

# Decongesting our cities

It's time to modify regulation to accommodate app-based public transport services



O.P. AGARWAL

India has witnessed a rapid growth in the number of motor vehicles, from a mere 5.4 million in 1981 to 210 million in 2015. This furious pace of motorisation has led to severe traffic congestion and air pollution, adversely impacting the well-being of the people, the energy security of the country, and the economic efficiency of cities.

## Ways to de-clog

Policies to deal with these problems have aimed at improving our public transport systems in the belief that this will enable people to shift from using personal vehicles. Public transport uses less road space, consumes less fuel and emits less pollutants on a per passenger basis. Hence, India has invested large amounts in high quality metro systems in cities such as Delhi, Bengaluru, Mumbai, Chennai, Hyderabad, Kochi,

Jaipur and Lucknow. Several other cities are either building new metros or planning to. Bus systems have also been augmented at a high cost.

Unfortunately, congestion is far from gone and pollution is only getting worse in our cities. At this juncture, it is necessary to stop and look at where we have gone wrong and understand what needs to be done to correct this situation.

Clearly, people who can afford cars and motorbikes are unwilling to compromise on the convenience of door-to-door travel, and the comfort of not having to jostle or hunt for seats in overcrowded buses or trains. If public transport could offer them these conveniences, commuting choices might just shift. After all, no one likes to drive on crowded streets and struggle to find parking at crowded destinations.

In this context, the emerging slew of shared mobility options and app-based ride providers become important. These new players have read the market well and offer the conveniences that commuters are looking for, from door-to-door services to on-demand availability. They allow com-



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muters to travel independently or share the ride with other passengers to save costs. There are a variety of vehicle types to suit individual trips and passenger preferences, ranging from two-wheelers and three-wheelers to cars of different sizes and mini-buses.

Unfortunately, services like the app-based mini-buses do not find favour with regulators. That they are neither “stage carriages” nor “contract carriages” under the Motor Vehicles Act makes it difficult for them to secure permits. Stage carriages are those that ply along fixed routes and stop at predetermined stations to pick up and drop passengers. Contract carriages are vehicles that serve a single customer or a group of customers, to be picked and dropped

between two designated places.

Unlike these vehicle types, new app-based services are flexible, the kind personal motor vehicle users are looking for to shift to more sustainable modes of transport.

## Convenience as priority

There is a common belief that app-based services wean people away from public transport, and not personal motor vehicles, and so should not be allowed. This is not necessarily the case in India where bus users cannot afford anything priced higher than the bus. Metro rail users who shift to app-based services do so because last-mile connectivity to the metro is very poor and transfers between two lines are often cumbersome. Besides, during peak times, metros can get crowded.

It is for these reasons that personal motor vehicle users did not shift to metro travel to the extent anticipated, and instead shifted to app-based services.

We must aim at leapfrogging with the help of these new services rather than shunning them for old models like ‘stage’ and ‘contract’ carriages. Clearly, these services are the need of the hour; Ub-

er’s worldwide growth is ample evidence of this. In India, innovations that offer such services on small and medium-sized buses are even more attractive as they offer convenience and are cost-effective.

Is it time then to modify regulation to accommodate app-based services, and hence ensure that they operate in a safe and equitable manner? For example, to safeguard investments in public transport and to ensure that app-based services don’t compete with them on price, a floor price could be set for these services. This would mean that these services can charge more than a certain base price but not less.

Developments in technology have given us new services that were not possible earlier. They are serving a public purpose and people are taking to them in a big way. They hold the potential to ease our congestion and air quality challenges. The regulation must, therefore, consider embracing technology-based services for the larger benefit, rather than fighting them.

O.P. Agarwal is CEO, World Resources Institute India

# New Asian constellation

The SCO summit gave India fresh leads to engage with Central Asia, China and Pakistan

ATUL ANEJA



Earlier this month, the picturesque city of Qingdao became the perfect venue for a summit of eight Eurasian nations. India and Pakistan were the talk of the town as they were making their maiden appearance as full members of the Shanghai Cooperation Organisation (SCO).

The SCO was formed in 2001, with the intent of calming the Eurasian borders strained by the Sino-Soviet rivalry of the Cold War. But the organisation has since mutated from its core security orientation, seeking greater regional prosperity for the collective. Culture has become an important element of the SCO, attuned to the group's search for an inclusive Eurasian identity.

China and Russia have been the pillars of the SCO, encompassing a Central Asian core. India's heavyweight entry in Qingdao meant that Chinese President Xi Jinping, his Russian counterpart Vladimir Putin, and Prime Minister Narendra Modi became instant stars of an aspirational event. The two-day summit, which began on June 9, echoed an important subtext. The eight heads were meeting at a time when the leaders of the G-7 were engaged in bitter Twitter feuds across the Atlantic. Keen to contrast the rise of Eurasia as the vehicle of a post-U.S. order, participating nations – China and Russia, especially – were intent on showcasing the “eastern” values of mutual respect and plurality. Mr. Xi went out of his way to quote Confucius as the template of the “Shanghai spirit”, while Mr. Modi evoked Buddha and Rumi as precursors of an inclusive SCO ideology.

There were plenty of takeaways from the summit, but for India, Mr. Modi's meeting with Mr. Xi on the sidelines of the event was important. It reinforced the promise of the Wuhan informal summit in late April, where the two leaders met to bury the ghost of the Doklam military stand-off and flag a fresh start to a relationship that has a mixed legacy.

The SCO summit also gave India fresh leads to engage with Central Asia. Landlocked Uzbekistan will now funnel goods through the Iranian port of Chabahar – a joint undertaking of Iran, India and Afghanistan. But perhaps more significantly, India is re-exploring a transit corridor to Central Asia through Pakistan under the SCO's multilateral connectivity initiative. If the Pakistan-Central Asia two-way route works, it can soften the ground for improved ties between New Delhi and Islamabad, as a subset of the rise of Eurasia. During the summit, China and Russia repeatedly highlighted that the SCO was a platform for narrowing India-Pakistan differences.

India would do well to seize the opportunity to develop a sustainable working relationship with Pakistan that benefits both, notwithstanding South Block's ingrained distrust of the Generals in Rawalpindi.



■ The MWPSC Amendment Bill, 2018, adopts a rights-based approach to ensure senior citizens are not denied their basic needs

S BURMAULA/HT PHOTO

# New senior citizens bill can reduce abuse of elders

It mandates the establishment of tribunals at a micro-level to spare seniors the tedium of the judicial process



**MALA KAPUR SHANKARDASS**

As the problem of abuse of the elderly is becoming a serious concern in different parts of the world, many countries are bringing legislations to stop abuse, abandonment and neglect of older people. In India, the Ministry of Social Justice and Empowerment (MoSJ&E) has formulated a draft Maintenance and Welfare of Parents and Senior Citizens (MWPSC) Amendment Bill, 2018 to be placed before Parliament. The amended bill takes care of many of the lacunas in the 2007 MWPSC Act to ensure better care and maintenance for the parents and senior citizens. It envisions preventing abuse and abandonment of parents and senior citizens by their kin. It extends to the whole of India except Jammu & Kashmir. Himachal Pradesh has its own act for senior citizens. It applies also to citizens of India outside India.

