

Liberation

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For Rights and Dignity:
ASHA Workers' Strike in Bihar



Resist Attacks on Academic Freedom! Stand with Prof. Sabyasachi Das!

We stand united in expressing our solidarity with Professor Sabyasachi Das who recently resigned from Ashoka University. Prof. Sabyasachi recently wrote a paper titled 'Democratic Backsliding in the World's Largest Democracy' which hinted at BJP engaging in electoral manipulation in the 2019 Lok Sabha elections, for which he came under criticism. Thereafter, expressing solidarity with Prof. Sabyasachi, Professor Pulapre Balakrishnan of Ashoka University has also resigned.

Attacks against academic freedom has become common in the recent past, with professors resigning, being issued with showcase notices, public discussions being prevented, etc., which are synonymous with stifling of democracy in university spaces. Ashoka University, which is a private university, promising excellence in education, is engaging in silencing academic freedom. The Governing Body of the university questioned the research of Prof. Sabyasachi Das shows the direct interference of an administrative body, which came out with a statement denouncing the academic pursuits of its professors. Former Vice Chancellor of Ashoka University, Prof. Pratap Bhanu Mehta, had also resigned in 2021 citing that his public writings in support of politics that honours constitutional values was perceived as a risk for the university. He too was under duress in regard to the paper written by Prof. Sabyasachi Das at the time of his resignation. Noted economist Arun Subramaniam too, had resigned at the time in solidarity with Pratap Bhanu Mehta.

At a time when private universities are being given a boost by the State through the New Education Policy, 2020 which envisions privatisation, corporatisation of education, such incidents rings an alarm regarding democracy in educational spaces. Rather than protecting and aiding critical thinking and research in university spaces, private universities are already showing the way for a new India with new educational values, which toes the line of the ruling regime.

The BJP-RSS have consistently attacked public universities and dismantled academic freedom through attacks on student activists, campaigns carrying out hate, dubious faculty appointments with faulty academic records, massive fund cuts, attacks on social justice in universities, deliberate dismantling of infrastructure, syllabus changes, among other attempts to make public universities sub-standard and stifle freedom of expression in these spaces. It is imperative that we safeguard the principles of academic freedom and protect space for critical thinking, which is indispensable for the growth of a vibrant democracy. It is imperative that we fight for strengthening of universities that protect academic freedom.



Ubaid Mukhtar/ TK

MUZZLING THE MEDIA: *Witch-hunting Against The Kashmir Walla*

On August 20, the website and social media handles of *The Kashmir Walla*, a Kashmir based media platform were restricted in India by the government without any notice. Soon after, the organisation was asked to vacate its office in Srinagar by the landlord. Earlier in February 2022, the editor-in-chief of the organisation, Fahad Shah was arrested by the police and charged under draconian UAPA and PSA. Sajad Gul, who worked as trainee reporter at *The Kashmir Walla* is also behind bars under PSA.

The pattern clearly reflects the attempts by the central government to intimidate and harass independent journalists and press in Kashmir to muzzle the truth.



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Foil the Conspiracy to Subvert the Constitution of India

The clamour for junking India's Constitution, a long-standing agenda of the Hindu supremacist camp, is now out in the open. The most audacious advocacy for a new constitution has come in the form of a newspaper article written by economist Bibek Debroy on the occasion of the 76th anniversary of India's independence. It will be a folly to treat this article as an isolated opinion piece by an individual when the individual happens to be the chairman of the PM's Economic Advisory Council and the arguments put forward in the article are already being invoked by the government in its pronouncements and steps. Bibek Debroy's article should rather be seen as a sequel to former CJI Ranjan Gogoi's statement just the other day in the Rajya Sabha questioning the basic structure of the Constitution.

The Vajpayee-era NDA government had also sought to advance the agenda by setting up an eleven-member National Commission to Review the Working of the Constitution (NCRWC) under the chairmanship of retired CJI Justice MN Venkatachalaiah. But this commission was entrusted with the mandate to suggest changes without interfering with the basic structure or basic features of the Constitution. With the shock defeat of the Vajpayee government in 2004, the agenda could not be pursued any longer and there were no takers for the NCRWC report. The Modi-era amendments and bills have however already started undermining the basic features and spirit of the Constitution. The CAA has subverted the secular underpinning of citizenship; EWS reservation has challenged the basic premise of reservation as affirmative action against social injustice and inequality; the usurpation of the constitutional rights of Jammu and Kashmir and Delhi have delivered a body blow to India's federal framework; and institutional autonomy and citizens' rights are being eroded by all possible means.

The Debroy article takes these trends to their logical conclusion and calls for a new constitution altogether instead of serial amendments. Clearly it is the doctrine of basic structure, which sets limits to amendments and compels governments to abide by the federal balance and separation of powers, and the character of the republic and its basic direction set in the preamble, that continues to place some check on the Modi government's drive for unbridled concentration of power and wealth. To overcome this hurdle, Debroy has come up with the idea of a radical solution in the form of an altogether new constitution.

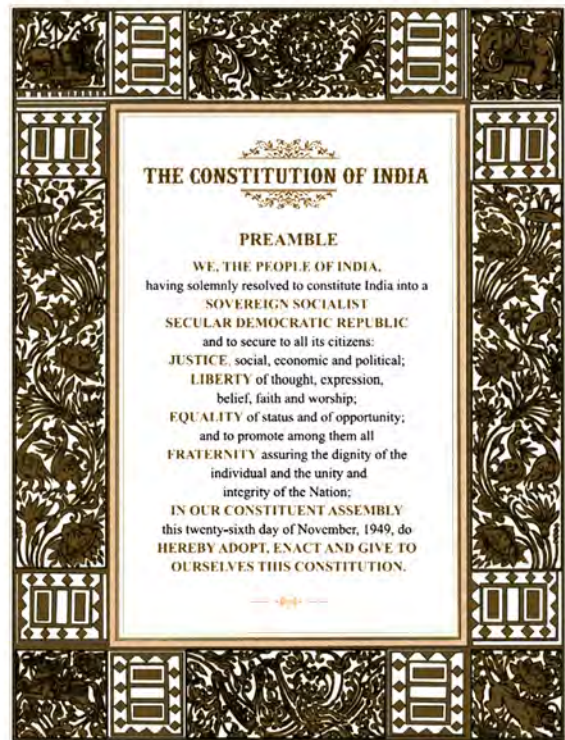
What is interesting is that Debroy does not advocate the new constitution by invoking the classical Hindutva goals of Hindu Rashtra and the insitutionalisation of Manusmriti. Those references are conspicuously absent in his article. He junks the constitution as a colonial legacy, so a new constitution becomes a decolonising project. Amit Shah has invoked the same argument while seeking to replace the laws of criminal jurisprudence. Indian Penal Code is sought to be replaced with Bharatiya Nyay Sanhita with the grand claim of shifting the focus from the colonial-era idea of punishment to the right of citizens to secure justice. But behind this misleading name change, the 'new' code only renders the colonial-era laws more repressive and sweeping.

The other premise is 'efficiency and speed' of governance. Dictatorship always

projects democracy as a hindrance to 'decision-making' and 'rapid implementation' of decisions. We can already see a systematic scuttling of the parliamentary process, which became most glaring during the Covid19 pandemic when the government unleashed an aggressive campaign to change policies and enact new laws to strengthen corporate control keeping parliament and the people paralysed. Debroy wants to institutionalise this system as a legalised constitutional dictatorship.

The Modi regime clearly has a problem not just with the proclamations of the Preamble and the fundamental rights and directive principles enunciated in the Constitution, but also with the constitutionally mandated federal framework, albeit with a unitary emphasis, and the separation of powers among the executive, legislature and judiciary. The Constitution declares India, that is Bharat, as a Union of States. The Modi government is busy eroding the powers of the states and encroaching into their jurisdictions. In states ruled by non-BJP parties it is routinely using Governors and various central agencies to obstruct, destabilise and even topple governments. And now the executive is out to snub and circumvent the judiciary at every step and by all means. Never before has there been such a malicious campaign against the CJI and such systematic undermining of every Supreme Court verdict trying to restrain and reverse the aggressive expedition of the executive.

The RSS which has been drawing inspiration from the fascist models of Mussolini and Hitler since its inception has increasingly also been imitating the Zionist model of Israel. Modi government's ongoing war with the Supreme Court of India resembles the Netanyahu regime's judicial overhaul campaign which has triggered massive public protests in Israel. The Constitution is the foundation of modern India. Today as Modi seeks to present himself as a modern-day Hindu emperor - his bhakts call him the emperor of Hindu hearts - who marks the transition from one thousand years of 'subjugation' to the forthcoming one thousand years of 'glory', it is clear that the Republic



of India which was brought into existence by the Constitution of India adopted after India's protracted battle for freedom from British colonial rule is faced with a fundamental crisis and challenge.

In the eyes of the Sangh brigade the new Parliament building with the installation of the monarchical symbol of Sengol, which Debroy hails as the reawakening of India's 'forgotten heritage', has already announced the architectural arrival of its cherished 'new India'. Debroy's advocacy of a new constitution seeks to consummate this process of subversion of the constitutional foundation of free India. The malicious campaign against India's Constitution must therefore be rebuffed at the very outset. There can be no swapping of the secular democratic republic of free India for a new republic of fear, bigotry and slavery. ■

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Democratic India Will Not Brook Legalised Dictatorship

▲ DIPANKAR BHATTACHARYA

As India observed the 76th anniversary of independence, PM Narendra Modi turned his tenth Independence Day address from Lal Qila into yet another desperate election speech. His tired rhetoric against corruption and dynastic politics only revealed his growing fear of the rising anger of the people and the emerging signs of political unity against his fascist rule. Even his boastful claim of returning after the next elections to inaugurate the projects whose foundation stones he has already laid gave away his fear that the ground beneath his feet was slipping everyday. For 'we, the people of India' this only means that the coming days will be witnessing more brazen attacks on the constitutional foundation of India's parliamentary democracy and the composite culture of India's diverse social fabric.

The signs of this intensifying war could not be more explicit. The entire monsoon session of Parliament witnessed the Modi regime's utter contempt for parliamentary democracy and the growing push to imprison India in a legalised dictatorship. The Prime Minister increasingly behaves like an emperor who treats the Parliament as his court or darbar with BJP MPs hailing him with their loud 'Modi-Modi' chants. The way the PM avoided the Parliament while remaining present in the Parliament building and its vicinity was itself a clear sign. It must be seen as an unprecedented crisis of parliamentary democracy that the opposition had to table a no-confidence motion only to bring the PM to the house.

More than symbolism, we must of course focus on the substance of the bills being placed and passed in Parliament. The Delhi bill which

could be passed in the Rajya Sabha only because two major regional ruling parties like BJD of Odisha and YSRCP of Andhra Pradesh sided with the government was a brutal blow to the federal framework. The regional parties which supported this bill treating it as a special Delhi-specific bill committed the same blunder that the AAP had committed in August 2019 when it endorsed the denial of the constitutional rights of Jammu and Kashmir as a 'special case' only to find itself at the receiving end four years later.

