petition deserved to be allowed for the reasons detailed therein.
- (xii) In view of the issues of constitutional interpretation and importance of the matter for millions of litigants the prayer for oral hearing of the review petition deserved consideration in the light of rulings cited in ground R of the review petition.

10. However, ignoring the aforesaid

irrefutable valid submissions the review petition was dismissed, without dealing with the grounds taken therein and indicating as to why no case was made out in view thereof, vide following stereotyped non-speaking order dated 2.6.2020-

*"Application for oral hearing is rejected.*

*The Review Petition is dismissed on the ground of delay as well as merits."*

11. Thereupon, an intervention application (IA No. 77008/2020) was filed on **14.8.2020** in the pending WP ((C) No. 1022 of 1989 for effectuating implementation of the well considered reiterated directions in the judgment dated 13.11.1991 in the said case. However, the said IA has remained unlisted despite repeated requests, urgency application and mentioning request though thereafter the main matter has been listed **8 times** and the plea for urgent hearing of the IA for intervention was supported by the statement of the Hon'ble Chief Justice of India himself that "*Without robust justice delivery system at the grassroots level, we cannot imagine a healthy judiciary*".

12. As held by the Constitution Bench in the case of Sarwan Singh Lamba v. Union of India (1995) 4 SCC 546, ***normally even an obiter dictum is expected to be obeyed and followed.*** The reiterated commendation of the Apex Court in this case obviously stood on a much higher footing to be indefinitely ignored like this for the last **30 Years**. Hence, the million dollar question is how do we have a '*robust justice delivery system*' if the Central Government and the Parliament do not act in this matter and the Apex Court does nothing about it in gross disregard of the law laid down by itself and the requirement of judicial discipline and propriety repeatedly propounded by it ?

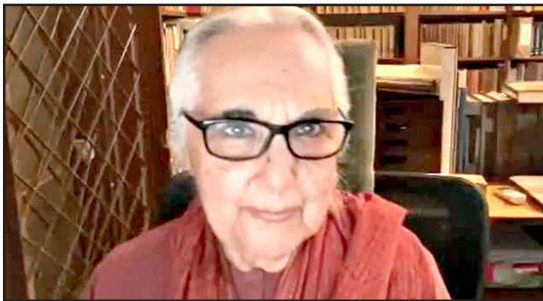
**S.N. Shukla** is I.A.S. (retd.), Advocate, General Secretary, Lok Prahari 🌈

# Academics reflect on evolution of political correctness in language

*Application of laws to curb dissent also discussed at webinar titled 'History will bear witness' in solidarity with 'prisoners of conscience'*

**Pheroze L. Vincent**

**Romila Thapar. The Telegraph**



How have we changed? Here's how:

❑ Expressions like “azadi” and “*inquilab zindabad*” were fundamental to the definition of the nation. Now they are regarded as “anti-national”.

❑ Mahatma Gandhi defined “swaraj” in 1924 as “truthful relations between Hindus and Mussalmans, bread for the masses and removal of untouchability”. All of those things now appear treasonous.

❑ Laws that were used to suppress dissent during the Emergency in India are being used extensively for the same purpose now without an emergency being proclaimed.

**Partha Chatterjee. The Telegraph**



Several academics on Saturday evening

made poignant reflections on the evolution of political correctness in language as well as the application of laws to curb dissent, speaking at a webinar titled “History will bear witness” in solidarity with “prisoners of conscience”.

Romila Thapar, professor of ancient history, emerita, at Jawaharlal Nehru University (JNU), highlighted how the understanding of words had changed, which may have led to students of her varsity like Umar Khalid and Sharjeel Imam being arrested for their speeches.

“I remember that as a child in the 1930s, when I was about five or six, among the many slogans we grew up with were slogans of the nationalists and the words ‘azadi’ and ‘*inquilab zindabad*’. They were foundational to the ideology of the national movement. They were also fundamental to the definition of the nation. Yet there are enough people today who, shall we politely say, strangely enough regard these words when they are used today as anti-national.”

