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# PROUT

A Journal of Proutistic Views and Neo-Humanistic Analysis



ISSN2321-6786

Exploitation – No More

Medical College Bribery Scam

## Transforming Power Transforming Politics

Power-with is not the opposite of power-over,  
because they can and do co-exist.



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THE MOVE COMES EVEN AS THE  
GOVERNMENT CONTINUES ITS  
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THE RIGHT TO FOOD CAMPAIGN HAS  
DEMANDED IMMEDIATE IMPLEMENTATION OF  
MATERNITY ENTITLEMENTS AS PER THE  
NATIONAL FOOD SECURITY ACT (NSA), 2013.



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# PROUT

**PROGRESSIVE UTILISATION THEORY**

**Propounded by - Shrii Prabhat Ranjan Sarkar**

## **PROUT - Cry of the Suffering Humanity**







### **What is PROUT :**

PROUT is an acronym for the Progressive Utilization Theory. Conceptualized in 1959 by Indian Philosopher Shrii Prabhat Ranjan Sarkar, PROUT is a viable alternative to the outmoded capitalist and communist socio-economic paradigms. Neither of these approaches has adequately met the physical, mental and spiritual needs of humanity. PROUT seeks a harmonious balance between economic growth, social development and cultural expression.

Combining the wisdom of spirituality, the struggle for self-reliance, and the spirit of economic democracy, Proutist intellectuals and activists are attempting to create a new civilizational discourse. PROUT newsmagazine aims at conveying comprehensive and visionary goals of PROUT Philosophy.

PROUT magazine invites scientists, economists, politicians, artists, intellectuals and others to join us in the creation of a new, spiritually bonded society by propagating and popularising unambiguous elevating thoughts. Through Proutistic views and Neo Humanistic analysis, it strives to serve as beacon for the benighted civilization of our times.

### **Main principles of PROUT and Neo-Humanism**

-  **Neo-humanism** : Neo-humanism expands the humanistic love for all human beings to include love and respect for all creation - plants, animals and even inanimate objects. Neo-humanism provides a philosophical basis for creating a new era of ecological balance, planetary citizenship and cosmic kinship.
-  **Basic Necessities Guaranteed to All** : People can not strive toward their highest human aspirations if they are lacking the basic requirements of life. PROUT believes that access to food, shelter, clothing, education and medical care are fundamental human rights which must be guaranteed to all.
-  **Balanced Economy** : Prout advocates regional self-reliance, cooperatively owned and managed businesses, local control of large scale key industries, and limits on the individual accumulation of excessive wealth.
-  **Women's Right**: PROUT encourages the struggle against all forms of violence and exploitation used to suppress women. PROUT's goal is coordinated cooperation, with equal rights between men and women.
-  **Cultural Diversity**: In the spirit of universal fellowship PROUT encourages the protection and cultivation of local culture, language, history and tradition.
-  **World Government**: PROUT supports the creation of world government with a global constitution and a common penal code.

Shrii Prabhat Ranjan Sarkar



## ENTERED INTO OUR EARS

KA'JAL MEGHE VAJRE D'EKE  
AMA'NISHA'Y KE TUMI ELE  
BHAYA'L VESHE KISER A'SHE DAYA'L  
ABHISA'RE MA'TILE  
AMA'NISHA'Y KE TUMI ELE

AVAHELITER HA'HA'KA'R PASHILO KII  
KARN'E TOMA'R  
ASURER DHANUKER T'AUNKA'R RODHA  
KARITE ELE CALE  
AMA'NISHA'Y KE TUMI ELE

ARTHA BALE BUDDHI BALE  
JA'RA' ARTHA BALE BUDDHI BALE  
KORATO SHOS'AN' NA'NA' CHALE  
TA'DER A'SHA'Y BHASMA D'HELE DEVE  
BALE SABE D'A'KILE  
AMA'NISHA'Y KE TUMI ELE  
KA'JAL MEGHE VAJRE D'EKE  
AMA'NISHA'Y KE TUMI ELE

Madhukanirka, Anandanagar 1.6.1983

With thunder crashing in dark clouds,  
In the darkness You came  
In a fearsome manner, hoping for what?  
O merciful One, so engrossed, enchanted  
By this tryst of divine love.

Screams of the despised and destitute  
Have entered into Your ears.  
The twanging of the demonic exploiter's bow  
You came to silence and to move onward.

Those who were exploiting in countless ways  
With money power and mind power  
You have called them all to let them know  
You will be pouring ashes upon all their hopes.





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 Main Road, Malviya Nagar, New Delhi-110017  
 Mobile No.: 09212199658, 9810625082 Email: prout.am@gmail.com

For enquiries, please contact:  
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Exploitation in the psychic stratum is mostly perpetrated or perpetuated in the first phase through dogma. These dogmas are also the harbingers of economic exploitation or social exploitation...In the spiritual stratum, as in the physical stratum, the exploiters, together with dogma, create inferiority complexes or superiority complexes in the minds of the people, and later perpetrate economic or social exploitation.

– Shrii Prabhat Ranjan Sarkar

## Fundamental Principles of PROUT

1

No individual should be allowed to accumulate any physical wealth without the clear permission or approval of the collective body

2

There should be maximum utilization and rational distribution of all mundane, supra mundane and spiritual potentialities of the universe

3

There should be maximum utilization of the physical, metaphysical and spiritual potentialities of unit and collective body of the human society.

4

There should be a proper adjustment amongst these physical, metaphysical, mundane, supra mundane and spiritual utilizations.

5

The method of utilization should vary in accordance with the changes in time, space and person and the utilization should be of progressive nature.



## Judiciary in Jeopardy

January 12 marked one of the most remarkable events in decades. The four most senior judges (the entire collegium minus the Chief Justice) of the Supreme Court gave an open press conference saying that they were coming to the people to save the judiciary and democracy in order to repay their debt to the nation. They said that they did not want posterity to judge that they had sold their souls by keeping silent. The judges stated that Supreme Court cases were being allotted in an arbitrary manner that threatened the reputation and integrity of the court. Following this, four retired justices (including a former Supreme Court Justice) wrote a public letter to the Chief Justice supporting the protest of these Justices. Amazingly when asked at the press conference if the Chief Justice should be impeached one of the Justices replied that this was up to the people of India.

This was part of a chain of events involving a case of alleged corruption of Supreme Court judges by a college which is detailed in an article in this issue. However, the integrity of the court has been in doubt (although underreported by the media) since the submission of the suicide note of former Arunachal Pradesh Chief Minister Kalikho Pul. Aside from alleging corruption of state Congress and BJP leaders and senior Congress leaders (including the present President of India) the letter alleged that several of the Supreme Court justices had asked for bribes. While most of the named justices have since retired, the letter stated that “Aditya Mishra (alleged relative of the present Chief Justice) had asked Rs 37 crore from me”. Unsurprisingly this explosive dying declaration was never investigated.

At no time since the era of the 1970s with Indira Gandhi demanding a judiciary “committed” to the interests of her party has such events taken place. The Chief Justice has attracted attention for supporting right wing causes such as being against reservation of lower castes in employment, extending the scope of anti-defamation to prevent criticism of politicians, sentencing Yakub Menon to death at an unprecedented hearing in the middle of the night and recently for demanding that all persons must stand during the playing of the national anthem in cinema houses. However, he must be praised for re-opening the 1984 Sikh massacre cases.

While partisanship in the judiciary is undesirable, it is not unusual. However, what the four justices said in the letter was damaging to the Court’s integrity refereeing to an incident during the Luthra case (on October 27) regarding the issue of Justice Karnan (senior judge of the Madras High Court) who had made sundry allegations to the media about Supreme Court justices being corrupt and had challenged their authority. A constitutional bench of the Supreme Court was already dealing with this matter when the Chief Justice took the case away from them and gave it to a new bench chosen by him. To replace the judges hearing a case without any justification is a violation of judicial ethics.

This breakdown in relations worsened as described in the article in this issue. However when asked by reporters at the press conference about what was the incident that provoked the judges to declare the judiciary in danger, Justice Gogoi confirmed it was regarding the case of the late Justice Loya.

In November 2017, Caravan magazine broke a story about the mysterious death (involving conflicting stories, forged documents) of Justice Loya who was hearing the Sohrabuddin Encounter Murder Case in which former head of the BJP, Amit Shah was indicted. The magazine interviewed on camera the sister of Justice Loya and was given a letter from the son of Justice Loya asking for an investigation of his father’s death. In recent months the son has changed and said that he wants the investigation of his father’s death to end. The uncle of Justice Loya said that his nephew was being pressured and has asked for the investigation to continue. Uday Gaware a college friend of Justice Loya has publicly said that that the death was a “premeditated murder”. Loya had confided about the pressure he was facing about the case to legal activist Shrikant Khandalkar who was threatened and finally thrown off the roof of a courthouse in Nagpur. Another person Loya confided in was retired judge Prakash Thombre who was found dead on a train. The new judge who replaced Justice Loya found Amit Shah innocent of all charges.

In response to this news, the Bombay Lawyers Association filed a plea before the Bombay High Court seeking an inquiry into Justice Loya’s death. This matter was allocated before a division bench of the High Court and it had decided to take the matter up on 23 January. Since this question was pending before the High Court, it meant the High Court was seized of the matter.

However, the Supreme Court in a bench also decided to take up this case violated the authority of the High Court. Once the high court is proceeding with a particular case, the Supreme Court cannot and should not have entertained it. In fact, when the matter was taken up on 12 January, there were objections at the Bar of the Supreme Court raising this very point. Thus the Bombay High Court was prevented from investigating this case.

In a meeting with the Chief Justice, the four senior justices had expressed their reservations to the CJI about these developments in the Loya case. However, the CJI had refused to budge. These Justices then notified him that they would bring this to the attention of the public.

Whatever may be the truth, the common man cannot know. What is however clear is that there is an ongoing assault on the freedom of the judiciary not seen since Indira Gandhi. As the country is in the process of being Pakistanised, we can remember that Generals Zia and Musharraf successfully subverted the judiciary and that recently Nawaz Sharif failed and was removed from office. This is not just a phenomenon in African countries like Zambia but also in Eastern European countries like Hungary and Poland. Recently Romanians took to the streets to try to stop the subversion of the judiciary which was taking action against corrupt politicians.

And in the past, who can forget Justice Ram Shastri Prabhune, Chief Justice (cosmopolitan scholar) of the Peshwa court, who was famous for championing justice for the common people and for having the courage to pass a death sentence on the ruling Peshwa for murder.



### Women's Rights

This is such a short, inspirational article but where is the action? There is increasing assault on women on all levels – verbal, physical, psychological. Increasing vulgarisation of the culture due to foreign pornography and desi religious violence is the root problem. But where is the action to deal with this situation? The article says you want to empower women to lead a revolution against dogma and exploitation. Is there a single place in India or the world where Proutists are fighting against the violence and religious assault on women? What is the use of printing your Guru's articles if you have no interest in implementing them?

**Dhumavati Mahato, Ramgarh**

### Great Betrayal

There are so many civilised international laws that India has either refused to sign or refused to implement. This is because our leaders are fundamentally barbarians who take money from those who rob, traffic in and murder the Indian people and because our leaders are demons who in order to win elections, pay money to make Indians murder each other on the basis of caste and religion. We accept this barbarism as normal. We accept encounter killings, torture as normal and are never outraged at this because we are not a real nation – we are just a collection of caste groups that occasionally unite into violent religious groups. The day when we break down crying to hear how a street boy is tortured after a local robbery; when we become enraged when we find that a terror suspect was tortured even though the police

knew he was innocent; when we take to the streets to stop the abuse of women in prisons – on that day alone we become true Indians. Until then we are just gangs of dogs barking at the flag.

**Harishchand Mehta, Gandhinagar**

### Food Sovereignty

We all know how food is controlled by western elites - how the land, water, seeds and power is controlled by those foreign corporations who bribe our government. What we do not realise is that this is going on in every country all around the world. Another thing we do not realise is that world hunger is increasing this year for the first time in a 100 years. And our politicians tell us that the malnourished girl textile labourers in Surat and elsewhere are malnourished due to dieting to watch their figure! The time is nigh to realise that the same thing is going on in Pakistan. There also religious hatred is manufactured to divert the exploited people. The rich get tax breaks, loans forgiven and the poor get robbed and are given the opium of religious hatred to make them kill each other in God's Name. The time is now to unite the landless people of the world to seize back control over the land of this planet. And above all the time is now to stop the spread of deserts by learning to love and serve this land of ours (in whose name, and to own whom we cheat, file court cases and kill each other). This is the Duniya Desh Bhakti we need today.

**Dinamukta Mitra, Krishnanagar**

### Tortures Afflicted on Shrii Shrii Anandamurti

Why do you print such long articles on your Guru's Tapasya when most of the disciples have little interest to learn about it? When you have never bothered to get judicial proof of your Guru's poisoning after He came out of Jail, then what is the point of having nice kiirtan and khana on the day when He was poisoned? When you hold a yearly ceremony to demand justice for the victims of the communist Bijon Sethu massacre of disciples of Shrii

Shrii Anandamurti but never highlight and protest the poisoning of your Guru, do you think any bhakta in India will respect you? How do you expect people to respect your Guru, when you have no respect for His Tapasya for you? Still today the Sikhs honour the tortures inflicted on Guru Arjan and Guru Tegh Bahadur. Many feel that your Guru was the Supreme Guru but one thing is for certain – you are among the worst disciples in history like Krsna's Yadavs who rejected His Mission of Mahabharata just as today you reject your Guru's revolutionary Mission of Mahavishva.

**Dharmendra Mandal, Ranchi**

### Riverine Fisherfolk

This was a long article but the message is short. India's rivers are for sale to the

highest bidder while our leaders who perform arti to our rivers that they allow industrialists to pollute. I simply cannot imagine how many thousands of fisherfolk along all our mighty rivers will be ruined. Where will they go? How will they survive? Nobody is planning for this human disaster. Nobody is planning for the ecological disaster when those who buy rivershores cause pollution to increase dramatically? Nobody seems to have the heart for either our rivers or their human children.

**Shyamdas Patel, Vadodara**

### Meena of Afghanistan

You know when Meena was growing up women had so much freedom. Today US & British drug dealers and Pakistani Taliban control this country and women's suffering never ends. For 40 years the fighting has been going on and there is no end in sight. The refugee crisis is exploding as Iran and Pakistan are forcing Afghan refugees to go back home. There are countless women who are struggling to stay alive and to live with honour in this country but no one knows their silent agonies. Meena called for a global movement against religious extremism and this was never more urgently needed than today.

**Rustam Bharucha, Mumbai**



# The Healing Touch of Love

Moin Qazi

*“Love is our true destiny. We do not find the meaning of life by ourselves alone – we find it with another.”*

*-Thomas Merton, Love and Living*

Henry Thoreau, the 19th century writer, naturalist and philosopher once remarked:

“It is something to be able to paint a particular picture, or to carve a statue, and so to make a few objects beautiful; but it is far more glorious to carve and paint the very atmosphere and medium through which we look to affect the quality of the day—that is the highest of arts.”

These, according to Thoreau, are the greatest artists, for they practice the highest of the arts—the art of the well-lived life. Indeed, everyone has a wonderful gift which they alone can give. It may be a heartfelt smile to the people around us, our family or just showing a little kindness to those who come our way. We all have an immense capacity for love, and it costs nothing.

He was trying to remind us that great art is not restricted to painting, music, sculpture and writing; instead still greater is the art that affects the quality of life of people.

There is an art of bringing hope to the world of despair. Thoreau makes us think of people like Florence Nightingale and the Amte family—people who, through the nobility of their lives, made an impact on their world

There is no end to the number of such artists. It includes the countless obscure, good people who quietly affect the lives of those about them without even being aware they are doing it, winning no commendation, expecting none.

Everybody must, at one time or another, have known people—strangers, as well as friends—who have changed the quality of their day. They come into a room in a dark hour, a sickroom, or a death bed, a room without hope, or merely at a time when we are lonely or discouraged.

They may say little, if anything. But the shining quality of goodness radiates from them, and where there was dark, there is now light, or the beginning of light; where there was cowardice there is courage; where there was listlessness there is love of life.

These friends or wonderful strangers we may meet at a picnic, in a lifeboat, in a hospital waiting-room—humble and unaware, they carry with them the kindness and generosity of their lives. These, according to Thoreau, are the greatest artists, for they practice the highest of the arts—the art of life itself. We all have a wonderful gift which we alone can give. It may be a heartfelt smile to people around us, our family, our colleagues—or showing just a little kindness to those who come our way.

Don't we all want a reason for being born, and a way that is worthwhile to spend our time on this earth? There is no second chance. Now is the time. It may be kindness shown to a frustrated youth, help to a poor and hungry soul, consolation to an aggrieved man, love and affection to an orphan child, or medical aid to a serious patient.

A bright face, a little appreciation and sympathy, a ready hand and a kind encouraging voice—they send a fellow traveller on her way refreshed, strengthened and comforted. There are countless people who contribute to improving others' quality of life and whose small deeds of kindness instill courage and hope for those in anguish.

We all have a wonderful gift which we alone can give. The greatest gift you can give to another is the purity of your love. We all have immense capacity for love—and it costs nothing. It's a beautiful contagion that passes through individuals.

It could be the school teacher, the family doctor, the colleague in the office, the neighbour or even a total stranger who leads our lives from darkness to light, from anxiety to peace, from cowardice to courage and from depression to love of life.

It may be a heartfelt smile to people around us, kindness shown to a frustrated youth, help to a poor and hungry soul, consolation to an aggrieved man, or affection to an orphan child. A bright face, a little appreciation and sympathy, a ready hand and a kind encouraging voice—they send a fellow traveller on her way refreshed, strengthened and comforted. Don't we all want a reason for being born, and a way that is worthwhile to spend our time on this earth? There is no second chance. Now is the time.

There are countless people who contribute to improving others' quality of life and whose small deeds of kindness instill courage and hope for those in anguish. “To love someone” says Fyodor Dostoevsky, “means to see him as God intended him.”

One of the greatest tragedies of modern man is the alienation and abandonment that haunt him. This is an ailment which no hospital can treat, no medicine can heal, no surgery can cure; neither the ancient wisdom of the East nor the modern science of the West has an answer for this. Kindness and love are not about giving away money or buying expensive gifts, although it is necessary to do these things on certain occasions. When you give of your possessions, you give little. When you give of yourself, you give all. A sympathetic ear, a smile or helping hands in times of distress are all what most people need to receive and to give.

Attention is the most basic form of love. By paying attention we let ourselves be touched by life, and our hearts naturally become more open and engaged. There is no greater teacher of morals than love itself, for the first lesson that one learns from love is, “I am not, you are.” According to Dr. Richard Moss, “The greatest gift you can give to another is the purity of your attention.” The marvelous thing about it is that once the unhappy person feels that somebody cares about him he is often able to begin caring more about others. Love liberates love: it is as direct and miraculous as that.

Attention is a golden coin, a highly precious thing which can work magic. Learn to pay it graciously and gladly, and the dividends will come pouring back to you. The love that transcends love is a love that liberates. It brings both fullness and mindfulness. We therefore have to teach our consciousness and our hearts to love in the absolute of the moment and in full awareness of time, to be there and to know. The finest love transcends separation, longing and death.

To use the beautiful message of the United Nations High Commissioner for Refugees:

“All the state subsidies in the world will never be able to replace the warmth of assistance rendered by one individual, one human being to another. It is man alone by his personal charity who can really bring succour to his neighbour in need. Without the individual who offers bread to the hungry, who cares for the sick, who brings help to the refugees, all assistance is devoid of soul.”



# Exploitation – No More

*Shrii Prabhat Ranjan Sarkar*

Human beings use only a very small percentage of their inherent capacity – less than one percent, to be precise. Even people whom society has accepted as great personalities use hardly ten percent of their inherent capabilities, and the remaining ninety percent remains unutilized. To put it very plainly, **human beings waste ninety percent of their capacity.** Those who are very crude by nature waste half of their time in idle pursuits, and the rest of the time they only use a small percentage of their capacity for worthwhile tasks. The term “crude” refers to those people who utilize their physical capacity but totally neglect their mental and spiritual power.