The Delhi bill was not the only step the government took in this session to counter a verdict of the Constitution Bench of the Supreme Court. In March this year, the Supreme Court had issued an order regarding the appointment of the Chief Election Commissioner and other members of the Election Commission. To ensure the autonomy and neutrality of the Election Commission, which in turn is a prerequisite for the credibility of the entire electoral exercise, the Supreme Court had mandated a three-member selection committee comprising the Prime Minister, leader of opposition or leader of the largest opposition party and the Chief Justice of India. The Modi government has now tabled a bill to replace the Chief Justice of India with a cabinet minister nominated by the PM! In other words, the executive will have complete control over the appointment of a crucial constitutional body like the Election Commission.

The most sinister blow to the legal architecture of the country was delivered on the last day of the monsoon session when Home Minister placed three bills to replace the existing Indian Penal Code (1860), Criminal Procedure Code (1974) and the Indian Evidence Act (1872) with what the government would like to call Bharatiya Nyay Sanhita,

Bharatiya Nagarik Suraksha Sanhita and Bharatiya Sakshya Bill. Only four months ago Minister of State for Home Affairs had informed Parliament that the expert committee looking into the issue of legal reforms would undertake wide-ranging consultations with all stakeholders including chief ministers of all states, governors and lieutenant governors, Chief Justice of India and Chief Justices of High Courts, Bar Councils, universities and law schools and all members of Parliament before finalising its recommendations and hence the process would take time. Yet without any public record of the promised extensive consultations, the government has now placed all the three bills proposing sweeping and sinister reforms with completely misleading claims!

The government would like us to believe that the new codes would put an end to the colonial legacy and mindset and prioritise justice over punishment. But a closer look at the provisions of the bills rebuts the claim and makes it clear that the idea is to arm the state with sweeping powers to undermine the individual and collective rights of citizens, and sap democracy of its lifeblood - the right of the people to question and oppose government policies and fight for change and justice. . To take just two examples, the police will now have an extended custody of 60 to 90 days instead of the current norm of 15 days; and the word 'sedition' would be dropped only to expand the potential for criminalising virtually every mode of dissent as a 'terrorist activity'.

By increasingly concentrating all powers in the hands of the executive the government is daily undermining the federal framework and the autonomy of constitutional bodies and the balance of powers between the executive, legislature and judiciary. Now with the proposed bills, citizens

will be stripped of the very spirit of liberty and rights. In other words, the cherished Hindu Rashtra of the Sangh brigade will not only reduce Muslims and other minorities to second-grade citizens, it will sound the death knell of the very idea of a free citizenry and transform constitutionally empowered citizenship into colonial-era subjecthood, all in the name ending the colonial legacy! This is why Babasaheb Ambedkar had termed 'bhakti in politics' the surest road to dictatorship and warned against Hindu Raj becoming a reality in India by calling it the greatest calamity for this country.

Even as Narendra Modi waxed eloquent against corruption and called his government a scam-free regime, we now have CAG reports exposing scams in virtually every department of the government. The Dwarka Expressway has recorded a fourteen-fold cost overrun, spending 250 crore rupees per kilometre against the sanctioned estimate of Rs 18 crore per km. The much hyped Ayushman Bharat stands exposed as a scam-ridden scheme with a whopping 750,000 beneficiaries registered against one single mobile number 9999999999, and huge sums withdrawn in the name of deceased patients and missing hospitals. Funds meant for old age pensions have been found diverted to run Modi government's publicity campaigns. Irregularities have once again surfaced in the Ayodhya development project with contractors benefiting in the name of Swadesh Darshan pilgrimage scheme.

We are now in the tenth year of the Modi government. The ten years have already taken a huge toll in every sphere of governance, ruining and retarding India on a scale that has made a mockery of the dreams of our freedom fighters, the principles of the Constitution and the aspirations and rights of billion-plus Indians. From Manipur to Haryana, the rule of law has given way to state-sponsored campaigns of ethnic cleansing and targeted bulldozing. It is time for India to draw strength and inspiration from the great anti-colonial battle for freedom to stop the chain of disasters unleashed by the Modi regime on all fronts of life and free India from fascist destruction. ■

Justice at Stake

The Impact of New Criminal Law Bills on Civil Liberties

▲ MAITREYI

On August 11, 2023, Amit Shah introduced three Bills to overhaul the entire criminal justice system claiming that this was to “end all signs of slavery” and that the “soul of the three new laws will be to protect all the rights given to Indian citizens by the constitution, and, their purpose will not be to punish but give justice”.

The Bhartiya Nyaya Sanhita Bill 2023 (referred to as the BNS Bill), the Bharatiya Nagarik Suraksha Sanhita Bill 2023 (referred to as the BNSS Bill), and the Bharatiya Sakshya Bill 2023 have been introduced to replace the Indian Penal Code, 1860, the Criminal Procedure Code, 1973, and the Indian Evidence Act, 1872 respectively.

Though the existing laws that govern criminal jurisprudence have colonial roots, they have been subsequently amended substantially. It is a fact that criminal law has always been weaponized by the ruling classes in various ways to maintain structures of oppression and to quell dissent of any kind. There is a need for reform in these laws to bring them in line with fundamental principles of civil liberties and Constitutional rights, including reducing pre-trial detention, ensuring the right of bail, among others. However, the proposed Bills fail to address any of these concerns. Instead it largely retains the provisions of the existing law, and the changes it proposes further erode the Constitutional rights, and allow for the formation of a police state.

This erosion is evident right from the initial use of Hindi names for these laws—a conscious effort to advance the ongoing imposition of Hindi across the nation. Contrary to the stated objectives of ensuring citizens' access to justice and upholding their constitutional rights, the Bills seeks to bolster the State's authority. This increase in power is coupled with the introduction of ambiguously defined offenses, which not only possess the potential for misuse but is also contrary to the stated purpose of safeguarding citizens' rights.

Lack of any Pre-legislative Process

Demonstrating its customary disregard for democratic and consultative practices, the Bill has been introduced by the BJP Government without any prior consultation. Shah's pointing to a consultation process that occurred in May 2020 at the height of the Covid pandemic, in this context, rings hollow. The process coincided with the nation grappling with the pandemic's profound impacts and this raises questions about the genuine inclusivity and effectiveness of such a process. Issues also abound with regard to the composition of the committee that was set up, the methods of participation and consultation employed, and the absence of transparency regarding even the adopted methodology.

While Shah has claimed that “18 States, 6 Union Territories, Supreme Court, 16 High Courts have given their suggestions regarding these new laws”, the absence of details about these suggestions, the reasons behind the non-participation of other states and High Courts, and the overall consultation process raises questions about its validity and the existence of a consultative process at all. In fact, the Committee

Report and its recommendations themselves have not been made public.

We look now at some of the main changes that these new bills bring in, and the dangers of enacting these changes.

Sedition, in another more dangerous name

The hypocrisy that underlies the actions of the present regime becomes evident in its treatment of sedition. Grand claims were made by Shah that sedition is being repealed completely and "India is a democracy and everyone has the right to speak". However, there have been no qualms in restricting the right of speech by introducing a provision that not only mirrors sedition, but also increases the punishment. Section 150, which brings in the idea of "Acts endangering sovereignty unity and integrity of India" penalizes a range of actions including spoken or written words, visual symbols, electronic communication, and the use of financial resources to excite "...secession or armed rebellion or subversive activities; encouraging feelings of separatist activities; endangering sovereignty or unity and integrity of India". In fact, while sedition only carried penalties of life imprisonment or up to 3 years, Section 150 in the BNS Bill has enhanced the punishment to life imprisonment or imprisonment for up to 7 years.

Introduction of new vague and overbroad offences

The BNS Bill introduces new offences of organized crime and terrorist acts. These provisions are characterized by vague and sweeping definitions, raising concerns about potential misuse. Section 109 of BNS defines organised crime as ongoing illegal activities carried out by individuals or groups in a coordinated manner to gain financial or material benefits using violence, threats, intimidation, or other unlawful means. The offences include assisting, conspiring, organizing, facilitating, or engaging in acts preparatory to organized crime – this is extraordinarily vague and is liable to misuse. It also criminalizes being a member of an organized crime syndicate, defined as a group engaged in various criminal activities, leaving enormous room for potential abuse.

Another concerning aspect is the creation of the offense of "Petty Organized Crime," defined as crimes causing general insecurity among citizens, encompassing a range of activities committed by organized criminal groups or gangs. Once again, the broadness of this definition raises concerns over its potential misuse.

The bill also introduces the offense of a "Terrorist Act," with a definition broader than that in the UAPA and including in it acts to threaten the unity, integrity and security of India "by damaging or destroying critical infrastructure, disrupting vital systems" and "by intimidating the

government or its organizations, potentially causing death or injury to public officials, compelling government actions, or destabilizing the country's structures".

When examining the new offenses, it is important to recall the words of K.G. Kannabiran: while the law defines the offense, the state determines the offender. By providing vague and overbroad offences, arbitrariness gets written into the law.

Farcical engagement on offences against women and ignoring women's autonomy

During the Bill's introduction, Shah emphasized the restructuring of Section numbers, where offenses like murder and those against women were positioned after crimes such as treason and robbery and asserted that this arrangement would be revised, prioritizing crimes against women and children in the initial chapter of the new laws. This focus on the sequential order of provisions within the legislation overshadows the more vital aspect—the content of the law itself. This superficial approach persists in the amendments introduced within the law in regard to offences against women. Addressing the matter of sexual violence, a core demand of the women's movement has been abolishing the exception for marital rape and establishing rape as an offense even within the confines of marriage. However, this alteration has not been enacted. Although the age threshold for this exception has been elevated from 15 to 18 years, aligning it with the standards of the POCSO Act, the fundamental concern surrounding women's autonomy within the institution of marriage remains unacknowledged. The law also introduces capital punishment in case of gang rape of a girl below 18 years. The women's movement has consistently fought against capital punishment and has asserted that capital punishment does not act as a deterrent.

Creation of a Police State

In *ADM Jabalpur v. State of Madhya Pradesh*, Justice Khanna observed "the history of personal liberty, we must bear in mind, is largely the history of insistence upon procedure." With the attack on procedure, what we see is an attack on personal liberty itself.

Increase in period of police custody

In a shocking increase in the police custody permitted, the BNNS Bill increases the period of police custody permitted by the CrPC of 15 days to 60 or 90 days, depending on the nature of the offense. Allowing 15 days of police custody itself results in grave dangers to accused persons. The consequences of increasing police custody to 60 or 90 days is extremely grave, and would pose serious dangers to the lives of the accused and their right to a fair trial. The need of the day is to shorten the pre-trial detention period for individuals. It is vital to

recognize that the permissible pre-trial detention period in India is already high. However, instead of addressing this concern, the proposed bill has actually provided powers to the magistrate to increase police custody to an unthinkable 60 or 90 days.

Section 187(2) of the proposed BNNS Bill provides that the magistrate may authorise the detention of the accused in such custody as he thinks fit, for a term not exceeding fifteen days in the whole, or in parts, at any time during the initial forty days or sixty days out of detention period of sixty days or ninety days, as the case may be, as provided in sub-section (3). Sub-section 3 of Section 187 provides that the Magistrate may authorise the detention of the accused person, beyond the period of fifteen days, if he is satisfied that adequate grounds exist for doing so, but no Magistrate shall authorise the detention of the accused person in custody under this sub-section for a total period exceeding—(i) ninety days, where the investigation relates to an offence punishable with death, imprisonment for life or imprisonment for a term of not less than ten years; (ii) sixty days, where the investigation relates to any other offence.