**Gyanendra Pandey. The Telegraph**



Khalid is in jail, an undertrial on terrorism charges for a speech in Maharashtra in 2020 that called for protests against the new

citizenship regime, and which police have linked to communal riots in Delhi that year. In a recent bail hearing, Delhi High Court sought clarification from Khalid's lawyer on his client's use of words such as "inquilabi" and "krantikari", which mean "revolutionary" in Urdu and Hindi.

Thapar added: "Some of our students have held or are still holding high office, the highest offices in the land. Others have been arrested for asking questions and suggesting solutions. But what they forgot, the ones that were arrested, was that when society changes and historical context changes... the meaning of words may also change, and that is what is happening at the moment."

**Tanika Sarkar. The Telegraph**



She said India had held on to colonial laws to curb dissent, perhaps because changes to the system of governance were not demanded strongly enough soon after Independence.

The 90-year-old academic explained: "Our generation of intellectuals did not bring up this debate that — 'all right, we have become an independent nation, we are now not subjects but citizens. How do we change the structure of our society and our system in order to ensure that we become citizens and we have the rights of citizens', which would have involved very fundamental changes in the structure."

Subaltern historian Gyanendra Pandey of Emory University, the US, cited Mahatma

Gandhi's definition of "swaraj at the present moment" in 1924 as: "...truthful relations between Hindus and Mussalmans, bread for the masses and removal of untouchability".

"All of those things now appear treasonous if they are put in as your primary programme... in a regime that appears so narrow-minded, so fixated about staying in power and putting away in jail and killing anyone who challenges their position," Pandey said.

Partha Chatterjee, anthropologist and political scientist at Columbia University, said the laws used to suppress dissent during the Emergency were being used extensively for the same purpose now without an emergency having been proclaimed.

"Hindu majoritarianism has penetrated deep into the popular domain, especially in western and northern India.... It legitimises vigilante actions spurred by social media, which are not necessarily centrally controlled.... This particular aspect is closest to what we recognise as fascist actions," Chatterjee said.

"The subservience of the civil services, police and various enforcement agencies... this was not so 30 or 40 years ago.... All the agencies of government, bureaucracy are not just accomplices, they very often initiate many of these actions.

"The objective is simply to harass.... There is enough punishment simply in the period of detention (under trial) which can go on for years."

Modern historian Tanika Sarkar, who taught Khalid in JNU before she retired, highlighted his zeal in completing his PhD in 2019 after being released on bail in a previous sedition case in 2016.

She said: "A tireless campaigner for democratic rights and justice, he has never once deviated from the path of peace. All he has hated is the politics of hate."

Courtesy **The Telegraph Online**  
16.05.2022. 🌈

# Last salute to the memory of Frontier Gandhi!

Prem Singh

appalled at his decision of renaming Badshah Khan Hospital that he had made a humble contribution in making of 'Hindu-Rashtra'. Always indulged in the excitement of hollow valour and pride, the children of the RSS cannot really see how pathetic they become. Therefore, it is futile to expect chief minister Khattar or prime minister Narendra Modi to reconsider the decision by referring to the great personality of Badshah Khan. Where Gandhi's picture is shot again and again, who cares for the Frontier Gandhi?

Some friends believe that even though it has been more than a year since the renaming of the hospital, a struggle should be started to get the decision changed. They feel that giving exposure to a great personality like Badshah Khan a larger civil society will join the movement, and will put a pressure on the government to change its decision. Personally, I don't see any point in resistance on the issue now. If there had been a true will to protest in this case, the resistance would have come to the fore at the time of chief minister Khattar's 'desire'; And that resistance, possibly, would have compelled Mr. Khattar to change his decision. But such will-power was neither seen in the opposition nor in the intellectuals. The people who came from the North-West Frontier Province or their heirs presented their point of view clearly and firmly before the government and the local administration in order to oppose the decision. But they did not get the support of the civil society and public of Faridabad. If the will-power of the political and intellectual leadership becomes weak, then where will the will-power of the people come from?