The MWPSC Act mandates states formation of tribunals for every sub-division of a district to look into the grievances of senior citizens, particularly those who don't receive care in the form of proper food, shelter, clothing or medical treatment from their kin. The establishment of tribunals spares seniors the rigmarole of the judicial process, and aims to resolve conflicts within 90 days. The

legislation enables a neglected parent or a senior citizen to approach the tribunal if they are unable to maintain themselves from their own earnings and property. The tribunal would award maintenance up to ₹10,000, to be paid by their legal heir. Those convicted for neglecting or abandoning parents could face a jail term up to three months.

The draft MWPSC Amendment Bill, 2018, with modified definitions and addition of new clauses and provisions, seems promising as it adopts a rights-based approach to ensure senior citizens' maintenance of their basic needs, safety and security by their children and grandchildren. It also calls for establishment, management and regulation of institutions and services to cater to needs of older people. It extends to the needs of such senior citizens and parents so that they may lead a life of dignity. The amendment now has a clause that bars senior citizens' caretakers from selling of the property without the consent of their parent or senior citizen. The bill thus expands the ambit of safety and security for the elderly by making even distant relatives responsible for their upkeep and removing the maximum ceiling of the maintenance allowance of ₹10,000, which in certain cases is seen as being too meagre.

The amended bill brings a much needed change to give senior citizens a life of dignity and respect by treating it as their right. The bill could have been made more proactive but it is a welcome legislation that should be approved soon.

*Mala Kapur Shankardass is a sociologist, health social scientist and gerontologist  
The views expressed are personal*



# How the IITs admit students

The IITs had already declared their merit list when govt directed them to relax their criteria and release a supplementary list. What are the usual procedures for admission, and what led to the govt move?



**DHEERAJ SANGHI**

IN AN unprecedented move Wednesday night, the government intervened in the admission process of the IITs and directed them to lower their pre-determined cutoffs and release a supplementary merit list. This came amid concerns whether there are enough candidates to fill all 11,279 seats this year. What do these cutoffs mean, and how have they been determined by the IITs over the years? Professor Dheeraj Sanghi, who teaches computer science at IIT Kanpur, the organising institute for JEE-Advanced this year, explains the procedures.

## Eligibility & cutoff

Eligibility for admission is the minimum qualification that an institute believes is necessary for a course. A candidate without the minimum qualification could, potentially, face problems during the course. The Supreme Court has ruled that the difference between the eligibility for unreserved (often referred to as General) and for OBC (non-creamy layer or NCL) categories cannot be more than 10%. On the other hand, courts have allowed significantly lower eligibility for SC/ST categories (and now also Persons with Disability, or PwD) by arguing that these students should be provided additional support.

If the number of applicants who satisfy the eligibility requirement is more than the number of seats in a programme, these applicants are ranked according to a specified criteria. The cutoff is the value of that criteria at which the last person shall get admission. The cutoff is different for different programmes, and for different categories within the same programme.

On the other hand, if the number of eligible applicants is less than the number of seats, the university will have a class size that is smaller than it had planned to admit. In common parlance, we say that some seats will fall vacant.

For example, a university may specify that the eligibility for a course is 60% for General category, 55% for OBC-NCL, and 50% for SC/ST/PwD. But the course is in such de-

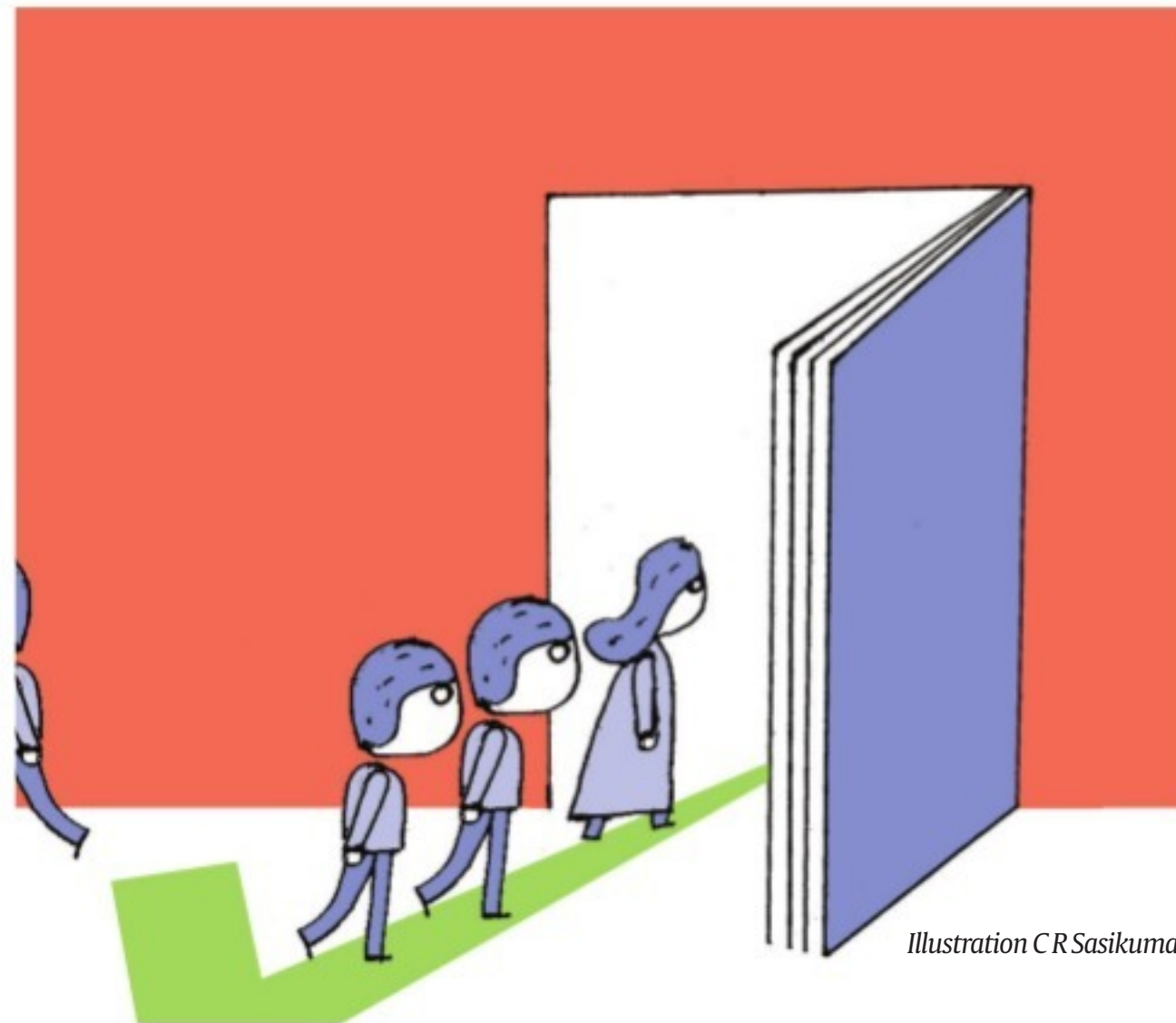


Illustration C R Sasikumar

mand that the cutoff could be 98% for general, 94% for OBC-NCL, 85% for SC and so on.