The CrPC which has a similar provision, however provides that the custody beyond a period of 15 days shall be **"otherwise than in custody of the police"**, which is absent from the proposed Code. Thus, though section 187(2) brings in ambiguities, section 187(3) appears to permit the magistrate to authorise custody beyond a period of 15 days, and such custody may be judicial custody or police custody. This drastically changes the law allowing for police custody upto a period of 60 or 90 days.

Attacking the premise of presumption of innocence and facilitating profiling

In a quintessential embodiment of a police state, the BNNS Bill mandates the "prominent display," both physically in every police station and district headquarters, and digitally, of the name, address of an arrested accused, and the nature of the offense. This provision directly encroaches upon the right to privacy and human dignity, thereby potentially facilitating the profiling and targeting of individuals even before formal convictions are reached.

Continuing the idea of presumption of guilt prior to trial, the Bill provides for a provision for the attachment of property deemed to be the proceeds of a crime, with subsequent distribution to the victims, either before or after the commencement of evidence, without the requirement of a trial. This provision contradicts the fundamental principle of "innocent until proven guilty."

In a direct contradiction to the Supreme Court's stance that finds that public handcuffing violates the right to dignity, the BNSS takes another stride in undermining the rights of accused individuals. It allows for the use of handcuffs during arrests if the person fits the criteria of being a habitual repeat offender, an escapee from custody, or if they stand accused of certain offenses like

organized crime or terrorist acts. This provision further erodes the basic right of the accused to maintain their dignity.

Attack on the Right to Free and Fair Trial

Shah, also, spoke about the state-of-the-art technologies having been incorporated in these laws. We must note, however, that this is at the expense of the rights of the accused to a fair trial. Currently, only the physical presence of the accused in court can be substituted by video conferencing. However, the proposed Bill extends this to encompass the entire trial process, including cross-examination, conducted through video conferencing. This represents a direct infringement on the accused's right to mount a proper defence, as the efficacy of defending oneself would be significantly compromised in a virtual environment.

This assault on the right to a fair trial is furthered by the introduction of the concept of a waiver of the right of trial. The BNSS proposes that the cases where an individual declared as a proclaimed offender has fled to evade trial, the right to a fair trial is deemed to have been waived. Consequently, the Court is empowered to carry on with the trial as though the individual were physically present, effectively undermining the fundamental principles of the right to be heard.

Reduced powers to prohibit carrying of arms

In a covert manoeuvre, the authority of the District Magistrate, previously vested under Section 144A of the CrPC to prohibit the carrying of arms during processions, mass drills, or mass training for the preservation of public peace, has been rescinded. The recent years have witnessed a surge in the display of arms and mass drills by Hindutva extremist organizations, which was curtailed through the utilization of this power - a power that has now been revoked. The underlying implication of this change is evident: to facilitate the continued use of such displays.

Civil Rights activists fighting for reform in criminal law have been demanding reform of various aspects of criminal law. This includes the repeal of draconian laws including the Unlawful Activities Prevention Act, the National Investigation Agency Act and other such "exceptional" laws. Other demands including reduction of police and judicial custody and the right to bail and addressing the concerns on the overcrowding of prisons.

These proposed Bills however, do not address any of these concerns, least of all notions of justice or Constitutional rights, as claimed. Instead, it seeks to make the law more draconian, allow for the creation of a police state and the erosion of the right to a fair trial. ■

Yes, to OPS! No to Modified NPS!

▲ SHANKAR V

The movement for a decent pension is assuming greater prominence and spreading fast all over the globe in the wake of, and as a fall out of implementation of neo liberal policies, a panacea discovered by the global capital to overcome the crisis in the post-Keynesian phase. The end of the concept of welfare state begun with the introduction of neo-liberal policies. The privatisation of social security including pension has further accentuated the pension crisis. The concept of pension as a defined benefit was put an end with the introduction of contributory one. The responsibility of social security as a whole, including pension, has befallen on the shoulders of workers themselves. The governments and employers are shrugging off their responsibility of old age care of their employees. Pension issue is nothing but an issue of poverty in old age.

Pension – A Political Issue

Unable to bear the pressure from the workers movement in the country and also to make a counter point against the BJP ruled Union Government, some of the non-BJP ruled states like Rajasthan, Chhattisgarh, Jharkhand, Punjab, and Himachal Pradesh, have decided to restore Old Pension Scheme (OPS). But, the Modi-led BJP government at the centre, through PFRDA (Pension Fund Regulatory and Development Authority), is creating obstacles to the process by refusing to return the money collected in the name of National Pension Scheme (NPS) from the same employees since 2004.

The issue of pension is not a fringe issue anymore and is snowballing into a major political issue in the run up to the Parliamentary elections in 2024. It was a major political issue in several assembly elections like UP and Himachal Pradesh too. Several political parties, barring BJP and few others, also made elections promises to restore OPS to fulfil the demand of the government employees' movement. It is in this backdrop, the Finance Minister, in her last budget speech, announced a committee headed by the Finance Secretary to look into the issues of and possible improvements on NPS, which is contrary to the demand of the workers movement to restore OPS. There are speculations that the Modi-led BJP government may announce some improved NPS, mostly with relatively higher amount of pension, before assembly elections in four states including Rajasthan, Madhya Pradesh, Chhattisgarh, and Telangana. The government has already made its intention clear that it is not for restoring the OPS, but for some improvements in the existing scheme of NPS.

Neo-liberal Logic and Super Profit

In the backdrop of increased life span to 70 years in 2020 - compared to 32 years in 1947 - the demand for pension is also an attempt to overcome poverty in old age. The countries all over the world, guided by the neo-liberal economic philosophy, attempt to reduce the financial burden on the economy, due to pension, by increasing retirement age on the one hand and also by making it largely a contributory scheme. This is a socially irresponsible and unscientific approach adopted by the global capital driven by motive of super profit.

Growing old Age Population

The population in India is relatively younger now and is expected to grow older by 2050. There are estimates that suggest 30 percent of world population and roughly 20 percent of Indian population would grow older by 2050 to be dependent on pension. More than 50 lakh people are estimated to join the population of citizens above 60 years every year. In such a scenario, the question of pension is a live issue.

According to the National Sample Survey Office (NSSO) report, in 1961, about 5.6 percent of the total population of India was in the age group of 60 years and above, whereas in 2021, the proportion has increased to 10.1 percent. The Report of the Technical Group on 'Population Projections for India and States – 2011' says that there were nearly 13.8 crore elderly persons in India in 2021, and the population is expected to further increase to around 5.6 crore by 2031.

Pension is Not a Charity, But a Right

The government argues that old age population is a burden that can destabilise the economy. But, it does not say anything about its responsibility towards its own employees in their old age. The government is responsible to take care of the issues of old age of its employees. They are people who have spent their youth in the service of the country and the government. Hence, the government is bound to provide them a decent and dignified life in their old age. But unfortunately, the government is also driven by profit motives and is calling them a burden on the country and the people's taxes.

The country's Supreme Court and the International Labour Organization (ILO) have clearly stated that the pension provided to employees is not a charity from the companies or the government, but it is their right. Pension is a benefit out of their own investment of labour. This cannot be denied or diverted elsewhere without

their approval. Pension is that portion of an employee's salary that is unpaid to them while they were in service. Despite this, the government designed a contributory pension scheme replacing a defined benefit scheme that created an unsecured future for employees from 2004 and for the next generation. The government is denying their right and has forcefully snatched away the future of the employees.

OPS vs NPS : Benefit vs Contribution

NPS is applicable to employees who joined the government and public sector services from 2004. OPS assured a defined benefit of 50 percent of the last drawn salary to its employees. The labour they spent for the service until the age of 60 years was their investment and there was no separate contribution towards any pension fund. The pension was treated as a benefit and a fixed amount to its employees for the services they offered in their working age. The person retired with a last drawn salary of Rs. 30,000 per month was offered a pension of Rs. 15,000 each month, along with Dearness Allowance (DA) linked to inflation, which would amount to Rs. 20,000 per month (approximately). With this amount, a senior citizen can be saved of any poverty in old age.

But, NPS is a contributory scheme to which the employees on service since 2004 are to part with 10 percent of their salary, while the government is to pay 14 percent. In return, after their retirement, they get less than 10 percent of the annuity. This is also affected by various factors, including the amount deposited, vagaries of the financial market, number of years of service, etc.

NPS funds are managed by domestic and foreign fund managers. The money is circulated in speculative financial market. About 27 percent stakes of UTI are owned by a foreign financial company and differences on various issues have started coming to the fore. The returns of pension fund from share market varies and also faces losses which can leave a stubborn imprint on the final pay out as pension to individual employees. In case of bankruptcy of the fund management companies, the employees will have to bear the brunt of it. The government does not give any counter guarantee to employees, while the companies enjoy the same.

Essentially in terms of pension, the contribution under NPS is defined as opposed to the return from such contributions. NPS is designed to be paid proportional to the actual savings and accruals of each individual employees during the period of their service and do not take care of their needs and problems after retirement. In several cases of NPS, we also witness employees drawing a monthly pension of not more than Rs. 1,000 or Rs. 2,000. Till February 2022, there were 22.74 lakh Central Government employees and 55.44 lakh State

government employees enrolled under the NPS.

The government employees, particularly the young generation, are the worst affected because of their future retired life. Especially, in the backdrop of meagre pension under NPS. The demand for restoration of OPS is nothing but a demand to mitigate poverty in their old, "unproductive" age. It is a demand for a pension of 50 percent of last drawn wages along with DA to compensate for the rising inflation. The workers who joined service after 2003 form the backbone of the present phase of the movement to restore OPS. The government is bound to face the music if it refuses to listen to the demand of young workers.

Employees' Pension Scheme (EPS)

Another pension scheme under Provident fund (PF) covers mainly the workers of private sector who draw wages up to Rs. 15,000. They pay some 12 percent of their wages towards PF and the employer pays an equal amount to their account. Out of a total contribution of 24 percent by workers and the management, 8.33 percent goes to the pension fund while the remaining is returned with interest at the time of retirement of the worker. In the final analysis, we find that a vast majority is receiving only the minimum pension of Rs. 1,000 and they struggle to overcome poverty in their old age. The government has no plan to increase their pension to lead a decent and dignified life.

Atal Pension Yojana (APY)

Atal Pension Yojana was introduced assuring Rs. 1,000 to Rs. 5,000 as pension per month. To cover the unorganised workers from informal sector, the assurance of pension stood in multiples of 1,000 depending on the contribution. Workers between 18 years and 39 years are allowed to join the scheme and are expected to contribute monthly towards pension for not less than 20 years. A worker of the age of 40 and above is not eligible for the scheme. If one opts for a pension of Rs. 5,000, s/he is to pay Rs. 210 (18-year-old contributor for 42 years) to Rs. 1,318 (39-year-old contributor for 21 years) per month. NPS – Lite is another scheme aimed at covering the same section.

The contributors under these schemes rose to 1.57 crores as of July 2018. Still, it stands at a miniscule 4 percent, out of a total of 39.14 crore (2011 census) unorganised workforce in the country.

