

DISSENT, TO ORDER

There was a reason behind the geography of anti-CAA sit-ins. By ignoring it, SC constricts definition of the public sphere

THE SUPREME COURT has spoken on the Shaheen Bagh sit-in, in response to a petition that sought removal of the protesters, whose protest had blocked traffic and the public way. It is disappointing to hear what the apex court has to say. The Shaheen Bagh protest is long over, it ended in March. But in the national capital, and in small towns across the country, where, taking inspiration from Shaheen Bagh, similar sit-ins had come up to express opposition to a discriminatory citizenship law, the anti-CAA mobilisation has left a mark—or scar. These were largely spontaneous, mostly leaderless protests which sheltered under portraits and banners of the founding fathers and held up the tricolour and the Constitution as they addressed the government and demanded the roll-back of a law that specifically excludes Muslims from its promise of fast-tracked citizenship to religious minorities. In its response, the government sought to label the protests as anti-national, and even criminalise them. If the government turned a deaf ear to the protesters of Shaheen Bagh—which is also why the sit-in continued for as long as it did—the court looks back at them now with an unseeing eye. Public protest, it said Wednesday, must be “in designated areas alone” and “public ways and public spaces cannot be occupied... and that too indefinitely”.

With due respect, the court response shows a constricted view of the public sphere. Even though it had two reports by the interlocutors it appointed to go to Shaheen Bagh, it doesn't see, in the geography of the anti-CAA protest, the bigger picture. Certainly, it is unquestionable that sit-ins must not inconvenience commuters and citizens who wish to go on with work and play. But in a democracy which assures the right to dissent, this is surely a negotiation, not inflexible rule. The anti-CAA protests in Shaheen Bagh and in the mini-Shaheen Baghs—in Wazirpur in Dhandu, Park Circus in Kolkata, Subir Bagh in Patna, or Mohalla Bhandaridhi in Girdih, to name just a few—had a specific and shared characteristic: They were located in Muslim-dominated neighbourhoods, even as they invoked and invited larger solidarities, across communities. It is not surprising that in its effort to make itself heard, and to make the government listen, an embattled minority should have sought the comfort of its own neighbourhoods.

The onus was on the court to understand why the protesters converged at Shaheen Bagh, or Mohalla Bhandaridhi, and not elsewhere. And to understand, too, that in a democracy, protest cannot be shaped and designed to fit its, or the government's, convenience or taste. A public space must not host just consensus, it must just be common ground—it must also give expression to new needs and demands to break old inequities and discriminations. It must be where criticism can be heard of power and of powerful institutions. The public space must be where the public can stand up, safely and peacefully, and point out that they are being ignored or minimised, as in the citizenship law. The court has done well to underline the power of dissent in a democracy—it should have underlined that dissent, by its very definition, cannot be made to order.

ENSURE FAIR PLAY

Google vs Paytm lays out the challenge: Competition policy should safeguard competition, not particular competitors

OVER THE PAST few weeks, founders of Indian start-ups have begun to rally against the dominance of US tech companies such as Google in the Indian market. The immediate provocation was Google's decision to levy a 30 per cent commission for all in-app purchases of digital goods in its near ubiquitous app system. Notwithstanding Google's assertion that less than 3 per cent of the developers had sold digital goods over the last year, and of these nearly 97 per cent were already paying the fee, the move triggered outrage across the broader start-up ecosystem in India. Paytm launched its own app store to compete with Google's Play Store. While Google has subsequently deferred its plan, these developments raise several tricky issues.

A recent report by the US House of Representatives has said that Amazon, Apple, Google and Facebook have exercised and abused their monopoly power, with US lawmakers saying that these companies “had abused their dominant positions, setting and often dictating prices and rules for commerce, search, advertising, social networking and publishing.” In India, the smartphone market is dominated by Google's Android platform. This places it in a unique position to dictate terms. Its products, such as Google Pay, are also in direct competition with Indian firms such as Paytm. Thus there are legitimate concerns over possible conflict of interest and abuse of its dominant market position. The fundamental question is: Has Google abused its market dominance? Are there barriers to entry? Is competition being thwarted? And what should be the determinants to ensure that Google does not favour its own companies?

It must also be pointed out that this is not a licence-driven monopoly, but one driven by network effects. However, while barriers to entry may not exist, it is difficult for new players to enter, and grab market share, simply because there is not much space for multiple networks. But coaching this debate in terms of self-reliance or Atmanirbhara, or erecting barriers or intervening to put in place price caps on commissions is not the answer. Policy should be driven by the principle of protecting competition, not competitors.

JOURNEY AND THE PRIZE

Nobel for chemistry speaks of irrepressible ambition of science. And tells a story of two women scientists

A YEAR WHEN a virus has laid waste to human hubris and capability, the Nobel prize in chemistry to French microbiologist Emmanuelle Charpentier and American biochemist Jennifer Doudna is a reminder of the irrepressible ambition of science. In 2012, the two scientists collaborated to create the CRISPR-Cas9 scissors—a sharp gene-editing tool that has turned out to be more of a Swiss knife, given its precision in changing the DNA of plants and microorganisms and wide applicability in medical science. This story began in Charpentier's lab, with a microscopic view of the bacteria *Streptococcus pyogenes*. While the scientist saw this was a bacterial immune system that repeatedly went to battle by shearing off invasive viruses with a sharp bit of RNA. The French scientist collaborated with Doudna to replicate this natural defence mechanism in a test tube, and ended up with a tool to edit gene sequences. The implications for cancer research, in finding cures of genetically-transmitted diseases as well as the murky possibilities of it being hijacked by eugenicists dreaming of designer babies, were mind-boggling.

The mind also struggles to come to grips with another fact: That only seven women have been awarded the Nobel prize for chemistry since 1901, including this year's awardees. In an interview last year, Doudna described herself as “a budding feminist”, who had gone from believing that she did not want “advantages or disadvantages based on my gender” in her 40s, to realising in her 50s that the formidable prejudice loaded against women would not go away without systemic changes. Indeed, the last revolutionary breakthrough involving the gene was built on the work of Rosalind Franklin, a British woman scientist whose work was written out of history and science, as the Nobel for medicine went to James Watson and Francis Crick. From Franklin to Charpentier-Doudna, the tide is, hopefully, turning.



T M KRISHNA

FOR PEOPLE LIVING in the city of Chennai or followers of Tamil cinema, the word *poromboku* is not new. An often-heard abuse, it is used to shame an individual, implying that he is good for nothing, useless, unproductive, and valueless. In reality, *poromboku* is a beautiful expression; a word that means “the commons” referring to everything that we—as a society—own collectively and share with one another. Rivers, lakes, grazing lands, mangroves, marshlands and forests are *poromboku*. In the context of the urban, it is our streets, parks, beaches, graveyards and playgrounds that all of us have free access to. These spaces are not privately owned and, in a democratic country, everyone irrespective of religion, caste, gender or even nationality participates in their use. But we also know that this is not entirely true. More often than not, the commons are guarded by religious bigots, caste armies or the moral police. Yet, we fight doggedly for our shared rights hoping to push back the patriarchals.

Shaheen Bagh stands tall as a battle-ground to save our *poromboku*. But the commons that the women protesters and friends in Shaheen Bagh fought for were not spatial—they were abstract. They were the foundational values which we have built our nation. Equality, equity, fundamental rights, liberty, justice and secularism are our shared conceptual *poromboku*s. They are not the private properties of a single individual living in this land; neither are they owned by the executive or judiciary. These are the principles of our democracy that we cherish and the values that we defend. The Shaheen Bagh protests were necessary to push back a government that is bent on demolishing our constitutional soul, using every Machiavellian trick in the book.

But the question often asked is whether such protests are also a public nuisance to those who do not share the same opinion or just want to go ahead with their everyday routine. This is a fair question, but needs a nuanced response. Society is not a level-playing field and every institution, including the judi-

ELIAS GEORGE

THE STORY of public-private partnerships (PPPs) in India has been a chequered one. While we have had some notable successes, the landscape is also littered with troubled projects, ranging from ones where unfair risk allocation by government entities has upended the fortunes of the private partner, to ones where the private investor has managed to extract more than a fair share of benefits from the project.

Currently, the quantum of private financing flowing into the infrastructure sector has ebbed to around 20 per cent of the total funding, for reasons that are well known—the crisis in the non-banking finance sector, the financial challenges faced by infrastructure companies, and the inadequately developed Indian market for infrastructure financing. The Economic Survey 2017–18 has assessed India's infrastructure financing needs at \$45 trillion by 2040. Reviving private investment flows into infrastructure creation to more sustainable levels of around 40 per cent will be key to attaining this threshold.

The challenge of ramping up private investments in infrastructure will need action on two fronts: Refreshing institutions and policies for channeling financing; and providing a stable, durable, and empowering ecosystem for private players to partner with government entities in the task of infrastructure creation.

Learning from the past mixed experience of PPPs, we need to reimagine and redesign the PPP ecosystem along many fronts. The Vijay Kelkar committee had put out a timely practical, and balanced report in 2015 on overhauling the PPP ecosystem, including government reform, institutional redesign, and ca-



Permission Raj looms over public spaces, right to protest. SC order on Shaheen Bagh fails to recognise this

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We are now a democratic country; yet how can we be blind to the lack of freedom and independence and the pervading fear in the hearts of so many? The state is an enormously powerful machine and, in order to force a just response, common people need to apply collective pressure. In this tussle, public spaces are crucial to empower people, make them heard, and bring some parity into the discourse. Therefore, the occupation of highways by citizens whose lives have been torn apart by sexual, corporate and political violence is an important tool and to treat it as a public annoyance is majoritarian browbeating.

Since the jallikattu protests of 2017, there is a blanket denial for permission for any gathering at Chennai's famed Marina beach. “Maintenance of law and order” is used by the state to stifle public questioning. At the very same time, large corporations buy their way into public spaces, erect stages, soundings and destroy the environment with impunity and without a whimper from our public bodies. Does the esteemed court expect us to come to its defence every time these things happen?

Even the idea of designated locations for protest needs to be challenged. Who designates these spaces and on what basis? In a coun-

try, does not treat every protest with the same yardstick. Hence, public order and social tranquillity are not objective notions and are often manipulated by the state.

While the state claims that public movement and normal life should not be affected by protests has value, how can we not factor in the utter inequality in the way every institution views public protest and protesters? Within this labyrinth lies social discrimination. Public protests or processions by Dalits, minorities, women, trans people are viewed with disdain, but none will dare question protests by powerful caste lobbies, political parties or the religious majority.

The incongruities do not stop here. In every city, we are asked to obtain police permission for a protest. Inevitably, if the protest is against the government, police or any state institution, the permission is rejected or delayed until the very last moment forcing the organisers to cancel or rush to the court for relief. Constantly challenging the police in the courts is tiresome, leading citizens to just give up. In effect, protesters are crushed by the state.

The courts do not seem to be interested in addressing this serious countrywide use of permission raj. It is not just protests; we struggle to obtain permission even for performances in public spaces. The police informally question us about the content of the plays or songs. On one occasion in Chennai, the Casteless Collective band was forced to stop singing a song because it contained the word “Modi”. Since the jallikattu protests of 2017, there is a blanket denial for permission for any gathering at Chennai's famed Marina beach. “Maintenance of law and order” is used by the state to stifle public questioning. At the very same time, large corporations buy their way into public spaces, erect stages, soundings and destroy the environment with impunity and without a whimper from our public bodies. Does the esteemed court expect us to come to its defence every time these things happen?

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WORDLY WISE

DISOBEDIENCE IS THE TRUE FOUNDATION OF LIBERTY. THE OBEDIENT MUST BE SLAVES.

—HENRY DAVID THOREAU

try like India, where the political class does not appreciate being questioned, especially when in power, how does the court expect any fairness in protest space allocations? The consideration will always be: How can we limit its growth, effect and keep it under our control? There is little value in speaking about public inconvenience without addressing the limitations that are placed on our right to protest.

It is also essential to realise that protesting is often a spontaneous act and cannot be bottled by allocations and permissions. A vital quality of protest is public awareness and participation; consequently, public roads cannot be off-limits. Unless we are shaken awake from our slumber by slogans, cheers, demands, songs and hundreds walking the streets, those of us who complain of disruption will never notice the farmer or labourer.

Yet we are now a democratic country; yet how can we be blind to the lack of freedom and independence and the pervading fear in the hearts of so many? The state is an enormously powerful machine and, in order to force a just response, common people need to apply collective pressure. In this tussle, public spaces are crucial to empower people, make them heard, and bring some parity into the discourse. Therefore, the occupation of highways by citizens whose lives have been torn apart by sexual, corporate and political violence is an important tool and to treat it as a public annoyance is majoritarian browbeating.

There is no doubt that social media plays a huge role in bringing people together and giving power to the collective. But unless public spaces are freely available for demonstrations, we will remain a mute democracy. The Supreme Court had the opportunity to expand the contours of its order keeping in mind reality with all its unevenness, but it remained silent and forgot that democracy thrives in the *poromboku*!

Krishna is a musician and author of Sebastian and Sons: A Brief History of Mrdangam Makers

REIMAGINING THE PUBLIC-PRIVATE

Reviving private investment in infrastructure will be key in post-COVID recovery

capacity-building. This report is laden with eminently sensible plug-and-play recommendations which can radically improve the PPP environment, if implemented with consistency and firm purpose.

Among the most difficult, but necessary initiatives, is the need to overhaul the culture and attitude towards the conjuring of government entities and private partners for creating specific pieces of infrastructure. As the Kelkar committee has stated, there needs to be an approach of give and take, instead of government interlocutors trying to adopt a purely transactional approach without adequate focus on outcomes, while also trying to minimise risk to themselves by passing on uncertain elements in a project—like the land acquisition risk—to the private partner. This attitude change can be facilitated by the Prevention of Corruption Act are further amended to encompass modern-day requirements, including factoring in the need for government agents to take calibrated risks while engaging with the private sector. The private partners also need to be incentivised to focus on project outcomes, with guard-rails in place to discourage rent-seeking behaviour. In sum, risk avoidance by the public entity and rent-seeking by the private partner are the twin challenges that need to be carefully addressed.