Why do human beings fail to utilize their total capacity? First, they do not know how to utilize their capacity – **they lack proper knowledge** as to what should be done and what should not be done. Secondly, they are **habitually indolent**, suffering from psychic and spiritual inertness.

Some people think early in life, even at the age of twelve or fourteen, about how they can utilize cent percent of their psychic power and perfect themselves through spiritual practices. Unfortunately, due to lethargy, they fail to utilize their capacity and thus their potentiality gradually diminishes. **Even those who are acclaimed as great personalities in this world utilize hardly ten percent of their capacity in the intellectual and spiritual spheres. This is really very unfortunate.** But even more unfortunate is that some people not only fail to

**Those who utilize a mere ten percent of their potentialities are considered to be great people by society. Imagine what the result would be if a person were to use cent percent of his or her potentialities.**

utilize their own capacity, but block the progress of others – they do not want others to prosper at all. This mentality is shameful, deplorable, and highly detrimental.

Suppose a very dark-complexioned boy is called a “nigger” by his classmates and even his teachers. This certainly depresses him and blocks the expression of his capabilities. He thinks, “I am inferior. I am downtrodden. I am ugly.” Similarly, those who are born into so-called low-caste families are criticized for being of low birth. People say derogatorily, “Ha! What sort of education can such low-caste people expect?” As a result, their minds contract and their progress is

thwarted. In exactly the same way, poor people are subjected to all sorts of indignities and harassments because of their financial difficulties. Suppose a poor but meritorious boy is making excellent progress with his studies: his envious classmates comment, “Why do you bother to study? Shouldn’t you get a job as a servant?” Because of such attitudes, many brilliant and gifted people are forced to let their inherent potentialities go to waste. This is not only a matter of regret and shame, it is an act of blatant oppression, suppression, repression and exploitation! Consequently, the genius in many people gets choked. This is called “intellectual exploitation” in phi-

## Fanon: “Concerning Violence”

- The white man believes that “nature must be tamed, not talked into action.” There is also “scientific proof” of the primitivism of Africans being mentally incapable and “retarded” due to underdeveloped brain structures. Colonizers argue that they do not give the natives humane, moral responsibilities or even respect because of their “limited biological possibilities.”
- Due to the inferiority complex instilled during colonialism and maintained throughout decolonization, there is a general acceptance of an unequal playing field.

“

To turn people into real human beings is the burning issue today, the greatest challenge. There are very few people who can take the lead in this undertaking, this sacred endeavour. Today tormented souls look to the purodhás [spiritual vanguard] of society with great expectations. Politicians cannot provide what is needed. During the last six thousand years of human history, they have failed at every step.

**Shrii Prabhat Ranjan Sarkar**

”

losophy. You must oppose it.

It is sad that human potentiality is not fully utilized. Those who utilize a mere ten percent of their potentialities are considered to be great people by society. Imagine what the result would be if a person were to use cent percent of his or her potentialities.

As I mentioned earlier, the first reason for this waste of human potentiality is ignorance about the right path, and the second reason is lethargy. There is a third reason. Sometimes, even if people are aware of the right path and are not at all lethargic – even if one is a genius – they cannot express their full potentialities as **they are subjected to unusual intellectual or social pressure**. Thus, the natural expression of their potentialities is checked. This socio-intellectual exploitation is highly detrimental. You must oppose it.

There are many petty criminals in today's society. If you keep calling them sinners, they will develop a complex deep in their minds. “I am a sinner. I am a wretch. I am mean and vile. I have no future,” they will think. You must not do anything like this. Rather, **you should find their good qualities and praise them**. This praise will encourage them to cultivate their attributes and move along the path of virtue. **They will concentrate more on their good qualities than on their wickedness, resulting in the gradual diminishment of their sinful tendencies**. Finally the day will come when they will be so preoccupied with doing good deeds that they

will cease to commit any crime. That is why I say, “Praise the good qualities in human beings.”

But if these criminals are neglected, their progress will be checked and they will become even more sinful. If they are repeatedly called sinners, if they are subjected to social punishment, their habit of committing crimes will become stronger.

**Even the worst sinners have some good qualities.** If you appreciate their good qualities, they will be encouraged to take to the righteous path – there will be a great change for the better in their lives. This is the right approach. If, instead, so-called sinners are ostracized or criticized by society, they will no longer strive to cultivate their inherent good qualities but will stick to the path of vice so tenaciously that one day they will become a great burden on society.

As most people do not know basic human psychology, their actions result in the so-called criminals becoming a greater burden on society. Having been subjected to much social injustice and criticism, some people think, “Now that I have stepped onto the path of vice, now that I have fallen down, I will not stop until I reach the deepest hell.” You should not do anything, even unconsciously, which goes against fundamental human psychology, and you should ensure that other people do not get any scope to make such mistakes either. If so-called sinners are repeatedly scolded, they will never become transformed into good people. Even bad people, under indirect pressure, or external attraction, or urge for Parama Puruśa (Supreme Entity), can turn into good people.

**You should lead the wicked people to the path of virtue. You will see for yourselves that they, too, will feel an attraction for Parama Puruśa.** You should encourage them to develop the noble qualities lying dormant in them without delay. This is the proper psychological approach, the real path of rectification.

Let us consider two points: **attraction for the Great and collective pressure**. As a result of attraction for the Great, one joins the path of virtue; and, as a result of collective pressure, one's attributes get scope for external expression. Here, social pressure does not mean declaring anyone an outcast or ostracizing anyone or stopping the supply of anyone's basic needs. This is not proper social pressure; rather it is a useless approach, having no positive effect on people. On the contrary, it merely strengthens the determination of the sinner to sin.

What is proper social pressure? It is to find the good side, the noble aspects, of a person's character, and help bring about a change in his or her life. In fact, a human being has but one task: to remove that which is harmful or detrimental in society. As you march along your path of movement you should oppose those people who work against the collective interest; you should raise the slogan, “Human exploitation – No more, no more!”

The move comes even as the government continues its crackdown on NGOs for allegedly violating the FCRA.

# Finance Bill Amends FCRA to Condone Illegal Donations to BJP, Congress from Foreign Companies



Prime Minister Narendra Modi; Vedanta chief Anil Agrawal; Congress President Rahul Gandhi.

**Anuj Srivas**

The government is using Budget 2018 to once again give the BJP and Congress a get-out-of-jail card for having illegally accepted funding from foreign companies. The parties will **get a free pass for violations of the law going back 40 years**. In 2016, finance minister Arun Jaitley inserted a surreptitious amendment in that year's finance bill which shielded both political parties from having violated the Foreign Contribution (Regulation) Act 2010 (FCRA) when they accepted donations from London-based multinational Vedanta. The amendment was a **thinly disguised attempt to overturn a 2014 Delhi high court order that found both the Congress and BJP guilty of violating the FCRA and ordered the government and Election Commission to act against them**.

The move came even as the government was crack-

ing down on NGOs for allegedly violating the FCRA, freezing the bank accounts of Greenpeace and Citizens for Justice and Peace and even instituting criminal proceedings against the anti-communal activist Teesta Setalvad.

However, the 2016 amendment – which changed the FCRA to redefine foreign companies as “Indian” if their ownership in an Indian entity was within the foreign investment limits prescribed by the government for that sector – was made retrospective only from 2010, which is when the latest version of the FCRA was introduced.

This meant that donations received from foreign companies prior to 2010 were not covered by the retrospective amendment. Ironically, the impugned Vedanta donation itself was from before 2010.

A new amendment in the Finance Bill 2018 – made



public after the announcement of the budget on Thursday – now seeks to amend that 2016 amendment so that the BJP and Congress are off the hook for any donation received after August 5, 1976 – the date of the commencement of the original Foreign Contribution (Regulation) Act of 1976. The 1976 Act was repealed and later re-enacted as a separate piece of legislation in 2010 with minor changes. The new amendment, if passed, could get both political parties off the hook for receiving foreign donations of up to Rs 5 crore from companies even before 2010 as well.

As the 2018 finance bill puts it: “Clause 217 of the Bill seeks to amend section 236 of the Finance Act, 2016 which relates to amendment to sub-clause (vi) of clause (j) of sub-section (1) of section 2 of the Foreign Contribution (Regulation) Act, 2010.”

It is proposed to bring the said amendment with effect from the 5th August, 1976 the date of commencement of the Foreign Contribution (Regulation) Act, 1976, which was repealed and re-enacted as the Foreign Contribution (Regulation) Act, 2010.

What was the original 2016 amendment?

The clause that prohibited political parties from accepting foreign donations – and which defines a “foreign source” as a company that has “more than one-half of the nominal value of its share capital held” by “corporations incorporated in a foreign country or territory – is found in both the 1976 and 2010 acts.

This was amended in 2016 to declare that a company will “not be deemed a foreign source” if the “nominal value of share capital is within the limits specified for foreign investments.”

This not only got the BJP and Congress off the hook from the Delhi High Court’s order but also opened the doors for hundreds of foreign companies to make contributions to Indian political parties.

In December 2016, the parties withdrew appeals they had filed in the Supreme Court against the Delhi high court’s verdict. At the time, the BJP’s counsel, senior advocate Shyam Divan, stated that their appeals were no longer necessary because the retrospective amendment to the FCRA allowed political parties to accept donations from an Indian subsidiary of a foreign company.

But as Jagdeep S. Chhokar of the Association for Democratic Rights wrote at the time, it is “evident that the real reason for withdrawal of the SLPs was not that there is no reason to challenge the March 2014 decision

**Presenting "RASHTRAWADI" FOREIGN FUNDING**

### Delhi HC finds BJP, Congress guilty of taking foreign funding



**New Delhi:** In a huge blow to the Congress and the BJP just ahead of the elections, Delhi High Court has held both the national political parties guilty of taking foreign funding and violating the Foreign Contribution Regulation (FCR) Act.

The High Court found them guilty of taking donations from the subsidiaries of Vedanta, the company to whom several benefits were bestowed by these two national parties. Both parties had taken donations running into several crores of rupees from foreign companies.

The court also rejected the stand taken by the Ministry of Home Affairs for saying that FCRA has not been violated.

The ruling came while the court heard a petition by the Association for Democratic Reforms with AAP member Prashant Bhushan as their lawyer who argued the matter in court. The court has directed the ministry to taking action against the two parties within 6 months.

### SC notice on BJP plea on its foreign funding

**NEW DELHI:** The Supreme Court on Friday issued notice to the central government and the election commission on a BJP plea challenging the Delhi high court order that the contribution to its coffers by the Indian subsidiary of an overseas-based company amounted to foreign contribution.

An apex court bench headed by Chief Justice H.L. Dattu while issuing notice on Bharatiya Janata Party's (BJP) plea, tagged it with an earlier Congress plea on the same issue.

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The Delhi high court had ruled that the funding for the Congress and the BJP by the Indian subsidiary of an overseas company amounted to foreign contribution which is prohibited and has urged the Election Commission (EC) and the central government to proceed against them

of the Delhi High Court because it has been negated by the amendment done in February 2016. The real reason appears to be that the amendment which was done – arguably surreptitiously – does not really provide the protection it was expected to provide, particularly in view of paragraph 2 of the March 2014 judgment of the Delhi High Court,” which noted:

“Since the writ petition drew attention to donations made to political parties for the period up to the year 2009, we record at the outset that our concern is not with the Foreign Contribution (Regulation) Act, 2010 which has come into force on September 26, 2010. Our discussion of the legal position would be with respect to the Foreign Contribution (Regulation) Act, 1976.”

Why is the 2018 amendment important?

The latest finance bill amendment is significant because the legal subterfuge in 2016 only gave a free pass to the Congress and BJP from 2010 onwards.

Chhokar – whose organisation had initially moved the Delhi High Court over the FCRA violations – predicted the latest amendment as far back as November 2016.

“What we feel is that the government can look to amend the FCRA again, this time by introducing a more precise clause that shields them,” he had said at the time.

The 2018 financial bill amendment, if passed, appears to have done just that.

**There are at least 25 instances of the Congress and the BJP receiving funding from the ‘Indian’ subsidiaries of various foreign companies before 2010.** The following table, compiled by ADR, shows, the parties have received funding in the range of Rs 5 lakh to Rs 5 crore from the Indian subsidiaries of Vedanta, Dow Chemicals and Switzerland-based Mundipharma over the course of six years from 2004 to 2010.

| Company                             | Amount<br>(In Rupees) | Year of<br>Donation | Political<br>Party | Parent Company   |
|-------------------------------------|-----------------------|---------------------|--------------------|--|
| Hyatt Regency                       | 5,00,000              | FY 04-05            | INC                | American Origin Company  |
| Sterlite Industries<br>Ltd          | 100,00,000            | FY 04-05            | INC                | Vedanta  |
| Sesa Goa Ltd                        | 5,00,000              | FY 04-05            | INC                | Vedanta  |
| Sesa Goa Ltd                        | 5,00,000              | FY 04-05            | INC                | Vedanta  |
| Sesa Goa Ltd                        | 2,00,000              | FY 04-05            | INC                | Vedanta  |
| Adani Wilmer Ltd                    | 2,50,000              | FY 05-06            | INC                | Adani Wilmar Limited is a 50:50 joint<br>venture between the Adani Group and<br>Wilmar International Limited |
| Sesa Goa Ltd                        | 5,00,000              | FY 05-06            | INC                | Vedanta  |
| Sesa Goa Ltd                        | 5,00,000              | FY 05-06            | INC                | Vedanta  |
| Sesa Goa Ltd                        | 2,00,000              | FY 06-07            | INC                | Vedanta  |
| Sesa Goa Ltd                        | 15,00,000             | FY 07-08            | INC                | Vedanta  |
| Adani Wilmer Ltd                    | 5,000,000             | FY 08-09            | INC                | Adani – Wilmer JV  |
| Solaries Holding Ltd                | 5,000,000             | FY 09-10            | INC                | Vedanta  |
| Solaries Holding Ltd                | 5,000,000             | FY 09-10            | INC                | Vedanta  |
| Sterlite Industries<br>(India) Ltd. | 50,000,000            | FY 09-10            | INC                | Vedanta  |
| Sesa Goa Ltd                        | 30,00,000             | FY 09-10            | INC                | Vedanta  |
| Sesa Goa Ltd                        | 5,00,000              | FY 05-06            | BJP                | Vedanta  |
| Sesa Ghor                           |                       |                     |                    |  |
| Win Medicare (P)<br>Ltd             | 25,00,000             | FY 05-06            | BJP                | Swiss origin company   |
| Sesa Goa Ltd                        | 2,00,000              | FY 06-07            | BJP                | Vedanta  |
| Dow Chemical Int<br>(P) Ltd         | 1,00,000              | FY 06-07            | BJP                | Union Carbide acquirer   |
| Sesa Goa Ltd                        | 15,00,000             | FY 07-08            | BJP                | Vedanta  |
| Sesa Goa Ltd                        | 12,50,000             | FY 07-08            | BJP                | Vedanta  |
| Adani Wilmar Ltd                    | 50,00,000             | FY 08-09            | BJP                | Vedanta  |
| Vedanta The Madras<br>Aluminum Ltd  | 30,000,000            | FY 09-10            | BJP                | Vedanta  |
| Vedanta The Madras<br>Aluminum Ltd  | 50,00,000             | FY 09-10            | BJP                | Vedanta  |
| Sesa Goa Ltd                        | 50,00,000             | FY 09-10            | BJP                | Vedanta  |
| Win Medicare (P)<br>Ltd             | 25,00,000             | FY 09-10            | BJP                | Swiss origin company   |
| Sesa Goa Ltd                        | 10,00,000             | FY 09-10            | BJP                | Vedanta  |

As happens in many countries, our democracy is hijacked by foreign governments giving donations to political parties through local branches of their companies. Thus far, Indian democracy has not been totally for sale to the highest foreign bidder. This is now in the past.

The reality is that foreign corporations no longer have to indirectly bribe political parties. They can directly give donations and as per the new electoral bond scheme no one will ever know it. Businessmen like Nirav Modi (who is said to have managed over 100 shell companies and who was a key fundraiser for the PM) will have no problem funelling money in India from organised crime networks.

It is not just the US, UK, Russia that India has to worry about. There are Arab companies in India from countries that finance Islamic extremism. And of course there are Chinese companies that have bribed their way into taking control of many African countries. This is why this act of the present ruling party will go down in history as high treason.

# Why Women Contract Workers Most Vulnerable to Sexual Harassment at Work

■ Indulekha Aravind

By now, you would have read about countless instances of women being sexually harassed, abused and propositioned in their workplace, while they go about doing their job. The perpetrators are powerful film producers, directors, politicians, journalists, academics. A few of these victims have braced themselves and chosen legal recourse, others have spoken to journalists, non-disclosure agreements be damned, and some have chosen to name their harassers without revealing their identity. All in the hope of that elusive deliverance called justice.

While there has been no shortage of sceptics and flag-bearers of patriarchy, there has also been a tidal wave of support, especially on social media, that has carried these voices forward, amplified them and brought them too close to home to ignore. Justice might remain distant, but this has given those who have spoken out a modicum of support, the reassurance that they are not alone in this fight. Away from the social media spotlight there are many more fights taking place for the same justice, among women who are far more vulnerable.

Here is one, which began with women workers like you and me asking their male boss a legitimate question about their back wages and when they would be paid. Put yourself in their place. Instead of telling you when you will be paid, he tells you that if you want your salary, you will have to sleep with him. If you speak up against this man, who

“Lack of Redressal” the law India enacted in 2013 prohibiting sexual harassment at work covers all sectors of the economy, including the unorganised sector. Since there is no infrastructure or mechanism, complaints made reach a dead end.”



is known to have harassed women in the past, you run the risk of losing your job. But this is not the first time he has harassed you and, fed up, you complain to the internal committee against sexual harassment, which does nothing. That's when things take a turn for the worse. When your boss learns that you complained about him, he pulls his pants down in front of you and tells you that's where your wages are — to come and get them. It doesn't end there.

He then threatens to rape you and drive a rod through you which will come out through your mouth. Finally, he and the men he has hired beat you with sticks. This horror story is the lived reality of Swarna\*, Devaki\*, Deepa\* and other contract workers employed by the Bruhat Bengaluru Mahanagara Palike (BBMP) in KR Puram's ward No. 55 in Bengaluru. Driven to the wall, they gathered on Wednesday afternoon at the BBMP headquarters to protest the actions of their supervisor. “He told us that **people from our caste needed to be at his feet**,” says Swarna, 29, who has been a contract worker with BBMP for over a decade.

The “he” here is Nagesh, their contractor for one and-a-half years who is now on the run, after the police registered their complaint. Her colleague and friend, Devaki, says he and his henchman had been harassing them for a



while, bumping against their breasts while pretending it was an accident and grabbing them by the hand and pulling them. “When we asked for our said that all those who wanted money should form a separate line and marry him,” says Deepa, who has tears in her eyes when she recalls what happened. “He hasn’t paid us for four months.

We don’t even have enough food at home,” she says, her voice breaking. While sexual harassment at work has shown itself to be all-pervasive, starting from the highest echelons of Hollywood, women like Swarna and Deepa, who are contract workers, and those in the unorganised sector are possibly the most vulnerable. “If you look at the form of employment, there is **absolutely no job security. If they raise any question, they stand to lose their employment**, something they are extremely scared of. The labour department is ineffectual, the owners wash their hands off it — so these workers are extremely vulnerable,” says lawyer Clifton D’Rozario. A 2012 survey on sexual harassment at work by nonprofit Oxfam India along with Social and Rural Research Institute found that **labourers, domestic workers and women working in small-scale manufacturing were the most vulnerable.**

“The only difference about the latest incident was the gravity of it. Otherwise, sexual harassment and caste abuse is hardly an exception among women contract workers,” says Maitreyi Krishnan, a lawyer and member of the All India Central Council of Trade Unions who has been working with contract workers from different sectors. “When these women ask for water from houses they clean the garbage from, they get it in a bathroom mug,” Krishnan adds. Gender + Caste: Double Whammy Bengaluru’s garment factories, while a source of employment for over 5,00,000 people, most of whom are women, have also become sites of rampant sexual abuse and violence, most of which goes unreported.