Poverty While at Work

The alarming increase in informality of workforce to the tune of 93 percent in the country, which does not have a secured or better jobs and wages to pay for their future pension is a matter of grave concern. This issue can be addressed only by resolving problems of indecent

wages and rising unemployment and thereby, poverty of the working people in the country. Under-employment is a major problem confronted by unorganised workforce. The problem of pension – social, benefit or contributory – cannot be resolved unless the government addresses the fundamental problems as mentioned above. Only a strategy to mitigate poverty during the working age can be an answer to poverty in old, pensionable age. The capital – both domestic and global – failed to address the fundamental problem to make the country and people prosper.

Social Pension

Modi led BJP government claims that they have extended pension to unorganised sector workers. But, the pension being offered under all these schemes do not extend beyond few thousands, mostly a thousand only, which is much below the level for leading any decent life for any individual human being in the country.

On the other hand, the responsibility for providing social security is not on the employers or the government, but is bestowed on each and every worker themselves with the introduction of the Social Security Code that is awaiting implementation.

The problem of pension is intricately linked to the level of poverty, unemployment, and wages in the country, which impacts the lives of individual workers in its own way. Social pension to bear the minimum level of pension to each worker does not have any replacement. There are several studies and research which acknowledge the progressive role of the system of social pension in the development of the country, economy and in the lives of individual pensioners, if properly strategized by the governments.

The government should necessarily plan to bear the old age welfare of workers in their non-working age. Putting the burden on workers only increase the pressure on the economic well-being of the country's economy, unless a decent pension is guaranteed by the government to lead a dignified life.

Global Pension Index

The track record of India on this score is very poor. Mercer and CFA Institute released its 14th annual Mercer CFA Institute Global Pension Index (MCGPI) covering 44 countries in October 2022. Iceland topped the list, while Thailand was the lowest. India ranked the 41st, one of the lowest, among 44 countries. Iceland (1), Netherlands (2), Denmark (3), Israel (4) and Finland (5) were the top 5 while Turkey (40), India (41), Argentina (42), Philippines (43) and Thailand (44) were the lowest 5.

The 'Global Pension Assets Study 2023' conducted by WTW and Thinking Ahead Institute says that seven

largest markets, including Australia, Canada, Japan, Netherlands, Switzerland, UK and US, comprise 92 percent of the total pension assets in the world. Pension markets are concentrated in these seven largest markets and the global capital is planning to expand and penetrate the remaining pension markets. Hence, the pension reforms across the world, including India, is focussed on accumulating pension capital and thereby expanding the pension markets. Asian and African countries figure on the top priority list. Modi government's attempt to bring in vast majority of unorganised workforce into the pension and other social security net is aimed at building a financial infrastructure by accumulating capital using the hard earned small savings of the unorganised workforce in the country, while euphemistically claiming to extend pension to all. Social Security Code is nothing but a tool to accumulate capital using the unorganised workforce to benefit the rich and the powerful.

Rising Waves of Struggles

Pension reforms is a major issue being confronted by the working class today. Very recently, violent protests by lakhs of workers in France erupted against the increase in retirement age and decrease of benefits granted. Entire Europe is restless on this issue of pension.

In India too, we are witnessing a series of struggles by various platforms against the NPS and for the restoration of OPS. The National Movement for OPS (NMOPS), including FANPSR (Front Against NPS in Railways), which has been a pioneer of pension struggle for some years, has declared a massive protest in Delhi on 1st October and has begun its yatra from Champaran in Bihar. The IREF (Indian railway Employees Federation), an alternative left federation of railway employees has also thrown its weight behind the NMOPS. The platform of recognised unions of the Central and State Government employees, despite being a late entrant into the movement, held a massive rally on 10th August in Delhi to emphasise their demand under the banner of JFROPS (Joint Forum for Restoration of OPS).

EPS pensioners organisations are also gearing up towards a day's strike soon in coordination with and coinciding with the call of an all India strike by central trade unions of the country. Rail and road picketing are proposed to be organised in December 2023. Pension movement is rising steadily in the country.

The days are not far off when a vast majority of movements demanding pension converge at a point where Modi will be defeated in the 2024 elections to secure a future with decent pension and dignified life for senior citizens across the country. ■

Spirited Asha Workers of Bihar Secure an **Encouraging Victory through a Prolonged Strike**

August 12th, 2023 marked a historic victory for striking ASHAs (Accredited Social Health Activists) in Bihar with the state government agreeing to increase the monthly payment by Rs. 1,500 per month and providing the payment as 'honorarium', instead of 'reward' (paritoshik). The 31-day long indefinite strike of around 1 lakh ASHA workers and ASHA facilitators across Bihar had begun on July 12th, 2023 under the joint banner of ASHA Samyukta Sangharsh Manch, with Bihar Rajya ASHA Karyakarta Sangh - Gope-Group (AICCTU), and ASHA and ASHA Facilitators Union at the forefront.

Shashi Yadav, general secretary of Bihar Rajya ASHA Karyakarta Sangh - Gope-Group explained that the strike by ASHAs had been the largest women workers movements in recent history of Bihar with tens of thousands of ASHA workers uniting for this massive movement.

The strike continued for 31 days in almost all Primary Health Centres (PHC), Community Health Centres (CHCs) and Referral Hospitals across of all districts in Bihar. PHCs became rallying spots for ASHAs and ASHA facilitators. Despite the strike, ASHA workers ensured that emergency work as well as cases of childbirth were not adversely affected.

"The major victory for the movement was that government had agreed to pay an 'honorarium' rather than a 'reward' to ASHA workers. The payment of their work as reward (paritoshik) was derogatory and it demeans the labour done by ASHAs; honorarium recognised ASHAs as workers," said Shashi Yadav.

ASHAs, who are frontline health workers and are the backbone of country's rural health and vast immunisation programmes have been playing a vital role in ensuring proper access to healthcare and fight

against the COVID-19 pandemic. But in Bihar and across the country, they have been forced to work for a pittance, where there have been instances of ASHAs walking several kilometres on inhospitable roads in villages to meet their targets.

"Though the increase of Rs. 1500/- is less than what we had demanded, we consider this as the first victory in the battle for rights of ASHA workers," she added. ASHAs and ASHA Facilitators will now receive a fixed amount of Rs. 2,500 per month from the State and Rs. 2,000 per month as central government contribution, along with other performance-based incentives.

It was also agreed in the negotiations that a recommendation based on the demands to increase the incentive rates under the scheme will be sent to the central government by the Bihar state government. The incentive amounts being given for various types of works for ASHAs under the scheme have remained stagnant for decades and need to be urgently revised and increased by at least 300% in view of the skyrocketing inflation.

The payments due since the pandemic period will also be paid by the government. The other demands of a nine-point charter will be resolved through bipartite discussions with the state government. Furthermore, the cases lodged against ASHA workers during the strike will also be withdrawn.

The CITU and ASHA Facilitators' leader Vishwanath Singh termed this gain a victory, but the struggle will continue as the government has not agreed to pay Rs. 10,000 as honorarium, which was the demand. ASHA leader Sudha Suman said that another important demand of pension and retirement benefits is being taken by the government for consideration.

Rambali Prasad, Honorary President of Employees' Federation (Gope) and Ranvijay Kumar, State Secretary, AICCTU noted that the demand put forward by ASHA workers had been part of the Mahagathbandhan manifesto during the assembly election in 2020. Despite several rounds of failed negotiations and bureaucratic hurdles, the determination and courage of ASHAs have finally led to a victory in this struggle.

The Striking Moment- Rally of August 3rd

As the strike entered its fourth week, on August 3rd, tens of thousands of ASHA workers and ASHA facilitators gathered at Patna's Gardanibagh with their demands. The massive 'Mahajutan' (huge gathering) painted the streets of Gardanibagh in pink (uniform of ASHAs) with the place reverberating with the calls for dignity, respect and rights.

Their negotiations with the government in two rounds earlier had yielded no result, and faced threats of retrenchment, filing of criminal cases against striking leaders. Deputy CM Tejaswi Yadav, who heads the health portfolio, had agreed to change the monthly payment from paritoshik to an honorarium and raise the amount, but the promise was not kept in spite of the repeated reminders and memorandums.

It was unfortunate that despite the long struggle and deteriorating health condition of ASHA workers, there was no move by the state government to solve the issue. An ASHA worker from Siwan, Saraswati Devi, died while sitting on protest.

"The protest gathering of ASHA workers marked a striking moment in this battle," explained Kunal, Bihar State Secretary of CPI(M) Liberation. Faced with an increasing resistance by ASHA workers and halt of rural

health services, the government finally agreed to reach an agreement with ASHA workers.

The unions condemned the attitude of the state government who ignored and threatened manoeuvres and asked the government to honour its agreement with ASHA unions made in January 2019 and to implement the government's own promises made during the budget session in the Bihar Assembly and start negotiations immediately with the ASHAs on their nine major demands.

The gathering also witnessing a massive wave of solidarity with several leaders of left parties and civil society, including Mahboob Alam, Satyadev Ram, Gopal Ravidas, Rambali Singh Yadav, Amarjit Kushwaha of CPIML and Ajay Kumar and Satyendra Yadav of CPIM addressed this rally along with AIPWA general secretary Mina Tiwari, Saroj Chaube, joining to stand with the striking ASHA workers.

Backbone of India's Healthcare System

More than one million ASHA workers form the most important link in India's health infrastructure. They perform many tasks like antenatal and postnatal care for women, facilitate institutional child birth, make home visits for the new-born and postpartum mother, and they also work on malaria and diarrhoea control, distribute ORS, monitor growth of children, immunisation of children, helps in birth control and family planning, and lot of other such essential work. The government calls them 'community activists'. However, they are not just activists, but frontline workers. They attend meetings and camps at block and district level regularly, maintain village-level health registers, prepare lists of children to be immunised, for antenatal care beneficiaries and eligible couples. It is their job to reach out to adolescent girls and organise monthly meetings pertaining to menstrual hygiene, and also to take part in various health related programmes, including tuberculosis control, leprosy eradication, vector borne disease control, and to motivate households to construct toilets and use clean piped water.

The government calls 'community intervention' the work of ASHAs which is supposed to be a 'mission' (NHM, NRHM and NUHM) and not a proper job, but they have to perform more than 60 different kinds of work like a regular employee, however their remuneration is based on small incentives. Their working hours range anywhere between 4 to 8 hours on an everyday basis, occasionally even more, and during the pandemic, they had to work day and night without any safety equipment. Moreover, since the payments are incentive based, which is a new form of piece-rate work, it forces them to work more to ensure sufficient earning for minimum sustenance. Interestingly, they are not considered workers but are eligible for the Pradhan Mantri Shram Yogi Maan Dhan Yojana, an insurance scheme for the unorganised sector workers. This exposes the hypocrisy in the treatment meted out to the ASHA workers.