On the regulatory front, a compelling need would be to promulgate a PPP legislation which can provide a robust legal ecosystem and procedural comfort to the various actors and stakeholders. Such legislation should encompass the need for fostering innovation and global best practices, factoring in the requirements of diverse infra sectors ranging from

water-supply to telecom and also enabling flexibility in project design and execution. Infrastructure projects typically have long-drawn-out profitability cycles. The key to a successful PPP is to provide stable revenue flow assurances and a settled ecosystem to investors over long periods by means of policy stability, assurances possibly secured by law.

PPP contracts also need to provide for mid-course corrections given that the ecosystem surrounding the infrastructure piece, including utilisation patterns, as well as the creation of competing infra assets may necessitate a dynamic approach to aspects like risk and revenue sharing. Given the complexity surrounding the creation of infra projects, and the difficulty of predicting the stability of revenue flows over long periods of time, government partners in PPP arrangements need to ensure that open-ended arrangements that might entail unforeseeable risk are minimised for the private investor, including aspects such as land availability and community acceptance.

After we emerge out of this pandemic, a focus area for public policy has to be the creation of a modern-day, sustainable and resilient infrastructure that not only improves the ease of living for all Indians, but also absorbs a majority of the millions of young people who enter the workforce every year. Designing a fresh approach and creating a stable policy environment that provides comfort and incentives to private investors will be key to attaining this goal.

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OCTOBER 9, 1980, FORTY YEARS AGO

POLICE IN HOUSE

THE POLICE AND PAC entered the Vidhan Parishad in Lucknow to help the council guards eject members of the newly formed United Opposition Front (UOF). The House had to be adjourned four times for a total of two-and-a-half hours. One platoon of the PAC consisting of about 30 men, police superintendent N Singh, with a posse of 13 policemen, six guards of the council and 18 guards of the secretariat ejected the protesting members. The process came to a halt when Janata member Sarju Prasad became “unconscious” and had to be attended to by doctors. Members of the ruling Congress (I) sat silently watching the scene,

as did members of the Lok Dal, whose de-recognition as the main Opposition party was being demanded by the UOF.

INDIANS KILLED IN IRAN FIVE INDIAN SEAMEN were killed at Khorramshahr docks during fresh flare-up of fighting between the Iranians and Iraqis around the docks. The first engineer of a ship, Valentin, said that the sea-seamen were killed by Iranian machine gunfire while they were trying to swim to safety across the Shatt-al-Arab from their ship, which came under attack last night. One survivor said he and 29 other crew members of his ship ‘Olaneste’, which was also attacked,

reached the Iraqi side safely.

BESIEGED CITY

IRANIAN FORCES CONTINUED to hold out in the besieged town of Khorramshahr as Iraqi artillery maintained its steady bombardment of the battered city and the nearby blazing oil complex of Abadan. The crack of small arms fire could be heard from Khorramshahr, where Iraqi troops and tanks seized control of the important docks on the banks of the disputed Shatt-al-Arab waterway four days ago. But eyewitnesses said Iranian forces control pockets in the southern part of the town and most of the south side.



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"THE IDEAS PAGE

The Hathras dead-end

What does the UP government so ferociously seek to protect — after having violated every possible fundamental right of its people?



K T S TULSANI
AND
TANESSA PURI

THIS ARTICLE SHALL neither delve into whether a rape happened or someone simply went missing while going into the field, nor the atrocity of dragging someone by their dupatta while injuring their neck and spinal cord. The authors shall not devote space to how abominable the incident is. Protestors shall be buried under pandemic law violation litigation. A fundamental right to protest peacefully under Article 19 exists. Despite being lawyers, we fail to understand the legal violation in a wish to offer condolence and support to the victim's family. We foresee being framed as anti-national, seditious, systemic dismantlers of the Uttar Pradesh government. We wonder what the government so ferociously seeks to protect — after having violated every possible fundamental right of its people?

The Sexual Harassment of Women at Workplace Act is a product of Vishaka v. Rajasthan. Underneath this case, lies buried a Dalit female victim. Bhanwari used to work for the Women's Development Programme in Rajasthan. While campaigning against child marriage, Bhanwari identified families in her village who engaged in the practice. She was successful in preventing a marriage in the family of dominant-caste Gujar men. This led to her rape at her "workplace" — in a field. She identified Gyarsa Gujar and Radri Gujar as responsible for raping her. Bhanwari's husband, Mohan, was also physically assaulted by the same men. The Supreme Court chose to expand the definition of sexual harassment to make it universally applicable at all sorts of workplaces. However, the only homage we offer to Bhanwari is a singular mention of her in the Vishaka judgment.

A 19-year-old Dalit was woman allegedly gangraped by four men. The incident occurred while the victim was accompanying her mother to the field. She sustained injuries and died eventually. The police deny the occurrence of rape.

"Intersectionality" is about facets of a person's identity such as gender and caste, which construct privilege and disadvantage. On deconstructing each facet of the victim's identity that makes her more vulnerable as a recipient of violence, her case stands out. Kimberlé Crenshaw's traffic analogy can be superimposed here. If the victim from Hathras stood at a traffic intersection and each of her identities were separate roads, it is impossible for us to decipher whether she was hit by a truck from the road for "caste" or "gender". On a ladder of oppression, being female puts the victim at the bottom — but then being Dalit shows her down further.

The victim's body was cremated by the police hurriedly. Videos show relatives throwing themselves at the ambulance begging to see the victim. Opposition MPs have cases against them for violating pandemic laws, merely because they led a protest march to meet the victim's family. An MLA from the ruling party claims that rape does not occur if parents teach their



C S Solankar

daughters good values. Which lessons on good values did Bhanwari Devi and the Hathras victim forget? An ex-MLA from the ruling party held a meeting in support of the accused. Some lessons on good values seem skipped here.

Q. What was the urgency behind cremation? Was it to prevent a second post-mortem?

The hasty and forceful cremation is a violation of the victim's right to dignity under Article 21 of the Constitution. This is supported by the cases of *Pt. Parmendra Kumar vs Union of India* (1995) and *Ranjit Singh v. Uttar Pradesh* (2009).

Q. Why were the district magistrate himself threatening the victim's family?

Video clips show the district magistrate pressuring the family to change their statement. He is seen threatening and intimidating the family. His role and interests in speedy disposal of the victim's body need to be probed under Section 201, Penal Code.

Q. Why were 11-day-old worthless samples sent to the forensic laboratory?

Instead of taking medical exam samples of the rape victim within 24 hours under Section 164A, Criminal Procedure Code, the samples were taken 11 days later. The time lapse between the alleged rape's occurrence and the time of carrying out the medical examination renders these samples worthless.

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daughters good values. Which lessons on good values did Bhanwari Devi and the Hathras victim forget? An ex-MLA from the ruling party held a meeting in support of the accused. Some lessons on good values seem skipped here.

less. The state's role behind this delay elicits investigation. Policing aside, seminal stains in a victim's body are inessential to prove rape based on *Uttar Pradesh v. Bahulathi* (1994).

If the above fails to prove rape, then under Section 32(1), Evidence Act — solely based on the victim's dying declaration — the rape must be upheld. There is a presumption that an imminent fear of death, every word uttered by a dying person is true. Nobody wants to meet the maker with a false foot forward. This is one of the rare cases where the dying declaration is available on an audiovisual platform and captures every single question and answer put to the victim by the police officer. The dying declaration does not need to be corroborated based on *Kishori v. Maharashtra* (2013). Minor discrepancies in the declaration can be overlooked due to pain and suffering of the victim based on *Ahlu v. Uttar Pradesh* (2011).

And then, I reached a fork! I didn't know which needle hurt more/the one that read "DALIT" or another that read "WOMAN"/I'm sure I was not as pathetic a human being, as I was rendered in my life and even after I am not India's daughter/I am what no daughter in India wants to be/I am the violence your mother's pillow hides/and the silence into which no law confides.

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WHAT THE OTHERS SAY

"The Rohingya have faced enough hardships and are already living a difficult life in the camps in Cox's Bazar as they cling on to hope of being repatriated to their homeland some day. The last thing they need are incidents of violence within the camps threatening their safety." — DHAKA TRIBUNE

Bill of exclusions

Assisted Reproductive Technology Bill raises constitutional, medico-legal, regulatory concerns. It needs a thorough review



PRABHA KOTISWARAN

UNION HEALTH Minister Harsh Vardhan introduced the Assisted Reproductive Technology (Regulation) Bill, 2020 (Bill) in the Lok Sabha on September 14. Its aim is to regulate ART banks and clinics, allow safe and ethical practice of ARTs and protect women and children from exploitation. The Bill was introduced to supplement the Surrogacy (Regulation) Bill, 2019 (SRB), which awaits consideration by the Rajya Sabha after review by two parliamentary committees. Fifteen years in the making, the ART Bill is unsatisfactory and fails to respond to the needs of the 27 million infertile Indian couples.

The first concern is who can access ART. The Bill allows for a married heterosexual couple and a woman above the age of marriage to use ARTs. It excludes single men, cohabiting heterosexual couples and LGBTQ individuals and couples from accessing ARTs. This violates Article 14 of the Constitution and the right to privacy jurisprudence of *Puttaswamy*, where the Supreme Court held that "the sanctity of marriage, the liberty of procreation, the choice of a family life and the dignity of being" concerned all individuals irrespective of their social status and were aspects of privacy. In Navtej Johar, Justice Chandrachud exhorted the state to take positive steps for equal protection for same-sex couples. Unlike the SRB, there is no prohibition on foreign citizens accessing ARTs. Foreigners can access ART but not Indian citizens in loving relationships. This is an illogical result which fails to reflect the true spirit of the Constitution.

The ART Bill does not do what it says on the label. It does little to protect the egg donor. Harvesting of eggs is an invasive process which, if performed incorrectly, can result in death. The Bill requires an egg donor's written consent but does not provide for her counselling or the ability to withdraw her consent before or during the procedure (unlike the SRB and the surrogating parties). She receives no compensation or reimbursement of expenses for loss of salary, time and effort. Failing to pay for bodily services constitutes unfree labour, which is prohibited by Article 23 of the Constitution. The commissioning parties only need to obtain an insurance policy in her name for medical complications or death; no amount or duration is specified. The egg donor's interests are subordinated in a Bill proposed in her name. The Bill restricts egg donation to a married woman with a child (at least three years old). Even here, the Bill requires an altruistic act: it is possible only once a woman has fulfilled her duties to the patriarchal institution of marriage.

Children born from ART do not have the right to know their parentage, which is critical to their best interests and protected under previous drafts. The Bill requires pre-implantation genetic testing and where the

embryo suffers from "pre-existing, heritable, life-threatening or genetic diseases", it can be donated for research with the commissioning parties' permission. These disorders need specification or the Bill risks promoting an impermissible programme of eugenics. Prior versions of the Bill regulated research using embryos, which must be brought back.

Although the Bill and the SRB regulate ARTs and surrogacy, respectively, there is considerable overlap between both sectors. Yet the Bills do not work in tandem. Core ART processes are left undefined; several of these are defined in the SRB but not the Bill. Definitions of commissioning "couple", "infertility", "ART clinics" and "banks" need to be synchronised between the Bills. A single woman cannot commission surrogacy but can access ART. The Bill designates surrogacy banks under the SRB to function as advisory bodies for ART, which is desirable. However, both Bills set up multiple bodies for registration which will result in duplication or worse, lack of regulation (e.g. surrogacy clinic is not required to report surrogacy to National Registry). Also, the same offending behaviours under both Bills are punished differently + punishments under the SRB are greater. Offences under the Bill are bailable but not under the SRB. Finally, records have to be maintained for 10 years under the Bill but 25 years under the SRB. The same actions taken by a surrogacy clinic and ART clinic (likely to be the same entity) attract varied regulation.

Previous versions of the Bill required independence between ART banks and ART clinics. There is no such distinction now. Where gamete donation is not compensated, how will ART Banks be economically viable? Perhaps clinics are allowed to operate banks and subsidise them through ART services? In previous drafts, gametes could not be gifted between known friends and relatives. Has this changed? ART is an altruistic act, an altruistic model of gamete donation? Either way, gamete shortages is likely. Further, the Bill's prohibition on the sale, transfer, or use of gametes, and embryos is poorly worded and will confuse foreign and domestic parents relying on donated gametes.

The Bill requires clinics and banks to maintain a grievance redressal mechanism. One-sided. Clinics must instead have ethics committees. Mandated counselling services should also be independent of the clinic. The SRB and the Bill require parents (8-12 years) and hefty fines. The poor enforcement of the PCPNDT Act, 1994 demonstrates that enhanced punishments do not secure compliance — lawyers and judges also lack medical expertise. Patients already sue fertility clinics in consumer redressal fora, which is preferable to criminal courts. Unusually, the Bill requires all bodies to be bound by the directions of central and state governments in the national interest, friendly relations with foreign states, public order, decency or morality — being broadly phrased, it undermines their independence.

The Bill raises several constitutional, medico-legal, ethical and regulatory concerns, affecting millions and must be thoroughly reviewed before passage.

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Justice, after Hathras

Widespread, daily crime against women needs more urgent, purposeful response



DEEPAK GUPTA

ONCE AGAIN, the conscience of the nation has been stirred by the horrific brutalisation and murder of a young Dalit woman in Hathras. The crime has been compounded by the folly of a midnight cremation by the police without the family's permission and attendance. Every now and then, the country witnesses such acts. Civil society erupts in rage. There are protests and candle light marches. Visual, print and social media record these outbursts of pain. Politicians blame each other depending upon where the incident takes place. Instant justice is demanded and promised. SITs are constituted. Fast track courts are promised to be set up.

We then go back to normal only to return to another scene of this never-ending drama. It has become a spectacle of which we should be collectively ashamed.