In case of IITs, eligibility criteria are rather complex. It includes a certain minimum performance in Class XII (75% marks, or 80th percentile), which year the candidate passed Class XII, age (25 years for General/OBC-NCL, 30 years for SC/ST), performance above a certain threshold in JEE Main (roughly top 1 lakh ranks for General, and corresponding numbers for other categories), marks in each subject in JEE Advanced (10% for General, 9% for OBC-NCL, 5% for SC/ST/PwD), and marks scored in all three subjects combined (35% for General, 31.5% for OBC-NCL, 17.5% for SC/ST/PwD).

All candidates who meet all eligibility criteria are given a rank (in the order of total scores in JEE Advanced, with some tie-breaking rules). General candidates are given a Common Rank. Category students are given a Category Rank, and also a Common Rank if they meet the eligibility criteria meant for general students. The cutoff for admission is in terms of this rank.

## How the system evolved

Historically, IITs had an eligibility criterion that they announced (just pass XII,

same for all categories), and another eligibility criterion that they did not announce (these were pre-RTI days). The unannounced criterion was the minimum marks in each subject of the then JEE. These minimum marks would be decided with utmost secrecy after the results. The logic was that they wanted only those students to get admission who were good in all three subjects, as opposed to a student who was excellent in two subjects and poor in one. But in 2006, there was an allegation that JEE had decided the cutoff in a *mala fide* manner to exclude a certain candidate. This became such a big issue that IITs were forced to announce the eligibility for each subject before the exam. So, in 2007, they announced a very low eligibility condition (10% in each subject for General, 5% for SC/ST, and later 9% for OBC when this reservation started), essentially ensuring that no one would be ineligible due to this condition alone.

However, there was a problem in this. Previous eligible conditions had ensured that not all SC/ST seats were filled, and those who did get admission had a somewhat reasonable academic background. Against the unfilled

SC/ST seats, IITs admitted as many SC/ST candidates for a one-year training programme, and if they performed well they would be admitted. So most seats were indeed filled, but some of them took an extra year.

If the eligibility condition was to be so low (5% in each subject), then IITs would be able to fill up all SC/ST seats with students who would not be academically prepared for the programmes. So an extra eligibility condition in terms of total marks in JEE was also created. The assumption was that the total marks requirement would be such that IITs would always have enough eligible candidates for all programmes (at least a sufficient number of General candidates, since vacant OBC-NCL seats get converted to General seats, and any vacant SC/ST/PwD seats get filled through the one-year training programme).

## Why so few this year

In most years, there have been some errors in the question paper, which has necessitated that marks for such questions be given to all candidates. Such errors have ensured that the number of students above the total marks requirement of 35% remained high. But this year, there was no such error, and maybe the questions were slightly more difficult as well. Hence, an insufficient number of students have scored more than 35%. This had happened in 2015 also. And at that time, IITs had decided to lower the eligibility condition after the results were tabulated but not announced to the public.

## Dilution after results

Legally speaking, lowering the eligibility after the exam is questionable. It has happened in the past that private engineering colleges have not received enough applications and they have requested lowering of eligibility conditions to fill those seats, which has been refused. If there aren't enough eligible candidates, you leave the seats unfilled.

However, the counter-argument is that the eligibility condition was already compromised each year by IITs by giving lots of free marks and, in one year, by actually lowering the marks required to be eligible. And no one has ever challenged filling up of seats by compromising announced conditions. And, indeed, it is obvious that no one is hurt if IITs lower their eligibility conditions and fill up the seats. And hence it is unlikely that anyone will question this in a court of law this year either.

# Islands apart

Ties between India and the Maldives have nosedived, to the benefit of neither

Recent moves by Abdulla Yameen, President of the Maldives, have put Malé on a collision course with New Delhi. Even the presidential election, which India has been calling for, is a point of contention. On Thursday, India criticised the government for its incarceration of former President Maumoon Abdul Gayoom and Chief Justice Abdulla Saeed, sentenced to 19 months in prison for an alleged plot to unseat Mr. Yameen. India called the trial a sham, saying the sentencing put a question mark on the credibility of the presidential election process. This tough talk may not be taken kindly to in Malé. There has been a series of setbacks in India-Maldives ties, starting from March 2015 when Prime Minister Narendra Modi cancelled a visit in a show of disapproval of the treatment of Mohamed Nasheed, then in prison facing treason and terror charges. Since then, India has called out many actions of Mr. Yameen's government, including the conduct of polls, treatment of the judiciary and, in February, his declaration of a state of emergency. On the last, it also rejected Mr. Yameen's offer to send an envoy to explain his decision. Bolstered by a newly strengthened relationship with China, Mr. Yameen showed no inclination to heed India's advice. The strain is now evident in two areas where India-Maldives ties had been the strongest: strategic relations and people-to-people engagement. The Maldives has conveyed to India that it will not extend beyond June 30 the lease of Indian helicopters or the visas of personnel manning them. This signals a marked downturn in defence cooperation between the two countries, which normally coordinate maritime and EEZ (Exclusive Economic Zone) patrols together. Meanwhile, hundreds of Indians offered employment in the Maldives at resorts, hospitals and colleges have been denied work visas for the past few months.

The Yameen government must reconsider these policies. India too must pause to consider why relations have soured so badly. Until a few years ago, the Maldives affirmed an "India First" policy. The fact that the Maldives is the only country in the neighbourhood that Mr. Modi hasn't visited is one reason, but there are many others. India's vocal protests on democratic rights in the Maldives have been at variance with the past policy of taking a more muted line in public while encouraging democracy in official conversations. Mr. Gayoom also ran a near-autocracy for three decades from 1978, and India's interventions always aimed at strengthening the government there, with any misgivings conveyed only through quiet diplomacy. India has been the first port of call in crisis for Maldivian leaders; when Mr. Nasheed was deposed in 2012, it was at the Indian embassy that he sought refuge. It's time to restore the bilateral trust.



BHOPINDER SINGH

# A PETTY QUARREL

*LG-CM spat in Delhi inconveniences citizens, diminishes high offices*

THE UNENDING DELHI saga of “full statehood” versus “partial statehood” has less to do with constitutional correctness and more to do with the political compulsions, instincts and pettiness.