Here, too, the balance of power

## Dirty Picture

A 2012 poll conducted by Oxfam India & Social and Rural Research Institute found that the women most vulnerable to workplace harassment were those working as/in:



is heavily skewed against the women, who are employed on contract and come from impoverished backgrounds and marginalised sections. A comprehensive report on the sexual harassment **Karnataka’s women garment factory workers** face by non-profit Sisters For Change revealed several disturbing statistics, one being that **one in seven have either been raped or forced to commit a sexual act.** Abuse and sexual harassment of women garment workers, it found, is routine. In one of the case studies it reports, a manager was constantly harassing a 20-year-old unmarried garment worker, threatening to fire her if she reported him. When she eventually told a union representative about her suffering, she supported her in filing a complaint with the company’s human resources department but no action was taken against the supervisor. The study found that action was taken in a mere 3.6% of the complaints received, with not a single person being convicted. In both these sectors, the power structure is similar — the subordinates are overwhelmingly women from economically-weaker sections, often Scheduled Caste, while the supervisors and management are men.

At stake is the **means to earn their livelihood, which their perpetrators can put an end to.** This is also why many of the offences go unreported, since action is rarely taken against the supervisor. “The law exists but it does not operate for those in the unorganised sector. In the contract system, if you open your mouth, you’ll lose your job — whether it is to ask for your wages or complain about sexual harassment,” says D’Rozario, who is also the state general secretary of AICCTU. If there is a section of workers where the harassment might be rampant but suppressed even more, it is domestic workers. Of these, it is the migrant, live-in workers who are the most vulnerable, says Geetha Menon, secretary of Stree Jagruti Samiti, a non-profit working to empower domestic workers. “In the unorganised sector, the workspace itself is scattered or “invisible”. Most of the workers are not established as such, there is no uniform legislation recognising them and their rights. This makes talking about sexual harassment even more difficult.

Since there is no infrastructure or mechanism, it dies down.” Lack of

**Redressal** The law India enacted in 2013 prohibiting sexual harassment at work covers all sectors of the economy, including the unorganised sector. In lieu of the internal complaints committee that every company is mandated to have, the district administration is supposed to set up local complaints committees (LCCs) that women in organisations with less than 10 employees and domestic workers can approach.

“The local complaints committee has not been set up in many districts and, when they have been, I’m not sure how accessible they are to women in rural and tribal areas,” says Menon. One alternative her organisation has attempted is to set up resident welfare committees that take the place of LCCs but there is no guarantee it would work. In one case, where an electrician was accused of molesting a domestic worker, her employers were happy to set up such a committee at their apartment complex, since the woman did not want to approach the police. The committee members decided that nobody in that building would employ the accused in future. But, in another incident, where the perpetrator was the employer and a resident, the building association was indifferent to the plight of the complainant, a domestic worker who was also a minor, says Menon.

“They refused to have a committee saying they were not responsible, only the employer is. But we were arguing that those premises were the workplace. These are the same people who would have internal complaints committees in their offices.” **Even in the formalised sector**, when there is a mechanism in place, there are **multiple hurdles to due process being followed**, from stigma and ostracisation the complainant might face to the loss of employment itself. There is also the **fear among victims that they might not be believed and taken seriously**, whether they are working in small organisations or multinational companies, as instances such as the harassment reported at Uber have shown. In the unorganised sec-

tor and among contract workers, where the very nature of their employment is not formalised, the challenges in reporting harassment are manifold. In such cases, trade unions might be the only platform available to these workers.

The BBMP, for instance, has an internal complaints committee which the workers from KR Puram had approached initially when their supervisor had told them that if they needed a raise they would need to sleep with him. “We told the committee that since this complaint has been filed against the contractor, it is very likely that they will be targeted, so please protect them. Section 12 of the Act provides for protection to be given when the workers make a complaint. The BBMP in its wisdom refused to do anything. That’s when the subsequent incident took place, where he went and stood in front of the workers,” says D’ Rozario.

One of the complainants affirms this. “From October 11, after we complained, the torture increased,” she says. But now that the dam has been broken, the women are determined not to back down from reclaiming their rights, though there are no hashtags for them. Mayor Sampath Raj arrives to meet them at the steps of the BBMP headquarters and listens to their grievances. Another two workers stand up and tell him about the assault they faced two months ago, in another area, Peenya, when they had asked for their salary. “He held my hands, dragged me and hit me,” says Anjamma, who has been working for over two decades.

The mayor assures them that the contractor, Nagesh, will be blacklisted, which gives them some satisfaction. “He should be arrested and not given a contract again. The hands with which he assaulted us should never be allowed to do so again,” says Deepa, as she leaves the protest venue to go back home to her two young children and an uncertain future.

*\* Names are changed*

## Blot On Garment Sector

In 2016, the non-profit Sisters For Change with local partner Munnade published a report on Karnataka's over 500,000 garment workers, 80% of whom are women from marginalised backgrounds. Some of the revelations:



# Transforming Power Transforming Politics

Power-with is not the opposite of power-over,  
because they can and do co-exist.

■ Tom Atlee

Modern minds tend to assume that identifiable single causes generate identifiable specific effects. This assumption underlies the remarkable power of the mechanistic paradigm—also known as the linear, Cartesian, or Newtonian worldview.

Applying this mechanistic view to human affairs, we see ourselves separate from each other and from the world. We are responsible for the effects we create—unless we are innocent victims or beneficiaries of what happens to us. We tend to view people in a given situation as either powerful or powerless. For example an archetypal conservative might suggest that “poor people can pick themselves up by their bootstraps!” An archetypal liberal might claim that “poor people are victims of systems and more powerful people!” **Blame, shame, regret, sympathy, and outrage are all natural companions of mechanistic power in the human realm. So are pride and arrogance.**

The mechanistic view specializes in what most people think of when they hear the word “power”—a version of power often called power-over—the **ability to control, influence, manage, dominate, destroy, or otherwise directly shape what happens to someone or something.**

I recently found this perspective well articulated in Moises Naim’s book *The End of Power*. Naim describes how—despite the obvious concentration of power in economic, political, and other realms—centralized power is becoming harder to use and harder to hold on to. There are too many challengers empowered by modern technology, globalization, and mobility. Politicians compete with activists, journalists with bloggers, security agencies with hackers and whistleblowers, established companies with innovative start-ups and pirates, univer-

sities with online sources of knowledge, militaries with grassroots militias, dictators with social uprisings... the list goes on and on.

Naim sees this upwelling of bottom-up power as a real problem for social order because he believes that when you lose control everything turns to chaos and people get hurt. In contrast to that view, I want to explore bottom-up power as a resource for social order—and for orderly transformation into a more just and sustainable society.

## Power-WITH

Actually, even calling this kind of power “bottom-up” is not fully accurate. Yes, there’s lots of bottom-up energy going on. But that phrase “bottom-up” serves more to contrast it with “top-down” than to describe its essence. Its essence is more about co-operation, networking, co-creativity, inspiration, doing-it-ourselves, process, conversation, and other forms of what I (and others) call power-with.

Power-with is the kind of **power that arises through connection—connection to ourselves, to each other, to what’s going on, and to everything else.** We could describe power-with as holistic partnership power. In its most mature and comprehensive form, it involves **our ability to see allies, resources, and possibilities anywhere and everywhere, and to engage with them for mutual and collective benefit.**

Power-with is not the opposite of power-over, because they can and do co-exist. We see power-with enhancing power-over when work teams collaborate to generate market dominance for their company or when activist alliances overwhelm their opponents in the political battlefield. We can also see it in how Public Relations





of corporations and governments works with people's instinctive urges and reactions to manipulate them into certain beliefs and behaviors. On the other hand, we see power-over enhancing power-with in competitions that promote collective benefits and win-win solutions, such as the Olympics (at their best).

Despite these synergies between the two modes of power, it is useful to notice their differences. What distinguishes power-with from power-over is its vector, the flow and directionality of its energy or impact. Power-over functions through linear A-to-B causation, the ability to have direct impact, to create specific effects desired by those exerting the power. **Power-with, in contrast, functions through multi-directional interactivity and participation, usually for mutual benefit** (although short-sighted applications can produce mutual harms).

This brings us back to the assumptions we examined earlier: To what extent are we independent agents who create and cause things? To what extent are we participants in larger events whose causes and effects are complex interdependent dynamics that emerge and evolve continually from whatever is going on?

In its extreme form, this second more non-linear perspective sees seemingly independent enti-

ties as "emergent phenomena" arising from and manifesting the whole fabric of life, and seeming causes as interdependent and probabilistic. In the spiritual realm this non-dual or "co-incarnational" view is familiar to Buddhists, Taoists, and meditators. In science it is home to ecologists, quantum physicists, and complexity scientists.

### Strengths and Limitations of Power-OVER

These modern sciences have discovered that we can't ultimately reduce the wholeness of life to its individual parts and laboratory-simulated single causes. The complexity of the real world resists our reductionism. So we play mental tricks to maintain our narrow view, calling unexpected or unwanted outcomes "side-effects". This mental sleight-of-hand is a major factor in our degradation of nature and human lives. **Current crises are almost all composed of "side effects" from our linear progress and productivity.**

The linear power-over perspective, however, is not "wrong" in any absolute sense. It is usually good for relatively mechanical undertakings at human scale like building a house or scheduling your day. In other circumstances, it can be safely exercised to the extent we understand the larger contexts in which we're functioning, pay due respect to aliveness and wholeness, and are

prepared to readily modify our ideas and actions in response to feedback.

But power-over comes with real risk of complex messy side effects. That's why using it calls for enhanced humility and caution at the beginning, oversight during its application, and/or protest at any time from those aware of its limitations and dangers. This vigilance is especially important when we exercise power-over in circumstances involving any of the following:

1. vast scales such as whole populations, regional or global environments, and global economics;
2. tiny scales such as those in nanotechnology, biotechnology, and nuclear science;
3. dynamic complex systems such as human beings, natural systems, social systems, and climate;
4. inadequate balancing feedback dynamics, such as in manipulated elections, media, and legal systems—or in the time lags, overshoot, and hidden positive feedback dynamics of climate change, as when evaporating arctic methane makes greenhouse warming worse;
5. other situations involving a real possibility for broad or long-term damage as with the intrinsic risks of nuclear energy and GMO crops.

In other words, you can use power-over safely to hammer a nail, but be very careful when using it with children, radioactivity, and our world. Vigorously protest efforts to apply it to large living systems without rigorous systems of review, answerability, and countervailing forces over extended periods of time. This is the logic of the Precautionary Principle which states that a new technology should only be applied out in the world when it has been proven safe, rather than until it is proven harmful.

A vivid example of the arrogant application of power-over is the idea that because polar ice is melting, oil companies will soon

be able to exploit oil that has been trapped under the ice caps. This profit-driven power-over impulse will generate more climate change, more climate-related geopolitical conflicts, and more calls for the further misguided power-over strategy of global geoengineering to control increasing climate chaos.

Examine for a moment the power-over dynamics exemplified in that narrative. Most obviously it features efforts to control and dominate nature, to exploit its “resources” for profit while trying to put its demons back in the bottle. Less obvious is the fact that **the profit motive driving all this is part of a larger system of positive feedback: oil company profits get used to manipulate political and legal systems to enable more profiteering while externalizing costs (such as war and climate change) onto the government, the public, the environment, and future generations. In systems lingo, this is a parasitic relationship.** It is supported by the manipulations of PR and media control, but is actually built into the economic and political systems. It would be possible to redesign those systems if enough popular power-with is applied to them with adequate understanding of the power-over dynamics currently involved.

### Understanding Power-WITH

Power-with is the power we get from partnering with the entities and conditions around us. **We use and support the qualities, needs, and aspirations of people and groups—including ourselves. We work with the aliveness and natural tendencies of animals, plants and all kinds of living systems—from communities to forests. We align ourselves with the innate properties of the tools and resources we work with and with the flow and underlying dynamics of the situations we find ourselves in.**

The energetics of power-with are like those of a dance or a raga improvisation. Its exercise requires

attending to, responding to, learning from, and shifting with the reality—especially the vitality—of what’s around us, what’s within us, what’s in front of us. Power-with becomes more useful and effective to the extent we seek and recognize allies and resources even in problems, enemies, and shadow dynamics. Someone for whom power-with is a life practice finds an abundance of people and things to work with everywhere.

Power-with is not about suppressing our own needs and aspirations to serve something or someone else. That is an effort to control ourselves, which is a power-over approach. The essence of positive power-with is mutual or collective benefit: I get my needs met and exercise my best self by helping someone or something else meet its needs and exercise its best self.

The most common power-with dynamic is teamwork—collective intention and action. Our shared energy is focused on a shared goal. Together we build the barn or get the law passed. In teamwork at its best we experience a co-responsive, organic moving with dynamic called “flow”. We often see this in sports teams who are “in the zone” or in raga improvisation groups who are “in the bhava” or an ecstatic state.

Another common power-with dynamic involves mutuality, the kind of reciprocal give-and-take we find in the symbiosis of flowers and bees or of partners in a barter exchange. No shared goal needs to be present except the expectation of shared benefit.

These two dynamics can combine such that our collective and mutual activities support something larger than us which, in turn, supports both or all of us. In a mediation we create an agreement that works for both of us. **In a gift economy people’s generosity creates a culture of abundance and a healthy commons that supports the well-being of all participants.** Plants breathing carbon dioxide in and oxygen out—and animals breathing in that oxygen and breath-

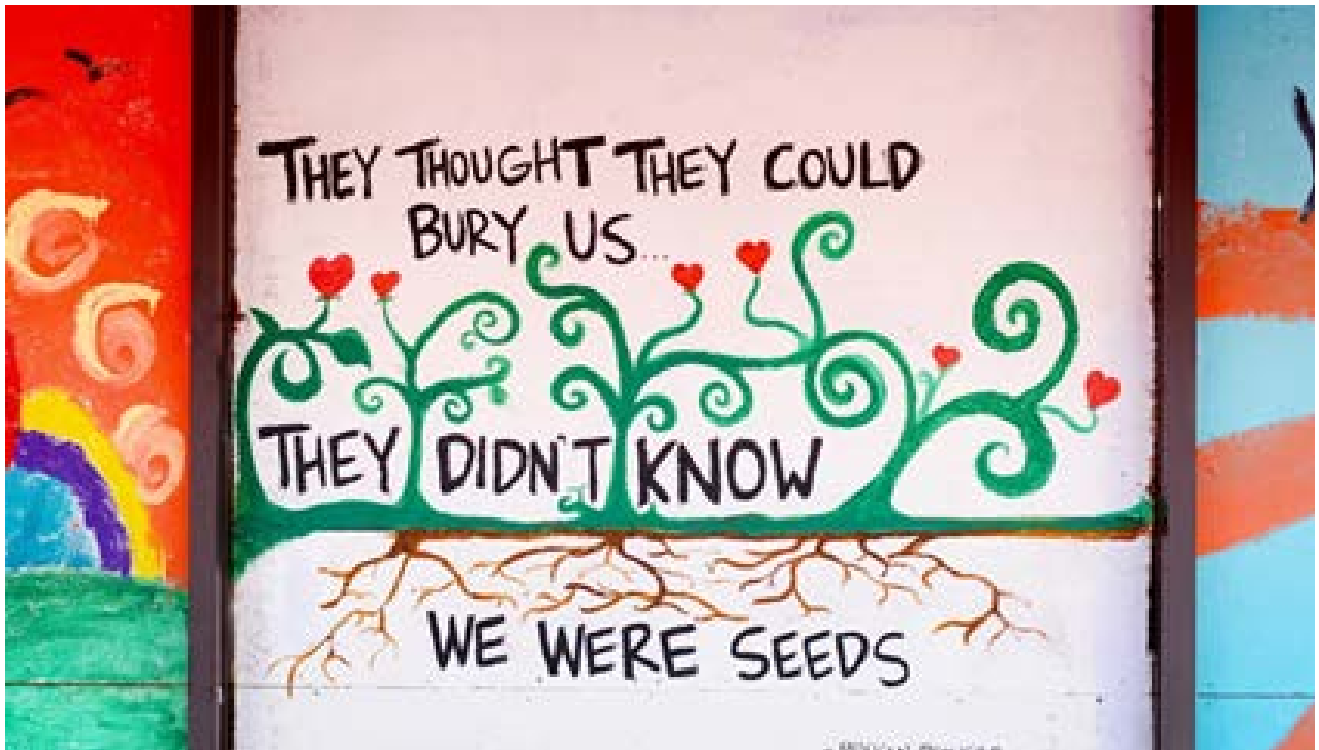
ing out that carbon dioxide—create an atmospheric cycle that provides abundant supplies of both oxygen and carbon dioxide to support all life. This generates what I sometimes call whole-system power, a big-picture form of power-with.

This is the essence of sustainability. **To the extent we engage collaboratively with nature and our fellow humans, we generate whole-system power that supports all entities involved and minimizes the dynamics of depletion, conflict, and toxification that endanger the ongoing health of the whole system we depend on.**

### Practicing Power-WITH

There are many paths through which we enhance power-with:

1. Through interaction, dialogue, and co-evolution we dance our way into new understandings, relationships, and possibilities, feeding what some call power-from-among.
2. Through enhancing social capital we enhance relationships, networks, associations, connections, and communication systems that enable an abundance of collaborative power.
3. Through facilitation, inspiration, evocation, empowerment, purpose, and motivation, we arouse and enable the latent power of a group and those within it
4. Through community, mutual aid, sharing and systems that support these, we support each other in meeting our individual and shared needs.
5. Through compassion, caring, and nurturance we feel for and support each other in ways that strengthen our whole group, community, and world.
6. Through resonance, synergy, and unity we align and integrate the qualities and energies of who we are, who others are, and what nature is, to greater effect.
7. Through aggregation, collection, and accumulation of our shared capacities and resources



into social and natural commons, we build our collective strength, resilience, and wisdom over time.

8. Through understanding and facilitating the phenomenon of emergence, we catalyze the openness and creative interactivity needed for ongoing innovation.
9. Through personal growth, spiritual work, and personal integrity we align ourselves to what some call power-from-within.
10. Through learning from nature and evolution, our human designs can tap the wise and well-tested power of natural systems to promote survival and thrival. This includes working with whatever aliveness is present—even when it seems to resist us. Permaculture is exemplary. We can participate by facilitating, catalyzing, serving and healing; by creating—and being attentive to—contexts and fields; by being open and inclusive; and by noting and working with the natural tendencies, needs, values, and gifts of all around us.

As we reach the global limits of what we can usefully dominate, our

future survival and thrival depend on how brilliantly we learn to use power-with.

#### **Power from WITHIN**

**The power that arises from oneself, especially in one's engagements with the world**

1. Sovereignty — autonomy, strength from self-definition and self-determination; will, agency
2. Capacity — one's own skills, aptitudes, talents, resources, intelligence, ability to tolerate dissonance and uncertainty
3. Integrity — the power of one's wholeness or integration; potency of one's character; honor, authenticity, virtue
4. Presence — centeredness, the power of one's beingness and "being in the present"; showing up, courage; attention, consciousness
5. Sanity — clear relationship with reality, the absence of psychic distortions that interfere with one's power
6. Attunement — internally connecting, aligning or opening one's consciousness to other sources of power; self-trans-

scendence

7. Purpose — dedication, persistence, caring, calling, passion; an internal orientation with significant energy and meaning driving it

#### **Wholesome Power**

Here are some questions I see practitioners of wholesome power asking in their work. They generate abundant answers and approaches, all grist for the mill of this new field. They hint at the new directions this vision of power is taking us. I've sorted them into six inter-related categories as follows, covering different aspects of wholeness:

#### **Questions about RELEVANT PERSPECTIVES:**

How broad is our tally of who is involved with the situation and who should be included in awareness, conversations, and decisions about it? Are we trying to engage the whole community and/or a whole spectrum of stakeholders, or are we excluding certain people or perspectives because of our biases and shortcomings? Do we filter based on logistical and resource limitations or do dynamics of culture, power and privilege



## Diversity & Inclusion Scorecard

### Goals

Have a workforce broadly reflective of the demographics in SA

Identify and address Diversity & Inclusion barriers within Massmart

Attract, develop and retain talented people from all population groups including designated groups

Create processes, and practices that promoted Massmart as an Employer of Choice

### Activities

- Undertake regular culture survey;
- Review recruitment, Learning & Development and retention practices to ensure the identification removal of barriers to employment and
- Create mentorship & job shadowing opportunities.