While individual and isolated events cause an uproar, we are missing the widespread and daily nature of this assault and the immense suffering it is causing. The promise of quick justice is not met. National Crime Record Bureau statistics show that in 2019, 1,62,741 cases were pending for trial, an increase of about 17,000 from 2017. During the year, 18,373 cases were disposed of, of which 5,822 resulted in conviction. The rate of conviction is about 27 per cent. 45,536 cases were pending for investigation. In 2017,

331 cases were of rape/gang rape/murder. These have not made headlines but are hidden away in the statistics.

Several practical questions arise. How will the police investigate such a large number of cases given that their strength is limited, there is no separation of the investigative wing with that tasked with maintenance of law and order, heavy inroads have been made from protocol and security functions and resources are simply not enough. There is no examination of what is needed to ensure proper and timely investigation of rape cases.

How will the fast track courts fast track trials? Reports suggest poor implementation on setting up of fast track courts, anomalies and shortages in both creation of infrastructure and staff as well as funds. This includes the availability of forensic labs. The same police personnel will serve these courts as well. The same investigation and judicial procedures will apply. Specific studies must be done on delays in investigation and trial of rape cases, particularly the more heinous ones. There is need for clear earmarking of fast track procedures for investigation and trial — the presence of witnesses; examination of police personnel; issues of fixing dates/adjournments/cross-examination etc. Since these cases will not be many, why can't a trial be completed in a month? The appeal

late/review procedure will also require short circuiting. The case of the December 16 gang-rape in Delhi 2012 saw repeated opportunities provided to the accused in the name of natural justice. The crime took place in 2012. The accused were hanged in 2020.

Delays in dispensation of justice were said to have contributed to the Hyderabad Police shooting down four accused last year. There was an outpouring of public support for such vigilante justice. More such cases will happen, and will be justified in the public domain, if we continue to delay matters that must be brought to a lawful end quickly. Many cases are not reported in this country because of various reasons — victim shaming, fear of the family knowing, and fear of reprisals. Concern about law enforcement is also cited as a factor. Rape is not only a social stigma, the legal procedures are very lengthy, costly, time intensive. How many have the mental strength and resources to report and follow up? Cases will either not be reported, or if they are, they will not be followed up. The charade of investigation and trial will go on, where the victim will often be the bigger loser.

Social reform is, of course, necessary. And have to collectively strengthen all the ways in which the position of women in society can be improved. In an overwhelming majority of the cases, the victim is attacked

by known persons. In India, the position is made worse when the victim belongs to the SC/ST group, like in the Hathras case.

It has often been suggested that to tackle rape cases, a complete overhaul of the police machinery is necessary. But such general statements do not help. We have to list out specific steps, at each stage.

As a first step, we would be able to identify the more serious cases, where witnesses are available, conviction appears likely. Such cases, possibly 30-40 per cent of the cases, should be specially fast tracked. The ministries of home and law and justice receive quarterly reports. What is done to them, what reviews take place and what actions are taken are not known. They should monitor, through a special template, on a weekly basis, the cases which have been prioritised. The chief ministers of states, chief justices of high courts, chief secretary, DG Police should be given the feedback so that they can take steps, or issue instructions, to expedite investigation/trials. The Chief Justice could head a committee in the state to review regularly. This will take some of their time but not only will a strong message go to all concerned, but quick disposal would take place, and that will have its own impact.

The writer is former chairperson, UPSC

LETTER TO THE EDITOR

OPEN OR SHUT?

THIS REFERS TO the editorial, 'Back to School' (IE, October 8). Since the Centre is mulling the reopening of schools, school administrations should call students in batches as schools cannot operate at their full strength due to the pandemic. The government should ensure that parents who still have not paid school fees should get enough time. The ground reality is that many private schools are asking for full fees from parents. All this should be kept in check.

Ayushi Singh, Agr

THIS REFERS TO the editorial, 'Back to School' (IE, October 8). The SOPs issued for a partial reopening of schools for classes IX-XII are so detailed that it will be in the best interest of the schools not to announce the reopenings. The elaborate manner in which the SOPs have been issued is clearly to tighten school establishments, as well as the students and their parents. Given that the pandemic is reaching new heights, this is an exercise in futility. The on-line system is working, and it should not be disturbed until the festival season is over.

Ravi Bhoolchand Jain, via email

CENTRE MUST PAY

THIS REFERS TO the editorial, 'Spit of mutuality' (IE, October 7). State fiscal policies are complex matters and cannot be decided through a "high command whip". The GST compensation imbroglio has exposed the shallow rhetoric of "co-operative federalism" and exacerbated the politicisation of the GST Council. It

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can still be salvaged if the Centre can shed its cussing and end this impasse by committing to raise resources to plug the GST compensation gap.

SS Paul, Noida

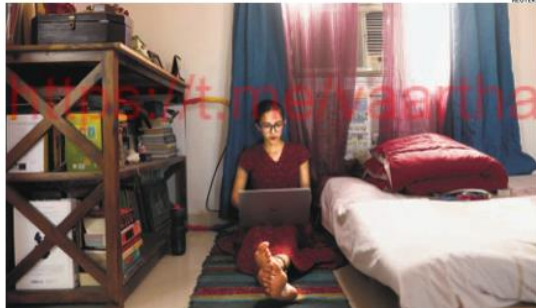
FIGHT TOGETHER

THIS REFERS TO the report, 'Quad meet: Eye on China, India seeks respect for territorial integrity' (IE, October 7). The second meeting of the foreign ministers of the Quad — India, Japan, US and Australia — in Tokyo saw a further movement towards formalisation of the platform in light of growing Chinese assertiveness. While China's economic rise has certainly given a fillip to regional economies, it is Beijing's desire to rewrite the rules of engagement that is creating tensions. What's needed is an effective regional counterbalance to China.

Vandana, Chandigarh

OUR VIEW

MY VIEW | FARM TRUTHS



Don't dismiss whines from home over WFH

It had promised liberated workers, lower overheads and productivity gains, but work from home is causing unease. Even if the office is dying, vital aspects of it need rescue

We do not know about the economy, but in other spheres, wishes do have a strange way of coming true. Before an invisible monster called coronavirus burst into our lives, many of us yearned for an idyll called work from home (WFH). That snarfy commute downtown would be a distant memory and life would get a chance to balance the scale against work. Today, if dyslexic readings of "WFH" as a curse are common, it may possibly be because its strain is beginning to show. Indians seem especially overstretched, going by Microsoft's latest Work Trend Index. Its survey of over 6,000 information and first-line workers across eight countries found that 29% of those in India were facing a burnout, with covid-fear rated as the top stress point, followed by an inability to keep life and work apart, a loss of co-worker fellowship, and a heavy workload (or extra hours). This may apply to workers in other sectors too. A LinkedIn survey revealed that 41% of Indian professionals felt that working remotely had got in the way of their career progression, even as they endured job uncertainty. Psychologists, meanwhile, have reported a range of other afflictions caused by WFH. This is not how it was supposed to be.

While it is human nature to make a virtue out of a necessity, it is not as if WFH has nothing going for it. In its early days, enhanced productivity was among the gains observed by several business managers. Suddenly, work place overheads that had seemed hardwired into cost structures went poof. The very idea of the office was declared dead by some—notably by Catherine Nixey in an essay in 1843 magazine—on the argument that it was just a

blip in the evolution of our worklife, an artefact of the industrial age that set up factories to yank us out of our cosy work spaces at home. Indeed, the liberation granted by technology from cubicle farms is not to be scoffed at. WFH can also be work from anywhere, and any expansion of choice is to be valued—at least in theory.

India, however, is a country of poor connectivity, power snap-offs and crowded homes, by and large. The daily routines of remote employees have varied contexts. While some find that WFH has put them at a disadvantage vis-à-vis their peers—women with unfair burdens of domestic chores, for example—others are unsettled by a sense of being at the voiceless end of an electronic leash. Apart from stiff boss-subordinate relations, many complain of remote work cultures being a little too robotic. Netflix's chief executive officer Reed Hastings has been especially vocal about WFH's negative impact on spontaneity, ideation and thus an organization's business prospects. With non-verbal cues all but missing in work interactions, stray but valuable thoughts may fail to get articulated. Group dynamics could suffer. And then, of course, is the lost liveliness of an office buzz. All this may just be the trauma of an inevitable transition, though, as we adjust to a post-covid world. Offices remain unsafe, WFH cannot be wished away, and cost calculations could push many organizations towards a hybrid model even after the corona scare goes away. If WFH is to prevail well into the future, then it's about time that heads are knocked together (online, of course) to quell the anxieties it has thrown up. Digital innovation will have some of the answers, but not all. Empathy, of the classic face-to-face kind, may hold the key.

An MSP guarantee won't solve the problems of Indian farmers

There needs to be a simultaneous rise in procurement if such price assurances are to be of any use



HIMANSHU is associate professor at Jawahar Lal Nehru University and visiting fellow at the Centre de Sciences Humaines, New Delhi

Farmer agitations against the three farm bills passed by Parliament continue in different parts of the country. Their concern is largely that the proposed Farmers' Produce Trade and Commerce (Promotion and Facilitation) Act, 2020 (FPTC) will make the Agricultural Produce Marketing Committee (APMC) mandis irrelevant. These concerns are valid, given the experience of states that have diluted or abolished APMC mandis. But a related concern, at least among farmers in Punjab, Haryana and Uttar Pradesh, is also the fear that the new law will reduce the scope of minimum support price (MSP)-led operations. Although not shared by farmers in many other states, it has led to demands by major political parties for the government to guarantee MSP procurements.

While the law does not make any such mention, there are no changes in the government's position on MSPs and the procurement of foodgrains by the Food Corporation of India (FCI). Farmers' fears stem from the possibility of FCI procuring grain from traders who would have bought it cheaper from open markets, where there will be no levy of commission and taxes, unlike at APMC mandis. It is likely that the demand will find resonance in states that are the biggest beneficiaries of the MSP-based procurement regime. However, it has also contributed to the dilu-

tion of several important issues, including improvement of the accessibility and efficiency of APMC mandis.

So how reasonable is the demand for MSP-based procurement? It has gained traction because it remains the only visible and accessible form of state support to agriculture. With the withdrawal of subsidies on diesel and complex fertilisers, MSP procurements have helped farmers realise better prices, at least for the crops that are procured by the government. These are mainly wheat and rice, even though MSPs are announced for 23 crops. There has been the occasional procurement of other crops as well, but these are insignificant and have been regionally restricted.

For rice and wheat, MSP procurement is feasible because of central foodgrain requirement under the National Food Security Act (NFSA). But even for these, procurement in recent years has been much higher than what's needed. Last year, FCI procured 5.4 million tonnes of rice and 39 million tonnes of wheat, far exceeding the requirement under the NFSA. The procurement of wheat was almost entirely by the five states of Punjab, Haryana, Madhya Pradesh, Uttar Pradesh and Rajasthan. For rice, the top seven states accounted for 88% of the procurement.

The total foodgrain stock in the cen-

tral pool on 1 July was 94 million tonnes, as against the buffer requirement of 41.1 million tonnes. Stocks on 1 September continued to be at 77 million tonnes, even though the buffer norm for 1 October is only 30.8 million tonnes. With procurement for paddy already underway, the stocks will likely cross 100 million tonnes by the end of this year.

These high food stocks are not just a financial burden on the government, but also create inflationary pressures by withdrawing essential foodgrain stocks from the open market. The problem of distribution is much more serious in the case of other crops where such distribution mechanisms are not available. Also, the skewed regional procurement has caused environmental imbalances, with farmers in Punjab and Haryana continuing to grow rice despite the consequences of water and soil depletion.

The demand for guaranteed MSPs is only useful if there is also corresponding procurement. Otherwise, such a guarantee is meaningless. The limitation of the MSP procurement system is not just about it being feasible for only a few crops, but also the regional procurement skew, which leaves the majority of crops as well as small and marginal farmers at the mercy of the market in the absence of support from the government. Still, the MSP demand continues since it is the only support available to farmers at a time when farm gate prices for most crops are declining.

Also, because prices are likely to go down further due to weakened demand in the economy and a sustained rise in input prices, MSP-based procurement is unlikely to offer a solution for the low price realisation of most agricultural produce. With government finances strained, the solution lies in improving access to private markets and making them more reliable and transparent. Despite their flaws, APMC mandis do help farmers. What India needs is to enhance their storage and logistics infrastructure and regulate markets well, not weaken the existing system.

QUICK READ

Demands for an MSP guarantee are rising but it would not lead to better price realisations for farmers unless procurement is also raised. That looks unlikely as state granaries are overflowing.

Despite their flaws, APMC mandis offer functional agri markets. What we need is improved infrastructure and better regulation to make the system more efficient.

10 YEARS AGO



JUST A THOUGHT

When you feel passionate about your work, you do not set rigid boundaries between work time and personal time, because the work itself is personal.

LARRY SMITH

THE NEW NORMAL

When birthdays stand for a year of living unidentifiably

SUSHMITA BOSE



is a journalist, editor and the author of 'Single In The City'.

Other than during my childhood years, when I got Endi Blyon books as gifts and a non-embarrassing array of cake candles, I've considered birthdays to be big brrrs. When we are ageing every single nanosecond, why do we have to flag the process once a year in a bonfire of vanity just because we have this compulsive need for red-letter dates replete with wine and roses? As I got older (and wiser), on every birthday, whenever I got respite from many, many infected "Many happy returns" phone calls, I'd sigh and think to myself, "Yet another year went by." One I was done with playing the life with phone lines, I'd resign myself to evening "celebrations"—which, by the end of the day, I'd actually enjoy. And I'd find myself raising a toast to the year gone by and the one looming up.

It was a bitter-sweet, love-hate ritual that kept repeating itself. But more than anything else, it was a tryst with time.

This year, however, it turned out to be a somewhat different story. My birthday was a couple of days ago and on that covid-tinted day—one in a series of mindless multiplications—in the midst of receiving calls and diligently checking a steady flow of WhatsApp messages, not for an instant did I ponder over the ticking of time.