The dissonance over Delhi’s status dates back to the Sheila Dikshit era. Relations between the then chief minister and lieutenant general were tense even though the Congress held office at both the state and the Centre. It has not changed. The principle of special sensitivities for national capitals (for example, Washington DC, London, Paris etc.) on account of their national and international importance, geographical location and strategic significance has been consistently invoked to make a case for Delhi’s claim to “full statehood” to be treated differently from that for Goa, or even a more empowered “partial statehood” in Puducherry. The result is a fractured arrangement of power-sharing, with law and order, land and services residing with the central government. This arrangement has always been contested by the state government. Such constitutional arrangements militate against the preferences of the “elected government”, which is accountable to the citizens. Political parties that endorse the “full statehood” demand in manifestos, however, fall silent on winning power at the Centre.

The state government’s frustrations are understandable. The AAP formed the government after winning 67 of the 70 seats in the 2015 Delhi assembly elections. The formation of the government was followed by the LG’s office imposing more constraints like dis-

abling the power of the state government to transfer employees, ordering vigilance probes on complaints or proceeding against corrupt officials. These questionable restrictions also came in the backdrop of unprecedented theatrics. A perfectly legitimate grouse about the timing and the intent of these notifications was soon lost in the personalised, combative and anarchic retaliation from the party in power in the state. The expanding political ambitions of the AAP, which went beyond Delhi, may have also contributed to the widening of the Centres-state divide. The Centre successfully and, perhaps unfairly, checkmated the state government. Meanwhile, the party running the state government took the battle to Varanasi and Punjab. The forays were unsuccessful, leaving the party even more frustrated.

Even on the current issue of the “strike” by Delhi’s bureaucrats, the essential character of the protests has been theatrical and obstructionist. The IAS association has refuted the allegations (that the bureaucrats are hampering the work of the government) as “unwarranted and baseless”. The association points to the passing of the state budget and the accompanying budget session as proofs of a working machinery. The sense that bureaucrats have been “agitated” following the alleged attack on the Delhi chief secretary has sullied the environment.

Trust between the political class and bureaucracy is necessary for good governance. The impasse in Delhi suggests a total breakdown in the relations between the two sec-

tions. It also implies that the entire administrative staff is against the state government. This is not possible given the diversity and scale of the administrative machinery. The government must introspect and adopt a more mature approach to the bureaucracy. Slandering the entire administration as corrupt may rouse the cadres, but yields diminishing returns in the long term.

The state government is well within its moral right to demand the inclusion or exclusion of any official on basis of apolitical and professional considerations, as opposed to intemperate, whimsical and blanket aspersions cast on the entire “system”. The means and expressions of the current protest reflect reciprocal pettiness and diminution of constitutional sobriety. Unintentionally, the case for more empowerment of the Delhi state government — not “full statehood” — may have further stalled with the repeated optics of the “sleep-in” at the Raj Niwas waiting room: It is reminiscent of the AAP’s 2014 street protests outside Rail Bhawan. Delhi with its commitments to international confabulations, transit infrastructure, inter-intra dependence on neighbouring states and stately ceremonies cannot risk fanciful drama.

This round of LG-CM spat has further diminished the nobility of constitutional offices, without achieving the desired corrections.

*The writer, a retired lieutenant general of the Indian army, was lieutenant governor of Andaman and Nicobar Islands and Puducherry*

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# A drive to clean air

Electric vehicles can reduce urban pollution significantly. India needs to offer monetary incentives and other subsidies to manufacturers



JANMEJAYA SINHA

THE WHO GLOBAL air pollution database report that ranked 14 Indian cities among the 15 of the world's most polluted, in terms of particulate matter (PM) 2.5 concentration, received great attention in India. It needed to. Cities provide 60 per cent to 65 per cent of India's GDP and 45 per cent to 50 per cent of our consumption. As per a World Economic Forum study, the number of million-plus urban conglomerates in India has increased from 35 in 2001 to 53 in 2011. By 2030, this number is expected to grow to 87. Cities are often the primary avenue that allow people escape out of poverty, especially from traditional agriculture. The next two decades will only see an acceleration of migration into our cities. Currently, the World Bank assesses health and welfare losses at 7.7 per cent of India's GDP (PPP adjusted). If these costs are unchecked, they will grow sharply in the coming decades. Hence, controlling urban pollution needs to be a key strategic objective for India.

India's urban pollution as measured by PM 2.5 level is already about 40 per cent above the global safe limits across major Indian cities. If we disaggregate urban pollution, we find 70 per cent to 80 per cent of it (as measured by PM 2.5) comes from vehicular emissions, domestic activity, construction activity, industry activity and road dust. Government policy can influence all these areas but we believe two require urgent attention and will create the largest short term impact — vehicular emissions and domestic activity.

The movement away from kerosene, coal and wood fires for cooking will have a big impact on domestic activity. We need to speed up the journey towards LPG and solar-powered stoves. The other area that is already critical and will keep getting worse, unless checked, is vehicular emission. Just vehicular pollution contributes around 35 per cent of the total PM 2.5 emissions today. Of the total vehicular pollution, 40 per cent to 45 per cent comes from two-wheelers and another 30 per cent to 35 per cent from four wheelers. In a future with internal combustion engines (ICE) vehicles (even post BS VI roll out), urban pollution will continue to remain 25 per cent to 30 per cent above safe global standards because of the growth in automobiles. This is where our focus needs to be.

Addressing vehicular emissions is within our grasp but requires a multi-pronged approach. It needs to combine the already-proposed tighter emission norms (in form of BS VI), with a push for shared mobility and public transport and adoption of alternate mobility technologies. While shared mobility can moderate the demand for individual vehicle ownership and usage, technology solutions today can allow for a sharp reduction in emissions per vehicle. Government policy will impact adoption that will affect both the extent and the future growth of urban pollution.

The policy roadmap should encompass three key elements based on global learn-

ings. First, incentives for adoption of alternate mobility technologies. Second, restrictions on elements that contribute negatively to strategic objectives (such as congestion charges on polluting technologies), and last provision of enabling infrastructure. Let me explore what these might be.

First, we need to assess and refine the monetary incentives that are offered to bridge the viability gap for electric vehicles for the purpose of containing urban pollution. These include upfront subsidies, road/registration tax, reduced taxes, and interest rate subsidy. Globally, incentives for adoption of alternate mobility technologies have been known to help — China grants a 45 per cent subsidy on vehicle purchases and Norway and Brazil have their own schemes. As India formulates its long-term policy, it is imperative for the government to continue the Faster Adoption and Manufacturing of Hybrid and Electric (FAME) vehicles programme under the Ministry of Heavy Industry and to keep refining it by measuring the programme's impact on pollution.

Similarly, given their significance in an EV, India might need to consider pushing for battery localisation. Cell investments would need a long lead-time to materialise. Hence, the government needs to drive immediate investments by providing subsidies and tax breaks to local OEMs along with support for research and development in the e-mobility domain. These incentives can reduce over time, as the battery costs come down. To drive localisation, it is critical to link subsidies to the level of localisation.