Therefore, it would be better to consider on the pretext of this incident why the true will for resistance has waned in the civil society to such

an extent that it is unable to act with full force even on such blatantly wrong decisions? The answer to this difficult question calls for a great detail. In short, a very simple and clear phenomenon can be read behind it. Due to the progressive expansion of corporate politics in the last 30 years, there has been a contraction of proper political consciousness in the society. While commenting on the incident of changing the name of the hospital, a senior local Congress leader Mr. AC Chaudhary had said that chief minister Khattar may not have been given correct information about Abdul Ghaffar Khan. Had the chief minister been given the correct information, he would not have decided to change the name of the hospital. Mr. Chaudhary had expressed confidence that if he would give correct information to the Chief Minister, he would change the decision. Had there been a real political consciousness, Chaudhry would have rather raised the question with regret that a leader who did not know a personality like Abdul Ghaffar Khan has become the Chief Minister of a state.

It is also to be noted here that there is a coalition government of BJP and JJP in Haryana. That is, the legacy of Chaudhary Devi Lal's struggle has also been dragged into the act of humiliating Badshah Khan. The condition of the contraction of political consciousness in the era of corporate politics is such that Narendra Modi has been taken as the incarnation of God and Arvind Kejriwal as the incarnation of revolution. Those who favour Badshah Khan often ridicule Modi and his 'bhaktas', but they have no doubt that Kejriwal is an incarnation of revolution in new India. They have completed 'Tirangi Kranti' (tri-colour revolution) thrice in Delhi and now 'Basanti Kranti' (spring colour revolution) in Punjab under the leadership of Kejriwal. The festival of 'Basanti Kranti' was celebrated in



the village of Bhagat Singh. It has been decided in the progressive and secular camp that the revolution will continue under the leadership of Kejriwal even in the rest of the states of the country. This is a strange hotchpotch (khichdi) cooked in the pot of counter-revolution that has taken place in the country!

On behalf of those opposing the name change of the hospital, it was said in a good manner that the government can build a new hospital or some other project in the name of Vajpayee. Had there been a serious political consciousness, it would have been immediately understood that it was not at all a case of Badshah Khan vs. Vajpayee. Badshah Khan was an adamant Satyagrahi and freedom fighter. Whoever Vajpayee may have been, he was neither a

Satyagrahi nor a freedom fighter. If the civil society, which calls itself progressive and illuminating, cannot stop, does not want to stop, the pandemic of depoliticization which is spreading through corporate politics then it should get rid of Frontier Gandhi and his legacy. Similarly, as chief minister Khattar has freed Frontier Gandhi from the hospital named after him. We are no longer the worthy heirs of the legacy of Frontier Gandhi. So, the last salute to his memory.

Those who defy the RSS/BJP while standing in the camp of counter-revolution may find this pessimism. Whereas this is the bitter reality of new or corporate India.

*(The writer associated with the socialist movement taught at Delhi University)* 🌈

## 16th death anniversary of Ravi Subba Rao observed

Yesterday, the 14th April 2022, the 16th death anniversary of late Shri Ravi Subba Rao was observed at Radical Humanist center under the chairmanship of Maduri Satyanarayana, President, Radical Humanist Center, Inkollu.

Ravi Subba Rao was a key person in establishing the Radical Humanist Center. He was dedicated and self styled humanist and rationalist. He had donated 10 cents of land, now worth about 60 lakh Rupees. He also registered that land at his own cost and named it the Radical Humanist Center. As a postmaster, though a government servant, he worked a lot for the expansion of our movement in this area. Thanks to him, for his main slogan 'educate the educator'.

Mr Kurra Hanumantha Rao, kari Hari Babu, S.K..Babu, Raja Sekher, Dariya Vali, Pari Sudda Rao, T. Hari Babu, Yallamanda Reddy were present and delivered their speeches on the occasion. Mr .Ravi Subbudhi, son of Subba Rao was also present, and he honoured the guests with tiffin. All the speakers said that Subba Rao was a 'memorable person' and 'pioneer of our movement' in Andhra Pradesh.

Report by **Kurra Hanumantha Rao** 🌈



*Continued from the previous issue...*

**Science and Philosophy by M.N. Roy**

## Materialism

Summarized by: **Vinod Jain**

No modern philosopher disputed the existence of the so-called external world; the doubt was about the possibility of knowing it.