In fact, I was quite miffed. I didn't have any sense of time passing this entire year, so why has one chapter been deducted from the story of my life—with nothing to show for it? The year 2020 has been a stretch where I have—other than spot-jogging to YouTube tutorials on the telly—lived in a segue of days, nights, weeks, months and seasons. It seems like it was only yesterday that it was May, and I had called up a temperamental friend to wish him, and he yelled at me, asking, "Why are you saying nice things to me? What's there to feel good about? I want to forget this year, dump it into a garbage bin, flush it away forever—and you are not helping in any way! And yes, I've become crazier and crankier than ever, thanks to corona. Bye now, my lentil soup on the stove is boiling over."

Later, he did call up to apologize for his

outburst. But strangely, I didn't mind his offensive one bit. I thought it was a refreshing break from the tedium of pretences.

Living as we are under the shadow of FOMO (fear of missing out), the tradition of blowing out birthday candles has been frantically reinvented—a process that I referred to as "tedium of pretences". On birthdays, in any place in the world where Wi-Fi is available, there are now group video calls where isolated, insulated individuals play "pretend partying". Everyone sits alone (or as a couple) at a table and holds up a shot glass full of vodka or orange juice (depending on whether you are alcohol-friendly or a teetotaler), and then bottoms up and then proceeds to dutifully tug into finger food they've all made discretely (the menu may or may not have been pre-decided). There is usually a cake that's cut by the birthday boy or girl, and huge fanfare follows with air-aces being held up in air

so everyone feels they are part of the "being fed" experience. Gosh, how many of these birthday bashes I've attended, and then zoomed out mulling, "What the hell was that?"

I was chatting with a cousin, and as I ranted about the unidentifiability and social distancing of birthdays, he observed, "But don't you see how so many of us are trying our best to make you feel loved? Surely that says something about the human spirit!" It's a bit like that Air Supply song, I told him.

Making Love Out Of Nothing At All. "When I look back on this year, what jumps to mind?"

Staying at home. Being scared. Losing track of time. Forgetting dates. What's there to celebrate?

"Talk about giving it a bad spin," he laughed sheepishly. Well, there is one good spin, I offered, getting fresh flowers at home, handed over by an unknown runner, instead of herding of peo-

ple landing up at your doorstep, when you are barely out of bed, screaming "Surprise!" But I did add that even as all the way weren't a fetching enough proposition to make me want to retract my wish: give me back my wasted year.

On my birthday eve, we were having a 10pm family conference call. Father, brother, sister-in-law, niece, me. The connection was (as usual) tawdry and full of static, so when my brother snidely commented there are only a couple of hours left for another milestone in my rapid stride towards senior citizenship, my father could barely hear him.

"Whose birthday did you say it is tomorrow?" he demanded to know in a disembodied voice.

"Hers, your daughter's," my brother responded. "My God!" my dad exclaimed by speaking from outer space. "That totally forgot it was your/her birthday. Which month is this? Is it October already? Damn and blast this virus!"

Not such a bad thing you'd forgotten, I wanted to tell him. I want to forget it myself. Post-birthday musing: I did enjoy the gooey cherry and chocolate someone sent me, via app delivery

Shareholder value isn't past its sell-by date as a corporate goal

Efforts by managements to please all stakeholders rather than just their own shareholders could end up pleasing no one



RAGHURAM G. RAJAN
Is professor of finance at the University of Chicago Booth School of Business

With the covid pandemic reinforcing concerns about economic inequality, left-behind communities, discrimination, and climate change, there is increasing pressure on corporations to do more than sell a good widget at an affordable price. Responding to the changing public mood, the US Business Roundtable declared last year that, "Each of our stakeholders is essential. We commit to deliver value to all of them, for the future success of our companies, our communities, and our country."

But this way of framing the issue is unhelpful. A corporation's stated objectives should help guide its choices. If all stakeholders are essential, then none are. In an attempt to please everyone, the Business Roundtable will probably end up pleasing no one. Recent evidence even suggests that the corporations that signed on to the group's "stakeholder capitalism" statement have been more likely to lay off workers in response to the pandemic, and less likely to donate to relief efforts.

Nevertheless, is the shareholder-centric view, propounded by Nobel laureate economist Milton Friedman, wrong? Friedman's rationale was that because managers are employed by shareholders, their duty is to maximize profits—and thus the share price. While this approach was widely embraced in the United States and the United Kingdom over the past 50 years, its basic logic was misunderstood. To many observers, the idea that businesses should favour millionaire investors at the expense of long-term workers is appalling.

Yet, there is a deeper argument for Friedman's view, based on the recognition that managers will not necessarily squeeze everyone else to favour shareholders. Because shareholders get whatever is left over after debt holders are paid their interest and workers their wages, management can maximize shareholders' "residual claim" only if it expands the size of the corporate pie. To the extent that management must satisfy everyone else before looking to shareholder interests, it already does maximize value for all.

True, some would counter that the imperative to boost quarterly profits leads to cost cutting in areas like worker training. But if companies want to maximize their share value, they will train workers, encourage sustainable practices from their suppliers, and foster lasting relationships with customers instead of ripping them off. Put another way, even if CEOs do focus primarily on share prices, that doesn't mean the stock market only rewards decisions that boost this quarter's earnings. Amazon showed little profit for years, but is thriving because it invested so much in its business.

Moreover, when quarterly results do affect share prices, it is often because the short term has been



interpreted as a credible reflection of the long term. By the same token, instead of trying to boost short-term profits by sacrificing the long term, corporate managers would do better to explain their strategy and encourage investor patience. And if market analysts do not buy their argument, perhaps they have a point, and new management may be in order. It is up to good corporate boards to decide. They can certainly encourage managers to take a longer-term view. Vacuous statements about serving all stakeholders need not be issued.

The real problem with Friedman's formulation is that no matter how correct it is technically, the fact that it is misunderstood makes a difference. Today's idealistic workers and customers refuse to accept it. The ironic implication of this is that corporations that announce a commitment only to maximizing shareholder value risk driving away key constituencies, which will be reflected adversely in their share price.

This is why, as a recent McKinsey & Company report shows, more corporations are becoming "purpose-driven." Among the benefits it is a stronger revenue growth (by attracting socially conscious customers), greater cost reduction (such as through energy or water efficiency), and better worker recruitment (making "doing good" an employment perk).

None of these targets is at odds with the objective of maximizing shareholder value. Corporate purpose is useful only insofar as it enforces critical constituencies. If its purpose is meant to please everyone, however, it will introduce an impossible standard and backfire. The key for management to make clear how it will choose between different constituencies when trade-offs must be made.

For example, when Google withdrew from a US government program to develop artificial intelligence for military purposes, it signalled that its employees' objections were more important than the interests of large, lucrative clients. As a result, Google employees and customers all have a better sense of how the company weighs its interests.

Some corporations have taken things even further, such as by developing sustainability guidelines in the absence of state regulations. Collective acts of corporate noblesse oblige are worrisome guidelines that large players can easily meet may keep out smaller market entrants, and nobly intentioned buyers may form "cartels" to squeeze suppliers. As such, it would be better if corporations pressed elected governments to regulate.

Finally, there is the growing issue of corporate political influence and speech. Many stakeholders now want companies to weigh in on issues such as the restrictions on LGBT+ rights in some US states. Generally speaking, interventions outside a company's business interests raise questions of legitimacy: Whose views are being represented? Management? But managers were appointed for their competence to run the firm, not their political views. Stakeholders?

Which set and on what basis? Corporations should be careful here. While we have political processes to reward or penalize government actions, and corporate processes to hold managers accountable, we lack robust mechanisms for monitoring and checking businesses that take on traditional government roles. Until we do, corporations that assume public responsibilities risk crossing the line into public acceptance. Better to let sleeping dogs lie.

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The gem has a calligraphy scroll by Mao Zedong and is worth millions

The precious Mao gem that got hawked for \$65

A calligraphy scroll by former Chinese leader Mao Zedong estimated to be worth millions of dollars was cut in half after it was stolen last month in a high-profile burglary in Hong Kong, police said. The scroll was found damaged when police arrested a 49-year-old man in late September on suspicion of handling stolen property. The *South China Morning Post*, quoting an unidentified police source, reported that the scroll was cut in two by a buyer who had purchased it for 300 Hong Kong dollars (\$39) and had believed the scroll to be counterfeit. "According to our investigation, someone thought that the calligraphy was too long," Tony Ho, senior superintendent of the police Organized Crime and Triad Bureau, said at a news conference Tuesday.

A sleep tracker that programmes your dreams

Scientists have claimed to be able to manipulate sleepers' dreams by making them imagine certain topics, similar to lucid dreaming. Researchers at MIT Media Lab's Fluid Interfaces used a technique called targeted dream incubation (TDI) to achieve this. TDI uses an early sleep stage, known as hypnagogia, to consciously shape what the sleeper will dream about. Hypnagogia—the earliest sleep stage—is similar to the rapid eye movement stage in terms of brain waves and experience, however sleepers can still hear audio during hypnagogia. As such, subjects recorded audio prompts and then had those suggestions played back at an appropriate time. The sleep tracker, called Dormio, "delivers audio at the correct times, and records audio of dream reports", according to author Adam Haer Horowitz.

The Independent

Digital tools could be guilty of discrimination

Women with darker skin are more than twice as likely to be told their photos fail UK passport rules when they submit them online than lighter-skinned men, according to BBC investigation. One black student said she was wrongly told her mouth looked open each time she uploaded a photo to the government website. This shows how "systemic racism" can spread, Elaine Owens said. The Home Office said the tool helped users get their passport more quickly. "The indicative check [helps] our customers submit a photo that is right the first time," said a spokeswoman. "Over nine million people have used this service and our systems are improving." We will continue to develop and evaluate our systems with the objective of making applying for a passport as simple as possible for all.

BBC

This microwave-like UV cabinet can zap corona

A "disinfection" cabinet that zaps coronavirus could be this Christmas's must-have gadget, as manufacturers tap into demand for professional levels of hygiene in the home. The UV cleaning cabinet, which resembles a microwave and costs £99, is one of a range of anti-coronavirus appliances being put on the market by the electrical brand Beko. The appliance maker, Thinksmart, said that, which uses UV light, could become a fixture in British hallways. The cabinet can be used to kill bacteria and viruses on the surfaces of personal effects such as keys, mobile phones, bags and toys. The Hygiene Shield range, which also includes a fridge with a disinfection drawer and a tumble dryer, was rushed into production after appeal of 500 customers in 30 countries found widespread concerns about domestic hygiene.

The Guardian

A 'woke' culture that threatens social progress

'Woke' campaigning will set back social progress by assuming all minorities are victims, an academic who placed fake articles in journals has warned. Helen Pluckrose infuriated academic circles by publishing deliberately abusive papers which were nevertheless unwittingly praised by scholars steeped in a social justice worldview. She believes that the "woke" perspective shrank in academia has spread to corporations, politics, and everyday interactions and represents "the worst of capitalism". Cynical Theories writer Mark Pluckrose told the *Normalpod* podcast with columnist Allison Pearson and Liam Halligan, that the ideology of identity politics will damage social progress by inflaming tribalism between genders, sexualities, and races.

The Telegraph

The anxiety and nostalgia of lit fests in times of covid

RAHUL JACOB



is a Mint columnist and a former Financial Times foreign correspondent.

Few literary festivals anywhere were as ill-fated as Hong Kong's in 2020. It got underway just as the severe acute respiratory syndrome (SARS) was migrating from southern China to Hong Kong. V.S. Naipaul, among others, cancelled a fortnight before the event. One panel discussion stood out for its topsy-turvy before and after. An obscure Turkish writer also pulled out because of SARS, which had a much higher fatality rate than covid, leaving the Bangladeshi writer Taslima Nasreen and a British writer, widely discredited for his coverage of the HIV epidemic, as the only two writers on the panel.

Yann Martel, the Canadian author of *Life of Pi*, who was in the audience, asked spirited questions that took apart the former *Sunday Times* reporter's reporting on HIV and separately made an eloquent case for organised religion, which Nasreen had dismissed as a form of patriarchy. Reflecting on the "loneliness" of writing, one overwrought expatriate mother's request to Nasreen to give her daughter "courage" ended in sobs—to the embarrassment of the teenager and moderator. When it was over, another American woman said that by allowing Martel so much Q&A time, the moderator had been a perpetrator of what the discussion was about: the "oppression of women by men." (The panel was actually titled "Writing for Change") I was the inept moderator.

At their best, literary festival panel discussions are a hybrid of a great dinner party and a post-graduate class at a top university. When they go off the rails, they can seem like retired Lutyens' Delhi bureaucrats making pointless points, or even apocalyptic therapy session. But, they widen horizons in a bipolar world of shouting match on TV and strident WhatsApp warriors. Our national strength as takers, rather than doers, is usually no longer a handicap. Lit-fests likely date back to one in semi-rural England in 1935, but almost everyone overseas agrees that the Japur Literary Festival set the gold standard globally. Instead of solo reading by authors and priority tickets, JLF packed in rock-concert sized crowds of 12,000 on the main lawn of Diggi Palace.

It is thus dispiriting to imagine a Japur

January without JLF. After days of alternately working-shirking from home, peering at someone boxed in by Zoom seems a continuation of another work day without office gossip. And I cannot be the only person who wishes people would switch to other alternatives after Zoom, owned by a Chinese entrepreneur in California, admitted to suspending accounts of pro-democracy activists in Hong Kong at Beijing's request this June but promised not to do it again. Sanjay Roy, who, along with Namita Sokhale and William Dalrymple, has taken JLF to Colorado, Hong Kong and Adelaide, sounded surprisingly upbeat this week. "We are very clear that we will always have a digital offering with its own-styled production standards" even after the threat of covid passes, Roy told me. JLF's *Bave New Writers Series* (<http://jlf.fest.org/bnw/>), with authors such as Orhan Pamuk and Margaret

Atwood, has done surprisingly well. Shashi Tharoor's recent session for JLF London attracted more viewers than half a dozen years at a JLF satellite event at the British Museum were able to do.