- Ensure that senior leaders are consistently visible and vocal in communicating their commitment to diversity as a performance standard and a business priority;
- Create awareness of Massmart's Diversity & Inclusion strategy;
- Use the information from the employer surveys to identify barriers to inclusion in our environment and
- Develop customised plans to address identified barriers.

- Recruit the best & most diverse talent available & to develop & retain that talent at all levels of Massmart;
- Implement the Employment Equity Act;
- Implement the Skills Development Act;
- Establish Diversity & Inclusion Council
- Further roll out of Black Scarce Skills Share Trust (BEE shares).

- Engagement survey;
- Employee value proposition;
- Actively promote our employer brand and
- Promotion of all tenants of Broad-Based Black Economic Empowerment.

### Performance Indicators

- Participation rate;
- Diversity & Inclusion index on recruitment & promotions and
- Survey results.

- Diversity councils and circles and
- Diversity & Inclusion training.

- Progress on representation of designated groups on the Massmart workforce especially in top management;
- Equitable representation on all L & D programmes on the Massmart Corporate University and
- Improved retention rate.

- Survey Results;
- Bursary Scheme;
- Massmart GDP and
- Procurement spend on Small Medium Enterprise, black owned companies & women owned companies.

### Desired Outcomes

- Survey results demonstrate that over time Massmart has a diverse workforce and
- Representation of diversity in top management levels & succession plans.

- Diversity & Inclusion discussion throughout the organisation, twice per annum;
- Integration of D & I as an integral measure of performance management and
- Visible demonstration and observance of D & I.

- A workforce that reflects the rainbow nation;
- Lower staff turnover and
- Sustained investment on the development of designated groups.

- Sustainable competitive advantage through Diversity & Inclusion in our workforce and supplier-base.

MASSMART | Walmart

play a role? How shall we overcome limitations that bias relevant inclusion? When we can't include everyone or everything involved, do we thoughtfully develop fair microcosms and articulations to give them voice, with links to the larger wholes they represent?

**Questions about THE WHOLE PICTURE:** To what extent are we taking into account the whole picture of what's relevant here? Are we considering the history of the situation, the current dynamics and needs, the likely long term consequences of various actions? Are we thinking holistically and systemically—clarifying not only feedback loops, stocks and flows involved but honestly facing our own role and truly honoring and tapping into the interconnectedness and unity of all things—especially the kinship and shared destiny of all life? **When we exclude factors from consideration or people from participation, are we excluding them because they are truly irrelevant or because our own narrow inter-**

**ests, perspectives, awareness, or comfort level limit our capacity to see, feel, know and relate?**

**Questions about INTEGRAL DIVERSITY:** How well do we make positive use of the diversity we are trying to include? Do we ground our work in shared realities, needs, and aspirations? Do we create the best possible contexts and interactive processes to help people benefit from both their differences and their commonalities? Do we try to optimize the gifts of both leadership and self-organization in leadership groups? Do we integrate order and chaos to promote emergence? Do we support both advocacy and inquiry to generate learning? Do we balance individual and collective energies and resources to create vibrant communities? Do we productively tap and creatively manage such polarities, rather than siding too strongly with one side or the other?

**Questions about WHOLE PEOPLE:** Are our whole selves fully engaged? Can we and others

readily bring our minds and hearts, bodies and spirits, guts and passions into our work and relationships? Are things set up to encourage that? Is there ample room for play and fun, for rest and relaxation, for un-directed conversation and interaction, for creativity and randomness, for self-care and generosity—both for their own sakes and to make a space that invites unexpected possibilities?

**Questions about EVOLUTION:** Do we courageously face and facilitate change, growth, and transformation? Do disturbances and crises inspire our inquiry and energy towards learning and breakthrough? Are we self-aware enough that our limitations and leading edges generate humility, vulnerability, and a sense of personal adventure? Do we realistically discern where people, groups, and systems are in their own developmental journeys, engaging with them at or slightly above their current level of consciousness and capacity, providing both fellowship and challenge?

Do we design and promote systems that support learning and emergence in both individuals and collectives—to promote resilience and sustain ongoing fitness in the face of changes and challenges as the whole evolves?

**Questions about NATURAL ORDER:** Do our efforts, technologies, and systems apply lessons from nature and align with natural realities and processes to generate success, good lives, and collective resilience? Do we honor and treat ecosystems as whole living entities and not just collections of separate plants, animals, and land that constitute resources or obstacles? Do we recognize our role in natural cycles and follow nature's dictum that waste equals food, engaging creatively with what life offers and making sure that what we pass on is readily useful for other parts of life? Do we recognize the human need for naturalness in our living spaces, sustenance, and lifestyles? Do we ground ourselves, our innovations, and our institutions in local places—in what is needed, real, and good in and for the unique life, culture, and conditions of a bioregion—informed but not determined by global realities, universal dynamics, and similarities among locales?

These and many other inquiries can shape how we apply wholesome power in a given circumstance, as well as guiding our articulations of the entire field.

### Disruption

Wholesome power involves power arising from engagement with and consciousness of wholeness. Wholeness can be viewed as having two seemingly opposite but thoroughly interrelated vectors—one towards increasing inclusion and integration and the other towards exclusion and disintegration. The interaction between these two generates the health and evolution of living systems. Understanding and working with these vectors enables conscious evolution which, done effectively, constitutes wholesome

power.

Wholesome power is most readily seen in efforts to increase wholeness, as in being inclusive, supporting good relationships, facilitating constructive interactions, creating nurturing environments, stimulating integration, healing, and growth towards greater integrity and communion. It is less readily recognized in the dynamics of breakdown—in problems, disease, death, waste, conflict, disturbance, crisis, and collapse. But all these are dimensions of wholeness since wholeness ultimately includes all phenomena. So wholesome power is most whole when it engages both “positive” and “negative” phenomena with a spirit of co-creative responsiveness.

Let's summarize the dissonant, harder-to-accept vector of wholeness as disturbance. Ranging from risks and problems to disruption and collapse, disturbance always signals a nascent new or renewed state “trying to emerge”. We may resist disturbance, being attached to the old order, but **disturbance is vital to the ongoing maintenance and evolution of natural and human systems**. Old or dysfunctional things naturally tend to get unsettled and break down—a process which, especially when handled well, contributes energies, material and guidance for what comes next.

Here are some examples:

- Old ideas are shaken up by new evidence and perspectives. The resulting cognitive disturbance fuels the birth of new worldviews, driven by our hunger for a coherent story.
- merge and millions of people struggle to adapt as their lives, expectations, and support systems are disrupted.
- A multi-million year reptilian regime gets blasted into global winter by a giant meteor, freeing rodents to emerge from their hiding holes as the precursors of a new world order of mammals which, over eons, produces the mammalian mega-organism of human

civilization.

- and perspectives, generating innovations in the organization's purpose, structure, and culture.
- During composting, dead plants and animals get broken down by microorganisms and bugs into organic matter usable by other plants and animals to build themselves, a process of breakdown vital to the natural world.

**So the disturbing phenomena we see and treat as death and waste actually constitute processes generating new resources, conditions, and energies for the next arrangement of things. “Breakdown” often produces diversity or the possibility of greater diversity.**

Diverse entities and factors interact in shared contexts, co-evolving their relationships and collective forms. How well they do that determines the wholesomeness of their emerging whole and the level of suffering and vitality involved in its formation. Human use of wholesome power can bring consciousness and choice to the process.

**Consciousness, intelligence, and wisdom help create the conditions that then shape the re-creative processes that occur as disturbance moves through its cycle to new or renewed wholeness.** We have an opportunity to be aware of the creative potential and dynamics involved at such times and to work with those dynamics to serve life and the positive evolution of all involved. This kind of working-creatively-with-what-is is a big part of what I mean by wholesome power.

### CHARACTERISTICS OF A PRACTITIONER

A “practitioner” of wholesome power can be an individual or a group who exhibits the following characteristics of wholeness or qualities that serve wholeness. But, significantly, it can also be a system, process or culture—a context or field that evokes these qualities in those who occupy it.

- Integrity: honesty, sincerity,

reliability; congruence between internal self and presented self; congruence of word and deed

- Presence: awareness, mindfulness, centered consciousness, being fully awake and attentive
- Equanimity and capacitance: ability to comfortably face intensity, confusion, emotion, and disturbance
- Ability to embrace and transcend opposites, to hold them in dynamic tension, to promote their respective gifts and mutuality
- Positivity without denial: possibility orientation, appreciative attitude, abundance perspective
- A power-with approach that's open, collaborative, generous, invitational, responsive
- Wisdom and enlightened knowledge: practical awareness of whole systems, of deep time, of fundamental dynamics; seeking the whole story from multiple viewpoints
- Motivational vitality: attending to, evoking, and tapping into life energy—deep needs, values, passions, exuberance, spirit
- Humility and curiosity: a healthy relationship with uncertainty and mystery
- These qualities arise from—and then contribute to—the wholeness of lived reality. They are qualities worth living into and nurturing in relationships, activities, and social systems. They radically increase the likelihood of wholesome power manifesting.

The world we live in is a whole and so, of course, are we—individually and collectively. So are every environment and situation we face. When we act as if we and they are separate from each other, wholeness creates “side effects” that can be undesirable and ultimately catastrophic. On the other hand, when

our exercise of power is in harmony with the reality of wholeness, wholeness evolves in harmony with us, including and supporting us. This is key to creating the kind of lives and societies that are an ongoing delight to belong in.

### Transforming Political Power

We need to reformulate political power. We need to do it now and we need to focus on it as central to our work on every issue, every vision, every outrage and hope. Our goal in reformulating political power must be to move

*From governance that primarily serves the short term profit of the few to governance that primarily serves quality of life for all – including future generations.*

In order to achieve this, we need to reformulate political power in at least five ways. All five reformulations need to synergize and support each other if we are to meet our goal. *If we fail to reformulate any one of these forms of power, we risk undermining the others and falling far short of our goal.*

Here is a quick outline – a draft summary, really – of a possible integrated vision of power reformulation:

1. We need to move from POWER-OVER to POWER-WITH, from domination and control to inclusive collaboration. Our tools for that include collaborative technologies, productive dialogue, networks, social capital, gifting and sharing, empathic practices, story sharing, and more.
2. We need to move from ELITE POWER to CITIZEN POWER, from the authority of “the best people” to authority of “we the people”. Our tools for that include random selection, direct democracy, grassroots organization, strategic nonviolence, civil liberties, and more.
3. We need to move from CONCENTRATED POWER to DISTRIBUTED, PARTICIPATORY POWER, from the current dynamics of centralization/fragmentation to the self-organized competence of many minds, hearts and hands. Our tools for that include networking, crowdsourcing, subsidiarity, direct democracy, local economics, electoral reform, and more.
4. We need to move from MANIPULATED/GROUPTHINK POWER to COLLECTIVE INTELLIGENCE POWER and ultimately to PUBLIC WISDOM POWER, from the “manufacture of consent” and distracted partisan co-stupidity to collective discernment of sensible paths for our whole community and society. Our tools for that include informed deliberation, choice-creating, systems thinking, freedom of information, iterative public process, civic journalism, multiple intelligences, and more.
5. narrow special interests with modern economic and political systems to empowering the whole society with leadership that serves the general welfare. Our tools for that include random selection, term limits, transparency, citizen oversight, systems of legal accountability, and more.

There are literally hundreds – probably thousands – of organizations, technologies, practices, theories, visions and proposals that already exist that could serve this transition. I suggest that all of them are weakened by failure to team up around a strategic vision such as this, and that all of them – and all of us – would be empowered beyond our wildest dreams if we engaged and succeeded in such collaboration.



To get favourable verdict, “prasad will be needed. We will give the prasad. We have to give the prasad”, say conspirators accused of bribing public functionaries.

# Medical College Bribery Scam

Ajoy Ashirwad Mahaprashasta and Harpreet Singh Giani  
(First published in The Wire)



*Clockwise from top left: Lucknow bench of the Allahabad high court; the Prasad Education Trust run medical college; Supreme Court; CBI headquarters in Delhi.*

**New Delhi:** Transcripts of phone conversations involving three accused persons in the controversial medical college bribery scam – retired Odisha high Court Judge I.M. Qudussi, middleman Vishwanath Agarwala and B.P. Yadav of the Prasad Education Trust – show that college officials had indeed planned to bribe senior functionaries of the Supreme Court and Allahabad high

court to get favourable orders.

The phone conversations, transcripts of which have been accessed by The Wire, are available with the Central Bureau of Investigation (CBI) which is probing the case. The matter assumes great importance in light of the ongoing fight between Chief Justice of India Dipak Misra and the four senior-most puisne judges who, in

a press conference on January 12, had accused Justice Misra of defying the court's convention by allocating work to judges "selectively to the benches 'of their preference' without any rational basis for such assignment" and by-passing senior judges in the process.

The bribery scam, in which the Prasad Education Trust is said to have lined up kickbacks up for senior judicial functionaries, has become one of the most significant cases on a subject usually-considered taboo – corruption in the judiciary.

The telephone conversations between the three accused persons on September 3 and September 4, 2017 happened at a time when the trust-run Glocal Medical College and Super Speciality Hospital and Research Centre – which was barred from admitting medical students by the Union government after having been found guilty by the Medical Council of India (MCI) for non-compliance with its requirements – had moved both the Supreme Court and the Allahabad high court against the Centre's decision.

In the hearings that lasted from August 2017 to September 2017, the trust was granted multiple favourable orders in the Supreme Court, all in benches headed by Chief Justice Misra.

#### **Genesis of Medical College Bribery Scam**

Glocal Medical College was one among 46 institutions to be barred by the Union government from admitting students for medical courses for two academic years starting from 2017. This followed an MCI report on their substandard infrastructural facilities and failure to meet the required criteria.

However, since August, 2017, the college has been granted many reliefs by both the Supreme Court and Allahabad high court.

**August 1, 2017:** A Supreme Court bench headed by the Chief Justice ordered the government to re-evaluate the recommendations of the MCI regarding the college. However, when the Centre, through its oversight committee, heard the college afresh on August 3, following the court order, it stuck to its earlier stand of denying Glocal permission to admit students and permitted the MCI to encash the bank guarantee of Rs 2 crore the college had given.

**August 24, 2017:** The Prasad Education Trust moved the SC against the Centre's decision but later withdrew it. The court's bench, again headed by the chief justice, permitted the trust to withdraw its writ petition and allowed it to move the Allahabad high court, which the trust had already approached. **The relief granted to one particular college appeared unusual to many as the CJI, around the same time, was hearing cases by many other colleges which had been denied permission to admit students by the Centre.**

**August 25, 2017:** The very next day, the Allahabad high court's bench headed by Justice Narayan Shukla allowed the trust to conduct admission counselling and told the MCI not to encash its bank guarantee.

**August 29, 2017:** When the MCI moved the Su-

preme Court against the high court's order, Justice Misra's bench disposed of the trust's writ petition at the high court but allowed the trust to approach the apex court again under Article 32 of the constitution. The trust said it "does not claim any benefit from the order passed by the high court, except that the MCI is not to encash the bank guarantee." In disposing of the petition, however, the interim order of the high court that allowed the trust to conduct counselling sessions for prospective students was not set aside.

**September 4, 2017:** Chief Justice Misra issued notice on the new writ petition filed by the trust.

**September 18, 2017 (order uploaded on September 21, 2017):** Chief Justice Misra's bench refuses to renew recognition of the college for the 2017-18 academic session but restrains the MCI from encashing the bank guarantee and said the "Medical Council of India shall send the inspecting team to the institution as per the schedule for consideration of grant of LOP [i.e letter of permission to admit students] for the academic year 2018-2019." The Centre's original ban was for 2017-18 and 2018-19.

The September 18 order was uploaded on the court's website two days after the CBI registered an FIR against Qudussi, Yadav, Agarwala and others for allegedly bribing senior public functionaries. The CBI arrested Qudussi and others and is also probing two Allahabad high court judges – Justice Narayan Shukla and Justice Virendra Kumar. The investigative agency, in subsequent raids, recovered close to Rs 2 crore in cash and several incriminating documents.

#### **What the telephone conversations contain**

The CBI's record of telephonic conversations between the accused persons dated September 3 and 4 make it clear that Yadav, the main lobbyist of the trust, was negotiating with Qudussi and Agarwala to get recognition for the college again while trying to prevent the MCI from encashing the bank guarantee.

Sample this exchange between Vishwanath Agarwala and Qudussi on September 3:

*V: Yes I think. In which is theirs, in which temple is it – Temple of Allahabad or Temple of Delhi?*

*Q: No, No, it is not in any temple yet, now it needs to be.*

*V: Yes yes Yes! So now you can talk about it, he will do it. About that I have spoken about it there.*

*Q: Has said for sure (pucca)*

*V: Yes yes. In that you see one thing...100% this, our person who is our captain, it is being done through the captain, so what is the problem. Tell me?*

While this conversation allegedly happened on September 3, 2017, the petition filed by the trust was admitted a day later, on September 4, 2017. The Supreme Court bench issued notice on the petition, which was admitted in the court under Article 32 of the constitution. The unidentified person who was supposed to guarantee a favourable order in the court is being referred to as "captain".

**‘Chai wallah’s government is watching everyone, that is the problem’**

The telephone conversations between Qudussi and Vishwanath Agarwala on September 3 and 4 show that the two were discussing the trust’s appeal at the SC and negotiating with Yadav to pay up huge amounts of money. The bribe payers and their would-be recipients also appear to be scared of the “tea-seller’s government” as it is “watching everyone, that is the problem”:

*Y: So that day I had gone to the HC because, see brother, that time on/in it money was stuck. No I spoke/said very clearly. That is why I went. From there they/he gave an order. After coming here, they dismissed it. They/he said to file a fresh petition. Under article 32, a fresh petition has been filed. It had a date set, the date was pushed to the 11th by them/him. So what we want is that tomorrow we make your ticket and for that sorry. Vishwanath ji will give it to you, now you get our work done for us.*

*V: No, the work is not even 100% but 500% guarantee. But the luggage will have to be given before and he/they is/are saying no to meeting because because the government that is going on – Tea seller’s government. That is watching everyone, that is the problem.*

*Y: I wont make him meet. I don’t want to meet.*

*V: Yes, not for meeting. That they/he will go home, they/he said that they/he don’t believe they will see everything/does not believe everything he sees. That the work will be done 100%, the conversation happened then. So that’s why I went running and came running.*

*Y: No, no, it is okay. Agarwal ji, so we will send your ticket. Tomorrow you come, Okay, you tell us tomorrow.*

*Y: Arey, I wanted from first that confirmation happens. Everyone is weird. So I want that we have good relations with the judge. So that we trust the judge’s words more.*

*V: No no, we/I will confirm it. Otherwise we/I wouldn’t say it, because we are doing this work – (Resto ji?) It is very necessary for the trade. Medical people are necessary, there is no problem in that. But the people there, nothing will happen if prasad is not given.*

*Y: No, prasad will be needed. We will give the prasad. We have to give the prasad.*

*V: Work will be done 100%, but I wont go to speak tomorrow or day after. You keep the luggage/stuff ready... if given we people will get it done 100%...*

*...Q: They say they filed their petition. Today they have given a date for Monday. They are asking when – how much will it be and how and secondly how can they believe their work will be done for sure.*

*V: Are these those medical people?*

*Q: Yes yes*

*V: Yes, so the date is listed for the coming Monday?*

*V: Yes, so that is review?*

*Q: No no it is a petition under Article 32*

*V: Yes yes yes. There is no such assurance/guarantee. If they give the stuff, work would be done 100%.*

*Q: No, he is saying that if money is there, then someone*

*should go inside the house, someone should talk.*

*V: No that is right, but it is not okay when he is not trusting us.*

*Q: No no they are trusting us, but they are saying if the matter is with a third person, then how will it be done. Because they are saying if our work is not done our situation would become very bad.*

*V: No no, work will be done. Otherwise are we people who want to jump into fire? Tell them work will be done 100% that’s why he/they are being helped.*

*Q: Yes, you see this thing. Hahaha.*

*V: Yes, yes, work would be done 100%. There we people spoke to them and that’s why we are speaking to you, otherwise we wouldn’t be saying this.*

Both of them were speaking about the “Monday” after September 4, i.e September 11, when the matter of the trust was listed. On September 11, the bench headed by Justice Misra directed the matter to be listed on September 18, when he gave his final ruling.