ASHA workers make the core of NHM strategy for providing access to healthcare at the doorstep as 'honorary volunteers' without any salary. The incentives being given to them come under the head 'community intervention', while the regular employees of NHM get a salary under the head of 'Human Resources'. This characterisation as volunteers or activists devalue women's work and signals government's unwillingness to invest in a regular

Jharkhand Mid-day Meal Workers Get a Raise after a Long Battle

The Jharkhand Rajya Vidyalaya Rasoiya Sangh has been working for the rights of mid-day meal workers and is among the oldest workers' unions. It has acquired prominence and much respect among the rasoiyas (mid-day meal workers) through its many successful struggles. The union has been active since the days when mid-day meal workers were paid a meagre amount of 25 paise per child, which usually comes to around Rs. 250-300 a month or Rs. 1,500-2,000 annually! Even this amount was paid irregularly to the workers. The Union fought a long battle which culminated into a 22-day long sit-in protest in front of the Raj Bhavan in Ranchi, after which the state government agreed to open personal bank accounts for all mid-day meal workers and a daily payment at Rs. 40 per day as 'honorarium' for 10 months in a year.

After many agitations, in 2015-16, the honorarium saw an increase of Rs. 500 per month. However, since the schools remained closed during the pandemic, the payments to mid-day meal workers were stopped. The Rasoiya Sangh raised this issue and organised a big mobilisation in front of the Jharkhand Assembly on March 3rd, 2021. CPIML MLA Vinod Singh raised this question inside the Assembly and simultaneously also addressed the rasoiyas gathered at the rally. This struggle resulted in another raise of Rs. 500 per month, thus increasing the total monthly amount to Rs. 2,000.

Under the continuing pressure of the movement, State Education Minister Jagannath Mahato agreed to many demands of Jharkhand Rajya Vidyalaya Rasoiya Sangh in a meeting held on December 14th, 2022. But due to the unfortunate demise of the minister, that agreement could not be implemented for many months. On August 3rd, 2023, State Education Secretary K. Ravi Kumar and mid-day meal scheme director Kiran Kumari Pasi convened a meeting with Jharkhand Rajya Vidyalaya Rasoiya Sangh and other unions where an agreement was again reached on the following:

- (1) The honorarium will be increased to Rs. 3,000 per month, with an increase of Rs. 1,000.
- (2) The honorarium will be paid for 12 months in a year instead of 10 months.
- (3) The payments will be made on a monthly basis.
- (4) Two sets of uniforms (saree, blouse and petticoat) will be provided to all rasoiyas each year. ■

The Demand Charter:

1. (A) The remuneration being given to ASHA workers and facilitators as 'reward' must be renamed as 'Honorarium' and the amount be increased from Rs. 1000 to Rs. 10,000 per month.
(B) The pending dues of the same for the period April 2019 to November 2020 should be paid immediately.
2. The dues pending for the period before the start of the online portal should be paid in full.
3. (A) The pending payments must be done via a transparent and uniform process.
(B) The practice of corruption and taking bribes be curbed in payment of ASHAs.
4. ASHA and ASHA facilitators should be paid a pandemic allowance of Rs. 10,000 for working during the times of Covid-19.
5. (A) ASHAs should be provided with a full dress including blouse, petticoat, woollen coat etc. along with the Saree.
(B) There should be a uniform for the Facilitators to be provided on governmental expense.
(C) Facilitators should be paid conveyance allowance for all days of the month at a rate of Rs. 500 per day.
6. (A) The state government should send a proposal for increasing the reward/honorarium rates for various works which have not increased for years.
(B) ASHA workers and ASHA Facilitators should be recognised as government employees.
7. For ASHAs and ASHA facilitators who died during Covid pandemic (reported and unreported both) their families should be paid compensation of Rs 4 Lakhs declared by the state and Rs. 50 Lakhs as per the central insurance scheme.
8. ASHA workers and ASHA Facilitators should be given social security benefits and pension benefits, till this demand is accepted they should be paid Rs. 10 lakh as one time retirement package.
9. The Agreement made with ASHA workers and ASHA Facilitators in January 2019 must be implemented in full and cases lodged against ASHA workers and ASHA Facilitators should be withdrawn.

cadre for public health services in rural India (Shruti Ambast, CBGA, 2021).

Even though ASHAs across the country the same type of work, payments made to them vary from state to state. For some routine and recurring activities they were getting Rs. 1,000 incentive till 2018 by the Centre. This was raised to Rs. 2,000. Since NHM is jointly funded by the Centre and the State in a ratio of 60:40, state governments have added their share of incentives which varies to a great extent. In Bihar, this incentive stood at Rs. 1,000 a month till this successful strike took place. As per a Rajya Sabha question answered on March 22nd, 2022, in UP this is Rs. 750 per month for a specified 5 core activities. Andhra Pradesh provides Rs. 10,000 per month by topping up the remaining amount to the total incentives earned by ASHAs, whereas Telangana provides the balance amount to match the total incentives at Rs. 6,000 per month.

Delhi gives Rs. 3,000 per month for 12 core activities in addition to the incentives earned for other non-core activities. Gujarat gives 50% top up over and above the earned incentives, while in Chhattisgarh this is 75% top up. In Uttarakhand this is Rs. 1,000 per month and an additional Rs. 5,000 per year!

Bihar ASHAs will now get Rs. 2,500 per month as state's share against the designated core activities, along with the Centre's Rs. 2,000 and incentives for many non-routine and non-recurring jobs. With all kinds of incentives combined, the ASHA workers get monthly payments which usually is much less than the prescribed minimum wage in respective states. The minimum wage for skilled workers in Bihar is Rs 12,766 per month, and the payments received by most of the ASHAs usually doesn't cross the halfway mark of this amount. Comrade Shashi Yadav said that total payments earned depend on

the location and the number of jobs assigned. Out of the 90,000 ASHAs in the state, nearly 85% get a monthly income around Rs. 6,000 which is less than half of the minimum wage. This is after a full day's work on a daily basis.

An additional pandemic allowance of Rs. 1,000 per month was added during the COVID-19 period after countrywide agitations and strikes by ASHA workers. But this was not implemented and more than one third ASHAs are still struggling to receive the promised amount. In Bihar too this remained on paper, despite repeated requests and agitations. Now, the state government has agreed to pay the due amount to all.

By not recognising scheme workers as employees, the mindset of the State is exposed with their regressive patriarchal mindset that devalues women's labour making them more vulnerable and insecure, huge economic exploitation is just one dimension of a bigger



problem. When the struggle is on-going with the demand to replace 'honorarium' with regular pay and other benefits, the BJP ruled states further downgraded the honorarium by renaming it as 'paritoshik' which was opposed vehemently by ASHAs in Bihar. The Bihar government has renamed it back to honorarium, while in Uttarakhand it continues to be termed paritoshik.

Towards A Country-Wide Struggle

"With this victory, our struggle for rights, dignity and respect for ASHAs will intensify. We will now take this battle to the doorsteps of Delhi – towards a national struggle," said Shashi Yadav. "This will be part of the agenda for the upcoming All India Conference of All India Scheme Workers' Federation being organised in Patna on September 9th and 10th, 2023. The conference will focus on the issue of minimum wage and recognition of all scheme workers as 'workers'," she said and noted that across schemes like ASHA, anganwadi, mid-day meals, workers are facing abysmal working conditions and remuneration, with no access to social security.

CPIML Bihar Secretary Kunal noted that numerous ASHA workers in Bihar have played a vital role in the fight

against the pandemic. They did their work despite the dangers and lack of safety equipment. Several ASHA workers died during this period. The role of ASHA workers was hailed by the World Health Organisation, the Patna High Court, and many more institutions and organisations for their services and commitment towards the rural health welfare and for their work during the pandemic.

But the ASHAs have only received neglect from Modi-led central government. "The AISWF conference in Patna will pave for the united struggle across the country to clinch their long standing demands," said Kunal.

The struggle for working class rights and dignity of ASHA workers have been on-going since one and half decades. Since the inception of their scheme under the NHM, the ASHAs have been demanding recognition of their labour as workers and remuneration as per the scheduled wages.

The two-day nation-wide strike in August 2020, the Maharashtra and Madhya Pradesh ASHAs strike in June 2021, Punjab ASHAs in September 2020, Karnataka ASHAs in July 2020 along with ASHA workers' movements in Delhi, UP, Uttarakhand, Bihar, Jharkhand, West Bengal, Andhra Pradesh and

Kerala are some recent strike actions demanding better safety standards and pandemic allowance.

Their demand for a minimum monthly wage of Rs. 21,000 in place of an 'honorarium', recognition as government workers to bring them under the ambit of the country's labour laws, besides pension and other social security benefits to be extended to them, have gained political dimensions and the ruling parties in many states are now compelled to make this a rallying point, even if as an election promise.

The label of 'activists' is imposed only as a means to exploit their labour at dehumanising cheap rates, while the governments have shunned all responsibility and legal obligation towards them. The 'Parliamentary Standing Committee on Labour' had recommended that all frontline workers be included in the Social Security Code passed by the Modi government in 2020. However, the same was not paid heed to. The ASHA, anganwadi and mid-day meal workers together form a huge contingent of the working class with immense potential of challenging this neoliberal policy framework. ■

Nuh, Haryana: Organized Hatred, Intimidation and Violence by Hindutva Groups

Hindu-Muslim baith ke khaye ek thali mei, aisa Hindustan bana de ya Allah (Ya Allah let there be an India where Hindus and Muslims sit together and eat from the same plate)

-excerpt from the video of a prayer recited by Mohammad Saad, a 22 Year old Naib Imam, who was killed in Anjuman Jama Masjid Attack on August 01, 2023 in Gurgaon.

On August 3, 2023, two CPIML-AICCTU fact finding teams visited Sohna and Nuh (originally Mewat, renamed as Nuh in 2016) in Haryana. These areas witnessed intense communal provocation by right-wing groups on July 31, 2023, which was followed by violence in which 6 people were killed, several homes were destroyed, and shops owned by Muslims were burnt down.

One team comprising (FFT1) of members of the CPIML Central Headquarter Team: Com. Prem Singh Gahlawat, Com. Ravi Rai, Com. Shweta Raj, Com. Akash Bhattacharya, and Com. V. Arun met several affected families and visited the affected areas in Nuh, Sohna, and their surroundings.

A second team (FFT2) composed of AICCTU members Com. Abhishek, Amarnath Sharma and Advocate Ganesh (a Human Rights Lawyer) visited Muslim working-class colonies in Parla Village near Sector 70A, Bhondsi, and similar colonies in Sohna village.

The teams tried to piece together the correct sequence of events that led to the violence and crosschecked the current ground situation with what was being reported in the leading news channels. Both the teams reached similar conclusions: the media portrayal of the violence as anti-Hindu riot do not stand the test of facts.

The recent incidents are part of a pattern of Hindu majoritarian violence centred primarily on cow vigilantism over the last few years. The highly provocative Shobha Yatra, which triggered the violence, has also grown in aggression in the recent past under the patronage of the infamous Bajrang Dal known for indulging in communal violence.

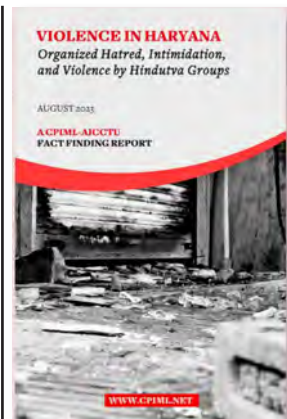
Indeed, Hindu majoritarian groups have made consistent attempts in the recent past to rip apart the syncretic fabric of the region. The Anti Cow Slaughter Act has been cleverly used to foster cow vigilantism which has led to multiple lynchings. These have often been followed by mahapanchayats which have called for vengeance against Muslims. The administration failed to check the growth of



these violent tendencies and failed to prevent the recent incidents despite ample warnings. This turn of events was thus unprecedented in the region but not unexpected.