Non-monetary incentives must go along with subsidies. Technology choices should be rewarded with exemption from tolls/taxes, special toll lanes and other preferred access to public infrastructure. Globally, Norway gives preference to high occupancy vehicles and China gives prefer-

There is a need to impose restrictions through supply side regulations on OEMs to increase production of zero emission vehicles to curb urban pollution. Most Western countries adopt enforceable norms that ensure supply of electric vehicles. China has mandated OEMs to produce 10 per cent electric vehicles of their total production. There will, of course, be the need to think about improving the provision of non-polluting public transport. These include electric buses, metros, and shared EV fleets to reduce traffic and usage.

ential licence access. London imposes congestion charges during working hours on weekdays to vehicles entering the city centre. All these disincentives to traditional cars help in the push for electric vehicles.

Just incentives and subsidies will not do. There is a need to impose restrictions through supply-side regulations on OEMs to increase production of zero emission vehicles to curb urban pollution. Most Western countries adopt enforceable norms that ensure supply of electric vehicles. China has mandated OEMs to produce 10 per cent electric vehicles of their total production. There will, of course, be the need to think about improving the provision of non-polluting public transport. These include electric buses, metros, and shared EV fleets to reduce traffic and usage.

Finally, for the alternative mobility technologies to settle, an enabling infrastructure is required. There is an early need to standardise charging infrastructure/equipment to ensure interoperability and make it widespread. European OEMs have formed a consortium, "Ionity", to provide interoperable charging points across the continent. Similarly, China has standardised charging infrastructure to ensure increased usage and set up 16,000 charging points across the country. The country aims to set up more than 4.8 million charging points at an investment of almost \$20 billion by 2020. China has regulations to include charging infrastructure in all residential buildings. India needs to start learning from global examples to push enabling infrastructure.

The need to address urban pollution is urgent. There are many lessons from China. There were no Chinese cities featured in the 15 top most polluted. India has to act now.

*The writer is Chairman Asia Pacific BCG. views personal*



C R Sasikumar



# The changing nature of violence

The police must develop 'smart tactics' to deal with popular unrest and threats of the new era



M.K. NARAYANAN

Events in Thoothukudi on May 22 and 23 have helped turn the spotlight on the changing nature of violence, and the inadequacy of existing rules and procedures to deal with new-era protests. This should be instructive, for new-era protests are redefining the internal security landscape. At present no one, the courts of judicature included, seems to understand the shifting taxonomy of violence.

## Industry vs. environment

Current challenges to order are multifaceted. Thoothukudi is yet another incident in the expanding saga of industry versus the environment. This segment embraces pollution issues, from Sterlite's copper smelters in Thoothukudi to the tanneries spewing effluents in Kanpur, to the iron mines in Goa today. The mother of all environmental tragedies remains the Bhopal Gas Tragedy of 1984.

Added to this list are the escalating violence resulting from caste conflicts – including the most recent Dalit uprising; farmers' woes across the country; the rape of young women and children; issues revolving around tradition versus modernity; the outsider versus insider syndrome, especially in the Northeast – and we have an unfolding vista of incessant conflict and violence. The issues involved in each of them are highly complex and need careful attention.

Reverting to the violence in Thoothukudi, resulting in at least three police firings and the death of over a dozen individuals, there remain many unanswered questions. The number of deaths in the police firing were unusually high for a situation of this kind, but no one has definitively disputed that

the firing did not take place according to prescribed law and order procedures. References to intelligence failure and police excesses are inevitable in a situation of this kind, but do not answer the question of how peace could be maintained for 99 days, and it was the march to the Thoothukudi Collectorate on the 100th day that seemed to have triggered widespread violence.

In instances of this kind, it is vital to try to determine the actual trigger that led to the violence. For instance, in the December 2012 Delhi gang-rape case, it was the 'unsynchronised eruption of simmering anger' which seemed to have been the tipping point. A mere reference to failure of intelligence, the usual litany of charges against the administration, or to excessive use of force by the police is inadequate to explain the turn of events in Thoothukudi. The official version of the events on May 22, including that all procedures had been followed and that the orders to open fire were issued by empowered magistrates, have been openly challenged by the protesters. No answers are forthcoming as to what actually happened or transpired.

The widest gap separating the official version from that of the public is about the presence/absence of 'agent provocateurs' among the protesters. The official version highlights the role of such elements; the administration has identified quite a few such elements, some of whom reportedly belong to known militant outfits. However, reports of the presence of outsiders have been totally rejected by the protesters. It is no secret that many of today's large-scale protests across the country are prompted by militant elements from outside, who are pre-programmed to create chaos.

The Sterlite story is hardly unique. There are many parallels available, some that have an even longer gestation period. The qualitative difference from the past is that protests today are beginning



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to embrace entire communities. Agitations also tend more and more to be 'leaderless'. This is both a strength and weakness. Governments and even tribunals are today viewed by protesters with deep suspicion, limiting opportunities for adjudication. Contrary judgments at different times by the High Courts and the Supreme Court have hardly helped.

There could be many possible explanations for the unbridled violence on May 22. One could be that as long as the agitation was confined to a limited area, it was easy to contain it. It was when the agitation on the 100th day moved beyond this arc that the character of the protests seemed to change. The likely additions to the initial ranks of protesters, of militants espousing different causes, appear to have led to a transmutation of the character of the movement and altered its trajectory. This is a phenomenon seen in other protest movements elsewhere as well.

## Age of repressed anger

This is the age of 'high voltage' revolt, basically an expression of repressed anger. Much of this arises from an "embedded wisdom" that the system is being "manipulated" in favour of the rich, the powerful, and the big multinationals. This is something that is not confined to India alone. It is not uncommon, even in the U.S., to hear accusations against big business of creating an economy built on deals, employing exotic and risky financial instruments, separating those taking risk from those who would bear consequences, etc. Govern-

ment regulatory agencies often tend to be overwhelmed by the phalanx of lawyers that the big multinationals can throw at them, challenging and delaying for years on end decisions, especially when they believe that the verdict would go against them. With several hundreds of workers now thrown out of work following the closure of the Sterlite factory, the danger is that they could become new nodes for instigating fresh rounds of violence. This is an aspect that will need to be closely watched.

In Thoothukudi, the revolt was against Sterlite and its so-called disdain for the environment and the suffering of the locals. Far away in Bhangar, West Bengal, just a few miles away from Kolkata, for months villagers have been up in arms against a power grid project for which land had been acquired many years ago. The conditions may be different, but the opposition remains equally intense. In both instances, we see organisations genuinely interested in the welfare of the locals initially launching the agitations, which gradually tend to be taken over by extreme right-wing and left-wing organisations. The result remains the same: widespread disruption.

It is possible that the initial peaceful nature of the protests lulled the authorities into believing that matters were well under control. What they failed to understand was the metastasising nature of the protests and signs of the growing revolt of an 'underclass' against the so-called 'elite'. The police also do not seem to have taken into consideration the kind of impetus provided to agitational methodologies by the 'digital wave'.

Unfortunately, even now the authorities tend to be look at current agitations through simple equations. They remain prisoners to Newton's Third Law. This is no longer a valid proposition. Physics today incorporates quantum mechanics which describes a micro-world of uncertainty and ambiguity. This is harder to measure. The

same applies to the current world of agitations. Outdated ideas can no longer explain the complex nature of today's agitations.