**Fierce bargaining over amounts**

Throughout the conversations, the three accused were heard bargaining for the money that needed to be transferred. For instance, in this part of the conversation between Yadav, Vishwanath Agarwala and Qudussi, they were talking about how the money needs to be sent to a “judge” and where it should be given. The money appears to be referred to in various terms like “bahis” (books), “gamla” (pots) and “prasad” (offering).

*Y: Tell me what has to be given. I have only one college, I can’t trust another.*

*V: Will get it done for 1.*

*Y: Tell me clearly, what will I have to give. We don’t have much capacity. Make us speak, if boss/sir is there, then make us speak. I will talk to boss/sir.*

*V: No there is no probe. We/I will get the work done.*

*V: No they/he said for 1. I had spoken for 1, they/he said three. 2.5 has to be given there, 50 will be kept with us.*

*Q: So how much advance has to be given.*

*V: Advance now...They/he said at that time, for review petition give 100 people. If the review is allowed, then even you will get to know, then we...*

*Q: Then you do one thing. You do one thing. His is listed for Monday, postpone the date by 3-4 days.*

*V: So we will send a few people. So 3-4...if you give 2 people then we will extend the date by 3-4 days.*

*V: On Monday, we will finalise. They give us the luggage/stuff (saamaan) – some 2-2.5; no problem some order will be given. Papa see here. Neither will it put you in a problem nor will it put me. Because there the association will talk. Won’t reach, otherwise we will be stuck in a lot of problems. If we are not able to do the work, then we will return the luggage/stuff that is here. There is no chance that work will not be done. There we have spoken clearly, that it will be allowed.*

*Q: Here, talk to them/him.*

*V: Yes, conversation was clear. Calculated as per three. They/he wont do it for less than three.*



Y: Hello.

V: Yes, we had spoken last time also. Sir for 1, they were asking for three. If three is given total will be allowed to those ask for prayers. I told him, he was talking about 5 at the time. They/he were speaking of 15 bricks, even last time they were speaking about that only.

Y: So all the money well go in advance.

V: Sir, I don't want to take any risk here, because it is a 100% guarantee. No ifs and buts. Once work is done, sir will sit for 10-15 months. Get 14-15 jobs done, even you will believe it. He will do it 101%.

Y: So when should I give, tell me.

V: Date is 11th, so if it can reach us by 6-7th, we will get it done. Your work will get done by the 11th.

Y: Do with with 2.5 year, my capacity is only till 2.5. Get it done.

V: Sir, I don't lie. First it was 5 for 18, then after talking, in the end it came to calculation 3 for 15. We convinced him that 4 more would come.

Y: Listen, you take 2 from us now and as the order is given. WE will get the admission; we will send 1 crore to the judge. Your place, Qudussi sir's place, do it this way.

V: Sir, I will talk and confirm it in the morning.

The transcripts with the CBI show that negotiations were underway to pay bribes and affect the outcome in the matter. It is not clear whether the plan was successful or even what came of it. What is known is that the unfolding of the case favoured the Prasad Education Trust at each step.

### **CBI's preliminary enquiry report**

The CBI, however, has clearly alleged that one judge at the Allahabad high court did receive an "illegal gratification".

The preliminary enquiry (PE) report filed by the CBI on 8 September, 2017 – a section of which is with The Wire – has mentioned the name of one judge of Allahabad HC for receiving "illegal gratification" from Qudussi.

"Source has informed that Shri I. M Qudussi approached Hon'ble Justice Narayan Shukla, high court of Allahabad at Lucknow bench for managing the matter. Source has also informed that Shri I.M Qudussi and Shri B.P Yadav met Hon'ble Justice Shri Narayan Shukla in the morning of 25.08-2017 at his residence in Lucknow regarding the matter and delivered illegal gratification," the PE report says. It adds:

"Source has further informed that on 25.08.2017, an order was passed in petition, Misc.Bench No. 19870 of 2017 filed by Prasad Education Trust, by a Bench which included Hon'ble Justice Shri Narayan Shukla. The order directed the petitioner's college shall not be delisted from the list of colleges notified from counselling till the next date of listing, i.e 31.08.2017. Further, the encashment of bank guarantee was also stayed till the next day of listing."

What is more interesting is that Yadav appeared to be pressuring Qudussi to get Justice Shukla to return the "gratification" after the petition at the high court was

disposed of by the Supreme Court bench on August 29, 2017.

"Source has further informed that after the aforesaid developments [i.e. after the HC petition was disposed of], Shri B.P Yadav has been pursuing Shri I.M Qudussi and Shrimati Bhawana Pandey to get back the illegal gratification paid to Justice Shri Narayan Shukla. Source has further informed that Shri I.M Qudussi further contacted Justice Shri Narayan Shukla for the return of the amount of illegal gratification earlier paid to him. Source informed that Justice Shri Narayan Shukla assured Shri I.M Qudussi that he will return a part of illegal gratification previously received by him shortly," the CBI enquiry report said.

### **CJI 'refused CBI permission to proceed against high court judge'**

Sources have confirmed to The Wire that the CBI filed its preliminary enquiry report on September 8, 2017. They also said that CBI officers presented the transcripts and other documents to Chief Justice of India Misra on September 6 seeking an FIR against Justice Shukla. However, they said that the CJI denied permission to the agency to register an FIR, thereby possibly preventing the investigative agency from arresting Justice Shukla red-handed when he reportedly returned some money to Qudussi on September 7.

**Sources claimed that the CBI's legal officers have recorded in writing the CJI's refusal to permit the agency to register an FIR against Justice Shukla. It has been reported that the CJI has ordered an in-house enquiry against Justice Shukla on the basis of some orders that he passed in a similar case regarding a different medical college. However, no such action appears to have been initiated against him in the case related to the Prasad Education Trust.**

While more details are yet to emerge on whether the CBI's preliminary enquiry report is based only upon a "source" or a thorough investigation, it is evident that the medical college sought to resort to underhand dealings in order to have its way in court.

In November last year, the Supreme Court was witness to a raging courtroom debate when a five judge bench formed by the chief justice nullified Justice J. Chelameswar and S. Abdul Nazeer's decision the previous day to exclude Chief Justice Misra from a constitutional bench related to a petition about judicial corruption that involved the medical college bribery scandal.

The Convention is that it is only the CJI who decides the composition of Constitution benches but Justice Chelameswar broke it in view of the writs shows evidence that the Chief Justice was possibly implicated in the case. Thus the bench of Justices Chelameswar and Nazeer had unprecedentedly agreed to the request of the petitioner, senior advocate Kamini Jaiswal, that Justice Misra not be a part of the bench for the sake of propriety as he had been presiding over the Prasad Education Trust's cases until now. Jaiswal's petition demanded the

# 'TEASSELLER'S GOVT WATCHING EVERYONE'

Transcripts of taped conversations between retired HC judge IM Qudussi, 'middleman' Vishwanath Agarwala and B P Yadav, owner Prasad Education Trust's medical college

**Vishwanath** | Yes I think, in which is theirs. In which temple is it – **temple of Allahabad or temple of Delhi?**

**Qudussi** | No no it is not in any temple yet, now it needs to be

**V** | Even if there is a problem he is himself saying, what he talked about yesterday, he said, 100 people will give.... review will be allowed, then for the rest, **for one company they will give 2.5, 3 you will take, 50 you people keep, he**

was saying like this, whatever two or three companies are there, he will do

**Yadav** | **Do it within 2.5 year, my capability is only till 2.5, get it done**

**Y** | Listen, you take 2 from us now and as the order is given, **we will get the admission; we will send 1 crore to the judge.** Your place, Qudussi Sir's place, do it this way

**V assuring Y** | No, the work is not even 100% but **500%**

**guarantee.** But the luggage will have to be given before and he/they is/are saying no to meeting because **the government that is going on – Tea seller's government, that is watching everyone, that is the problem**

**V talking to Q about other work** | Now only one thing father is saying, one thing he is saying that, **this captain of ours has... all over India... whatever work there is, he is willing to do**

constitution of a Special Investigation Team monitored by the court to probe the alleged scam. She had filed the petition after the CBI's FIR revealed details of negotiations between middlemen, a retired high court judge and senior public functionaries.

The bench of Justices Sikri and Bhushan took up the case on 10 November morning and referred the issue to a Constitution bench. Within hours the Chief Justice constituted a seven-member bench headed by himself and not including Justice Chelameswar. Two judges recused themselves so a five-member bench took up the matter at 3 pm.

However, the bench formed by the Chief Justice said that he alone had the power to assign a case and that no other judge could take that decision, leading to a huge controversy at the time. The leaked CBI transcripts, coming at a time when four senior judges have raised questions about the Supreme Court's functioning under Chief Justice Misra, is likely to fuel further debate about the issues raised in their press conference.

**Full CBI Transcript on 3 September, 2017 between Qudussi and Vishwanath Agarwala**

**(English translation of conversations in Hindi)**

**Q:** We talked about the other one

**V:** The Yadav one

**Q:** Yes

**V:** Yes I think. In which is theirs, in which temple is it – Temple of Allahabad or Temple of Delhi

**Q:** No, No, it is not in any temple yet, now it needs to be.

**V:** Yes yes Yes! So now you can talk about it, he will do it. About that I have spoken about it there.

**Q:** Has said for sure (pucca)

**V:** Yes yes. In that you see one thing...100% this, our person who is our captain, it is being done through the

captain, so what is the problem. Tell me?

**V:** No No No No! Will we experiment at your age, at this age also I will not experiment. If I do, I will put you in a problem. We don't have like this. No No. If you take the stuff, he will get it immediately, there will be no problem in that.

**V:** Even if there is a problem he is himself saying, what he talked about yesterday, he said, 100 people will give... review will be allowed, then for the rest for one company they will give 2.5 or 3 you will take, 50 you people keep, he was saying like this, whatever two or three companies are there, he will do.

**Q:** Ok Ok

**V:** If 100 people give first, then that review will be allowed

**V:** This one of his...which he was saying...

**Q:** How many, about how many bahi (books) will there be, around approximately?

**V:** How dishonest he is, that you and he can guess, here he will give 100 books and the rest of the books, he will keep with you, after it is done, will forward it.

**Q:** Alright

**V:** In how many books is he becoming willing, see 500 books or 400 books.

**Q:** You tell then will speak to him or you tell otherwise speak to him.

**V:** He knows that we people say 'bahis' (books). 500 books, you tell them, 500 gamla (pots)! We will say 200 gamla there, 100 gamla we will give, 100 we will give later.

**V:** 500 tell him to do. That work is a very difficult work... we should also get, you and I!

**Q:** Alright, alright, alright.

**V:** Yes that will be done for sure. Have had a complete



talk, there is no problem.

Q: Ok so tomorrow we will meet.

V: Now only one thing father is saying, one thing he is saying that, this captain of ours has...all over India... whatever work there is, he is willing to do.

V: Yes, yes yes, for sure we will get it done.

**CBI Transcript on 4 September, 2017 between Qudussi, Agarwala and Yadav**  
**(English translation of conversations in Hindi)**

Q: I am saying that I have someone I know from before or I am saying that someone I know from before has approached me.

Q: They say they filed their petition. Today they have given a date for Monday. They are asking when – how much will it be and how and secondly how can they believe their work will be done for sure.

V: Are these those medical people?

Q: Yes yes

V: Yes, so the date is listed for the coming Monday?

V: Yes, so that is review?

Q: No no it is a petition under article 32

V: Yes yes yes. There is no such assurance/guarantee. If they give the stuff, work would be done 100%.

Q: No, he is saying that if money is there, then someone should go inside the house, someone should talk.

V: No that is right, but it is not okay when he is not trusting us.

Q: No no they are trusting us, but they are saying if the matter is with a third person, then how will it be done. Because they are saying if our work is not done our situation would become very bad.

V: No no work will be done. Otherwise are we people who want to jump into fire. Tell them work will be done 100% that's why he/they are being helped.

Q: Yes, you see, you this think. Hahaha.

V: Yes, yes work would be done 100%. There we people spoke to them and that's why we are speaking to you, otherwise we wouldn't be saying this.

Yadav enters the conversation

Y: Yes, sir, very very sorry. I left that day. I had gone to the High Court.

V: Ha, yes, yes, yes.

Y: Recognise me? This is D.P. Yadav speaking.

Y: So that day I had gone to the HC because, see brother, that time on/in it money was stuck. No I spoke/said very clearly. That is why I went. From there they/he gave an order. After coming here, they dismissed it. They/he said to file a fresh petition. Under article 32, a fresh petition has been filed. It had a date set, the date was pushed to the 11th by them/him. So what we want is that tomorrow we make your ticket and for that sorry. Vishwanath ji will give it to you, now you get our work done for us.

V: No, the work is not even 100% but 500% guarantee. But the luggage will have to be given before and he/they is/are saying no to meeting because because the government that is going on – Tea seller's government. That is watching everyone, that is the problem.

Y: I won't make him meet. I don't want to meet.

V: Yes, not for meeting. That they/he will go home, they/he said that they/he don't believe they will see everything/does not believe everything he sees. That the work will be done 100%, the conversation happened then. So that's why I went running and came running.

Y: No, no, it is okay. Agarwal ji, so we will send your ticket. Tomorrow you come, Okay, you tell us tomorrow.

Y: Arey, I wanted from first that confirmation happens. Everyone is weird. So I want that we have good relations with the judge. So that we trust the judge's words more.

V: No no, we/I will confirm it. Otherwise we/I wouldn't say it, because we are doing this work – (Resto ji?) It is very necessary for the trade. Medical people are necessary, there is no problem in that. But the people there, nothing will happen if Prasad is not given.

Y: No, Prasad will be needed. We will give the Prasad. We have to give the Prasad.

V: Work will be done 100%, but I won't go to speak tomorrow or day after. You keep the luggage/stuff ready... if given we people will get it done 100%.

Y: Meaning advance will have to be given.

V: Yes, advance has to be given to them/him. Otherwise why will they/he do it, you say. There is no written – reading in these matters. All this runs on the trust/belief in this world. They/he will do it 100%.

Y: Tell me what has to be given. I have only one college I can't trust another.

V: Will get it done for 1.

Y: Tell me clearly, what will I have to give. We don't have much capacity. Make us speak, if boss/sir is there then make us speak. I will talk to boss/sir.

V: No there is no probe. We/I will get the work done.

V: No they/he said for 1. I had spoken for 1, they/he said three. 2.5 has to be given there, 50 will be kept with us.

Q: So how much advance has to be given.

V: Advance now... They/he said at that time, for review petition give 100 people. If the review is allowed, then even you will get to know, then we...

Q: Then you do one thing. You do one thing. His is listed for Monday, postpone the date by 3-4 days.

V: So we will send a few people. So 3-4... if you give 2 people then we will extend the date by 3-4 days.

V: On Monday, we will finalise. They give us the luggage/stuff (saamaan) – some 2-2.5; no problem some order will be given. Papa see here. Neither will it put you in a problem nor will it put me. Because there the association will talk. Won't reach, otherwise we will be stuck in a lot of problems. If we are not able to do the work, then we will return the luggage/stuff that is here. There is no chance that work will not be done. There we have spoken clearly, that it will be allowed.

Q: Here, talk to them/him.

V: Yes, conversation was clear. Calculated as per three. They/he won't do it for less than three.

Y: Hello.

V: Yes, we had spoken last time also. Sir for 1, they were asking for three. If three is given total will be allowed to



## A tale of two cases

### *In-house committee ordered by the CJI*

- Case pertains to GCRG Institute of Medical Sciences
- Allegations only of judicial impropriety against Justice Shukla
- No other evidence presented except SC and HC orders
- Severely indicts Justice Shukla
- Justice Shukla proceeds on 90 days leave

### *FIR and PE filed by CBI*

- Case pertains to Prasad Education Trust
- Allegations of corruption and bribery against Justice Shukla and others
- Evidence includes transcripts of telephone conversations
- FIR filed against retired justice Qudussi, middleman Agarwala and Prasad Trust's Yadav
- PE names Justice Shukla as a recipient of illegal gratification
- CBI denied permission by CJI to file an FIR against Justice Shukla

those ask for prayers. I told him, he was talking about 5 at the time. They/he were speaking of 15 bricks, even last time they were speaking about that only.

Y: So all the money well go in advance.

V: Sir, I don't want to take any risk here, because it is a 100% guarantee. No ifs and buts. Once work is done, sir will sit for 10-15 months. Get 14-15 jobs done, even you will believe it. He will do it 101%.

Y: So when should I give, tell me.

V: Date is 11th, so if it can reach us by 6-7th, we will get it done. Your work will get done by the 11th.

Y: Do with with 2.5 yaar, my capacity is only till 2.5. Get it done.

V: Sir, I don't lie. First it was 5 for 18, then after talking, in the end it came to calculation 3 for 15. We convinced him that 4 more would come.

Y: Listen, you take 2 from us now and as the order is given. WE will get the admission; we will send 1 crore to the judge. Your place, Qudussi sir's place, do it this way.

V: Sir, I will talk and confirm it in the morning.

Y: Because even now we have a money problem. 2, we will give now and 1 rupee give me 5-6 or 7 days. When admission starts, we will send it to sir's place. Sir, we will take this guarantee, you take 5.

V: I will talk to him, confirm it to you in the morning.

Y: Yes, hello.

V: Yes, Pap. I told him I will talk to you in the morning. He said they will give 2 now and 1...(end)

In October senior lawyer Prashant Bhushan and Chief Justice of India Dipak Misra locked horns in the Supreme Court after Bhushan demanded that the CJI re-

cuse himself from the Lucknow medical college graft case. The CJI refused to do so and Bhushan stormed out of the court.

In January he was back with a new complaint against the CJI in the same case and has sent copies of it to the four "rebel" judges, Justices J Chelameswar, R Gogoi, K Joseph and M B Lokur.

The complaint alleges, "The CBI FIR makes allegations that the entire conspiracy and planning was to bribe and influence apex court judges who are dealing with the case of Prasad medical Trust. This Bench was clearly headed by Chief Justice Dipak Misra. In these circumstances, he was an interested party and could not have dealt with this case either on the judicial side or the administrative side by way of assigning a particular Bench to hear this case...while at this stage there may not be conclusive evidence of Justice Dipak Misra's involvement, the circumstances listed definitely warrant a thorough investigation..."

The 24-page complaint (with 100 pages of annexures) concludes: "The above-mentioned matters have tarnished the reputation of the court and have brought the judiciary into disrepute. It is a matter which needs to be swiftly dealt with..."

In November, the Campaign for Judicial Accountability and Reforms (CJAR) filed a petition in the Supreme Court asking for the constitution of a Special Investigative Team, headed by a former CJI, to investigate a first information report registered by the Central Bureau of Investigation, regarding a corruption scandal emerging out of a medical college in Lucknow.