Yet, in an telling statistic that reveals how distracted we are when we "connect" via videoconference, Roy says the average viewer stayed for less than 20 minutes of each session. By contrast, it is five years since I chanced upon the animated classical Indian languages scholars Arsha Satkar and Sheldon Pollock before 2,000 people in Japan; riveted, I stood all through and remember it as if it were yesterday. At another JLF event, I came in from morning walk along a forest creek and fell under the spell, as sages do in myths, of Shabnam Virmani singing verses of Kabir.

At work and play, we are social yet also solitary animals. Over the past fortnight, the French Open has experimented

with live audiences and physically-distanced spectatorship, allowing 1000 fans in a stadium of 15,225. Even that small band nearly blew the roof off the delightful pre-quarantine pitting US Open champion Dominic Thiem against the 239-ranked Frenchman Hugo Gaston. That match was much more exciting than the tortured men's final of the US Open, which did not allow spectators. Instagram appearances during lockdown support tennis stars need an audience as much as fans need them. In the past few weeks, my most memorable moment outside has been admiring the consistency of anationally-ranked wheelchair tennis player, Shilpa K.P., at Bengaluru's Toppin Tennis Academy. And, for all the virtual drinks I have had via Skype with friends in Delhi, Chennai and Sydney, the real treat has been sitting two metres away from a friend on the terrace of an empty restaurant this week. He urged me to read Isabel Wilkerson's book, *Caste*, which likens America's race problem to India's caste system in overturning caste hierarchies, the "human pyramid" encrypted into us all. Viewing sordid pic on Instagram or watching authors via Zoom couldn't compare with either experience.

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Scissoring the DNA

The huge potential of the gene-editing tool decided the chemistry Nobel

That scientists who pioneered the revolutionary CRISPR-Cas9 gene-editing technology, the biggest game-changer in biology in recent years, will win the Nobel Prize was never in doubt; it was only a question of when and who would get recognised for the work done to develop the tool. The Prize awarded to Emmanuelle Charpentier and Jennifer A. Doudna, just eight years after they developed the tool, has finally ended the speculation of who would win it. But most importantly, this year's Prize for chemistry has created history by honouring an all-woman team. It all started when Dr. Charpentier discovered an RNA molecule that is part of bacteria's ancient immune system — CRISPR-Cas — wherein clustered repeated sequences produced by bacteria can remember and destroy viruses by clearing their DNA. Teaming with Dr. Doudna, she recreated the bacteria's genetic scissors in a test tube and simplified the tool to make it easier to programme the system to precisely cut specific sites of interest in any DNA, including humans. While the tool is most often used to make a cut in the DNA, newer approaches are being attempted to add or make minor changes to the DNA. All these approaches may at some time in the future make it easy to "rewrite the code of life".

The gene-editing technology has opened up a vast window of opportunity. In the last six years, the tool has enabled scientists to edit human DNA in a dish and early-stage clinical trials are being attempted to use the tool to treat a few diseases, including inherited disorders/diseases and some types of cancer. Though in 2016 China began the first human clinical trial to treat an aggressive form of lung cancer by introducing cells that contain genes edited using CRISPR-Cas9, the use of the tool has so far been limited to curing genetic diseases in animal models. Last year, a Chinese researcher used the tool to modify a particular gene in the embryo to make babies immune to HIV infection, which led to international furor. Though no guidelines have been drawn up so far, there is a general consensus in the scientific and ethics communities that the gene-editing technique should not be used clinically on embryos. Unlike in the case of humans, the tool is being extensively used in agriculture. It is being tried out in agriculture primarily to increase plant yield, quality, disease resistance, herbicide resistance and domestication of wild species. The huge potential to edit genes using this tool has been used to create a large number of crop varieties with improved agronomic performance; it has also brought in sweeping changes to breeding technologies. The gene-editing tool has indeed taken "life sciences into a new epoch".

Avoidable uncertainty

Appointment processes for critical financial policy roles need an overhaul

The Reserve Bank of India will release its third bi-monthly monetary policy statement for 2020-21 on October 9, instead of October 1 as originally envisaged. This will be at the culmination of a three-day review of the pulls and pressures in the economy by the monetary policy committee (MPC). The review began on Wednesday instead of September 29, after the RBI had to reschedule it on the eve of the meeting following the government's failure to appoint its three nominees to the six-member committee. This is the first such instance of the RBI deferring its bi-monthly review in recent years. That the terms of the government's first set of MPC nominees would expire at the end of August was known from the time it was constituted four years ago. Also, the MPC's meeting schedule is released by the central bank in April. Even if the hunt for new members was disrupted by the pandemic, the government had ample time to expedite these appointments after August 6, when the last policy review took place. The new members — academic Ashima Goyal with interests in the interplay of fiscal and monetary policies, noted agriculture economist Shashanka Bhide, and former SEBI member and financial markets scholar Jayanth R. Varma — are unexceptionably good picks who would lend a holistic world view to the MPC's deliberations. However, for their first meeting, they would have had effectively just 24 hours to prepare.

In normal times, one could put this avoidable delay down to bureaucratic lethargy, but these are not normal times. A lot has transpired since the last policy review; official data revealed a 23.9% contraction in the economy in Q1, jobs and incomes remain under pressure, and inflation continues to reign above the 6% upper limit of the price stability mandate agreed to in 2016 by the RBI and the Centre, which entailed the setting up of the MPC. The government has for now stuck to its ₹12-lakh crore borrowing plan, which includes space for 'unforeseen' spending. Also, States need to borrow more in the coming months including to meet GST compensation shortfalls. An almost casual approach towards continuity in such an important policy review body, at a time when markets are keen to know India's fiscal and monetary stance and the RBI's inflation and growth projections for the year, is unacceptable and sends a clumsy signal to global investors. Some lateral thinking may be needed to conjure up fresh stimulus measures for the stuttering economy, but policy mandarins should not lose sight of routine decisions. With the last two RBI Deputy Governors' vacancies being filled after protracted gaps of about six months each, appointment processes, especially for critical financial policy roles, are clearly in need of an urgent overhaul. And the government could surely burnish its standing among investors if it mandated explanations and strictures for missed timelines as part of such a revamp.



MARY E. JOHN & SATISH DESHPANDE

The gang rape that took place recently in Bul Garhi, a tiny village near Hathras in Uttar Pradesh, marks a new phase in the eventful history of rape-as-caste-atrocity in the 21st century. The idea of the caste atrocity is itself a product of the last quarter of the 20th century. The new republic took some time to realise that nothing is changed by granting passive legal rights to people who are actively treated as unequal. This is especially true when the responsibility for the enforcement of these new rights rests mainly upon those who believe that the old inequalities are part of their legitimate caste-inheritance.

Criminalising the 'legitimacy'

A provisional answer to this dilemma emerges through the notion of the caste atrocity, and a new law — the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (https://bit.ly/25CkWiQ) — The Act highlights the truth that an extraordinary law is needed to criminalise practices that were considered ordinary and legitimate not so long ago. The term "atrocity", like its predecessor "untouchability", is not defined in the law, which only refers to a list (under Section 3 of the Act) of practices — ranging from extremes such as being forced to eat excreta, to varied forms of routinised humiliation

and discrimination, including economic boycott, social exclusion, sexual violence and political disenfranchisement.

The difficult process of redefining (some) traditional practices as modern crimes is where we must begin in order to understand the place of rape within the larger spectrum of the caste atrocity. In rural society, the sexual "availability" of lower caste women to upper caste men is included in the intangible forms of caste capital that go with tangible forms such as land or wealth. Tensions arise when intangible caste entitlements begin to meet resistance rather than resignation. Upper caste outrage at being robbed of an inheritance is forced to adopt an oblique dog-whistle kind of language that must, paradoxically, deny the relevance of caste and highlight the agency of the lower caste woman, albeit in biased ways. In response, lower caste rage against accumulated humiliations is compelled to insist on the perennial presence of caste and its unique pathology above all other co-morbidities. These reactions are neither equal nor symmetrical.

Patterns of denial

Contemporary thinking on caste-rape was jump-started by the infamous 1995 judgment of the Rajasthan High Court in the Bhawari Devi gang rape case, which held that upper caste men could never rape a lower caste woman because they would not touch her. By explicitly invoking caste to deny rape, the judgment provided an instructive and stark contrast to the persistent denial of caste in rape cases involving Dalit women, especially after the Prevention of Atrocities

Act came into force.

The classic instance of caste denial was the Khairlanji case of 2006. Anand Telumbde's (*The Persistence of Caste: The Khairlanji Murders & India's Hidden Apartheid*) careful reconstruction establishes the undeniable centrality of caste in the ongoing enmity between Sureshka Bhotmange, a Mahar woman, and her Kunbi opponents. Sureshka's assertiveness and the upward mobility of her family had narrowed the social distance between the two castes to a level that was unbearable for the dominant Kunbis. Following the horrific sexual assault and murders of Sureshka, her daughter and two sons, the Nagpur High Court judgment insisted that it was a revenge killing that had nothing to do with caste.

The 'Nirbhaya' impact

The next phase in the evolution of caste denial arrives with Delhi's 'Nirbhaya' fatal gang rape in December 2012. Between 2012 and 2013, neighbouring Haryana witnessed a relentless succession of rapes, gang rapes, sexual assaults and murders of Dalit women and girls, significant enough to be reflected in National Crime Records Bureau data. Public and media res-

ponses to the Haryana rapes were muted in the face of all the attention to the Delhi gang rape, but they were not silenced, as they had been initially in Khairlanji. Haryana did see local mobilisations by Dalit activist groups and support from some Delhi-based Dalit and women's organisations. Several cases were successfully filed despite opposition from the all-powerful Jat community, to which most of the accused belonged. A common tactic of the accused was to try and turn every rape case into one of consensual sex, and every murder into suicide. This was accompanied by the denial of caste regardless of the identity of victim or perpetrator. When out of court settlements or compromises failed, caste details were invariably removed from the records, and the Prevention of Atrocities Act was not allowed to be applied.

The recent Bul Garhi case seems to be breaking with earlier patterns. In an eerie coincidence, it is as yet unnamed victim died on September 29, exactly 14 years after Sureshka Bhotmange and her children were killed on September 29, 2006. In continuity with the past, we have a Dalit (Balmiki) young woman allegedly raped, battered, maimed, and left to die by dominant caste (Thakur) men, and the familiar initial attempts at cover-up and denial. But everything else is a contrast.

The State's response

Instead of acting as passive facilitators for the accused as they have usually done, the police here take on the role of an active accomplice. In what later proves to be a decisive moment, they forcibly cremate the body and do not allow the family to conduct the last rites.

This shockingly heartless act triggers a wave of revulsion and contention, a surge of support for the dead victim and her family. But the truly stunning performance is that of the State Chief Minister who stands caste denial on its head by claiming that protests against the incident are acts of sedition, part of a foreign-funded conspiracy to foment caste riots, motivated by jealousy of his State's development record. Cases are lodged against every political party that organised a protest, but public meetings in support of the accused are allowed. Just as the Haryana cases were in the shadow of Nirbhaya, the Bul Garhi case is part of the larger context defined by the post 2019 Modi-Shah 2.0 regime. So it is surprising, but not unbelievable, that the tactics being used against the anti-Citizen-Ship (Amendment) Act protests are being deployed here as well.

Some hope

This is a new trajectory. The caste-rape itself is brushed aside without comment, and it is the responses to it that are accused of instigating a caste war. There are, however, some unprecedented positives. An anonymous dead woman has invited mass identification with a Dalit cause for the first time since Rohith Vemula. Moreover, Dalit women's voices have a prominent place in the protests. And finally, the Bul Garhi caste-rape-murder has triggered the first mass demonstrations since the anti-GAA movement. This is going to be a long and interesting journey.

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Keeping vigil even during unusual times

With corruption likely in pandemic management, the CAG's audit can ensure checks and balances in the health sector



K.P. SHASHIDHARAN

The latest India-specific data on COVID-19 is alarming. With the nation spending substantial resources to manage the pandemic, what is the role of the supreme audit institution of India, the Comptroller and Auditor General (CAG) of India?

In this context, the move, in August, where the Karnataka State Legislature's Public Accounts Committee (PAC) directed the CAG to conduct a special audit into the purchase of COVID-19 equipment within 15 days, and where the PAC chairman H.K. Patil "chaired" a meeting of the panel and instructed the CAG to constitute a special team of its employees to get the audit of all purchases of COVID-19 equipment "highlights the role and significance of the national audit office in these unusual times. The panel also asked the CAG to 'conduct an audit of expenditure incurred by the State government under the State Disaster Response Fund (SDRF). The government had used the SDRF amount for purchase of equipment in various districts'.

Opportunity for graft

The political allegation that funds (to the tune of ₹2,000 crore) were siphoned off to purchase inferior quality of personal protective equipment kits, sanitisers, ventila-

tors, masks and other equipment at prices higher than those prevailing in the market is a serious one. The opportunity to indulge in corruption exists in disaster management. Emergency procurement to save lives and reduce suffering are a chance to obfuscate rules and procedures, and can happen in all three tiers of governance — the Union, the States and Union territories, urban local bodies, rural local bodies and government agencies engaged in procurement at all levels. Mr. Patil has also petitioned the Karnataka State Human Rights Commission alleging the violation of rights of people during treatment.

If all the major purchases by government agencies at all levels are audited by the CAG, there can be substantial improvement in disaster management. It will usher in better transparency, integrity, honesty, effective service delivery and compliance with rules and procedures and governance.

A constitutional mandate

The CAG has the inescapable constitutional and statutory mandate and responsibility to ensure public accountability, transparency, effective service delivery and good governance. The management of the pandemic is not an exception to this; though in the expediency of saving lives and alleviating suffering, there can be reasonable exceptions to compliance with established rules and standard operating procedures in procurement. People's health is a priority audit theme and so is big-ticket public expenditure.