The recent attacks were well-orchestrated and targeted the Muslim community – both local residents and migrant workers – while the administration looked the other way. Despite requests by citizens and local leaders to stop the Shobha Yatra and act against the provocative videos which had been let loose prior to the Yatra, the police did nothing. Neither did they do enough to check the violence once it had started. In the aftermath, instead of conducting a free and fair investigation, the police have arrested scores of young Muslim men and dished out 'bulldozer justice' to Muslims.

The incidents in Haryana dovetail with the nationwide attempts to spread hatred, violence, and fear in the run up to the 2024 Lok Sabha elections. Manipur and Haryana: the two states are geographically distant and distinct, but politically proximate. Both states elected the Bhartiya Janata Party (BJP) to power, only to witness an orgy of violence targeted at particular



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communities and with a specific purpose: to maintain Hindu majoritarian rule beyond the 2024 Lok Sabha election, and to produce an irreparably majoritarian social fabric in the long run.

Key Findings

- Bajrang Dal (BJD) and Vishva Hindu Parishad (VHP) played a key role in stoking communal violence, not only on the last few weeks but in a systematic way over a period of time. Their Shobha Yatra is strikingly similar to other aggressive Shobha Yatras held in the last few years in Bihar, West Bengal, and Delhi's Jahangirpuri, which have invariably culminated in communal violence.
- The quick action by local Meo community leaders helped in limiting the spread of clashes in Nuh: Despite the silence by the police and authorities, it was the local Meo leaders who intervened to prevent the violence from spiralling into a full blown riot.
- The complicity of the state is also stark. Despite the provocative videos by Monu Manesar and clear threat of violence, the police took no preventive action. Its refusal to promptly investigate and punish mob lynchings and hate speech in the last few years has contributed a great deal to the current situation.
- False Flag - Nalhar Temple Incident: The BJP led Haryana government and right-wing groups began fanning rumours of the Nalhar temple being attacked and devotees being held hostage¹. This was used as a false flag to incite anti-Muslim violence across Haryana.
- The police are trying to shift the blame on to Muslims, arresting young Muslim men, bulldozing houses of Muslims, labelling Rohingyas and Bangladeshis as aggressors. This does not stand the test of facts. It is a way of giving continued protection to the cow vigilantes and associated perpetrators of Hindu majoritarian violence.
- Criminalisation of Young Minds: As witnessed during the violence in West Bengal and Bihar during the VHP Shobha Yatra, Nuh also saw large number of children armed with swords and other kinds of weapons indulging in provocation and acts of violence. There is an eerie pattern of criminalising the young mind by right-wing groups; sowing their minds with hatred and violence in an attempt to create an India on divisive lines.
- Mewat is home to the third largest population of United Nations High Commissioner for Refugees (UNHCR) registered Rohingya Refugees in India. Already persecuted and facing genocide in Myanmar, Rohingyas in Mewat, who are struggling to meet their ends are facing intense xenophobic onslaught and also have been at the receiving end of the hatred campaign and state bulldozers.
- The role of the Anti-Cow Slaughter Act in fomenting communal violence needs urgent investigation. The lynchings by cow vigilantism have played an instrumental role in polarizing Mewat. Cases registered under this Act are many but the convictions abysmally low. The Act seems to be serving a particular purpose: providing a legal basis for cow vigilantism to stoke communal hatred and violence.
- The mainstream media, yet again, has failed to capture the essence of events. They have often apportioned the blame equally between Hindus and Muslims, if not shifted the responsibility to Muslims alone, thereby obscuring the Hindu majoritarian character of the violence and the complicity of the administration.
- Unity Among Locals Across Community Lines: Amid the violence in Nuh and surrounding areas, the fact-finding team witnessed a strong fabric of harmony among local population across community lines. Sikhs came out to rescue Muslims in Sohna and Jat farm leaders strongly rejected the right-wing call for boycott and orchestration of Muslims in Haryana.

Understanding Nuh / Mewat

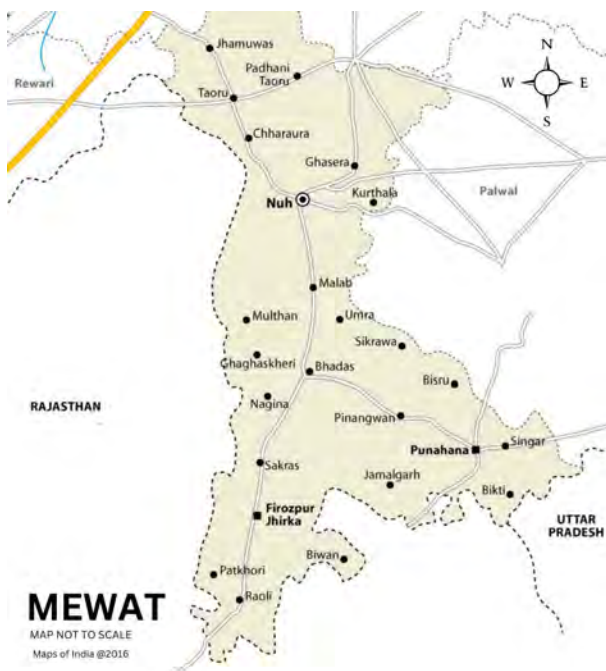
Mewat is a historical region consisting of Nuh district, eastern part of Alwar district and western part of Bharatpur district, as shown in the map below. Home to a 400,000 strong Meo Muslim community (from whom the region derives its name), Mewat is a Muslim majority region at the heart of north India and within touching distance of the national capital.

As per the 2011 census, Meo's population consisted of 79.2% Muslims, 20.37% Hindus and a few thousand Buddhists, Sikhs, Jains, and Christians. Mewat's uniqueness lies in the composite social practices of its Muslim population. Meo Muslims trace their origins to Hindu figures such as Rama, Krishna and Arjuna and celebrate many Hindu festivals like Diwali, Dussehra and Holi. Their marriages often combine the Islamic nikah ceremony with several Hindu rituals – like maintaining exhaustive gotras, a distinctly Hindu practice². We refer to these practices as a matter of fact and not of judgement. Irrespective of one's stance towards specific elements of these practices, these cultural traits certainly exhibit a once-powerful idiom of shared living which animated both 'Hindu' and 'Muslim' communities across the subcontinent.

Economically, Nuh or Mewat is a rural society. As per the 2011 census, 88.61 % of the population of the Nuh district lives in rural areas. While Delhi, Gurgaon and Jaipur are all close by, no urban agglomeration exists in this district or in the whole of Mewat for that matter. Meos are both landowners and agricultural workers, and the community suffers from the challenges of unemployment due to the gradual erosion of opportunities in agriculture. This has led to a gradual upshot in crimes, which the right-wing

[1] <https://www.thequint.com/news/india/nuh-temple-pandit-denies-claim-that-yatris-were-held-hostage-were-taking-shelter>

[2] Saba Naqvi, 'Meet the Muslims who consider themselves descendants of Arjuna.' *The Scroll*, 30 March 2016.



MAP OF THE MEWAT REGION (OVER AND ABOVE THE NUH DISTRICT) |
@ MAPS OF INDIA

media has promptly use to stereotype Muslims. Many Meo Muslims are petty traders, businessmen, and daily wagers.

The ascendancy of Hindu nationalism in the 1980s and 1990s marked a watershed in the inter-community relations in the area. Tensions have escalated greatly since the promulgation of the Anti-Cow Slaughter Act in 2015. Under the protection of the BJP-led 'double engine' union and state governments, Hindu majoritarian forces have consistently and systematically used cow vigilantism to stoke communal tensions. As we shall see in the timeline given below, the recent incidents have been preceded by several lynchings of Muslim men – all in the name of cow vigilantism. Two key figures behind the recent episode—Mohit Yadav alias Monu Manesar and Raj Kumar alias Bittu Bajrangi – are Bajrang Dal leaders and cow vigilantes.

According to data provided³ by the Nuh police to The Hindu, very few cases registered under this act end in conviction. Of the 69 cases decided by the Nuh district and sessions court in the second half of 2022, only four ended in conviction – an acquittal rate of 94%. Despite an abysmally low conviction rate, almost one case every second day has been registered under this act in Nuh district alone over the last seven years. As of December 2022, there were 1,192 such cases pending before the Nuh court.

Based on our conversation with the local people, and on published reports on lynchings and communal tensions in Haryana, we believe that the current events must

be situated in this pattern of cow vigilantism induced communal polarization which is accompanied by deliberate administrative inaction. We trace this pattern in the timeline given below.

Timeline of Events

November 2015: The BJP led Government of Haryana enacts the Gauvansh Sanrakshan And Gausamvardhan Act, which provides for imprisonment between 3 to 10 years for uncertified cow slaughter.

April 2017: Pehlu Khan, a dairy farmer from Nuh is attacked and killed by a group of cow vigilantes in Alwar district of Rajasthan (part of the broader Mewat region). Six others who are with Pehlu Khan are also beaten by the cow vigilantes.

November 2017: Umar Khan is lynched by cow vigilantes while transporting cattle in Ghatmeeka (in Alwar, around 50 km. from Nuh town).

July 2018: Akbar Khan alias Rakbar is lynched on the suspicion of smuggling cows by a mob in Alwar's Ramgarh village.

June 2019: The Haryana government makes the Anti-Cow Slaughter Act more stringent. It authorised the police to seize a vehicle involved in the transportation of animals for slaughtering and search the premises used for such a purpose.

May 2021: Asif, a 27-year-old gym trainer and resident of Khalilpur Kheda (Nuh district), is lynched by a group of people on May 16. His cousin Rashid later tells the media that the mob was asking him to chant 'Jai Shri Ram' and talking about killing all Muslims. Asif's family members claim that it is a lynching, but the police maintain that Khan was murdered due to personal animosity and filed an FIR against four unidentified people. Despite the COVID-19 lockdown in the state, mahapanchayats are held in multiple Haryana villages (including Nuh and its surrounding districts) in support of those arrested for lynching Asif Khan.

April 2022: At least four videos of mobs attacking and torturing Muslim men in Haryana go viral. They are shared on social media by Monu Manesar and Rambhakt Gopal (also known as the Jamia shooter). In response to the viral videos, VHP and Bajrang Dal leaders organise a mahapanchayat. The promotional messaging for the event has distinct and provocative communal overtones, such as being a show of strength to 'those with jihadi mentality', and this is brought to the notice of the district administration. Yet, despite all of this, the district administration grants them permission to go ahead with the event.

May 2022: The mahapanchayat is held in the village of Sangel (Nuh district). The mahapanchayat threatens the police and the administration to revoke the FIR regarding videos of anti-Muslim violence, even though the FIR itself

[3] Ashok Kumar, '94% Acquittal Rate Under Haryana's Cow Slaughter Law in Muslim-dominated Nuh.' *The Hindu*, 05 February 2023.

was against unidentified persons. Multiple hate speeches are delivered and calls for violence are given out. No arrests are made in this case.