The petition stated that on the advice of the Medical

Council of India, the health ministry had declined the permissions for the medical college to begin functioning on two different occasions. Both times, two different benches of the Supreme Court had instructed the MCI to reconsider the college's application. The FIR stated that the managers of the Prasad Education Trust, which was setting up the medical college, were in conversations with several individuals and a retired high court judge, who were allegedly acting as middlemen on behalf of members of the higher judiciary adjudicating the case. **Both benches of the Supreme Court included the Chief Justice Dipak Misra.**

**Both pleas of Jaiswal and the CJAR said that Chief Justice Misra should not be part of any proceedings, both administrative and judicial, in the case.**

Despite the case having been listed initially before a seven judges bench, two of the judges failed (or refused?) to turn up and the case ended up being heard on the fly by a bench of five. We are bound to wonder who were the other two and what was the reason that they declined to become a part of this questionable enterprise?

Even whilst this unprecedented drama was unfolding, the Chief Justice of India was busy in hearing a Constitution Bench case at that moment. In ordinary course when the Chief is preoccupied, his administrative duties are gladly invoked and duly discharged by the next senior-most judge. In this case, Justice Chelameswar had been acting as the Master of the Roster pro tem for some time as required, since the Constitution Bench could not be interrupted.

Even as Justice Chelameswar ordered the petition to be listed before a constitution bench comprising of the five senior-most judges of the Supreme Court (including the CJI), the Chief Justice sent him a written note asking him not to proceed with the matter.

**Let us get this straight – the Chief Justice of India ordered the next senior-most judge of the Supreme Court of India, not to list the case which touched on allegations of impropriety against himself, before the top five senior-most judges of the Supreme Court of India. And for this purpose, the Chief Justice broke up the Constitution Bench that afternoon.** Chief Justice Misra's decision to constitute the special bench appears to have been taken in some hurry as up until a few minutes before the hearing at 3 PM

On 8 November, Justice Chelameswar admitted the petition and listed it to be heard within two days. Later that day, Prashant Bhushan, the counsel for the petitioners, received a call from the Supreme Court registry, informing him that the CJI had moved the matter and placed it before a different bench, of which Chelameswar was not a part—it comprised AK Sikri and Ashok Bhushan. The hearing also saw advocate Bhushan telling the Bench that the CBI FIR was “squarely directed against the Chief Justice of India”.

The two-judge bench transferred the matter to a constitution bench, led by CJI Misra. Bhushan reported

**“You know your country is dying when you have to make a distinction between what is moral and ethical, and what is legal.” -- John De Armond**

“When the hearing began, I told the Chief Justice that he ought not to be dealing with this matter because the FIR, though it does not name him, effectively refers to him when it says that there was an attempt and a conspiracy to bribe those judges dealing with the medical college case.” Following a disorderly and acrimonious (marked by exchange of harsh words, heckling, brutal accusations of terrorising judges, forum-shopping and repeated warnings of contempt of court) hearing, the five-judge bench—which also included the justice Arun Mishra—dismissed the petition.

During this raucous scene, Chief Justice Misra is reported to have stated that no advocate can say that the CJI should not hear a case. “Is this is not contemptuous?” Justice Misra asked the gathered lawyers.

Chief Justice Misra also said there was no procedure in law to name the CJI in an FIR. Rumours and unsubstantiated allegations cannot be used against judges; such practices will cripple the judiciary and are a threat to its existence, he said. Justice Misra also asked Mr. Bhushan, who was present, to take back his remarks about the CJI.

Chief Justice Misra challenged Mr. Bhushan to read from the FIR the part which directly accuses him in the corruption case. When Mr. Bhushan read out a paragraph, Chief Justice Misra observed: “Mr. Bhushan, I am really sorry but now you are liable for contempt. But you are not worthy of even contempt.”

“You made wild allegations against me. Now you can afford to lose your temper, but we cannot lose our temper. That is the beauty of this system,” Chief Justice Misra addressed Mr. Bhushan.

Mr. Bhushan accused the Bench of not giving him a chance to speak. He finally lost his cool and shouted at the Bench, “If you do not want to hear me before passing your order, then do whatever you want”. He was led out of the courtroom by his juniors as some of the other lawyers gathered in the courtroom shouted back at him.

**The principle of *nemo iudex in causa sua* or ‘no man can be a judge in his own case’ was held to be overruled by the other principle of the Chief Justice being the ‘master of the roster’.**

The Master of the Roster principle is to be found neither in law nor in the constitution. Yet the Chief Justice found it convenient to effectively find that this principle could overrule the constitutional authority of the judges of the Supreme Court. As Master of the Roster, he could withdraw (mid-hearing) any case from any judge of the Supreme Court (or the High Court), assign it to a judge or judges of his choice. As Master of the Roster, he deemed that he could deny all those judges who were

not convenient, their constitutional powers, authority and duty to act as judges of the Supreme Court.

The Master of the Roster gets to make up the rules as he goes along. He can withdraw a case from a bench comprising of five senior-most judges, send it to a hand-picked bench of seven junior judges. And then when two of the chosen ones refuse to play ball, arbitrarily turn it into a bench of as many as were agreeable. And then he gets to give an indecent burial to the matter. **This is bench fixing. This is judicial impropriety.**

The Chief Justice of India effectively proposed, seconded and approved a no-confidence motion against the five senior-most judges of India and barred them by an injudicious judicial order, from hearing the case.

Bhushan commented on this denouement saying, "So, it's really a very, very sad day in the history of the Supreme Court – firstly, I have not seen this kind of extraordinary interest being taken by a Chief Justice in a matter which involves him directly, and secondly, because of the kind of unseemly proceedings which took place in the Supreme Court. When I tried to leave the court I was almost manhandled by some lawyers trying to prevent me from leaving the court. Eventually I had to be escorted out of the court. It's a very sad day in the history of the judiciary which is certainly going to undermine the image of the judiciary and even public confidence in the judiciary. I think the time has come for all concerned citizens, who feel that the judiciary is a very important institution in this country to come together and think of how this institution is to be saved." **It should be remembered that it was perhaps Bhushan more than any other individual who was responsible for exposing and pursuing justice on the various scams that caused the Congress to lose the 2014 elections.**

It should be noted that this was not the first time such an event regarding a Chief Justice has taken place. On 9th December 1991, Soli Sorabjee as counsel for the Centre was forced to object to the manner in which cases were listed before the Supreme Court presided over by CJI K N Singh and to request him not to hear a particularly notorious case since there he had become aware of rumours that Chief Justice Singh had cut a deal in that case. Chief Justice Singh, at that time, was forced to give a labored explanation about how and why he ordered the matter to be listed before him when it was before another bench.

**The consequence of the present order is that any attempt to hear a matter – even one which involves potential impropriety on the part of the chief justice himself – can only succeed if the chief justice so permits.** This means that the chief justice can potentially prevent urgent hearing of the matter – either by directly rejecting any attempt to hear the matter urgently, or, more subtly, by agreeing to hear a matter but not constituting the bench that would hear the matter. Questions are bound to be asked as to why the chief justice did not recuse himself, as convention and propriety would have

demand. These are questions that must be asked but questions that bring the integrity of the judicial system into doubt. This crisis is only worsened by being swept under the media carpet after the dust settles.

Commenting on the present situation at a public meeting, organized by human rights organizations Janhastakshep and PUCL, Bhushan discussed about allegations against the CJI. Bhushan said that the application in front of senior judges of Supreme Court (SC) to look into allegations on Chief Justice of India Dipak Misra is a test to determine internal regulations of the SC. He said that the role of CJI has been questioned in the matter related to scam of Uttar Pradesh's private medical college and that should be adequately answered.

The senior advocate said that the truth behind these allegations has to come out, **otherwise the government can try to blackmail the CJI and through him, the SC.** In such a situation the governments wish to control the SC can become a reality. In such a situation the right to dissent, the duty to dissent from the official party line enforced by the jingoistic media becomes all-important.

We are now treading in unknown terrain, sailing in uncharted waters. The Constituent Assembly could not have foreseen a situation where a Chief Justice of India is afraid of a matter in which he is named, being heard by his senior-most brethren, and misuses his authority to prevent it being listed before the senior-most judges of that court. As Avani Bansal sagely concluded,

"In the epic Mahabharata, when Draupadi shrieked, we remained silent. When invaders came, we looked away. When rights were suspended, we spoke with muffled voices. When innocents were butchered in the name of religion, we thought of revenge. Each of these silences has cost us more than lives. These silences cost us time, and threw us decades behind where we should have been.

"Whenever they were dissenting voices, we left them alone to fight, for, aren't dissenters inherently loners? They are lonely enough as they do not fearing loss of power, money and fame. It is the inherent power of dissent that helps them build the foundation of democracy on which we build our comfortable villas. It is their power of dissent that keeps a nation afloat."

*(Note: The above article has been included so that readers are aware of some of the serious issues confronting the justice system in the country today.*

*What are the actual facts remains unclear to a significant extent. However, for even a case like this to be rumoured, reveals great danger to the administration of justice in the country.*

*It has been the case for some time that the common man below the poverty line has precious little chance of justice but now recent allegations such as these throw the entire judicial system into doubt. This is not a scam or scandal. This is a threat to the freedom of the Indian people and deserves the serious introspection and action.)*



# Facebook and Google

## Use Casino Brain Manipulation Tactics to Addict Users

■ Indulekha Aravind

If you're someone who 'can't live without' social media or know someone like that, there is science behind the addiction, and while sinister, most people who can't stop checking Facebook or Google have no idea how they became so hooked.

It's a mind technique the social media giants use to make us feel as though we can't live without them, according to a former Google product manager.

As reported by the UK's Daily Mail, the tactics are underhanded and designed to get our brains hooked on checking our smartphones, says Tristan Harris, who noted that technology companies are **using mind techniques similar to those used by casinos. These techniques are meant to addict people to their phones and the constant access to social media content.**

Harris said the technique is employed by computer programmers and is called **"brain hacking."** He noted further that the techniques are essentially damaging the minds of future generations. (RELATED: Former Facebook employees admit to the routine censorship of news stories; artificial injection of government propaganda into trending news list)

"This thing is a slot machine," Harris told CBS News in an interview, adding that the tech world would prefer that everyone was kept in the dark about brain hacking.

"Every time I check my phone, I'm playing the slot machine to see, 'What did I get?' **This is one way to hijack people's minds and create a habit, to form a habit.** What you do is you make it so when someone pulls a lever, sometimes they get a reward, an exciting reward. And it turns out that this design technique can be embedded inside all of these products."

The rewards include "likes" to the things you post, cute emojis included in text messages and a growing number of followers. Google, Facebook, Twitter and other social media platforms all take advantage of "brain hacking."

Harris said programmers have an entire "playbook of techniques" they utilize to get people using the prod-

Technology isn't at all neutral. Apps are designed in particular ways to make users engage in them for as long as possible, because that's how tech-media companies like Facebook and Google make their billions.

uct – the apps, in this case, as well as the social media sites – for as long and as often as possible.

One of the more popular messaging services – if not the most popular right now – for tweeners and teenagers is Snapchat. The app comes with a feature, known as "streaks" that indicates the number of days the user has sent messages back and forth. After awhile, kids begin to think they don't want to lose their streak, so if they are going to be away from Snapchat for a while – say, on a vacation with parents – they will often give their password to friends who will then log in and help them continue their streak with the other person.

"And so you could ask when these features are being designed, **are they designed to most help people live their lives? Or are they being designed because they're best at hooking people to use the product?**" Harris said.

In the end, he said, the titans of Silicon Valley may or may not know they are shaping the thoughts, feelings and actions of hundreds of millions of people – though it is a safer bet to assume they know exactly what they're doing.

"There's always this narrative that technology's neutral. And it's up to us to choose how we use it. This is just not true," Harris said.



**Technology isn't at all "neutral," he insisted.** Apps are designed in particular ways to make users engage in them for as long as possible, because that's how tech-media companies like Facebook and Google make their billions.

Tech insiders don't normally reveal such secrets, but Harris felt a need to speak out. Just a few years ago he was working in Silicon Valley living the dream. He dropped out of a master's degree program at Stanford University to launch a tech start-up, which was bought out by Google four years later, with the company offering him a position as a product manager. He started

feeling overwhelmed while there.

In the end, he wrote a 144-page "manifesto" which concluded that a handful of techies at just a few companies are influencing the thoughts and actions of a billion people, thus "weakening" personal relationships and "destroying our kids' ability to focus."

**"When you are taking responsibility for the entire globe, solving the problem of malnutrition is also your sacred duty. What is the cause of this problem? The cause is irrational distribution in the economies of the world. The long-term solution to this economic problem is PROUT, but the immediate food shortages themselves must be solved as an urgent necessity. What are you doing about this? You cannot shirk your responsibility. The entire globe is waiting for you."**

**- Shrii Prabhat Ranjan Sarkar**

# India's Richest 1% Corner 73% of Wealth Generation

 Oxfam

*The criminal state of the global economy was revealed in November last year with the Credit Suisse report which revealed that the world's richest people have seen their share of the globe's total wealth increase from 42.5% at the height of the 2008 financial crisis to 50.1% in 2017, or \$140tn (£106tn), according to Credit Suisse's global wealth report published on Tuesday. "The share of the top 1% has been on an upward path ever since [the crisis], passing the 2000 level in 2013 and achieving new peaks every year thereafter," the annual report said. The bank said "global wealth inequality has certainly been high and rising in the post-crisis period". The report said the poor are mostly found in developing countries, with more than 90% of adults in India and Africa having less than \$10,000. "In some low-income countries in Africa, the percentage of the population in this wealth group is close to 100%," the report said.*

Now just before Davos emerged Oxfam's latest report with more news about the criminal levels of economic equality. The richest 1 per cent in India cornered 73 per cent of the wealth generated in the country last year, a new survey showed today, presenting a worrying picture of rising income inequality. **India's bottom 50% has to share just 1% of the total wealth.**

Even worse, 67 crore Indians comprising the population's poorest half saw their wealth rise by just 1 per cent, as per the survey released by the international rights group Oxfam hours before the start of the annual congregation of the rich and powerful from across the world in this resort town.

**The situation appears even more grim globally, where 82 per cent of the wealth generated last year worldwide went to the 1 per cent, while 3.7 billion people that account for the poorest half of population saw no increase in their wealth.**

**Eight men own the same wealth as the 3.6 billion people who make up the poorest half of humanity,** according to a new report published by Oxfam to mark the annual meeting of political and business leaders in Davos. The annual Oxfam survey is keenly watched and is discussed in detail at the World Economic Forum Annual Meeting where rising income and gender inequality is among the key talking points for the world leaders.

2017 saw an unprecedented increase in the number of billionaires, at a rate of one every two days. Bil-

The report outlines key factors driving up rewards for shareholders and multi-national corporate bosses at the expense of workers' pay and conditions, particularly in developing countries.

lionaire wealth has risen by an average of 13 per cent a year since 2010 – six times faster than the wages of ordinary workers, which have risen by a yearly average of just 2 per cent.

- It takes just four days for a CEO from one of the top five global fashion brands to earn what a Bangladeshi garment worker will earn in her entire lifetime. In the US, it takes slightly over one working day for a CEO to earn what an ordinary worker makes in a year.

- It would cost \$2.2 billion a year to increase the wages of all 2.5 million Vietnamese garment workers to a living wage. This is about a third of the amount paid out to wealthy shareholders by the top 5 companies in the garment sector last year.

Oxfam's report outlines the key factors driving up rewards for shareholders and multi-national corporate bosses at the expense of workers' pay and conditions, particularly in developing countries. These include the erosion of workers' rights; the excessive influence of multi-national big business over government policy-making; and the relentless corporate drive to minimise costs in order to maximise returns to shareholders.

Previous Credit Suisse data shows that India's richest 1% owned just 36.8% of the country's wealth in 2000, while the share of the top 10% was 65.9%. Since then they have steadily increased their share of the pie.

Last year's Oxfam survey had showed that India's richest 1 per cent held a huge 58 per cent of the country's total wealth -- higher than the global figure of about 50 per cent.

This year's survey also showed that the wealth of India's richest 1 per cent increased by over Rs 20.9 lakh crore during 2017 -- an amount equivalent to total budget of the central government in 2017-18, Oxfam India said.

This is far ahead of the United States, where the richest 1% own 37.3% of total wealth. But India's finest



still have a long way to go before they match Russia, where the top 1% own a stupendous 70.3% of the country's wealth.

The report titled 'Reward Work, Not Wealth', Oxfam said, reveals how the global economy enables wealthy elite to accumulate vast wealth even as hundreds of millions of people struggle to survive on poverty pay.

"2017 saw an unprecedented increase in the number of billionaires, at a rate of one every two days. Billionaire wealth has risen by an average of 13 per cent a year since 2010 -- six times faster than the wages of ordinary workers, which have risen by a yearly average of just 2 per cent," it said.

**In India, it will take 941 years for a minimum wage worker in rural India to earn what the top paid executive at a leading Indian garment firm earns in a year, the study found.**

In the US, it takes slightly over one working day for a CEO to earn what an ordinary worker makes in a year, it added.

Citing results of the global survey of 70,000 people surveyed in 10 countries, Oxfam said it demonstrates a groundswell of support for action on inequality and nearly two-thirds of all respondents think the gap between the rich and the poor needs to be urgently addressed.

**In India, there has also been a steady decline in the calorie intake of the bottom 80% of the population.** Using a nutrition-based poverty estimate, the proportion of people below poverty line can go as high up as 80%. This is also consistent with other available figures of persistent hunger and malnutrition.

With Prime Minister Narendra Modi attending the WEF meeting in Davos, Oxfam India urged the Indian government to ensure that the country's economy works for everyone and not just the fortunate few.

It asked the government to promote inclusive growth by encouraging labour-intensive sectors that will create more jobs; investing in agriculture; and effectively implementing the social protection schemes that exist.

Oxfam also sought sealing of the "leaking wealth bucket" by taking stringent measures against tax evasion and avoidance, imposing higher tax on super-rich and removing corporate tax breaks.

The survey respondents in countries like the US, UK and India also favoured 60 per cent pay cut for CEOs.

The key factors driving up rewards for shareholders and corporate bosses at the expense of workers' pay and conditions, Oxfam said, include erosion of workers' rights; excessive influence of big business over government policy-making; and the relentless corporate drive to minimise costs in order to maximise returns to shareholders.

About India, it said the country added 17 new billionaires last year, taking the total number to 101. **The**

**Indian billionaires' wealth increased to over Rs 20.7 lakh crore -- increasing during last year by Rs 4.89 lakh crore, an amount sufficient to finance 85 per cent of the all states' budget on health and education.**

It also said India's top 10 per cent of population holds 73 per cent of the wealth and 37 per cent of India's billionaires have inherited family wealth. They control 51 per cent of the total wealth of billionaires in the country.

Oxfam India CEO Nisha Agrawal said it is alarming that the benefits of economic growth in India continue to concentrate in fewer hands.

**"The billionaire boom is not a sign of a thriving economy but a symptom of a failing economic system.** Those working hard, growing food for the country, building infrastructure, working in factories are struggling to fund their child's education, buy medicines for family members and manage two meals a day. **The growing divide undermines democracy and promotes corruption and cronyism,"** she said.

The report titled 'Reward Work, Not Wealth', also sheds light on gender inequality. "While in most countries the gender pay gap has received more attention, the gender wealth gap is usually even higher," it says, adding that women provide \$10 trillion in unpaid care annually to support the global economy.

The survey also showed that women workers often find themselves at the bottom of the heap and nine out of 10 billionaires are men.

"It would take around 17.5 days for the best paid executive at a top Indian garment company to earn what a minimum wage worker in rural India will earn in their lifetime (presuming 50 years at work)," Oxfam said.

Winnie Byanyima, Executive Director of Oxfam International, said:

"It is obscene for so much wealth to be held in the hands of so few when 1 in 10 people survive on less than \$2 a day. Inequality is trapping hundreds of millions in poverty; it is fracturing our societies and undermining democracy.

"Across the world, people are being left behind. Their wages are stagnating yet corporate bosses take home million dollar bonuses; their health and education services are cut while corporations and the super-rich dodge their taxes; their voices are ignored as governments sing to the tune of big business and a wealthy elite."