The great materialist thinkers of the seventeenth century (Hobbes, Bacon, Locke) held that ideas were but abstractions of the images of external objects, received by the senses, and that therefore the external objects were unconditionally knowable. Their views were objects of Berkeley's attack. The French Encyclopedists in the following century called "those who, conscious only of their own existence and of a succession of external sensations, do not admit anything else, protagonists (leading characters) of an extravagant system, the off-springs of blindness itself." (Diderot). They definitely held the view that senses gave true representation of outside objects, and sense perceptions were the only source of knowledge.

The great question that had agitated human intelligence from the dawn of civilisation must be answered, if philosophy was to perform its function: Either we can know, or cannot know, the reality; sense perceptions are either reliable, as correct representations of objectively existing things, or they are not. The phenomenal development of the natural sciences in the 19th century enabled free thinkers to answer the fundamental question of philosophy decisively in the affirmative. (the free thinkers were free in the sense of not being bound by traditions and preconceived notions).

(Today) we need not go with Bertrand Russell and others like him who were looking for an idealistic interpretation of physical

theories. What is needed (today) is simply recognition of the fact that the mind of the scientist is a part of the physical world he studies.

Materialism can no longer be assailed on the ground of science.

Modern scientific research shows that there is a large subjective element in our knowledge of the external world. That discovery, it is held, repudiates Materialism, which is accused of denying the existence of the mind as something differentiated from the process of the biological world, governed by its own laws.

The basic principle of Materialism, as corroborated and reinforced by modern scientific research, however, is that the world, physical as well as biological; (1) exists objectively; (2) is self-contained and self-explained; (3) there is nothing beyond and outside it; (4) its being and becoming are governed by laws inherent in itself; (5) laws are neither mysterious nor metaphysical nor merely conventional; (6) they are coherent relations of events; (7) consciousness, with its manifestations and derivatives, is a property of that which, in a certain state of organisation, distinguishes existence from non-existence. Call this philosophical generalisation of the various branches of scientific knowledge, objectivism, naturalism or realism, or any other name you prefer to materialism. That would make no essential difference. Only, the term "matter" has a historical meaning; it rules out illusions and superstitions, which debase philosophy into religion.



Biology does show that matter has the capacity to organise itself into a complex, conscious, knowing, thinking beings. It makes no essential difference that we do not know as yet exactly how that capacity of matter to produce life operates. That is an epistemological, not ontological, question. The capacity is there, only we do not know how it operates. Anyhow, it is proved beyond doubt that consciousness and mind are functions of organic matter. That discovery cuts at the root of the matter-mind problem. Materialism does not exclude emergence of novelty. The possibility of mind knowing or contemplating the material world presupposes causal connection between mind and matter; there must be something common between them. If mind was entirely different from matter, there could be no inter-penetration. Knowledge is possible because mind results from matter. Matter, or non-mental being, if you please, has no end. It is simply given — as the existence. Therefore, the question of

explaining its genesis does not arise. Beyond a rather advanced stage in the process of biological evolution, dualism disappears in the material unity.

Materialism does not deny the empirical fact that purpose is associated with embodied spirits; it only exposes the absurdity of the notion of disembodied spirit, and does that on the evidence of scientific knowledge. But purpose is not a metaphysical agency operating through material bodies. It does not precede physical being; on the contrary, it grows out of the material matrix of the process of biological evolution. Reinforced by modern scientific knowledge, Materialism thus not only solves the old problem of psycho-physical parallelism; it also reconciles another old conflict — that between rationalism and naturalism, or romanticism. It harmonises the positive elements of both. (Psycho-physical parallelism is the theory or belief that mind and matter do not interact but correspond).

*To be continued in the next issue...* 

## **Petrol price Hike and Modi...**

**Contd. from page - (25)**

But a more sure, non-immiserising, non-inflationary and non-recessionary (i.e., non-stagflationary) means of effecting a cut in absorption of petro-products is to introduce statutory rationing alongside price-control.

Rationing is a means of introducing fairness in the distribution of petro-products across the population.