January 2023: Waris Khan, a 22-year-old Muslim man of Nuh district is killed by cow vigilantes on the suspicion of smuggling cattle on January 28. Khan worked as a car mechanic and was allegedly killed when he was returning from Bhiwadi. Shahid Khan, Waris's brother, claims that Monu Manesar of Bajrang Dal went live on Facebook and showed how he and his associates were assaulting Waris Khan and pushing him into his vehicle. The Bajrang Dal men were carrying weapons as well, Shahid Khan says.

February 2023: The charred skeletons of two Muslim men are discovered near Loharu police station in Haryana's Bhiwani district. The duo is identified as Nasir and Junaid, and Monu Manesar's squad is accused of the killings. Manesar is supposedly on the run, but he continues to make provocative statements through his social media handle.

June 2023: Bittu Bajrangji is booked by the police for 'abusing the Muslim community' and allegedly flashing weapons.

July 2023: The VHP and Bajrang Dal prepare for a Shobha Yatra on 31 July. These large scale yatras are a new phenomenon and have been growing in size over the last few years. Locals said that local level Yatras were going on peacefully for decades, and that the VHP started organising massive processions with an overt anti-Muslim tone only three years back. Videos stoking anti-Muslim sentiments are circulated in Nuh. Rumours are rife that Monu Manesar and Bittu Bajrangji will join the Yatra.

Local leaders plead with the police to stop the Yatra. The local peace committee warns the administration of provocations. The Yatra still goes ahead, although the police supposedly warn the organizers against the incitement of violence. The Superintendent of Police (SP) is out of station on the day of the Yatra (officials at the District Collector's Office denied this when we asked them about it). Surendra Jain, the VHP's joint secretary, is spotted at the Nalhar Mahadev Mandir in Nuh shortly before the Yatra, where hate speeches against Meo Muslims are delivered with warnings about the 'character of Mewat'. In his speech that surfaces on social media, Jain says that Mewat is Krishna's homeland.

31 July 2023: The Yatra features highly provocative speeches and its participants brandish weapons. Members of Yatra harass local children saying that 'your brothers-in-law [members of the procession] are in the city, welcome them.'

The provocative and aggressive behaviour by the members of Yatra along with the hate videos creates a communally volatile situation in Nuh. There is widespread anger and anguish at the participation of Manesar and Bajrangji. At around 1330 hrs in Edward Chowk in Nuh, an altercation takes place between the locals and



the Bajrang Dal-VHP members in the Yatra. This soon takes the shape of widespread clashes. Local Meo leaders intervene to prevent the clashes from growing into full blown riots. Police deployment is feeble despite warning of possible violence, including inputs from the intelligence unit at the district level.

The intense clashes in Nuh, though short-lived, then spread to neighbouring areas in Sohna. Right-wing mobs attack Muslim localities at around 1700 hrs. Gunshots are fired, bombs are hurled, and homes and shops are set on fire in Sohna Chowk. At around 1800 hrs, Hamidia mosque in Palwal (south Haryana) is attacked by a mob and several bikes parked outside are set ablaze.

After the riots, deputy chief minister Dushyant Chautala alleges that the procession's participants did not fully inform the authorities of their yatra.

The right-wing social media influencers portray this as anti-Hindu violence. Rumours are spread about Hindus being attacked and held hostage in the Nalhar temple and about many Hindus supposedly being butchered. These claims are denied by Hindus themselves – some through social media and others during personal conversation during our visit. Violence was reported in surrounding areas of Nalhar temple, but there was no attack on the temple (as corroborated by the temple priest). This was used as false flag by right-wing groups, including Haryana government to create anti-Muslim sentiment. Verified visuals show right wing mob firing weapons inside Nalhar temple in presence of police.

Right-wing mobs unleash attacks in Sohna Chowk (~23km from Nuh) and waylay the highway to attack Muslims. Mob attacks a Muslim colony in Sohna with guns and gas cylinder bombs, burning down several shops and destroying mosques. All this is happening with the criminal complicity of the police as the forces remain mute spectators. Internet services are suspended in Nuh, and schools and colleges in Gurgaon and Faridabad remain closed. Section 144 is imposed in both Nuh and Gurgaon to control the situation.

01 August 2023: *Violence Spreads to Gurgaon.* The Anjuman Jama Masjid in Sector 57, an under construction mosque, is vandalized at around 00:10 hrs and Mohammed Saad, a 22-year-old naib Imam is killed. Our team learnt that a few weeks back there was another attempt to attack the under-construction mosque. The cleric had registered a police complaint but later withdrew it under pressure from local people and upon the promise of police protection. It all came to naught as he was shot dead days before he was supposed to leave for his home in Bihar.

Other mosques are also attacked, including a Mazar. Local Sikhs intervene as a large mob attacks another mosque – Shahi Masjid in Sohna – and manages to save 30 people of Muslim community, including 12 children.

Further attacks against Muslims takes place in Sohna, Badshahpur areas of Gurgaon as shops and vehicles are vandalised and set on fire by mobs in presence of the police.

Muslim migrant workers from West Bengal bear the brunt of the attacks in Gurgaon. In Gurgaon's sector 70, a Muslim owned puncture repair shop is burned to ground by a right-wing mob. With threats of violence, hundreds leave their work and travel back to Bengal over the following days. The death toll reaches five. Many more are hospitalized.

02 August 2023: Tensions continue in Nuh, Sohna and Gurgaon and threatens to spread to Delhi (Image 2).

A petition is moved in the Supreme Court seeking to stop the rallies announced by VHP and Bajrang Dal in Delhi-NCR. These rallies are supposed to register protests against the 'anti-Hindu' violence. The Court refuses to stop the rallies but asks them to be video graphed. The rallies do not lead to further violence.

The situation in Nuh and Gurgaon remains tense, but there are no further reports of violence. The death toll in Haryana reaches six. As questions are raised about state failure, Haryana government attempts to portray the violence as a conspiracy and floats the possibility of a 'Pakistan' angle.

Muslim migrant workers leave in hordes. Muslims shut shop along the Delhi Alwar highway. In Nuh and Sohna, many homes are deserted as people seek refuge with relatives elsewhere. A sense of fear of reprisal hangs over areas as Nuh witnesses indiscriminate raids and arrests of young Muslim men by police.

04-06 August 2023: The authorities demolish hundreds of houses, shops, and other structures of Muslims in the Nuh district. Rohingya refugees face the initial brunt of the bulldozers, with hundreds of homes (shanties) demolished. Later other houses are also demolished. All these houses belonged to Muslim workers and they are demolished either without notice or on the very day on which the notices are served. Right-wing media outlets hail the use of 'bulldozer justice'.

07 August 2023: Panchayats of 14 Haryana villages

write to the police and administration, informing them of the decision to boycott members of the Muslim community. The panchayats took the decision 'not to rent out houses and shops to people from the Muslim community' after the communal clashes and informed the authorities in Haryana through a letter. On the same day, the Punjab and Haryana High Court stays the demolition drive and observes that whether the buildings belonging to a particular community in Nuh and Gurgaon are being brought down by the authorities under the guise of law-and-order problem and an exercise of 'ethnic cleansing is being conducted by the state.' August 11 is set as the next date for hearing.

09 August 2023: Leaders of farmer bodies and khap panchayats in Hisar's Baas village in Haryana announce that they won't allow anyone to touch members of the Muslim community, days after violence hit the Nuh district. The panchayat is attended by nearly 2,000 farmers from Hindu, Muslim and Sikh communities and strongly condemn the attempts to stoke communal and caste conflicts.

Testimonies

Here are some short excerpts from the testimonies collected by the two FFTs. *Some of the names of the respondents have been changed to protect their identity. The testimonials have been edited for length and clarity.*

Idrees (Sohna)

Around 5 pm, a large mob started gathering here. At that time all the shops were open in the market. The mob specifically targeted Muslim owned shops in market. Hindu owned shops were not touched. Police was present there, but they were just silently watching. Till now, no one from the government or authorities have come to meet us after the violence, nor has any compensation been provided.

Rafeeq (Sohna)

A neighbor of our colony, who is a driver, was returning from his work. They [right-wing mob] broke both his hands. When his friends went to pick him up, the mob pelted stones. Several Muslims owned shops were attacked and set blaze. The mob also fired shots into our colony and it lasted for almost one and a half hours. In our colony there are 3-4 houses which belong to Hindus. Here they are. [Points towards Vishnu]

Vishnu, a laborer says he was born in the colony itself and they have lived with their Muslim neighbors in harmony.

Waris (Sohna)

The people in our locality are poor laborers or vendors. They have small road-side kiosks selling fruits and vegetables. The mob was huge and the whole chowk was blocked. Knowing that we were Muslims, they mercilessly thrashed people. The injured were fully soaked in blood. In two or three houses, the mob threw gas cylinders using it as improvised bomb. There was widespread looting too.

The mob mostly comprised of people from outside. No one from this colony, whether Hindu or Muslim, was involved in it. The Hindu owned shops in the market had no hand in the violence.

Saifuddin (Young Lawyer, Nuh)

The atmosphere in Mewat was of harmony and brotherhood. There had been no animosity among people of different communities here. The provocative video released by Monu Manesar created an atmosphere of tension. The hatred has been fuelled by social media and now everyone is under curfew here. Both the administration and the government have failed the people of Nuh. Despite warning by locals, no concrete arrangements had been made by the government to prevent provocation and clashes. Government officials were also absent. The SP of Nuh district was also on leave.

Today, there is an atmosphere of fear among the Meo community about the possible reprisals by the government. Many have left their homes to stay with their friends and relatives. But despite the violence on July 31, there is no conflict among the local people here.

Akhtar (Educator and local leader, Nuh)

The Hindus and Muslims have all lived together in Mewat. Even today, in Kot village, which is part of the Hathin Legislative Assembly, a panchayat to foster the brotherhood of Meos and Jats is being held. We hope that good results will come due to it.... Shobha Yatra was held last year also, but this time the provocation was of a different level. The threatening video of Monu Manesar, who killed Nasir and Junaid, was the key. He laid the foundation for the violence.

When the video went viral on social media, locals informed the administration about it. The members of the Peace Committee submitted a memorandum demanding that Monu Manesar should not participate in this yatra and come into the area. Had the administration acted swiftly, the events of July 31 would have never unfolded.

When the clashes began, local leaders swiftly intervened to control the situation from becoming a massive riot. The police and administration were missing from the scene. It has come to be known that the Additional SP talked to Usha Kundu and told her that this Shobha Yatra was coming. She was asked to make concrete arrangements regarding this. But the administration did not make the concrete arrangements that should have been made.

Shafique (Retired Doctor and local leader, Nuh)

When the Shobha Yatra started, we heard that he [Monu Manesar] had joined the Yatra with swords. During the Yatra provocative slogans were raised that if you want to live in India, you must do so and so. There has been a lot of damage due to this incident. Whatever happened, it happened because of the weakness of the administration. When the responsible officers go on leave, this is what happens.

Earlier also, there used to be local level Yatras and they were peaceful. These big processions only started three years back and these have been used by the RSS to spread hatred. These RSS people were agents of the British and had nothing to do with the freedom movement.