Oxfam's report shows how our broken economies are funnelling wealth to a rich elite at the expense of the poorest in society, the majority of whom are women. The richest are accumulating wealth at such an astonishing rate that the world could see its first trillionaire in just 25 years. To put this figure in perspective -- you would need to spend \$1 million every day for 2738 years to spend \$1 trillion.

Public anger with inequality is already creating political shockwaves across the globe. Inequality has been cited as a significant factor in the election of Don-

ald Trump in the US, the election of President Duterte in the Philippines, and Brexit in the UK.

Seven out of 10 people live in a country that has seen a rise in inequality in the last 30 years. Between 1988 and 2011 the incomes of the poorest 10 percent increased by just \$65 per person, while the incomes of the richest 1 percent grew by \$11,800 per person – 182 times as much.

Women, who are often employed in low pay sectors, face high levels of discrimination in the work place, and who take on a disproportionate amount of unpaid care work often find themselves at the bottom of the pile. On current trends it will take 170 years for women to be paid the same as men.

'An Economy for the 99 percent' also reveals how big business and the super-rich are fuelling the inequality crisis. **It shows how, in order to maximize returns to their wealthy shareholders, big corporations are dodging taxes, driving down wages for their workers and the prices paid to producers, and investing less in their business.**

Oxfam interviewed women working in a garment factory in Vietnam who work 12 hours a day, 6 days a week and still struggle to get by on the \$1 an hour they earn producing clothes for some of the world's biggest fashion brands. The CEOs of these companies are some of the highest paid people in the world. Corporate tax dodging costs poor countries at least \$100 billion every year. This is enough money to provide an education for the 124 million children who aren't in school and fund healthcare interventions that could prevent the deaths of at least six million children every year.

The report outlines how the super-rich use a network of tax havens to avoid paying their fair share of tax and an army of wealth managers to secure returns on their investments that would not be available to ordinary savers. Contrary to popular belief, many of the super-rich are not 'self-made'. Oxfam analysis shows **over half the world's billionaires either inherited their wealth or accumulated it through industries which are prone to corruption and cronyism.**

It also demonstrates how big business and the super-rich use their money and connections to ensure government policy works for them. For example, billionaires in Brazil have sought to influence elections and successfully lobbied for a reduction in tax bills while oil corporations in Nigeria have managed to secure generous tax breaks.

Byanyima said: "The millions of people who have been left behind by our broken economies need solutions, not scapegoats. That is why Oxfam is setting out a new common sense approach to managing our economies so that they work for the majority and not just the fortunate few."

"Governments are not helpless in the face of technological change and market forces. If politicians stop obsessing with GDP, and focus on delivering for all their citizens and not just a wealthy few, a better future is pos-

sible for everyone."

Oxfam's blueprint for a more human economy includes:

- Governments end the extreme concentration of wealth to end poverty. Governments should increase taxes on both wealth and high incomes to ensure a more level playing field, and to generate funds needed to invest in healthcare, education and job creation.

- Governments cooperate rather than just compete. Governments should work together to ensure workers are paid a decent wage, and to put a stop to tax dodging and the race to the bottom on corporate tax.

- Governments support companies that benefit their workers and society rather than just their shareholders. The multi-billion Euro company Mondragon, is owned by its 74,000 strong workforce. All employees receive a decent wage because its pay structure ensures that the highest paid member of staff earns no more than 9 times the amount of the lowest paid.

- Governments ensure economies work for women. They must help to dismantle the barriers to women's economic progress such as access to education and the unfair burden of unpaid care work.

- Oxfam is also calling on business leaders to play their part in building a human economy. The World Economic Forum has responsive and responsible leadership as its key theme this year. They can make a start by committing to pay their fair share of tax and by ensuring their businesses pay a living wage.

- Limit returns to fair levels for shareholders and top executives, and ensure all workers receive a minimum 'living' wage that would enable them to have a decent quality of life. For example, in Nigeria, the legal minimum wage would need to be tripled to ensure decent living standards.

- Eliminate the gender pay gap and protect the rights of women workers. At current rates of change it will take 217 years to close the gap in pay and employment opportunities globally between women and men.

- Ensure the extremely wealthy pay their fair share of tax through higher taxes and a crackdown on tax avoidance, and increase spending on public services such as healthcare and education. Oxfam estimates a global tax of 1.5 per cent on billionaires' wealth could pay for every child in the world to go to school.

Results of a new global survey commissioned by Oxfam demonstrates a groundswell of support for action on inequality. Of the 120,000 people surveyed in 10 countries, nearly two-thirds of all respondents think the gap between the rich and the poor needs to be urgently addressed.

The Right to Food Campaign has demanded immediate implementation of Maternity Entitlements as per the National Food Security Act (NSA), 2013.

## **Government of India Programme Violates Both Letter and Spirit of National Food Security Act**



### **Right to Food Campaign**

The Right to Food Campaign demands justice for pregnant women and their infants. For more than four years, all Indian women except those working in government/public sector undertakings have been entitled by law to a maternity benefit of at least Rs. 6000, guaranteed under the National Food Security Act (NFSA, 2013). Yet, the government of India not only has failed to deliver this entitlement to its benefices, but has also amended it to make it even more exclusionary.

Malnutrition as well as infant and maternal mortality are serious problems in India. According to the 2015-16 National Family Health Survey, India's infant mortality rate is 41 deaths per 1,000 live births. One in 20

Indian children die before their fifth birthday, while 38% of children under five are stunted, a sign of chronic undernutrition. World Health Organisation statistics show that 174 out of 100,000 Indian women die in childbirth, compared with 23 and 44 out of 100,000 in countries like China and Brazil. Poor nutrition of pregnant women, lactating mothers, and children under age two are significant causes of these dire health conditions.

Maternity entitlements are a critical tool to fight malnutrition and infant and maternal mortality. A maternity entitlement recognises and validates women's work, acknowledging women's need for rest and replacement financial compensation around the time of



their pregnancy and enabling them to breast-feed exclusively.

While passage of the NFSA in 2013 created an opportunity for the government to achieve the myriad benefits of a maternity entitlement programme, three years passed without any action by the government. Then on New Year's Eve 2016, the Prime Minister again raised hopes by announcing the creation of new maternity benefit program to provide Rs. 6,000 to all pregnant women. Several times thereafter, the government repeated its promise—even in an affidavit to the Supreme Court—that “all the pregnant women and lactating mothers would be given Rs. 6,000 in instalments.”

But last May, the Cabinet dashed all hopes that the law would finally be implemented when it approved a truncated programme falling far, far short of the government's promises and the law's requirements. The Pradhan Mantri Matru Vandana Yojana (PMMVY) has deeply disappointed women, the Right to Food Campaign, and other advocates of mother and child health in India. The programme violates both the letter and the spirit of the NFSA.

Firstly, it is restricted to only the first birth, a conditionality shown to be **fundamentally discriminatory to the most marginalised and vulnerable women from socially discriminated communities such as SC, ST and minorities, putting their lives at risk.** Based on the Sample Registration System report on fertility indicators, 43% of the current live births in India are first order births, thereby straight away excluding more than half the births that take place in a year (about 57%). There is no justification for this other than keeping the government's financial obligations to a minimum.

Second, the PMMVY provides just Rs. 5,000 to pregnant women. To appear to meet the legal threshold of Rs. 6,000, the PMMVY is expressly merged with an older benefit scheme called the Janani Suraksha Yojana (JSY). But such a merger is unwarranted. The JSY was started with an entirely different purpose: to incentivise institutional deliveries. The PMMVY is intended to provide wage compensation, just as it does in the formal sector under the Maternity Benefits Act. By merging the two programs, the government is muddling the missions of each, and saving itself Rs. 1,000 in maternity benefits to women.

Finally, the PMMVY falls short of the amount of benefit received by women working in the private sector. The Maternity Benefits Act (MBA) was recently amended to expand maternity leave from 12 weeks to 26 weeks. While this was a welcome move, the MBA covers only about 18 lakh women in the organised sector, whereas over 2.3 crore deliveries take place in India each year. The MBA does not include in its ambit more than 95% of women in the country who work in the in-

## FIGHT AGAINST HUNGER

- The UPA government notified the National Food Security Act on September 10, 2013

- People living below poverty line will be the beneficiaries of the act

- The act has a special focus on providing nutritional support to women and children (upto 14 years)

- The Assam government had planned to implement the act from September last year



A farmer tends to his crops. File picture

- More than 57 lakh families will be covered in Assam under the act

- Distribution of ration cards in Assam to be completed by October 20, 2015

formal sector.

When the requirement of six months of paid leave has been accepted for women in the formal sector (public and private), it is unacceptable that a wage compensation of less than half of minimum wages, that too only for one birth, should be the norm for the rest of women under the PMMVY. In fact, the modest maternity entitlement under the PMMVY is **barely equivalent to five weeks of minimum wages in Bihar** (compared to the more than 6 months of paid leave offered in the formal sector). Such meagre wage compensation in light of the amendment to the MBA would, in fact, **amount to discrimination and inequality of law under article 14 of the Constitution.**

With the PMMVY, the government has squandered the opportunity created by the NFSA. The Right to Food Campaign demands that the government take immediate action to implement a program that actually matches the law's inclusive scope. We also demand that the upcoming budget allocation be expanded from Rs 2,700 crores to an allocation of at least Rs. 8,000 crores – 60 per cent of 13,000 crore, the amount necessary to meet the NFSA (assuming a birth rate of 19 per thousand and an effective coverage of 90%).

The campaign also demands **universal, unconditional maternity entitlements equivalent to wages for at least six months at no less than the prevailing minimum wages.** Maternity entitlements must be seen as a right for all women and also as wage compensation for those in the unorganised sector.

*\*Endorsed by the National Federation of Indian Women, the National Alliance for Maternal Health and Human Rights, Nazdeek and Sahyog*

# Needed Allocate Rs 80,000 Crore for MGNREGA to Overcome Monetary Drought Mounting Every Day

■ NREGA Sangharsh Morcha



**M**ahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) is facing another monetary drought with liabilities for wage and material payments mounting every day. MGNREGA is a demand driven law, which means that money should be provided as per demand. However this is not happening. The allocation of FY 17-18 of Rs. 48,500 crores is long exhausted with expenditure having crossed 50,000 crores, and more than two months still left. While an increase in allocation for FY 18-19 is expected, the total amount required needs to be seen in context, not simply as an increased allocation.

*Any budget less than Rs. 80,000 crore will be insufficient to meet even projected demand for work and the timely payment of wages.*

Whether one favours such schemes as NREGA or not, for the government to willfully deny wages to the poorest workers is truly a criminal act for which even corporations are occasionally fined. To re-write labour laws to enable exploitation is one thing but to directly exploit the laboring people of this country during a time of the worst unemployment in five years is truly a criminally negligent act.

It is pertinent to recall that 25%, or close to Rs. 12,000 crores out of the current “record” allocation went to pay off last years dues. For FY 17-18, pending liabilities are already about Rs. 5,000 crores and is bound to rise in the next two months. The budget for FY 18-19 will have to deduct pending liabilities at the end of this year, to present a true picture of funds available for employment next year. Enough funds need to be made available to break this cycle of pending liabilities at the end of financial years.

Only then can timely payment of wages actually be made. As per sample independent studies, the actual wages paid on time in 2017-18 is likely to be around 32% instead of the figure of 85% presented by the Government of India.

Further increasing costs, both for wages and material need to be taken into account. MGNREGA wage rates need to be brought in line with State Minimum Wages as per constitutional values, and as various MoRD committees have recommended. At the very least, wages should be indexed to inflation as per the Consumer Price Index of Rural Labour (CPI-R).

The insufficient budgetary allocation results in the MoRD using various illegal and coercive methods to cut employment and squeeze expenditure on the MGNREGA, thereby violating various provisions of this act with impunity. Many of the issues thus highlighted below, have become matters of great concern, and are being watched by the Supreme Court of India in an ongoing case – Swaraj Abhiyan vs Union of India and others.

## Details

Since 2014, many civil society groups have consistently pointed out the pernicious manner in which funds are being squeezed for MGNREGA and the damaging domino effect it has on the program overall as follows:

- 1. Restrictions on projected and approved labour budgets** – Even though the Act is unequivocal about the fact that Gram Sabhas will determine the quantum and kind of works to be taken up in a given year, this has been relentlessly abused by different state and Central Government. The projected persondays that emerge from such bottom up planning are examined at the Central Government level and are being reduced to an illegal concept called ‘approved labour budget’ – contrary to the spirit of the Act. In FY 17-18, the Projected Labour Budget was reduced by 25 % from 288 crore persondays to 215 crore persondays. Calculated at an average cost per day of Rs 240, this amounts to huge deficits in the allocated amount (last column of Table 1). Moreover, funds are not made available to State Governments for even the Approved Labour Budget. Through a series of amendments in the Annual Master Circular, the Central Government has given itself further discretion to withhold funds to State Governments by introducing “mid-term reviews” “internal audit reports” and the “mother sanction order” that strongly undermine the Act. This allows the Central Government to hold back funds without any accountability, even as workers wait for their wage payments after having done hard grueling work.
- 2. Delays in Wage Payments:** It has been consistently pointed out that the Ministry of Rural Development is

| Year    | Project Persondays (crores) | Approved Persondays (crores) | % reduction in persondays | Deficit in funds |
|---------|-----------------------------|------------------------------|---------------------------|------------------|
| 2017-18 | 288                         | 215                          | 25                        | 17,527 crore     |
| 2016-17 | 315                         | 220                          | 30                        | 22,809 crore     |

Table 1: Cumulative Deduction in Persondays

not recording or displaying delays that occur at its level, or that of the payment agencies (which it is responsible for). Two independent studies, using government’s own data have shown that for the first two quarters of FY 18, rather than the figure of 85% wages paid on time, the actual ratio is likely to be closer to 32%, if central government and payment agencies delays are accounted for. The situation usually worsens in the last two quarters of each year as the meager allocated funds get exhausted by then

|       | Government Claims | Independent Study |
|-------|-------------------|-------------------|
| FY 18 | 85%               | 32%               |
| FY 17 | 42%               | 21%               |

Table 2: Percentage of transaction when workers got wages within the stipulated 15 days

- 3. No accountability or payment of compensation for delays:** Since the full extent of delay is not being calculated, the full amount of compensation due to workers is also not calculated. The accountability of the



Central Government and Payment Agencies has not been fixed despite repeatedly pointing it out. Even for the limited amount of compensation that is currently getting attributed only to various State Governments, owing to the Centre's false definition of what constitutes as 'delay', at the rate of 0.05% per day of delay, amounting to a total of 1898 crores (since December 2013), less than 4% has actually been paid to workers. As noted by a report by the Ministry of Finance in August 2017, "In cases of delays in making large number of payments, it has been found that funds have not been available either of Centre & State shares. Proposing compensation for such delays would vastly increase the expenditure." This is contrary to the position taken by the Ministry of Rural Development in the ongoing Swaraj Abhiyan PIL, wherein the Ministry of Finance acknowledges – "It was found that the delay in payment to states was mainly due to infrastructural bottlenecks, availability of funds and lack of administrative compliance."

4. **Pending Liabilities:** The last six FYs have ended with consistently high pending liabilities, or backlogs of payments. Therefore any true representation of the adequate budget will account for these.

| Year    | Pending liability (of previous FY)<br>[Rs. Crore] | Budgetary Allocation*<br>(of that FY)<br>[Rs. Crore] | Liabilities as % of allocation |
|---------|---|--|--------------------------------|
| 2018-19 | 4,786**   |  |                                |
| 2017-18 | 11,646  | 48,500   | 24%                            |
| 2016-17 | 13,220  | 38,500   | 34%                            |
| 2015-16 | 12,218  | 34,699   | 35%                            |
| 2014-15 | 6,102   | 34,000   | 18%                            |
| 2013-14 | 6,238   | 33,000   | 19%                            |
| 2012-13 | 3,378   | 33,000   | 10%                            |

Table 3: Pending Liabilities, Source: R 7.1.2. Outlays and Outcomes

\* not including supplementary grants, if any

\*\* as of date, figure likely to increase over next two months

5. **Wage Rates:** Any budget must also take into account increasing wage rates, due to inflation and the Ministry of Rural Development's own previous recommendations of indexing wage rates to State minimum wages. Any wage rate below the State minimum wage is a flagrant violation of Article 23 of the constitution and is tantamount to 'forced labour' according to a 1983 Supreme Court Order. NREGA Sangharsh Morcha demands a daily NREGA wage rate of Rs. 600 per day.
6. **Centralisations Halting Material and Administrative Costs:** Due to centralization of fund release via the Management Information System, fund shortages in the past have led to a halt in material and administrative payments causing havoc in the program at the ground level. Administration of this massive program requires adequately paid and trained staff, which becomes difficult when their wages are arbitrarily stalled for months on end.

Based on a realistic assumption of an increase in India's tax to GDP ratio in the coming year, it is definitely conceivable to have at least 1% of the GDP reserved for MGNREGA funds. In FY 17- 18, the allocation was a lowly 0.42% of the GDP. MGNREGA workers have had to bear the brunt of shrinking funds, which must be corrected. Further, the mandate to ensure work conditions by providing crèches, water, basic medicines and shade is also specified in the MGNREGA and these amongst other critical provisions must be not be forgotten.

Therefore, an adequate budget for FY 18-19 should have accounted for:

- Protected Persondays of State Governments, which at the rate of the previous FY will amount to 288 cr persondays average cost per day Rs. 241 = Rs. 70K cr approximately.
- Inflation and indexation of wage costs, which amounts to 10% approximately Therefore, any budget less than Rs. 80,000 crore will be insufficient to meet even projected demand for work and the timely payment of wages.
- The National Rural Employment Guarantee Act (NREGA) budget for 2018-19 is Rs 55,000 crores, the same as that of this year's in money terms. (The initial budget of Rs 48,000 crores for 2017-18 was supplemented with Rs 7,000 crores in January 2018). Also, given the trend of rising pending liabilities at the end of every year, a sizable part of the 2018-19 budget will be utilized for clearing previous years' payments. Even the 2017-18 budget was grossly inadequate to implement NREGA as per the provisions of the Act. The inad-

equate budget for NREGA, and also for other rural development programmes, undermines the employment guarantee act in the following ways:

- **Long and unpredictable delays in wage payments:** The Ministry of Rural Development releases MGNREGA funds only after states meet its requirements such as submission of various documents and compliance with its instructions. Such checks and balances are required, but withholding of funds due to lapses by state governments unfairly penalizes NREGA workers. In the ongoing financial year, the Ministry withheld the processing of Fund Transfer Orders for states till the time they did not meet its requirements for fund release. As a result, workers of many states remained unpaid for weeks, even months in case of Bihar and Jharkhand.
- **Non-payment of compensation:** Workers are not compensated for the delays in wage payments after the Fund Transfer Order is signed by the second signatory. As per the calculations made by independent researchers, compensation calculated by the NREGA Management Information System (MIS) for a sample of wage payments in 2016-17 was only 43% of the full compensation due to workers. This proportion fell to 14% for a sample of wage payments in the first two quarters of 2017-18. A damning report of the Ministry of Finance accepts that workers are compensated only partially. It also notes that compensating workers for the full extent of wage delays “would vastly increase the expenditure”!
- **Low scale of work:** To manage the inadequate funds for MGNREGA, government officials informally instruct their juniours to ration the scale of work. Also, the long delays in wage payments discourages workers to seek MGNREGA employment. Since 2012-13, the average number of days of work received by households (those who were able to get any work) has not exceeded 49. If the total rural population is taken into consideration, the annual scale of employment averages only 10 – 15 days per household.
- **Approved Labour Budget:** There has been a systematic stifling of the bottom-up approach of the quantum of work to be decided at the Gram Sabha. The Centre, has through arbitrary, illegal means like the “Approved Labour Budget” reduced the number of days of work. For 2017-18, the Projected Labour Budget was reduced by 25%, from 288 crore persondays to 215 crore persondays resulting in a deficit of over Rs 17,500 crore in 2017-18. Moreover, funds are not made available to State Governments for even the approved labour budget.
- **Non-payment of minimum wages:** Real NREGA wage rates have stagnated for several years now. In fact, currently the NREGA wage rates of 17 states are less than the corresponding minimum wages. The government has ignored the recommendations of successive committees to reconcile between MGNREGA wage rates and state minimum wages. It has also not implemented the suggestion of indexing MGNREGA wage rates to the price level by using Consumer Price Index Rural Labourers.
- **Prioritising schemes for other programmes:** As per the employment guarantee act, Gram Sabhas have the right to select NREGA schemes for their village/Gram Panchayat. In the guise of “convergence”, the central government is imposing targets for construction of assets for other programmes – such as houses for Pradhan Mantri Awas Yojana and Anganwadi Centres for the Integrated Child Development Services. This “hidden cross subsidization” is done because the budgets for these programmes is also inadequate to meet their infrastructural requirements. As NREGA functionaries in at least some states are made responsible for ensuring the completion of these assets, they are forced to compromise on their NREGA duties.
- NREGA also suffers from many **other serious problems**. Local functionaries are unable to cope with the increasing dependence of the programme on technology. Participation of Gram Panchayats in the programmes has decreased substantially due to the excessive centralization of NREGA implementation. This has adversely impacted the scale of work and local oversight. Many workers are unable to receive their NREGA wages due to the forced integration of the programme with Aadhaar. There is rampant violations of workers’ rights to worksite facilities, unemployment allowance and time-bound redressal of grievances. Accountability and transparency provisions of the Act are ignored or undermined by central and state governments. Over time, this has created a climate of impunity and immunity around NREGA – anyone can get away with anything. This completely undermines the idea of enforceable entitlements for NREGA workers.
- After 12 years of implementation of the employment guarantee act, workers should have been celebrating **the legal recognition of their right to work**. However, they are struggling to save their existing NREGA entitlements. NREGA Sangharsh Morcha marks this NREGA Diwas as “Dhikkar Diwas”. In ten states across the country NREGA workers will hold demonstrations to protest against the rampant violations of their legal entitlements.