The implicit rationing introduced through price-rise is essentially inegalitarian; but direct rationing, while the retail price is controlled, provides a more egalitarian distribution of petro-products across the population.

Coping with the situation arising from the rise in world crude oil prices requires, therefore, a combination of policies: a fiscal policy that relies on direct taxes on the rich; a control on the retail prices of petro-products and even a reduction in these prices; and quantitative rationing in the distribution of petro-products to keep the total crude imports restricted rather than relying on a price-rise in these products for doing so.

But, if instead of this policy-mix we insist on using the policy-mix that we have been adopting till now, then the country is headed for very sad times.

*(Prabhat Patnaik is Professor Emeritus at the Centre for Economic Studies and Planning, Jawaharlal Nehru University, New Delhi. Courtesy: Prabhat Patnaik's Blog, at [www.networkideas.org](http://www.networkideas.org).)*

Courtesy **Janata Weekly**, April 10, 2022 

## ***Brief Report of the biennial General Membership Meeting of Indian Renaissance Institute and the Board of Trustees Meeting:***

### **The GMM was held at Gandhi Peace Foundation, New Delhi on 20<sup>th</sup> April 2022**

The following members attended the General Membership Meeting:

1. Dr. Ramesh Awasthi
2. Sh. N.D. Pancholi
3. Sh. Vinod Jain
4. Sh. Sheoraj Singh
5. Dr. Veeranna Gumma
6. Sh. Debatrata Pal
7. Sh. M. Chandrasekar
8. Sh. Suraj Dev Prasad
9. Sh. Madan Bharti
10. Sh. Rajender Kumar Sharma
11. Sh. Mahi Pal Singh

Dr. Ramesh Awasthi presided over the GM Meeting.

First of all tributes were paid to the departed colleagues, namely Sh. Narottam Vyas, Sh. Kiran Nanavati and Sh. Satish Chandra Varma.

After the Secretary's report Sh. Pramod Mishra read out the names of the following new members and their membership of IRI was confirmed by the GMM:

- |     |                          |                   |
|-----|--------------------------|-------------------|
| (a) | Saurabh Kumar            |                   |
|     | <i>Life Membership</i>   | <i>(Dehradun)</i> |
| (b) | Suraj Dev Prasad         |                   |
|     | <i>Life Membership</i>   | <i>(Meerut)</i>   |
| (c) | Saurabh Chaudhary        |                   |
|     | <i>Life Membership</i>   | <i>(Delhi)</i>    |
| (d) | Rati Pal Tyagi           |                   |
|     | <i>Life Membership</i>   | <i>(Delhi)</i>    |
| (e) | Madan Bharti             |                   |
|     | <i>Annual Membership</i> | <i>(Delhi)</i>    |

Then the Election of the 7 Members of the

Board of Trustees was held and the following members were elected unanimously for two years:

- (i) Sh. Sheoraj Singh
- (ii) Sh. Rajender Kumar Sharma
- (iii) Sh. S.K. Nazimuddin
- (iv) Dr. Anjali Chakraborty
- (v) Sh. Apurba Dasgupta
- (vi) Sh. Debatrata Pal
- (vii) Dr. Veeranna Gumma

The following Resolution was passed unanimously:

#### **Resolution on the Political Situation of the Country**

This General Membership Meeting of the Indian Renaissance Institute (IRI) notes with concern that since the coming to power of the National Democratic Alliance (NDA) government led by the Bharatiya Janata Party (BJP) and headed by Mr. Narendra Modi in 2014, the country is deteriorating from a secular-democratic state that was envisaged by our Constitution makers into a Hindutva based theocratic-authoritarian state. Members of the minority Muslim community have been targeted, persecuted, beaten up and even lynched in the name of cow-vigilantism and love jihad. Communal hatred and divide has been encouraged and spread by even the highest party leaders during its election campaigns for their narrow electoral benefits, even at the cost of the risk of dividing the nation and the society on communal basis. Hate speech by almost all the leaders of the party and Hindutva elements belonging to the BJP and the RSS taking to the streets with arms indulging in arson, looting and killing whether it is against hijab, use of loud

speakers at Mosques, Muslim shops and businesses in the vicinity of Hindu temples etc. have become a new normal with active connivance of the leaders of the BJP running the central and the state governments.