This qualitative difference has not filtered down enough to effect changes in administrative policies and police methodologies. The latter consequently find themselves severely handicapped in handling agitations, especially those agitations sponsored by today's newest 'elite', viz. the middle class.

## Police effectiveness

Advice from old-timers in the police on how to manage today's crowds, including the erection of barricades and promulgation of Section 144, have little relevance in the circumstances prevailing today. Police effectiveness is also hampered on account of several other reasons, including that they are often outnumbered by mobilised crowds, driven by indignation and rage, predisposed towards creating disorder. The police on their part need to realise that existing laws and procedures notwithstanding, merely putting faith and focus on strength is not likely to succeed. It ignores the asymmetrical measures available to today's mobs, and the limits that these impose on tactics and policies of a bygone era.

One final word – whenever situations of this kind arise, there are a spate of reports regarding re-vamping intelligence and introduction of new methods to overcome the lacunae in intelligence collection. These are equally unlikely to succeed, unless the police strengthen their 'contextual' intelligence to deal with today's situations. This involves anticipating the meaning of 'street power' – enhanced by information technology and the presence of flash mobs. New 'smart tactics' have to be developed. Simply blaming the police is no answer to the growing volumes of protests everywhere.

M.K. Narayanan is a former National Security Advisor and former Governor of West Bengal



# SCO summit and thaw in Indo-Pak ties

**MK BHADRAKUMAR**

*A former ambassador*

THE three summit meetings that Prime Minister Narendra Modi took part during the past 10 weeks — at Wuhan with Chinese President Xi Jinping; at Sochi with Russian President Vladimir Putin; and, at the Qingdao summit of Shanghai Cooperation Organisation — are presaging a phenomenal change for the better in India's external environment. The new foreign policy narrative focuses on India's strategic autonomy, regionalism and its rejection of the US-led containment strategies against Russia and China. The leitmotif is a Sino-Indian rapprochement and a makeover of the time-tested India-Russian strategic partnership to inject more vitality in the contemporary world situation. India is positioning itself on the right side of history at a transformative period in the world order when multi-polarity is strengthening.

The big question is: what is there in this narrative for India's relations with its two key South Asian neighbours Nepal and Pakistan, where Indian and Chinese strategies have historically intersected? Most certainly, an improvement in the India-China relations reduces the scope for any country to play India and China each other. Having said that, as a rising world power, China has wide-ranging interests and concerns in the South Asian region and can be expected to be active in the region. But it is a fallacy to regard the Chinese regional policies as "India-centric" or to feel paranoid about them. In fact, we get a splendid view next week as to how far the "Wuhan spirit" is permeating China's policies in South Asia. Nepal's Prime Minister KP

Sharma Oli begins a five-day official visit to China on June 19. The Chinese foreign ministry announcement described the two countries as "comprehensive cooperative partners with ever-lasting friendship" and said the two countries "support each other on issues concerning each other's core interests." Clearly, Nepal's cooperation to plug the infiltration routes of Tibetan militants is top priority for China. But the thrust of Oli's visit appears to be on the "practical cooperation" under the framework of the Belt and Road Initiative. Beijing says that Nepal's "political transformation" provides "important opportunities" for the development of bilateral relations.

The Chinese Foreign Minister and State Councilor Wang Yi recently revisited the idea that "supporting the development of Nepal should become the consensus of China and India." But New Delhi has kept a studious silence. Isn't it time for a rethink on the Chinese proposal for India-Nepal-China Economic Trilateral Cooperation (INCETC)? A fresh look will be consistent with PM's call recently at the Shangri La Dialogue in Singapore for a "free, open, prosperous and inclusive" Indo-Pacific. Surely, what is good for the Indo-Pacific must be good for South Asia too? India's interests lie in creating synergy between the development agenda of Nepal and of Bihar and Uttar Pradesh. Perhaps, as is being done in the reset with China and Russia, Modi should bring in Dr Rajiv Kumar at the Niti Aayog into the India-Nepal-China equation under the rubric of INCETC. If we need electricity and if Nepal makes money by selling electricity to Bihar or UP, does it really matter that the electricity flows from power turbines made in China?

Clearly, having signaled to Beijing a

change in our approach to Tibet-related issues, China's attitude to us in Nepal is also likely changing. The challenge is to be aware of it and tap into it. Similarly, Sino-Indian rapprochement could have positive fallouts on India's troubled relationship with Pakistan as well. As a matter of fact, the remarks about India-Pakistan relations made by Foreign Minister Wang in the weekend following the Shanghai Cooperation Organisation (SCO) summit in Qingdao must be studied closely.

Wang told the media: "We know there are existing and historical, unresolved issues and conflicts between Pakistan and India. But I think after their joining of the SCO, maybe we can say that their relationship might be better as the grouping provides a better platform and opportunities for building the relations between them. Because, when joining the SCO, a series of agreements had to be signed and pledges had to be made. One of the key pillars (of joining the SCO) is to keep good and friendly relations and they should not see each other as opponents, much less enemies. Because they have signed these agreements, they shoulder a responsibility for implementing them. I feel that the SCO serves as a great vehicle for bettering the two nations' relations. As a result, it will better safeguard the peace and stability of the region. We see although their relations have seen their ups and downs, if we look at the bigger picture, they are progressing nevertheless."

Of course, it is unthinkable that India will ever seek third party mediation to settle its differences with Pakistan. But beneath that threshold, what Wang's carefully worded remarks underscore is that China is willing to promote India-Pakistan normalisation. Maybe, China is already

playing a role, given its manifest keenness to expand and deepen its cooperation with India bilaterally and regionally where India-Pakistan tensions pose a serious contradiction. The Chinese Communist Party daily *Global Times* commented on Monday that the SCO provides "multilateral guarantee" for India's connectivity with Central Asia via Pakistan and promotes cooperation on regional security. Such comments are also to be seen in the backdrop of the mellowing of the Indian opposition to the BRI. Indian Foreign Secretary Vijay Gokhale and his Chinese counterpart ensured that SCO's support for the BRI didn't become a sticking point in the Qingdao Declaration (which Modi signed.) A paradigm shift is under way and our analysts have catching up to do.

Meanwhile, given Pakistan's heavy dependence on China, the Sino-Indian rapprochement profoundly impacts the thinking in Islamabad. Pakistani army chief Gen Qamar Bajwa's recent overtures for better relations with India point towards a change of attitude. Delhi must reciprocate. The matrix that is shaping up is unprecedented. Timing is everything and therefore, the opportunity to normalise India-Pakistan relations must be explored. Modi broke the ice at Qingdao and exchanged pleasantries with Pakistan President Mamnoon Hussain on the sidelines of the SCO summit. The SCO military exercise in the Urals in Russia in August provides a historic occasion. Hopefully, Indian and Pakistani four-star generals will share a podium and even have a meaningful conversation. The Russian host will be only too happy to be a facilitator. The bottom line is that neither China nor Pakistan is seeking a conflagration over Kashmir.