The CAG has issued an order



creating a new vertical — health, welfare and rural development on June 1, restructuring the office of the Director General of Audit, Central Expenditure. It is necessary that the CAG undertakes performance audits of COVID-19 related procurements, the Central Government Health Scheme (CGHS) and Employee State Insurance (ESI) hospitals. Audit objectives must include the procurement of equipment and drugs for CGHS wellness centres and polyclinics, laboratories and hospitals. For example, based on available reports, the CGHS provides health-care facilities to about 34.19 lakh beneficiaries, including government employees, pensioners and MPs, incurring an expense of ₹5,13 crore, almost half of its total expenditure on drugs from 2014-15 to 2018-19. A beneficiary survey will become part of the audit process to bring out efficacy of service delivery and the availability and quality of drugs. Auditing ESI hospitals and dispensaries is expected to provide the assured health-care to the CGHS personnel relating to infection control and hygiene.

The government entities must have established and effective controls over expenses to purchase equipment. Since the lockdown, there has been substantial government expenditure. Audit recom-

mendations can contribute improvements in various aspects of disaster preparedness, management and mitigation.

As in the rules, all governments and government agencies must have established effective controls over disaster preparedness and management and related expenses (with proper documentation). As the CAG's performance audits are driven by economy, efficiency and effectiveness, the audit will focus on expense tracking and achievement of outputs and outcomes. In qualitative and quantitative terms, the entire process of procurement of COVID-19 related equipment and drugs, proper documentation, and compliance with rules and regulations can be streamlined with data analysis, valuable inputs and practical recommendations.

Benefits of an inspection

There are usually red flags in disaster management, emergency procurement and related expenditures. Though COVID-19 is an unparalleled disaster, it may also provide an opportunity for scammers to siphon off public money where normal and prudential financial regulations cannot be fully enforced and questions of inconsistencies are likely to be overlooked.

The statutory responsibility of CAG as an independent, objective, and non-partisan constitutional authority includes appraising disaster preparedness, ensuring that management, mitigation operations, procedures are complied with, and proper internal controls are in place; ensuring that there

are proper records, documentation, authenticity, accuracy and complete information and data; providing assurance to people's representatives, tax payers and the public at large that government resources, including funds and assets are being used prudentially as per the law and regulations and safeguarded; providing assurance that risks are assessed, identified and minimised with established disaster management process and procedures; and, finally, offering assurance that resources are being used economically, efficiently and effectively for achieving the planned objectives and that benefits have gone to the targeted beneficiaries.

The internal audit must ensure compliance with applicable rules and procedures even in disaster-related disbursements and procurement processes and provide value for money to the external audit conducted by the CAG. Generally accepted government auditing standards require that an audit is planned and performed with sufficient evidence to provide to the audit findings and conclusions based on the audit objectives and scope. All public entities management must be accountable and ensure that resources are managed properly and used in compliance with laws and regulations; programmes are achieving their objectives; and services are being provided efficiently, effectively, and economically.

K.P. Shashidharan is a former Director General, Comptroller and Auditor General of India. The views expressed are personal.

LETTERS TO THE EDITOR

Letters emailed to letters@thehindu.co.in must carry the full postal address and the full name or the name with initials.

Quad dynamics

On the Australia-India-Japan-United States Quadrilateral, or the Quad, the goal must be long-term architecture for the region (Editorial, "Four for one", October 8). India ought to discount for now the idea of "Establishing a wing akin to the North Atlantic Treaty Organization till deeper bonds take root among the four, and perhaps to add in time a couple more. The entity should better stay an economic platform — a fair riposte to China's Belt Road Initiative — as each of the four members would need to stay heavily engaged with China on trade.

The Quad is an opportunity to cultivate countries in the South East Asian arena, to collaborate on initiatives that they may not be able to

accomplish on their own.

And that could be the first phase of engagement. As the Quad acquires political overtones, it could manifest itself as a security umbrella for the region.

R. NARAYANAN, Thiruvananthapuram

Science that matters

Gene editing is deserving of the Nobel Prize. Reading genes has now progressed extremely rapidly, taking just hours. What was once just a sci-fi writer's dream is now a reality. Though we have a potential new tool in the fight against diseases, it does come with ethical concerns. Many countries have no legislation on genetic modification in reproduction. It is for our leaders, scientists, ethicists

and legal experts to plan how India should be a part of this revolution.

N.N. RAMAKRISHNA, Bombay

The applications of the CRISPR-Cas9 technology

in different areas including biotechnology, medicine and basic research are unlimited. However, a carefully balanced approach needs to be taken by the international scientific community to look into the prospects, limitations and ethical issues when it comes to tinkering with the genomes of different organisms. Man playing god needs real prudence.

D. RUP C. MATHEW, Thiruvananthapuram

Politics and corruption

Those who have even elementary knowledge of

political corruption in this country are unlikely to be excited over the report, "Bunglows, estate owned by Sasikala, kin attached" (Page 1, October 8), even if

estimated to be valued at ₹2,000 crore. Though Ms. V.K. Sasikala is undergoing a jail term in a disproportionate assets case, one should remember that the case ended without any winning position. At the same time, the report for "future corruption". Public perception is that many politicians and a few others continue to accumulate assets that are disproportionate to their known sources of income. A truthful auditing at an impartial level of everyone's assets must be a regular feature. In the case of politicians, it should be conducted at least for the

last 50 years — a Utopian suggestion.

P.N.V. RAJA, Pondicherry

Dismal IPL match

In the Chennai Super Kings-Kolkata Knight Riders IPL match in Abu Dhabi (Sport page, "Super Kings lose the plot, Knight Riders hold their nerve", October 8), there is no doubt that CSK lost from a wide margin. In the end, the team, Kedar Jadhav was all at sea. He played 12 balls, that is, two overs, and scored just seven runs. As a four-run batsman in his place, Mahendra Singh Dhoni should have asked Dwayne Bravo to come in. Dhoni exited from the crease when his presence mattered the most. It was only these players who scored runs: Faf du Plessis, Shane Watson

and Ambati Rayudu. Ravindra Jadeja's 51 runs was like a flash in the pan — too little, too late. Dhoni needs to ensure that CSK pulls up its socks.

K. PRADHEEP, Chennai

■ One fails to understand how a batsman like Kedar Jadhav is a part of the team despite his lacklustre performances. On the other hand, the highest wicket-taker of the last IPL, Imran Tahir, is unable to replace his place in the team. There is no point in CSK coach Stephen Fleming floundering in the pavilion; he needs to share the blame for MSD for the mess so far.

A.P. THIRUVANDI, Chennai

Should Indian startups take on global Internet giants?

PARLEY

India should compete only when it makes sense, on a level playing field

Online payments company PayTM recently announced that it was building a 'Mini App Store' which would 'empower Indian developers'. This move came days after PayTM was removed from Google's Play Store over apparent violation of its policies. Though it was reinstated later, PayTM and several other Indian Internet startups allege that Google is using its market dominance to arbitrarily enforce policies and target competitors. The Play Store is the key app store for Google's Android operating system, which runs over 90% of smartphones in India. Google also announced that it will start enforcing a 30% commission on all payments made for digital services in apps from its Play Store. Though the implementation of this plan has since been postponed to next year, it has caused much heartburn in the Indian startup environment. There is discontent brewing against tech giants in their home country as well, with a similar tussle going on between Apple and some game developers in the U.S., and the government reading an anti-trust lawsuit against Google. In a conversation moderated by P.J. George, Thillai Rajan and Jayadevan P.K. discuss whether the Indian startup ecosystem is ready to take on the giants on whom they are dependent for crucial infrastructure. Edited excerpts:



Thillai Rajan is a Professor in the Department of Management Studies, Indian Institute of Technology Madras



Jayadevan P.K. is a startup founder and writes on technology. He now works on brand building for startups



Scan the QR code to listen to the full interview online

The Internet startups in India are in the initial stages of banding together to take on the likes of Google and Facebook. Has the Indian startup environment matured enough for such a fight?

Thillai Rajan: Yes, definitely the Indian startup has matured enough. The growth of mobile phones, particularly smartphones, has been significant in the last decade. And as the market has grown, naturally the service providers and the app developers have also grown. So we have an ecosystem that's very active with a large number of consumers and service providers. What is missing in India is the infrastructure piece. But in some ways, we have also been able to develop expertise in in-

frastructure; for example, on payment gateways. Since demonetisation and other changes, payment gateways have become substantially stronger. Today, I think the Indian startup environment is mature. But one thing we need to be cognisant of is that, if we're really looking at competing effectively with the likes of Google and Facebook, then we need to be well prepared. We need to build like-for-like capabilities, the way Google has done over the years.

Jayadevan P.K.: India's startup ecosystem is still in its first innings. The U.S. has been playing this match over and over again. Even markets like China have evolved and raced past India. Just to give you one data point, in the fourth quarter of 2019, you had \$34.2 billion of venture capital going into the U.S. market. India had only \$6 billion and that's supposed to be a record-breaking quarter. In the first quarter of 2020, we had only \$2 billion. From a product point of view, we don't have the infrastructure that is required to build and scale nimble startups, at least not yet. For example, a lot of startups are launched on Amazon Web Services, or Google Cloud, or on Microsoft Azure. India doesn't have large infrastructure players that can help set up stuff. Everybody in the Indian startup ecosystem knows that we're not there yet.

So, do we want to take on these giants? I would argue that we should not compete, but cooperate. It is best for a country like India to have an approach where we compete when it makes sense, on a level playing field; and cooperate and take help from whatever quarters it comes from. Do we need an Indian app store? There is obviously always a case for more competition in the market but an app store is a very tricky challenge to take on. It is the expression of a bunch of things that have come before it, which is your hardware. India has zero strength in hardware. We have practically no real manufacturing or chipmaking. That said, we have companies like Indus OS which have built app stores, and have about 100 million users. That's a sizeable population,



but it's still not deep enough to be like a Google or Amazon which coexist in an ecosystem like India. So, my view is we don't need to take a confrontational approach.

Google has a near 100% dominance in the app marketplace in India. What are the implications of the company having such a hold on the Indian market? Is it the monopoly, or is it 'the bigger, the better'?

JPK: Why does Google work? There is an element of trust that Google's invested in building up. Its products are user-friendly. It has also spent a lot of time expanding the market by localising its products. So, from that point of view, Google has been investing in the Indian market. Now, from an Indian entrepreneur's point of view, the concern is legitimate. Are we paying too much to access our own users by giving a 30% cut to Google when we are selling a service or a product through an app on the Google App Store? These companies also have to advertise via Google to reach their customer base. In effect, a large chunk of all the money that these companies make goes to Google and Facebook. The challenge is that India as a market itself is poor, in the sense that it doesn't have enough spending capacity. For digital services to take off and be profitable and viable, one of the thumb rules that several companies talk about is that the GDP per capita should be above \$4,000. For example, in markets like Indonesia, where the GDP per capita recently touched \$4,000, companies have also been growing profitably and faster. India is still at about \$2,000 to

You cannot compete with what Google is today. Because, it may take us, say, five years to be where Google is now; and in five years, Google would have moved away from what it is today. So to be able to compete with Google, we will have to be where Google is going to be five years from now.

TEJASWARAN

\$2,500. So, here your potential to monetise this user is very low. If you end up spending a ton of money on distribution and on your commissions to Google and others, you end up with practically nothing. That's the challenge that entrepreneurs have been flagging. Google has been reasonable, I think. After the PayTM fiasco, Google has come back and said that it will revisit the 30% commission policy some next year.

TR: One of the reasons d'etre for businesses is to create shareholder value. The mechanisms by which shareholder value is created keep changing as the company moves across its life cycle. Startup companies create value by being innovative. Bigger companies like Google and Facebook create shareholder value by building barriers that startups cannot afford to create. They have much larger tools in their arsenal to be able to create barriers. One of the tools they use is to buy all competition to ensure that they stay in the market and create shareholder value.

Now, the question is, when does the consumer benefit? Is it going to

be in the short term or in the long term? In the short term, the consumers will benefit because as the bigger companies assimilate these innovations, these innovations become stronger and the bigger companies can use their infrastructure to make them available to a larger number of people. But what happens in the long term? As the stickiness of the services increases, and the consumers find it very difficult to break away, there's something called a creeping expropriation of consumer surplus. Gradually, the billings start rising and consumers end up paying more because there is not enough competition in the market. To overcome these circumstances, the Competition Commission of India and others ensure that the monopoly position is not being abused by companies. For example, they can ensure that the companies don't overcharge or they can ensure that the companies are split into different smaller entities. It is going to be a very dynamic interaction between the size of the companies and the regulatory framework in countries to ensure that the competition as well as the consumers benefit.

The Department of Justice in the U.S. is gearing up for anti-trust action against Google. What is the best play for the Indian government in such a scenario? Is it stricter regulation or is it better to leave it to the markets and hope an Indian giant develops to take on the Silicon Valley giants?

JPK: Companies like Google or Amazon also do not operate like a foreign entity. They have set up base in India and have a stake in the market; which means they work with policymakers. I would like to think that it's good to have these foreign competitors who are willing to abide by local laws. We also cannot have too much of reactive policy-making against them as it doesn't signal well for attracting foreign investors. Also, it is a slippery slope to be nationalistic about products that are built for the Internet, which is global. If we create a very strict policy environment which encourages only local innovation and tries to stave off foreign competition, I suspect we are going to end up with subpar products, and large

industrialists capturing policy.

It's a very tricky balancing act, where you have on the one side investments that these larger companies are making and on the other side, you have to think of Indian companies. Now, the truth is that a lot of these Indian companies are also funded by Chinese or U.S. investors. So, it's not as easy as saying 'I'm an Indian company and I want regulations for India'.

TR: We cannot just hope for it to happen. There has to be a conscious strategy. In the technology sector so far, in the Indian context or even in Silicon Valley, the role of the government has been very little. We could probably take the example of what the government in China does. Specific technologies and companies that develop these technologies are chosen, and then there is unwavering support from the government. The government does it in multiple ways, such as giving direct subsidies, giving access to the market, giving them an opportunity to grow and to stabilise their offerings. There is a conscious strategy to develop a giant that can compete with the global leaders. Today, we are looking at these kinds of long-drawn-out strategies in other areas; for example, in winning gold in the Olympic Games. People are trying to put a programme in place so that we just don't hope that an athlete or a sports person will win a gold, but we are able to work towards that in a very planned manner, so that the results are there in a time frame that we have chosen. I think that is a good way to go up against Google.