Instead of the Prime Minister and his ministers focussing on good governance to make the country a strong and cohesive society, and the problems faced by the people like high rising prices of petrol, diesel, LPG and other essential commodities of daily need of the people, high unemployment, equitable distribution of wealth, education and healthcare facilities, they focus on winning elections through communal divide and hatred. Dissenters, journalists and intellectuals protesting against the anti-people policies of the government are hounded, persecuted and incarcerated under stringent sections of the IPC, NSA and even sedition laws and the goons belonging to the Hindutva fold enjoy a free run and tacit as well as open support of the BJP leadership. The latest move of putting up loud-speakers, helped and financed by BJP leaders, at every crossing and communally sensitive areas to blare out Hanuman *chalisa* and taking out religious *yatras* shouting slogans against the other community to incite the communal and anti-social elements from the other community to protest and indulge in violence, perfectly suits the ruling BJP in diverting the attention of the people from the real issues and the failure of the government in controlling price rise and unemployment and at the same time keeping the communal pot boiling always ready to fulfil its communal agenda.

This meeting calls upon every section of society to get together to save the secular-democratic character of the country and its Constitution and protect it from deteriorating into a Hindu *raj* and a theocratic-authoritarian state, and protest against the divisive policies of the ruling regime as the people of the country belonging to all communities want to live in peace and harmony.

**After that the Meeting of the Board of Trustees of the Indian Renaissance Institute (IRI) was held**

The following members attended the Board of Trustees Meeting:

1. Dr. Ramesh Awasthi
2. Sh. N.D. Pancholi
3. Sh. Vinod Jain
4. Sh. Sheoraj Singh
5. Dr. Veeranna Gumma
6. Sh. Mahi Pal Singh
7. Sh. Debatrata Pal

The following persons attended the meeting as invitee members:

1. Sh. Suraj Dev Prasad
2. Sh. M. Chandrasekar
3. Sh. Madan Bharti

Dr. Ramesh Awasthi presided over the BoT Meeting.

The meeting discussed the financial position of the IRI, the modalities of transferring the amount lying in two accounts of the IRI, Maharashtra unit and the publication of the V Volume of Selected Works of M.N. Roy. The position of the 13-Mohini Road case in the Nainital High Court and the District Court at Dehradun was discussed in detail.

#### **Election of the Office Bearers of the Board of Trustees of the Indian Renaissance Institute:**

The following Office-Bearers of the Board of Trustees of the Indian Renaissance Institute (IRI) were elected unanimously for a term of two years:

1. Chairman – Sh. Vinod Jain
2. Vice-Chairmen (Two) –  
Sh. N.D. Pancholi and  
Sh. Suresh Chand Jain
3. Secretary – Sh. Mahi Pal Singh
4. Treasurer – Sh. Sheoraj Singh

**The newly constituted Board of Trustees now consists of the following Trustees:**

#### **Life Trustees:**

1. Mr. Vinod Jain (Chairman)
2. Dr. Ramesh Awasthi
3. Mr. N.D. Pancholi (Vice-Chairman)

4. Mr. Jayanti Patel
5. Mr. Ajit Bhattacharyya
6. Mr. S.C. Jain (Vice-Chairman)
7. Mr. Mahi Pal Singh (Secretary)
8. Dr. Rekha Saraswat

**Elected Trustees (Elected for two years):**

1. Sh. Sheoraj Singh (Treasurer)
2. Sh. Rajender Kumar Sharma
3. Dr. Veeranna Gumma
4. Sh. S.K. Nazimuddin
5. Dr. Anjali Chakraborty
6. Sh. Apurba Dasgupta
7. Sh. Debabrata Pal

**Meeting of the Board of Trustees:**

Immediately after the election of the Office-Bearers of the newly constituted Board of Trustees of the IRI, the meeting of the new Board of Trustees took place.