Qingdao summit of SCO presages a phenomenal change for the better in India's external environment. REUTERS

Given Pakistan's dependence on China, the Sino-Indian rapprochement impacts its thinking. Gen Bajwa's overtures for better relations with India point towards a change of attitude. Delhi must reciprocate.



TO RE-INTRODUCE SUGAR CESS IS NOT JUST GOING AGAINST THE GRAIN OF THE GST LAW, BUT COULD LAY A WRONG PRECEDENCE FOR OTHER SECTORS TO INTRODUCE SUCH LEVIES

# GST Council's bitter sugar cess

**T**HE SUGAR INDUSTRY is in the middle of a severe crisis. The surplus production of sugarcane has led to a downward spiral in the price of sugar. Mill owners are in need of financial assistance, causing them to default on dues to farmers.

The tax proposal being mooted by the GST Council (Council) in light of the present situation is the imposition of a sugar cess within the GST regime. The Council recently appointed a group of ministers to weigh in on the proposal. The clearance from the law ministry has been given while the attorney general's office is yet to vet the proposal. In the meantime, the Centre released a relief package of ₹70 billion for the sugar industry.

In recent years, we have encountered the term 'cess' often, starting from the Swachh Bharat Cess to the most recent GST Compensation Cess. A cess is an earmarked levy, meaning that the proceeds are to be applied for a pre-determined end purpose. Proceeds from such cesses are to be identified separately within the Consolidated Fund of India. The proceeds must be appropriated and utilised only for the earmarked purpose. Cesses imposed by the Centre for 'specific purposes' are not shared with the state governments on account of Article 270.

A cess may bear the characteristics of a tax or a fee. Taxes are compulsory payments to be made by the public at large for helping the government garner revenues for fulfilling its obligations as a welfare state. Fees, on the other hand, are payments collected by the government to render specific services to the payer. As a consequence, a person paying a tax has no right to a *quid pro quo* upon contribution, while a person paying a fee does.

Media reports suggest that the sugar cess rate would work out to ₹3 per kg. Also, the cess would be applied over and above the applicable GST rate of 5%. By design, the sugar cess appears to be a cess with the characteristics of a tax (cess tax). The earmarked purpose is to compensate the farmers who are the beneficiaries, but the bearers of the burden will be the public.

The legality and propriety of this

**MUKESH BUTANI**  
**ASHRITA KOTHA**

Butani is partner at BMR Legal  
Kotha is assistant professor, Jindal Global Law School



imposition needs to be tested against various parameters. The first point relates to the vision of the GST which is 'one nation one tax'. All cess taxes and surcharges relating to the supply of goods and services are to be subsumed within the GST to achieve the said goal. In preparation for GST, a number of commodity/industry specific cesses such as sugar cess, tea cess, and jute cess were repealed. Even the power to impose trade barriers such as entry taxes were withdrawn with the advent of the GST. To re-introduce sugar cess is not just going against the grain of the GST law, but could lay a wrong precedence for other sectors to introduce such levies.

States certainly have a vested interest in securing the interests of the local industry, which could lead to divisive and polarised voting in the Council, which has hitherto been avoided. This can be seen from the opposition of some States (Kerala, West Bengal and Andhra Pradesh, to name a few) and the support of others (such as Uttar Pradesh, Maharashtra, and Bihar, which are among the largest producers of sugar).

The second aspect is a nuanced legal argument. Cess taxes are referred to in Article 270 but this is with respect to the proceeds outside the divisible pool. By itself, Article 270 does not empower the Centre to impose cess taxes. The competence has to be drawn from other provisions of the Constitution.

Within the GST regime, the power must necessarily flow from Article 297A, that talks of the powers of the Council. The Council is empowered to decide the bands of GST rates which it has done. Within the fold of GST, a Compensation Cess is also levied. The Compensation Cess, in fact, was part of the grand bargain that got state gov-

ernments to give their nod to the Constitution Amendment paving the way for the introduction of the GST.

The powers of the Council to impose any special rate(s), in addition to the GST, are circumscribed in Article 297A(4)(f): only in the event of a natural calamity or disaster. It seems difficult to justify the present situation within the limited and narrow grounds contemplated. While the Council has power to advise on 'any other matter' within its own discretion, the residuary power cannot include the already contemplated power to levy additional rates.

Ordinarily, the Parliament also has the power to impose surcharges. A surcharge, unlike a cess, is a tax on tax, forming part of the Consolidated Fund of India. The proceeds are exclusively at the disposal of the Centre and can be used for any public purpose. However, the Council cannot recommend the imposition of a surcharge over and above the GST rates on account of the amended Article 271 which prohibits the same. Looking at the larger picture, the rationale for curtailing the powers of the Council must have been to preserve the goal of a harmonised tax structure and prevent distortion through *ad hoc* increases and multiple levies.

The third challenge on sugar cess is a dilemma posed by our federal structure. Owing to a carve out in Article 270, proceeds from the proposed sugar cess would not form part of the divisible pool. However, agriculture,

agricultural loans and indebtedness are matters that come within the purview of the state governments. When the matter pertains to an aspect that comes within the purview of the state governments, how correct is it for the Union to impose such a levy and control the funds? This leads to increased dependence of the state governments on the Union Government for the disbursement of funds.

Despite the legal hurdles, the issue at hand is a real one needing attention. Hence, the government should adopt robust means to avoid facing a constitutional challenge. Few alternative options for the Centre to contemplate are: Sugar cess was collected

between 1982 and 2017 and a separate fund called the sugar development fund was created for managing the funds. The accounts of the fund, as available in the public domain, reveal that, as of June 30, 2017, ₹3,000 crore are lying unutilised in the Consolidated Fund of India. Similarly, one must evaluate whether any proceeds from the Krishi Kalyan Cess are also available for application.

After exhausting the aforementioned funds, if the Centre still needs funds, it may consider shifting ethanol to a lower rate structure from 18% within the GST as a long-term measure to mitigate pricing issues. Last, but not the least, other tax revenues can also be used for alleviating the plight of the farmers.

The advantage of cess as a policy measure, when implemented in its true spirit, would ensure in ring-fencing the proceeds for the pledged purpose. However, in the past, cess taxes have not been backed by accountability and transparency. The Centre should thus be cautious while invoking and implementing cess taxes. The Council's course of action in this moment of crisis will be setting a precedent.

**The Council can impose any special rate, over the GST, only in the event of a natural calamity or disaster. It is difficult to imagine how cane arrears qualify as either**





ILLUSTRATION: ROHNIT PHORE

TV  
**RAMACHANDRAN**

Independent ICT consultant and Honorary  
Fellow, IET London



## ● IPR IN THE DIGICOMMS ERA

# An essential constant amidst welcome changes

Although the Draft National Digital Communication Policy seems to take into account the governing ambit of the National IPR Policy 2016 on IPR matters, a specific statement in this regard should be made in the final policy

**T**HE RECENTLY-RELEASED Draft National Digital Communications Policy (DNDCP) is a universally-acclaimed shift in how the telecommunications industry in India is to be viewed. It points to a brighter path forward, since it covers a comprehensive look at India's telecom industry—infrastructure, services, security and impact on the economy. From the unshackling of satellite communications to the release of the explosive potential of WiFi, the DNDCP is truly a brilliant stroke in the cause of 'Broadband for All'. The policy is

formulated on a results-oriented outlook to 2022, with clearly outlined objectives and milestones. It warmly embraces the alluring forward-thinking innovations such as the Internet of Things (IoT), 5G and Artificial Intelligence, so essential for the future of the telecom sector.