However, you cannot compete with what Google has today. Because it may take us, let's say, five years to be where Google is now; and in five years, Google would have moved away from what it is today. So to be able to compete with Google, we will have to be where Google is going to be five years from now. That requires significant time to plan and execute our strategies. Then it is not a question of this or that—but doing both. If there are any antitrust actions globally, join that right now or provide overt support to ensure that our dominant positions are not undermined. At the same time, create a programme to ensure that we are able to create an Indian giant.

Winning back trust in vaccines

The FDA and pharma companies are taking steps to address concerns about COVID-19 vaccines

R. PRASAD

While U.S. President Donald Trump has repeatedly claimed that a COVID-19 vaccine would be available by mid-October, days before the November 3 presidential election, the guidance for Emergency Use Authorization for Vaccines to Prevent COVID-19, released by the U.S. Food and Drug Administration (FDA), has dashed that possibility. The FDA has made it clear that "data from Phase 3 studies should include a median follow-up duration of at least two months after completion of the full vaccination regimen to help provide adequate information to assess a vaccine's benefit-risk profile." However, the guidance for industry contains non-binding recommendations.

Shutting the door

With at least two months of follow-up data likely to become available at the earliest only by November or December, the guidance essentially shuts the door on vaccine manufacturers making their vaccines available for public use through the emergency use authorisation route before election day. Dr. Albert Bourla, Chairman and CEO of Pfizer, had on earlier occasions said that the company may have vaccine data ready to submit to the FDA in October.

The FDA guidance comes after the White House had blocked its release due to concerns that the guidelines would delay the arrival of the first dose until after election day. Even as Mr. Trump called the FDA guidance release as "just another political hit job", Dr. Peter Marks from FDA's Center for Biologics Evaluation and Research told CNN that "being open and clear about the circumstances" under which emergency use authorisation will be issued for COVID-19 vaccines is "critical to building public confidence and ensuring the use of COVID-19 vaccines once available". He added that the FDA hopes that the guidance on COVID-19 vaccines "helps the public understand our science-based decision-making process that assures vaccine quality, safety and efficacy for any vaccine that is authorised or approved".

The unprecedented speed at which COVID-19 vaccines have progressed to Phase 3 trials and the

haste shown by the Trump administration to get a vaccine out before election day have eroded public trust in COVID-19 vaccines that are undergoing trials. A Gallup COVID-19 tracking survey carried out in the U.S. between July 20 and August 2 found that 35% of Americans did not want to be vaccinated even if an approved vaccine was available at no cost. Similarly, CNN polls found the percentage of people willing to be vaccinated dropping from 66% in May to 51% in October. People unwilling to be vaccinated include those who are otherwise inclined towards vaccines.

Building trust

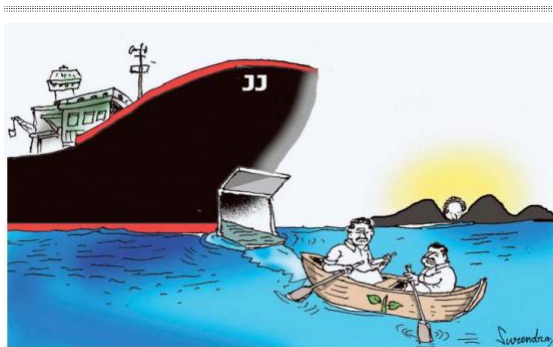
The FDA's initiative to build public trust in COVID-19 vaccines is one of the many steps taken by stakeholders to address the concerns about new vaccines developed and tested at speeds unknown before. In September, nine vaccine manufacturers came together to sign a joint pledge to assure the public that they would develop and test COVID-19 vaccines in accordance with "high ethical standards and sound scientific principles" and always keep the "safety and well-being of vaccinated individuals the top priority". They clarified that they would not seek premature approval from regulatory authorities.

In an unprecedented move, three pharma companies—Moderna, Pfizer, AstraZeneca—published the Phase 3 trial protocols to inform the public and scientists about the evidence companies will use to determine if vaccines are effective.

Finally, in an open letter to colleagues, Pfizer's Dr. Bourla said he "can't predict exactly when, or even if our vaccine will be approved by the FDA", and that the "world will be safer if we stop talking about the vaccine's delivery in political terms." He wrote: "Let's continue to work together to build trust in science. Imagine the compounded tragedy if we have a safe and effective vaccine that many people didn't trust. That is a risk none of us should accept."

That the FDA is not buckling under pressure from the Trump administration for quick clearance may go some way in winning back the trust that people are losing in COVID-19 vaccines.

R. Prasad is the Science Editor of The Hindu



NOTEBOOK

Funerals under the barrel of a gun

Drawing parallels between the events in U.P. last December and last week

JAGRITI CHANDRA

"There were loud and persistent knocks on the door. They asked us to hurry while we were bathing my son for his funeral and preparing for namaz. It was not dawn yet, but the police said we had no time," said Nafesa Parveen. Her son, 28-year-old Mohammed Mobin, had succumbed to bullet injuries the day before in a brutal police crackdown in Meerut.

Uttar Pradesh, where these protesting against the Citizenship (Amendment) Act (CAA), following Friday prayers.

It was December 20, 2019, and anti-CAA protests were erupting across the country, nine days after Parliament passed the law. Pressure from accounts of police heavy-handedness were trickling in from U.P. By the time I went to Meerut, a number of Muslim youth had been killed in police

action. Hundreds of young Muslim men were forced to go underground as the police brought out FIRs against nearly 2,000 unknown persons, which allowed them to nab anyone they suspected of participating in the Friday protests.

I also met the families of Zahir Ahmed and Mohammed Asif. They too narrated stories of rushed funerals under the barrel of a gun and before the crack of dawn.

"The police arrived late at night and said we had to bury Asif immediately. The family burial ground was a few kilometres away, but they said there was no time to go that far. They said we should take him to the nearest graveyard, which was barely a few hundred metres away and he arrived at the cemetery, we saw police personnel with spears. A grave had already

mother-in-law, Shameem. At the time of the funeral of the three men less than 24 hours after the protest, the post-mortem reports were not available to the families. The police had also named the three dead men in an FIR, and the families had little expectation of a fair investigation by the police against their own.

The parallels between what unfolded in U.P. last December and last week are hard to miss. The family of a 19-year-old Dalit girl who was allegedly raped and murdered by four Thakur men in Hathras was also denied permission to conduct rituals and prepare their daughter for her farewell. The police prepared the cremation site, installed a generator and flood lights, and brought logs and fuel. They assigned the young woman to flames in the dead of night without her family's consent.

Many Kashmiris on social media too have tried to remind the country that this is also their lived reality, but rarely discussed.

As in Meerut, in Hathras too the state has been criticised for its failure to ensure a proper investigation of the ghastly incident and gather forensic evidence in time. A whisper campaign aimed at maligning the victim and her family, including by a BJP leader, and loose remarks that seek to absolve the four accused men indicate that justice will be an uphill battle in an environment where caste hierarchies are deeply entrenched.

Sometimes present-day events allow journalists to see past stories in a new light and identify patterns. From the company in Hathras, it is evident that caste, class, religion and ethnicity can dictate whether dignity in death is an equal right.

The Hindu

FROM THE ARCHIVES

FIFTY YEARS AGO OCTOBER 9, 1970

Nixon's 5-point plan

President Nixon last night [October 7, Washington] proposed a simultaneous ceasefire in all the three Indo-China States with a view to breaking the "logjam" at the Paris peace talks. He coupled this with a call for an all Indo-China peace conference at which a political settlement between Vietnam, Laos and Cambodia could be negotiated. President Nixon who said his peace initiative has the full support of the Governments of South Vietnam, Laos and Cambodia, outlined a five-point plan. He said: "First, I propose that all armed forces throughout Indo-China cease firing their weapons and remain in the positions they now hold." Mr. Nixon said his second proposal, for an Indo-China peace conference, was made because "this war in Indo-China has been provided to be one piece - it cannot be cured by treating only one of its areas of outbreak." "The third part of our peace initiative has to do with United States forces in Viet Nam," Mr. Nixon said. "We are ready to negotiate an agreed time table for complete withdrawals as part of an overall settlement." Mr. Nixon said that fourthly, he asked the other side to join in search for a political settlement that clearly meets the aspirations of all South Vietnamese people. Finally, Mr. Nixon proposed the immediate and unconditional release of all prisoners of war held by both sides.

A HUNDRED YEARS AGO OCTOBER 9, 1920

The Government of Ireland

The "Nation" writes: The government of Ireland by England has ceased to exist. Its title is gone. Governments live by their possession of all sorts of virtues and half-virtues; by dispensing justice, glory, wealth, or quiet days; by extorting submission or dividing power; by force or by art. Machiavelli thought the despot would succeed by combining these arts; the democrat would make the people judges of the quality of their rulers. But all agree that some tie of morals or expediency should unite governors and governed. When, therefore, all the citizens declared by act or by word the worthlessness of their government; when it resorts only to force, in its crudest form; and this method only informs the popular hatred, abdication becomes the only way out. If we left Ireland tomorrow, there would be physical strife between some Orangemen and some Catholics, as there is to-day. But there would be no murders, arson, pillage by soldiers and policemen.

Business Standard

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Riding high

High liquidity, low interest rates lead to stock market upswing

Global stock markets have made a stunning recovery in October, and Indian equities have moved up in tandem with other markets. The Sensex and the Nifty are now trading about 2.5 per cent below their respective January levels — while the former has regained the 40,000-mark, the latter is just a few percentage points below its all-time high. This is remarkable, given the turmoil triggered by the pandemic. This rally is partly due to a combination of high liquidity and low interest rates. Also, paradoxically, equity investment has been enhanced by a lack of real economic activity. Every central bank, including the Reserve Bank of India (RBI), slashed interest rates and introduced liquidity-enhancing measures as the pandemic took hold. Inflation has since risen but a weak economy makes it hard for the RBI to raise policy rates, or tighten monetary policy. Real interest rates are negative, inducing more fund flows into equity. This can also be seen in the mutual fund data — money has moved out of the debt segment and into equity funds. In addition, with businesses operating below capacity, there are no expansions and little need for working capital. This releases more cash, which is also flowing into stocks.

The market is also banking on signs of economic revival. High-frequency indicators and initial corporate results suggest the crisis has bottomed out. Auto sales show improvement in domestic demand, and exports have seen an uptick. Many businesses such as automobile dealerships have also built inventories, hoping for higher offtake in the festive season. But all this is on the back of a catastrophic first quarter (April-June 2020) and a weak second quarter of last financial year (July-September 2020). Hence, expectations must be adjusted for low bases, regardless of whether comparisons are made on a sequential or year-on-year basis. Equity valuations are also high. The Nifty is trading at a price-earnings ratio of over 34. This is difficult to explain. For argument's sake, even if the next six months are excellent, most companies will endure reduction in net profit and revenue in 2020-21.

Apart from private consumption, government spending is also constrained. It's still an open question how badly banks have been hit. The recapitalisation of public-sector banks will be held up. The fiscal deficit might expand further. However, on the positive side, energy prices may stay low for the foreseeable future, putting less pressure on the trade front. The geo-political equations also need to be kept in mind. Indo-Chinese confrontation may be frozen for the next several months. The EU and the UK are into another round of heated negotiations. Most importantly, November's US elections could mean a sea change in the world's largest economy, if the Democrats are able to take over the White House. Opinion polls suggest this is likely, and the markets have started discounting the potential impact. Apart from its disastrous handling of Covid-19, the Donald Trump administration waged tariff wars, tightened visa regimes, and cut taxes and social security expenditure. A new administration could provide a much broader fiscal stimulus, and more social security. In addition, the Democrats may opt for an easier visa regime and end the tariff wars, which would be good for most global businesses. Market moves are always linked to future earnings expectations and those are very unclear, even if the economy is past the worst. Therefore, for now, easy liquidity and an absence of alternatives are pushing equity valuations to unsustainable levels.

Trouble in the air

No viable solution of crop residue burning burning

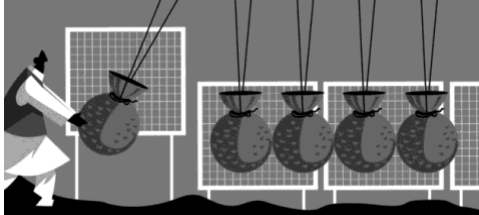
The higher incidence of crop residue burning in northern states is a matter of particular concern this year because the resultant spike in air pollution can exacerbate the prevailing public health crisis. Though, typically, these fires are noticed during the peak paddy harvesting season from mid-October to November-end, this year, they began in September and have increased menacingly in Punjab and Haryana. The Centre has, therefore, done well to ask the governments of Punjab, Haryana, Uttar Pradesh, Rajasthan, and Delhi to initiate timely action to curb this practice. These fires have been estimated to cause between 30 and 45 per cent surge in winter air pollution in the National Capital Region and its adjoining areas in the past few years.

Sadly, the stubble fire-related components of the anti-pollution plans launched by most of these states and deliberated in their joint meeting with the Centre last week do not inspire much confidence. The basic approach to countering this menace remains more or less the same as has been tried out in the past with only limited success. No novel or out-of-the-box solution is on the cards except experimenting with a new microbial biomass decomposer developed by the New Delhi-based Indian Agricultural Research Institute. It converts crop remnants into compost, thus, obviating the need for tilling. This concoction is no more than an improved and relatively efficient version of the available decomposers, which have failed to catch the farmers' fancy. Its plus point is that it cuts down the time taken for the bio-degradation of crop trash from the normal 30 to 40 days to just 20 to 25 days. Whether this is good enough for its large-scale adoption will be the farmers' call.

The noteworthy point is that the harvested fields are set ablaze mainly to vacate them for sowing the next crop, mostly wheat, quickly and with least cost. The time window available for this purpose is merely 20 to 30 days. Most of the eco-friendly means of managing paddy stubble are either cost-intensive (such as the use of machines like happy seeders) or time-consuming (such as biodegradation). Straw burning, being quick and almost cost-free, has, therefore, become an economic compulsion for the farmers. Treating it as a punitive offence is the worst way to deal with it. The fines mooted in the existing anti-pollution laws are mostly less than the cost of removing the stubble manually or mechanically. The solution, therefore, lies in transforming this biomass into an economic good that can yield income for the farmers. One way to do so is to promote its use as feedstock or fuel for power plants and other industries.