The meeting was presided over by Sh. Vinod Jain. The following Trustees were co-opted:

**Co-opted Trustees:**

1. Sh. M. Chandrashekar
2. Vacant (left vacant, to be filled later on)

**Resolutions passed unanimously:**

**1. Regarding management of all bank accounts, including those in the Bank of Maharashtra at Mumbai, by:**

- (a) Mr. Vinod Jain  
*Chairman*
- (b) Mr. Mahi Pal Singh  
*Secretary*
- (c) Mr. Sheoraj Singh  
*Treasurer*

**2. Resolution on responsibility to look after the case of 13 Mohini Road, Dehradun**

It was unanimously resolved that the Committee consisting of the following office bearers will henceforth be responsible for looking after the case pertaining to 13 Mohini Road, Dehradun pending in the High Court at Nainital as well as any other case/cases to be filed in the lower court at Dehradun or in the High Court/Supreme Court, if necessary, and

to take any other action which may be necessary, including that of out-of-court settlement and also for reporting every such action to the Board of Trustees in its meetings as and when held:

1. The Chairman IRI (Sh. Vinod Jain)
2. The Two Vice-Chairmen (the present strength) IRI (Sh. N.D. Pancholi and Sh. Suresh Chand Jain)
3. The Secretary IRI (Sh. Mahi Pal Singh)
4. The Treasurer IRI (Sh. Sheoraj Singh)

**3. Re-constitution of the Editorial Board:**

It was unanimously resolved that the following members will constitute the Editorial Board of The Radical Humanist:

1. Sh. Vinod Jain
2. Dr. Ramesh Awasthi
3. Sh. N.D. Pancholi
4. Ms. Deepavali Sen

**4. Resolution on Change of the office of the Printer and Publisher:**

It was unanimously resolved in the meeting of the Board of Trustees of the Indian Renaissance Institute that the office of the Printer and Publisher of The Radical Humanist will henceforth be at:


**3821/7, Kanhaiya Nagar, Tri Nagar,  
Delhi- 110035.**

and that Sh. Sheoraj Singh, the Printer and Publisher of The Radical Humanist, appointed as the Printer and Publisher of The Radical Humanist vide the BoT's resolution dated 6.2.2021, will initiate action for change of the address in the record of the DCP Licensing/Registrar of Newspapers etc.

5. It was also resolved that the monthly salary of Sh. Pramod Mishra will be revised to Rs. 15,000 and the payment of printing of The Radical Humanist will be revised to Rs. 12,000 for 1,000 copies.

The meeting ended with thanks to the chair.

**Mahi Pal Singh**  
(Secretary, IRI)

Dated: 20.4.2022 

హేతువాది వ్యాసవాణి - 37

## శాస్త్రం - తత్వం

మూలం : యం.యన్.రాయ్

అనువాదం : డా॥ సుమ్మా వీరన్న



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**‘Science and  
Philosophy’ by  
M.N. Roy, translated  
into Telugu language  
by Dr. Veeranna  
Gumma and  
published by Hema  
Publications,  
Chirala, A. P. in  
2020.**

**This book is Telugu  
version of ‘The  
Radical Humanism’,  
written by  
V. M. Tarkunde.  
Translated by Dr.  
Veeranna Gumma  
and published by  
Telugu Academy,  
Hyderabad**

అనువాద వాఙ్మయం  
తత్వశాస్త్రం

## రాడికల్ హ్యూమనిజం

స్వేచ్ఛా ప్రజాస్వామ్యాల తత్వం



నాలుగవ ప్రపంచ తెలుగు మహాసభల ప్రచురణ



ఆంధ్రప్రదేశ్ ప్రభుత్వం  
రాష్ట్ర పాఠ్యపీఠం, పాఠ్యపీఠ పరిషత్తు  
తెలుగు అకాడమి, హైదరాబాద్





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**The need for speaking up for hounded, detained and incarcerated journalists is greater in India today than anywhere else**

World Press Freedom Day | May 3  
#WorldPressFreedomDay



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journalists.  
Share their stories.**

China continues its assault on a free press.


Haze Fan reported on breaking business news in China.  
More than a year ago, she was taken from her  
apartment by Chinese authorities. There has been  
no further information about her case.

Journalists should be able to report the truth without  
threats to their lives and fear of persecution.

**#FreeHazeFan**



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