This integrated digital approach to telecom policy has been heartily welcomed by a wide circle of stakeholders across the industry. While many of the separating lines do blur significantly, it is also extremely important to recognise and highlight the areas that will remain unchanged as a result of the policy. One

of these is the guidelines around IPR, or Intellectual Property Rights.

The Indian government released the National Intellectual Property Rights Policy (NIPRP) in 2016, which focused on tightening and enforcing IPR laws. It also highlighted the importance of building greater awareness around IPR. In fact, the protection and commercialisation of IPR is a significant part of the Narendra Modi government's growth strategy. It is to be remembered that, with respect to safeguarding IPR, India does not present a pretty picture, ranking very low and even below countries such as Indonesia, Nigeria, Ukraine and Vietnam. There is, therefore, an urgent need to strengthen IPR and patents policies—and at least not dilute them.

The DNDCP covers IPR under its research and development strategy section. It mentions an intention to embrace an "Intellectual Property Rights Regime that promotes innovation." In particular, it mentions a plan to review the legal regime around copyright, patents and trademarks that pertain to digital communications in the NIPRP.

The government requested feedback on the DNDCP prior to finalising it, and, in the light of a new telecom policy, it may be prudent to clearly indicate what has not changed. The overarching, existing provisions of the NIPRP, IPR laws and regulations are still applicable and are, in fact, the final authority on IPR decisions. The Department of Industrial Policy and Promotion (DIPP) released the NIPRP and has been the final authority on IPR-related matters since its inception.

Multiple public and private stakeholders—including telecom service providers, internet service providers, mobile manufacturers, established big players and new innovators, Department of Telecommunications (DoT), Telecom Regulatory Authority of India (TRAI), and DIPP—will all need to come together to achieve the goals outlined in the DNDCP.

With such a huge undertaking and several players, it is beneficial to all to clarify about the enforcement authority for any IPR-related issues that may crop up. Although the existing DNDCP seems to take into account the governing ambit of the National IPR Policy 2016 as enunciated by DIPP, it would be highly desirable that a specific statement in this regard is made in the final NDCP. The key is to recognise that the legal protection and right to monetise IPRs rests with NIPRP 2016 when it relates to digital communications.

Similarly, another area where the DNDCP may further clarify an impor-

tant issue is the one concerning the differentiation between digital applications and infrastructure/carriage layers. DoT has always taken a progressive stance in this regard and the acceptance of TRAI recommendations on net neutrality was a step in the right direction. However, given the focused approach of DoT to promote broadband access even through the use of digital applications—better known as over the top, or OTT—it would be good if it is affirmed in the policy that the appropriate regulatory framework for such platforms rests within the confines of the IT Act 2000.

One of the primary highlights of the DNDCP, and rightly so, is the objective to achieve "Provisioning of Broadband for All." This includes all tier-1, tier-2 and tier-3 cities and towns in India, fixedline broadband access to 50% of households and ensuring connectivity to all uncovered areas. This falls under the "National Broadband Mission—Rashtriya Broadband Abhiyan." Additionally, it discusses the creation of a policy framework specifically for OTT services. Such a treatment should be a movement forward in liberalisation as compared to the present and not one of more stifling regulation.

OTT in India is poised to grow at a high rate. India accounts for 81% of the pay TV and OTT subscriber base among SAARC countries, according to a Dataxis report. This amounts to an estimated Indian market of \$15 billion. It is a relatively new technology in the Indian market and can facilitate socio-economic inclusion through new digital applications. There are huge consumer benefits and hence these should be positively encouraged. Policy clarity in this area is essential for the expeditious achievement of Broadband for All and the creation of a Digital India.

Undoubtedly, the DNDCP is an innovative and much-needed comprehensive look at India's digital future and lays a roadmap to achieving our goals as a global leader in the decades to come. New changes, new innovations and objectives are outlined for the telecom industry to establish India's digital future. The final NDCP could, however, clearly state areas where the existing policies will continue to play a strong role—for example, the NIPR Act of 2016 and the IT Act of 2000. As our digital communications evolve, there may be boundary and jurisdiction disputes that are inevitable in the face of multiple stakeholders, but policy clarity could avoid much of this and smoothen the digital ride on the broadband highway for all—especially the consumers.

(Research inputs by Chandana Bala)

# SILENCING A VOICE

By killing a journalist in Srinagar, militants want to hijack the political process. Centre and state should not let that happen

**O**N JUNE 6, Jammu and Kashmir Chief Minister Mehbooba Mufti warned that “militants were desperate to sabotage the ceasefire” in place since the month of Ramzan began in Kashmir. On June 14, a series of attacks targeted more than just the ongoing attempt at bringing back a sense of calm to the Valley. The attack by terrorists in Bandipora, the abduction and killing of a soldier from Pulwama, and the murder of Shujaat Bukhari, veteran journalist and editor of Rising Kashmir, are more than just an act of grave provocation to the state. The first killing of a journalist in Kashmir in over a decade is an attack on free speech, on democracy and on the idea that the people of Kashmir deserve peace and a political solution to a complex and congealed crisis.

Bukhari was a voice both in and for Kashmir, respected across the spectrum of politics. He was a part of the Track II dialogue process with Pakistan. His murder, as well as the other acts of terror on June 14, carry two messages. The first is that those engaged in acts of nihilistic violence cannot brook an independent voice. The second is that there is a concerted effort by non-state actors to hijack the political process in Kashmir. Home Minister Rajnath Singh has said the Centre will decide whether or not to extend the unilateral ceasefire after Eid. As the Government of India and the security establishment consider the next step and the way forward in Kashmir, they must not let terror define the process of engagement.

It is important to remember that the Ramzan ceasefire, despite the incidents of infiltration and militancy, has led to discernible progress in J&K. The pause in operations by security forces over the last month may also have laid the ground for a conversation between the DGMOs of the Indian and Pakistan armies, and an agreement to respect, in letter and spirit, the 2003 ceasefire along the LoC. Mufti, speaking in one of a series of public meetings earlier this month, said that the pause in security operations “had brought great relief to the people” of Kashmir and asked for the ceasefire to be extended. The BJP-led government at the Centre should seriously consider its ally’s request. The violence in the state since the killing of Burhan Wani in 2016 has severely bruised the already scarred political process in the state. The Ramzan ceasefire was an expression of hope and optimism, a gesture of generosity that expressed faith in dialogue. That spirit must stand tall in the face of terror.