It can also be converted into pulp for making paper, cardboard, disposable cutlery, and other useful items. Some public- and private-sector companies, including NTPC, are procuring crop residues for use as fuel, thus converting this waste into profit. Start-ups and other entrepreneurs interested in collecting, processing, and selling the crop residues should get government backing and hand-holding. Some states, including Punjab, have mooted paying a premium on the minimum support price for paddy to growers who do not torch their fields. This suggestion merits consideration.

ILLUSTRATION: BINAY SINHA



Now is not the time for stimulus

Next fiscal package must await fall in inflation

As India struggles to find its way out of a massive economic contraction resulting from a severe lockdown, there are two fundamental questions policymakers face.

Do we need to stick to the fiscal stimulus of around 2 per cent of GDP or should we go back to the inflation targeting framework that requires inflation to be contained below 6 per cent? The answer to the second question dictates the answer to the first.

Finance ministry officials have said that the government intends to adhere to the enhanced government borrowing target for the fiscal of ₹12 trillion announced some time ago. This rules out any further fiscal stimulus for now.

Given the expected shortfall in revenues, adhering to the target not only precludes any additional stimulus, it also means a reduction in government spending budgeted for FY 2020-21. SBI Research estimates that sticking to the expenditure targets in the Budget will mean a fiscal deficit of ₹7.4 trillion. Limiting government borrowings for the year to ₹12 trillion will require a surge in tax revenues in the coming months of an order that is unlikely. Reduction in government expenditure appears inevitable unless the government is willing to relax its borrowing limit.

Critics say India's fiscal stimulus is negligible in comparison to that of several other economies. Ever since the onset of the pandemic, leading economists have urged a fiscal stimulus of up to 5 per cent of gross domestic product (GDP). Yet, the government's contrarian call in settling for a modest fiscal deficit is now beginning to look as sensible as it was bold at the time.

First, even if fiscal stimulus is limited to 2 per cent of GDP, the combined fiscal deficit of the Centre and the states will be 11-12 per cent of GDP. True, this is lower than the level of 16.5 per cent of GDP that the IMF's *World Economic Outlook* (June 2020) estimates for the advanced economies. But the rating agencies treat the advanced economies very differently from an emerging market such as India. Any further deterioration in the fiscal deficit raises the real possibility of a rating downgrade and a destabilising outflow of foreign capital. In the real world, rating agencies can't be ignored.

Secondly, it is not clear that a stronger fiscal stimulus at the onset of the pandemic would have made a material difference to GDP growth. Many commentators believe India's meagre stimulus resulted in GDP contracting by 23.9 per cent in the second quarter of financial year 2020.

But countries that used a bigger stimulus have not seen vastly superior outcomes. The UK delivered a stimulus of 5.9 per cent of GDP and saw the economy contract by 22 per cent. The US had a stimulus package of 14.7 per cent of GDP and yet its economy contracted by 9.1 per cent. Advanced economies as a whole are projected to shrink by 8 per cent in 2020, not very different from the 9 per cent shrinkage projected for India.

Why has fiscal stimulus not made a material difference to economic outcomes? One explanation is that increasing aggregate demand cannot impact growth significantly when supply is disrupted by the inability of people to show up for work. Increased public investment in infrastructure



FINGER ON THE PULSE

T T RAM MOHAN

The man who looked east

The East India Company explored the myth that trade follows the flag. It's the other way round. Political relations develop in the wake of economic ties. So, if 'Act East' was not just another slogan to upstage P V Narasimha Rao's epochal 'Look East', Narendra Modi should study the 10 pioneering years that Syamal Gupta, a senior Tata executive, spent in Singapore.

Not only Singapore. The events that led to Mr Gupta's appointment to the Presidents Investors' Advisory Councils of Tanzania, Ghana and Uganda, as well as Namibia's honorary consul in Mumbai, should similarly elevate the prime minister to appreciate that trade and investment lie at the core of constructive diplomacy. As Kamala Harris reminded listeners in Thursday's US vice-presidential debate, Donald Trump's unsuccessful trade war with China has impoverished hundreds of thousands of Americans.

Lee Kuan Yew first mentioned Mr Gupta to me. Then it was the president of Singapore, did so. Suppiah Dhanabalan, a former foreign minister who might have been Singapore's first ethnic Indian prime minister, wondered how Mr Gupta managed to slog in a difficult field like precision tools and dyes at a time when "all kinds of acrobatics were needed for Indians to travel, leave alone set up overseas operations." Ng Joo Koo, politician and businessman, lamented that Tata fed out in Singapore because "the quality of people who came afterwards was not the same as Syamal".

I was impressed because Singaporeans don't often compliment Indians from India. Mr Gupta, a mechanical engineer from Jadavpur University before further training at the Imperial College in

London and in Dusseldorf, and an early product of the Harvard Business School's advanced management course, was the exception.

Like the four Singaporeans, Thomas Abraham, India's first high commissioner to Singapore, confirmed that Mr Gupta was "a very clever fellow who spearheaded the campaign that transformed a 'pestilential and immoral cesspool' (a British colonialist's description of Singapore) that Bihar's Rajendra Prasad compared to Calcutta into a glittering international trade mart. In February 1972, Mr Gupta set up Tata Precision Industries. A grateful Indian company in Singapore and for many years the only, followed by the first technical training institute. A grateful Lee thanked JKD Tata for both ventures and included Mr Gupta in the delegation he led to Atlanta in 1976 at Jimmy Carter's invitation to attract American investors to Singapore.

All this I discovered when, intrusted by Lee's racial sophistication and totally unfounded reputation for being anti-Indian, I spent some time in Singapore unearthing the untold story. The outlier was my book *Looking East to Look West: Lee Kuan Yew's Mission India*. That's when I sought out Syamal Gupta and was delighted to find a simple, warm and hospitable man who knew a great deal and had huge achievements but whose natural humility had not been corrupted by success.

At last — belatedly — we have the tale from the horse's own mouth. Now pushing 87, Mr Gupta, former director of Tata Sons and chairman of Tata International, covers a wide canvas in the simply told but highly readable *Quintessentially Tata: My*

remains notional unless the lockdown is eased sufficiently for public works to be carried out.

Cash transfers tend to get saved, not spent, as people see the income shock they have suffered as permanent and the cash transfer to them as transient. The government's decision to use the stimulus to help those most vulnerable instead of trying to shore up firms across the board thus seems appropriate.

For supporting firms, the government has opted for a combination of lower interest rates, liquidity support in the initial months followed by loan restructuring to support solvency. Economic pundits have decried the policy of letting the central bank do the heavy lifting. Now that we know how fiscal stimuli have generally panned out, this again appears to have been the right call.

With the exit from the lockdown on, we can contemplate further fiscal stimulus. There is a way to increase the fiscal stimulus without increasing public debt and facing the risk of a rating downgrade. That is to monetise the deficit, meaning, get the RBI to subscribe to government bonds. The snag is that any monetisation of the deficit would mean an increase in money supply.

This would not be an issue under the deflationary conditions present in the world. Conditions in India are very different. With CPI inflation at 6.7 per cent in August and averaging 6.6 per cent in the current fiscal, monetisation of the deficit could mean violating the upper limit of 6 per cent for the RBI in the inflation targeting framework. We would need to revisit the inflation target or, perhaps, introduce an "escape clause" for inflation targeting similar to the one we have for the fiscal deficit target. Rating agencies and foreign investors are bound to view such a move as a drift towards irresponsible macro-policy.

If it follows that the government can contemplate another bout of fiscal stimulus only when the inflation rate falls to below 6 per cent. Once that happens, the government may resort to monetisation of the deficit. Direct monetisation, that is, the RBI buying government bonds in the primary market is preferable to indirect monetisation, that is, the RBI buying bonds in the secondary market. The impact on money supply and inflation is the same in the two cases. However, in the first course, unlike in the second, public debt does not rise.

The most stringent lockdown with the weakest fiscal stimulus. For critics, it is a damning comment on the government's response to the pandemic. The merits of the lockdown may be debated. But a fiscal stimulus remains weak not because there is an aversion to fiscal stimulus *per se* but because any further stimulus will mean a breach of the inflation target.

The finance minister has said that she is open to another stimulus but that she will choose the timing. Once inflation falls below 6 per cent, the time will be right for injecting a further stimulus through monetisation of the deficit.

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Journey over 55 Summers. Rup's slim volume of well under 200 pages including notes is a steal at only ₹295. Singapore is only part of Mr Gupta's story, albeit a shining highlight in both personal and public terms.

Those who look for lurid details about Ratan Tata's fall-out with Cyrus Mistry, political canards about the path-breaking India-Singapore Comprehensive Economic Cooperation Agreement, or how the promised joint venture between Tata and Singapore Airlines was scuttled will be disappointed. The Panglossian tone of *Quintessentially Tata* rules out ephemeral excitement. But Mr Gupta does regale us with the unfamiliar picture of a lot of Indians in *thongs* selling foreign exchange in Singapore markets. He describes Jamsetji Tata's attempt to rope in Swami Vivekananda after they met on the boat from Yokohama to Vancouver, giving a ride on his scooter to Ratan Tata.

Like the hero of Kipling's *If*, Mr Gupta can "walk with kings" or "lose common touch." Among the other political figures he consorted with were A P J Abdul Kalam and Gordon Brown, South Africa's president Thabo Mbeki, and — foremost — Kenneth Kaunda, president of Zambia. Indians have an image problem worldwide. Africans saw them as "basically traders" who "did their business in Africa and lived in London while their hearts were in India." Mr Gupta believes he succeeded in changing this mindset. Whether future foreign policy will succeed in taking advantage of the change will depend largely on Mr Modi's own priorities. But it is worth stressing that Singapore's GIC, a sovereign wealth fund, would not have agreed last week to invest \$5,512 crore in 1.22 per cent of the equity in the holding company of Mukesh Ambani's Reliance Retail if Syamal Gupta's early initiative had not inspired confidence in India's future.

Inner landscapes in an unsettled universe



BOOK REVIEW

RADHNIKA OBEROI

second-hand copy of

Meditations: Living, Dying and the Good Life lies on my bedside table. It was bought over a year ago, while on a jaunt through the by-lanes of darjiling's Sunday books bazaar, when my days hardly required philosophical tempering. I was directed to this diminutive size — a mere rectangle that could fit into the palm of one's hand.

In the years that soon ousted the giddy excurse ones, I turned to this diminutive rectangle, a personal journal written by Roman Emperor Marcus Aurelius, probably between

171 and 175 AD in Koine Greek, frequently. The English translation by Gregory Hays was a provider of solace, a gentle admonisher, an unsentimental friend. Its wisdom felt especially useful now, during a pandemic, when one's mortality was no longer hazily futuristic.

It was strangely serendipitous then, to discover that one of my favourite authors had also been reading my favourite Stoic. Ziad Smith, whose new collections of essays, *Intimations: Six Essays* was published in July this year, mentions *Meditations* in her foreword. "Early on in the crisis, I picked up Marcus Aurelius and for the first time, I read it with a purpose. *Meditations* not as an academic exercise, not in pursuit of pleasure, but with the same attitude I bring to the instructions for a flat-pack table — I was in need of practical assistance."

Intimations, her third collection of essays, may or may not be the outcome

of the Stoic "practical assistance" she sought. But it is a reflective inner landscape. It is the act of jotting down unsettling thoughts. It is interrogative, and not quite sure of itself. Smith, exquisite architect of interiority, uses the essay as a compact edifice of simple lines, and not one that is sprawling in structure or formidable to enter. She peoples these structures with ordinary lives — her mothers, Ben; a homeless, legless man on Broadway; Barbara, who is nearly 70 years old and has a temperamental little dog.

Often, these characters from the street or the neighbourhood or in a queue for a sandwich at Subway provide observations on race or class or religion. In the essay "Suffering Like Mel Gibson," Smith recalls overhearing a conversation between two working-class women, one African-American and the other South-Asian at a local Subway. The black lady was expressing

her astonishment at what she had just seen on 8th Street: A nine-month-old child holding an iPad, in a buggy being navigated by a white lady. "Can you believe that shit?" asked the black lady, and it took everything I had to restrain myself and not join in.

In this hurried assessment of the incompetent parenting of rich people, too lazy or busy to relate to their own babies, giving damaging mind-altering technology to infants.

Perhaps her most damning indictment appears in the essay "Postscript: Contempt as a Virus." She compares contempt to a virus that spreads "rapidly through families, communities, peoples, power structures, nations. Less flashy than hate. More deadly." She writes with



INTIMATIONS: SIX ESSAYS
Author: Ziad Smith
Publisher: Penguin
Pages: 96
Price: ₹299

shape of a fence. In *Free Press: Essays*, published in 2018, Smith recalls a local primary school in north-west London with a red-brick Victorian building that suddenly adds a fence to the cast-iron railing that marked its boundaries. The British vote for Brexit

soon after Smith observes the new fence, and in the essay "Fences: A Brexit Diary" she outlines the chasm between white, brown and black Londoners, and demolishes the myth of a multicultural city.

Cities, their familiar streets, parks, bus stops and saloons are often sites of unexpected beauty or desolation, or quick conversation in *Intimations*.

New York will soon be left behind. In Smith tells of plans to stay briefly in a friend's empty cottage in Kerkonkson, before flying to London. Broadway is empty. While walking her dog, Maud, on the last day, Smith longs to hear Barbara say something to her, for she misses New York and the city she loves. If any, has perhaps been gleaned from *Meditations*.

The last essay, "Intimations: Debts and our debts" begins with its actual (and script) from "Book 1: Debts and Lessons" of *Meditations*. Both contain a list of creditors: in Smith's list, Virginia Woolf takes the lead. "To replace that missing layer of skin with language. For as long as that works."