# Universality in Race, Language, Religion and Culture

*Shrii Shrii Ānandamūrti*

The subject matter for today's discourse is, "Universality in Race, Language, Religion and Culture". Though there are some apparent or prima facie differences in language, colour, etc. in human beings, still in all essential matters they come from the same source, they originate from One Singular Entity – Parama Puruṣa. There may be linguistic differences, colour differences, national differences, but all these are external and apparent. It is the language of the heart, the language of sentiment, and not the language of the tongue, that should be heard.

No language can claim to be an original language – neither English, nor Telegu nor Bengali. The English language is not an original language. Nine hundred years ago there was no English language, one thousand-five hundred years ago there was no Bengali language and eight hundred years ago there were no Angika, Maithili and Assamese languages. Modern English is a mixture of the Scotch tongue, the old Norman tongue, the Anglo-Saxon tongue, the Briton tongue, the Celt tongue, and the Latin and Greek tongues. All these tongues gave birth to modern English. Till the days of King Alfred the Great there was no approved standard of English vocabulary. Similarly, the Bengali language consists of Samskrta roots and words, and a large number of English, Japanese, Portuguese and Arabic words. Again, Telegu language is composed of Cantonese, Indonesian and Malaysian words and a number of Samskrta words.

Similarly, no race can claim the absolute purity of its blood. Hitler's clam about the purity of Aryan blood was to mislead the people. In Europe alone there are so many races such as the Nordic, Mediterranean, Alpine and Greek races. In India there are Austrics, Austrico-Negroids, Dravidians, Mongolo-Negroids, and the like. Therefore, no race is absolutely free from blending. **Everywhere there is universal blending.** Nowhere in the world will you find a single original race and language. Human society is a singular entity. **All the merits and demerits of the society are ours. They are our common patrimony. It is foolishness to claim that the merits are ours and the demerits are someone else's.**

In this universe **all entities are divine; only people have to realize it. Nobody is helpless or alone in this universe. We have mundane, supramundane and spiritual relationships with the universe.** So it is the bounden duty of human beings to expand their mental arena because basically all finite entities have the inherent wont of universal pervasion. Their goal is the



Supreme Entity who is free from limitations. Human beings will have to expand themselves so much that they will go beyond the fetters of limitations. There cannot be and should not be an inferiority or superiority complex in anybody. Those who preach individual racial superiority are committing sins. They are going against human Dharma. Like earth, air and water, Dharma is common to one and all. Human beings will have to become one with the Universal Entity.

The famous American poet Carl Sandburg proclaimed –

There is only one man in the world  
and his name is All Men.

There is only one woman in the world  
and her name is All Women.

There is only one child in the world  
and the child's name is All Children.

The same thing has been most beautifully described by Satyendranath Dutta, the Asian poet:

Jagat juriyā ek jāti ache

Se jātir nām mānuśjāti

Eki prthiviir stanye pālita

Eki ravi-shashii moder sāthii.

[There is only one caste/race in the world,  
And that is the human caste/race,  
Nourished with the milk of the same Mother Earth,  
Dwelling within the same compass of the sun and the moon.]



# A 'Malnourished' Plan

■ Veena S Rao

**A** December 1, 2017 press release states that the Union Cabinet approved the setting up of a National Nutrition Mission (NNM) with a three-year budget of Rs 9,046.17 crore, starting 2017-18. Limited information in the public domain indicates that the NNM is not an executive mission like the National Health Mission.

Rather, it appears to be a national committee to monitor, supervise, fix targets, map schemes addressing malnutrition, introduce convergence mechanisms, ICT-based real-time monitoring system, digitalisation of the Anganwadi, social audits, Nutrition Resource Centres, Jan Andolans. Or a mission for measurement of malnutrition, with no hint about its methodology, institutional mechanisms or additional field workers for any new grassroots interventions.

This is at wide variance from the Union Budget speech announcement on July 10, 2014, that “A national programme in Mission Mode is urgently required to halt the deteriorating malnutrition situation in India, as present interventions are not adequate. A comprehensive strategy including detailed methodology, costing, timelines and monitorable targets will be put in place within six months.”

The NNM’s mandate appears to be based on the premise that no new nutrition-related interventions are required; that there is “no dearth of schemes directly/indirectly affecting the nutritional status of children (0-6 years), and pregnant and lactating mothers”; that malnutrition levels in the country are high because

of “lack of synergy and linking the schemes”; and that “NNM through robust convergence mechanism and other components would strive to create the synergy.” It believes that a strategy of setting targets and achieving them by convergence, synergy and real-time digital monitoring is adequate for reducing India’s malnutrition.

It is disappointing that NNM does not identify and analyse the fundamental causes for why our nutritional indicators are not improving faster. For example, why has child underweight dropped by only 6.8% between National Family Health Survey (NFHS) 3 and 4, when per capita income almost quadrupled during the same period; why has wasting/severe wasting increased by 2%? Why do more than 50% of our women and children continue to be anaemic, despite iron-folic acid (IFA) programmes

for women and children for decades?

Data from NFHS 4 Factsheets (2016-2017) indicates that only 9.6% children between 6-23 months (11.6% in urban areas, 8.8% in rural areas) receive an adequate diet. Adequacy of infant diet, whether through supplementary nutrition from the Anganwadi or in the household, is the mandate of the Integrated Child Development Services (ICDS), either through supply of protein-calorie-micronutrient enriched supplementary food at the Anganwadi or through behaviour change in the household by educating caregivers about timely and adequate complementary food for infants.

On both counts, present interventions have failed, resulting in loss of potential cognitive and physical growth of children, a burden carried for life. The NNM how-

“When you are taking responsibility for the entire globe, solving the problem of malnutrition is also your sacred duty. What is the cause of this problem? The cause is irrational distribution in the economies of the world. The long-term solution to this economic problem is PROUT, but the immediate food shortages themselves must be solved as an urgent necessity. What are you doing about this? You cannot shirk your responsibility. The entire globe is waiting for you.”

- Shrii Prabhat Ranjan Sarkar

ever, provides no transformational strategy or new interventions in this regard.

The mission also makes no attempt to acknowledge or analyse the significant dietary deficit which afflicts at least 50% of our population of all age groups and both genders, despite our three major food programmes - ICDS, Midday Meal Programme and the Public Distribution System (PDS) -- having been in operation for decades. This dietary deficit is the most proximate cause of India's calorie-protein-micronutrient malnutrition.

It is compounded by information deficit in the household about basic dietary practices for children, adolescents and mothers, such as what is a balanced diet within limited budgets, age at which an infant should be given complementary feeding, how to ensure proper growth of adolescent girls and boys, adequate pregnancy weight gain, importance of sanitation. This information deficit is highest among the most vulnerable, such as agriculture/construction labour families (where almost all wasted children are found).

#### **Lack of Strategy**

Behaviour change and dietary diversification through information and awareness at community/family

level have repeatedly been recommended since the Bhore Committee Report, 1946, and the First Five Year Plan onwards.

However, this powerful intervention continues to elude a strategy and programme even after six decades. Evidence from the Karnataka Multi-Sectoral Nutrition Pilot Projects establishes that just behaviour change through a strong communication strategy over a period of one year can bring about a substantial decrease in underweight and wasting of children, improvement of adolescent girls' body mass index (BMI), pregnancy weight gain, and reduction in low birthweight babies. Unfortunately, the NNM has not listed this as a priority. India's malnutrition could reduce much faster if an effective nutrition information campaign targeting households is launched.

The mission does not touch other critical prescriptions of the National Nutrition Policy, 1993, that could have brought about sustained reduction of India's malnutrition over time, had they been converted into programmes, particularly 'Fortification of Essential Foods', and 'Popularization of Low Cost Nutritious Foods'. While there is some momentum regarding fortification, the latter remains an orphan sub-

ject and does not form the mandate of any ministry. It is precisely because no low-cost nutritious foods are available in the market that the poor of all age groups are unable to bridge their calorie-protein-micronutrient deficit.

Addressing these primary causes of India's malnutrition is perfectly doable and is being piloted in two of the most backward blocks - Devadurga, Raichur district, and Chincholli, Kalaburagi district- under the Karnataka Comprehensive Nutrition Mission. The nutritional status of children, adolescent girls and women in these blocks has improved dramatically.

Ironically, just a week before announcing NNM, the Ministry of Women and Child Development on November 23 discontinued several administrative costs of the ICDS and reduced the Centre's share for staff salaries to 25% from the existing 60%, effective from December 1. This is bound to cause serious financial dislocation in the states, just as the financial year is closing, and cannot be a good start for the NNM, or whatever is left of it.

*(The writer is a retired IAS officer and Advisor, Karnataka Comprehensive Nutrition Mission)*

***Araks 'ita 'ram ' harta 'ram ' vilopta 'ram ada 'yakam  
tam ' sma ra 'jakalim ' hanyuh praja 'h sam 'bhu 'ya nirghrn 'am.  
aham ' vo raks 'itety uktva ' yo na raks 'ati bhu 'mipa?  
sa sam 'hatya nihantavyah shveva sonma 'da a 'turah.***

***Mahabharata XIII.61.32-3***

[The subjects should arm themselves to slay that Ruler who does not protect them, who simply plunders their wealth, not even sparing women and children, who is ever incapable of taking their lead, who is without compassion, and who is regarded as the most sinful of rulers.

That Ruler who tells his people that "I am your protector" but who does not or is unable to protect them, should be slain by his combined subjects, like a dog infected with rabies, who has become madly destructive.]

## ACTIVITIES

### Liquor-Free Movement Launched in Orissa

A number of organisations met in Bhubaneswar on 29th January to plan for the Liquor-Free movement. The participants revealed the social crisis created by alcoholism as well as how alcoholism is used to rob adivasis of their land. The National Convenor of PBI, Ac. Santosananda Avt. in his speech mentioned that (as per Shrii Prabhat Ranjan Sarkar) basic morality is established in a society by eradicating the spread of alcoholism, gambling and prostitution. He emphasized that while banning alcohol is crucial, it can only succeed where there are moralists in the administration. Otherwise it will be like Gujarat and Bihar where branded liquor is available to the rich at high prices and the poor make do with country liquor. For this a national movement is essential to take political power away from immoral politicians and remove the economic tyranny of business exploiters.

A national committee was then formed for this movement. The immediate demand is to withdraw all liquor licenses for manufacturers and distributors. Furthermore a demand was made that all fraud cases launched against anti-liquor activists by the liquor mafia should be withdrawn and instead the state should help them in rooting out this menace. The activists are determined to mobilize the public to end this menace.





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Liquor Free India

सराब मुक्त भारत

## Bhubaneswar Declaration

Date: 29/01/2018

The following resolutions are passed unanimously at this national convention for Liquor free India. *today.*

- K. A national movement for liquor free India is the urgent need of the hour.
- L. To carry the movement forward, a national committee is being formed.
- M. The national committee is hereby appealing to the prime minister of India for a national policy to implement total prohibition.
- N. The national committee is hereby appealing to the chief ministers of all states to implement total prohibition.
- O. The National committee is hereby appealing to all leading political parties and regional political parties of India to put Prohibition in their Manifesto on priority.
- P. The next meeting of the national committee will be held at New Delhi on 15<sup>th</sup> April 2018.
- Q. Liquor menace to be included in all Educational curriculum.
- R. In the context of Odisha, the Milita Odisha Nisha Nibarana Abhijan is putting the following demands before the government of Odisha.

- a. Total prohibition including the withdrawal and non renewal of all types of licenses for manufacturing, distributing and selling of all types of liquor with immediate effect by 1 April 2018.
- b. Unconditional withdrawal of police cases against the anti liquor activists.
- c. Compensation to the antiliquor activists who are injured or killed by police or the goons of liquor mafias.
- d. Declare Sri Dileswar Dandena, Srimati Urmila Kahanr, Meta Lakra and others as martyrs who were killed during the antiliquor movements.
- e. The RDC investigation report of police firing at Namtara on 8 March 2015 be placed on the floor of the Assembly and the steps taken there of and other similar cases of atrocities be investigated by a Special Investigating Team, culprits be identified and punished immediately.

Dabirul Haque  
General Secretary  
Lok Samiti  
UP. Kanpur  
9648089091

Kalika Singh  
President  
Bihar Samity  
Moulati  
Bihar Patna.  
9801503946

Ja. Bhagwan HARYANA  
Dr. Jinder Singh Haryana  
9729776401.

Subhash Choudhary  
DISH PNP Haryana

Tejvishish  
DISH PNP Pat  
HARYANA

Tejvishish  
(UP)

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(UP)

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(UP)

Tejvishish  
(UP)



Titendra Kr. Tiwari  
(President)  
Delhi Pradesh Frontist  
Bhob Bhojari  
7838596535

VINOD PA  
KARNATH  
DHIRWAR

(Odisha)

(Odisha)

(Odisha)

(Odisha)

Address: Milita Odisha Nisha Nibarana Abhijan,  
Plot no-853/1431, Madhusudan Nagar  
Near Pragati Nursing Home-2nd floor,  
Unit-4, Bhubaneswar-1, Odisha.  
Mobile Number: 9938893445, 9853185511  
Email: monnaodisha@gmail.com  
Website: www.monnaodisha.org

Usha  
Bihar  
chandra bharshi  
Mithun  
Madhura  
New Delhi.

snr. Mamta Sharma. Chattisgarh. Raipur

DR SUNILAM GAMLA  
National Congress Nisha Mukh Bhakt Andolan

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National Congress Nisha Mukh Bhakt Andolan

## ACTIVITIES

### South-West Delhi District Committee of PBI Formed

On 18 February south-west district committee of Delhi, PBI was formed in a meeting held in Deri, Delhi. The meeting was presided by PBI(Delhi) chairman Jitendra Tiwari.

PBI (Delhi) General Secretary Baidyanath Sah, Vice-chairman Ramkhelavan, Chatur Singh, Renu Poddar and Ram Ratan Sharma expressed their opinions on the occasion. Besides, LK Nirala, Suman Kumar, Prince Kumar, Kanhaiya Lal, Rakesh Sharma, Lalan, Prabhas Jha, Mithilesh Poddar, Santosh, Ritika, Lalita Prasad and Raviraj were also present in the meeting. The following members were unanimously appointed as the office-bearers:

Chairman - Rajkumar Yadav

Secretary - Dharmesh Kumar Maurya

Vice-chairman - Kishan Kumar

Finance Secretary - Vikas Singh

Members- Santosh, Mithilesh Poddar



Moralists to Rule

  
**Proutist Bloc India (PBI)**  
**National Convention**  
**24-25 March, 2018**

Venue : Rajasthani Mahila Mandal  
Tekdi Road, Sitabuldi, Madha Colony,  
Sitabuldi, Nagpur, Maharashtra 440012  
(Near Railway Station — Towards Platform No. 1)

**Welcome All**

For details, please contact :  
9212199658, 8409696335, 9811426644  
9334218810, 9204024678



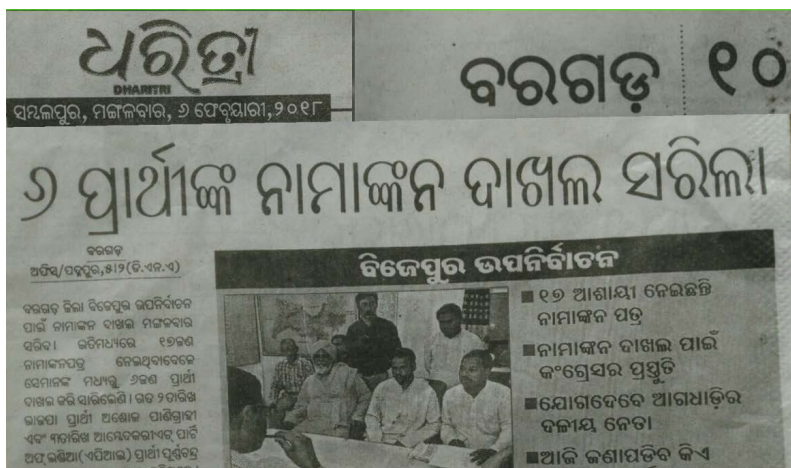
# ACTIVITIES

## PBI in Bijepur Bypoll

PBI has fielded Jugal Kishore Sahu as its candidate with 'flute' as his election symbol in the by-poll being held for Bijepur constituency of Odisha after the death of MLA Subal Sahoo.

Jugal, who works as the principal of a local school, is a social worker. Determined to bring about a revolutionary change in the politics of the state, he has been going door to door with message of PBI. If elected, he has promised to work on the following issues :

- 100% employment and adequate purchasing power to all in the constituency; economic decentralization
- Provision of good educational and health services for all
- Participation of local people in making all socio-economic decisions
- Ban on the sale and purchase of all types of intoxicants.
- Industrial status to agriculture; right to the farmers to decide the price of their produce
- Greater security for women; better facilities for their education and creation of favourable conditons for their economic empowerment
- Agricultural land to the landless farmers
- Ensure that nobody dies of hunger or malnutrition
- Encourage moralists to join politics







## Karnataka state PBI Headquarters Office Inaugurated

Bangalore: PBI Karnataka state headquarter office at Kamraj Road in Bengaluru was inaugurated by Acharya Santosananda Avadhuta, the National Convener of Proutist Bloc India.

Anant Ram Bhat and Tejesh Puttuswamy, President and Executive President of Karnatak state PBI were also present there. National Vice-president of the party, A.P.Singh, and state committee member Krishna Prasad besides others also graced the occasion.

General Secretary of the State Committee, Partiwan announced in this inaugural function that he is offering himself to contest the forthcoming Assembly elections in the state.

President of the State unit, Anant Ram Bhat congratulated him and also garlanded him to make this happy occasion memorable.

In his inspiring address, Partiwan expressed his resolve to field as many candidates as possible in the ensuing election to the state assembly. A.P.Singh vibrated the atmosphere by playing highly revolutionary Proutistic songs.