The whole thing is part of Modi Government's script. The script was written in Gujarat [2002 pogrom]. They want to create such a situation everywhere.

This is a secular country. Here the dress, language and food habits change after every few kilometres, that is India. And the conspiracies have been hatched to destroy it, to spread hatred to destroy this diversity.

Demands

1. Immediate action must be taken against Monu Manesar, Bittu Bajrangi and others responsible for the provocation and violence and a Supreme Court monitored investigation into the events, especially into the role of Hindutva groups in the Mewat violence should be initiated.
2. Indiscriminate raids and arrests of young Muslims, intimidation against local leaders of the Meo community, bulldozer action against alleged rioters, the persecution of Rohingya refugees in Nuh and all forms of reprisal acts against Muslims must stop. Full compensation must be provided to all those whose houses have been demolished in contravention of existing laws. Confidence building measures based on truth and justice must be initiated.
3. There must be strict action against media outlets spreading fake news, and a ban must be imposed on VHP and Bajrang Dal rallies in the region in the foreseeable future.
4. All cow vigilante killings and hate speeches that have happened in the last few years must be promptly investigated and the culprits brought to justice. The Gauvansh Sanrakshan And Gausamvardhan Act, 2015 must be repealed.

POSTSCRIPT

Since the publication of this report, no fresh cases of communal violence have been reported. While Bittu Bajrangi has been arrested, Monu Manesar remains scot-free.

Worryingly, thousands of houses of Muslim citizens have been bulldozed and this has been widely celebrated in the media as the right form of justice delivered to alleged rioters. Arrests of Muslim men has not abated.

Farmers' organizations and local Mahapanchayats in some parts of Haryana have pledged support to the Muslims but simultaneously the VHP and Bajrang Dal have given out calls for social boycott of Muslims and are planning to take out a rally on 28 August. ■

CPIML Team's Visit to Manipur

BJP's Divisive Politics and Criminal Governance Deepens Manipur's Ethnic Divide

An eight member team consisting of CPIML leaders, AIPWA, AILAJ activists and an independent feminist activist visited the violence ridden Manipur from 10th to 14th August. The team consisted of Clifton D' Rozario (CPIML State Secretary, Karnataka), Sucheta De (CPIML Central Committee Member, Delhi), Bibek Das (CPIML State Secretary, Assam), Pratima Engheepi (CPIML Central Committee Member and AIPWA leader, Karbi Anglong), Saraswathi D. (Dalit rights activist and prominent cultural activist, Karnataka), Avani Choksi (AILAJ, Karnataka and CPIML activist), Madhulika T (AILAJ, Karnataka). The team visited different parts of the affected territories in Manipur including Imphal Valley, Bishnupur district, Kangpokpi and Churachandpur.

The entire nation has been watching in dismay as Manipur lays engulfed in violence since conflict between two ethnic groups, the Meiteis and the Kukis, broke out on May 3rd of this year. According to an official report submitted by the Manipur government to the Supreme Court, the number of deaths since the conflict broke out in the State stands at 142, and the number of people displaced at 54,488. From the time these figures were presented to Court on 10th of July, more instances of violence have broken out, increasing the count of dead and displaced people from the conflict. The events at Manipur is nothing short of a disaster, whose inception began in the form of ethnic conflict between the Meitei and Kuki community. Against the backdrop of such a crisis, the team felt compelled to visit the state, express our message of concern over the lives lost and devastated and expose to people the reality behind the violence.

The team met several representatives from different sections of Manipuri society, including civil society organisations, prominent leaders, legal professionals, IPS officers and people at relief camps from both the Kuki and Meitei Community.

Brief Observation of the Present Situation

Violence first broke out in the State on 3rd May 2023, and has since been continuing in different forms. Several people from both the Meitei and Kuki community believe however that the trigger for violence began much before the May 3rd violence, though their reasons for the same vary. For the Meiteis it was the rising tensions around the order of the Manipur High Court on the claim for ST status to Meiteis, and the subsequent incidents of arson reported on 27th and 28th April. For the Kukis it is traced back to the State-orchestrated demonisation of the Kuki

community as a whole in the name of war on drugs and forest encroachments, which created a situation where a conflict was inevitable.

Now after three months of violence and arson, the state lays effectively fractured on ethnic divisions – there is complete ethnic segregation of Kukis and Meiteis into the Hills and Valley respectively. On the one hand, Meiteis living in the hill districts alongside Kukis have been forced to leave their houses and take shelter in relief camps, and on the other hand, Kukis living and working in the valley area, mainly Imphal East and Imphal West, have been driven out and have sought shelter in the relief camps in Kuki majority areas such as Kangpokpi and Churachandpur. Thousands of others, mostly Kuki, have taken shelter at relief camps in Mizoram. The Team also met displaced Kukis in Guwahati and learnt that there are about 500 Kuki and Meitei families who fled to Guwahati following the violence. Hundreds of other families have fled to other parts of the country. Just a couple of days ago, the Manipur Chief Minister Biren Singh informed about the return of 212 citizens belonging to the Meitei community from Myanmar to where they had fled around 3 months back after the start of conflict.

As per media persons at Imphal, there are about 130 relief camps in the valley out of which they are 7 relief camps in Imphal city. Persons from the Meitei community displaced from Kuki dominated areas like Churachandpur, Moreh and Kangpokpi are staying in these relief camps. A spokesperson from the Kuki Student Organisation (KSO) reported to us that the district of Kangpokpi has 55 relief camps in which over 12,000 displaced people are seeking refuge. As per a spokesperson of KSO from Churachandpur, the district has 106 relief camps, and about 41,000 displaced people from the Kuki community. There are additionally Kuki camps in other hill districts as well. According to an independent journalist, covering the impact of the conflict, the number of displaced persons from the Kuki community number about 60,000, while those displaced from Meitei community are about 15,000.

These figures presented to us by representatives on ground cross the numbers presented by State government in July by a mile, and presents an idea of the magnitude of devastation that occurred in Manipur. A brief description of the situation at the relief camps is presented later in this report.

Throughout our visit both at Imphal valley districts and the hill districts, we saw houses and property incinerated to the ground. Houses and property belonging to Kuki

community in Imphal have been burnt. In a similar manner, houses, and property of Meiteis in Kuki majority areas in the hills and foothills have also been burnt.

There has also been large-scale destruction of places of religious worship as a part of the conflict. Church sources inform that about 350 churches have been burnt down across the state including Churches attended by Christians from Meitei community. According to a Meitei politician we met several temples have also been burnt. While the violence in Manipur may not primarily have been based on religious differences, and the burning down of places of worship an outcome of the ethnic clash, as long as a party like BJP holds power at the state and centre, a flaring up of religious enmity in the near future cannot be ruled out. It is also of importance to mention that we saw an untouched temple in the town of Churachandpur, which is patronized by Nepalis and Marwari community.

In our interactions with people from both the communities, one cannot miss the deep sense of animosity and mistrust towards people from the other community. Every narrative of the violence lays blame on the other community. The mistrust runs so deep that one displaced Kuki person we met at a shelter in Guwahati told us that after their house was attacked in Imphal of May 3rd and they were rescued by CRPF, some Meiteis came to offer them food, but they did not take it thinking the food might be poisoned.

The frontier or the foothills region between the valley and the hills, has turned into a buffer zone heavily guarded by the armed forces and women's groups on both sides. While the Meitei women's group Meira Paibis guard the border on the valley side, groups of Kuki women guard the hill side of the frontier.

In the valley, there are hoardings, banners and graffiti's demanding revocation of Suspension of Operation agreement with Kuki underground groups, affirming Manipur's territorial integrity and calling for action against "narco-terrorists". In Kuki dominated areas we saw banners stating "Separation is the only solution" and "No Meitei Product allowed" and the renaming of places to traditional Kuki names like Churachandpur which is now Lamka.

Vehicle drivers from either the Meitei or the Kuki community cannot travel from the valley to the hill and vice versa. It is only the Pangals (Meitei Muslims) and Nagas who are able to cross over. There is a strict surveillance of identities of people travelling across the border by not only the armed forces but also by Meitei and Kuki groups guarding the frontier.

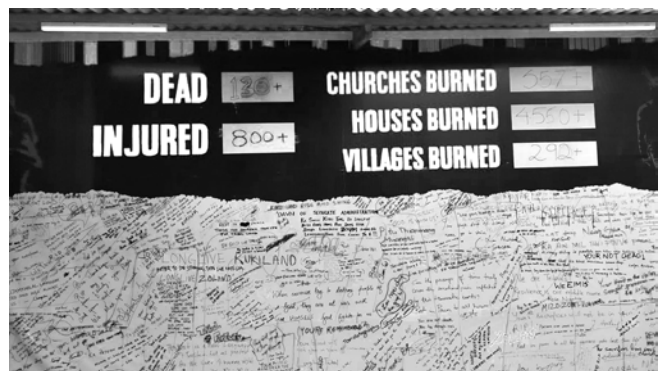
Manipur has been completely segregated between the Meitei and the Kuki community. The wounds and trauma experienced collectively by Manipuri society will require serious efforts from both communities and well-wishers to heal.



HEALTH CENTRE FUNCTIONING AS DISTRICT HOSPITAL AT KANGPOKPI



HOARDING AT CHURACHANDPUR/LAMKA



WALL OF REMEMBRANCE, CHURACHANDPUR

Precursor to the Violence

A fact that cannot be ignored in this entire episode of violence and ethnic segregation is that the violence was overseen by a two-term BJP Government both at the state and the centre. N. Biren Singh, the Chief Minister of Manipur since 2017 was sworn in shortly after joining BJP in 2016. It is under his Chief Ministership that the state has witnessed such an unprecedented scale of violence and ethnic segregation.

As mentioned earlier, our team spoke to several people from both the communities to understand the trigger and reasons behind the conflict. The narrative from the Meitei

side hinges on 2 main issues: firstly, that “lakhs and lakhs of Kuki infiltrators” are entering Manipur from Myanmar and setting up thousands of new villages and secondly, expanding poppy cultivation in Kuki areas. This narrative has found its vocal proponent in the Chief Minister who has publicly endorsed this narrative, particularly on social media platforms by releasing press statements about ‘War of Drugs’, ‘Infiltration’ etc., which have caused a demonisation of the Kuki community.

For years, Manipur, due to its geographical location as a border state and its history of assertion against the Indian military has been viewed through the prism of national security. The lives and livelihood of people in Manipur have always taken a backseat for the ruling powers of India from Delhi. Today with the BJP - a party that champions the discourse of otherisation - in power both at the state and the centre, the situation at Manipur has worsened. If a country is to prioritise the lives and livelihood of its people, ‘national security’ cannot be used as a narrative to fuel public opinion about any community. However, this is precisely what the Chief Minister of Manipur is doing.

Members of Kuki Civil Society Organisations informed us that since the second term of the Biren Singh government, there has been a concerted effort to target the people living in the hills. There has been several instances of eviction notices being served on people living in hill areas in the name of forest conservation. The Bulldozer governance of the BJP regime has been unleashed in the hills. Several houses in the hill have been demolished in the name of evacuating people from ‘Protected Forests’. It is important to remember that it is the same BJP that recently passed dangerous amendments to The Forest Conservation Act from Lok Sabha at the cost of livelihood of forest dwelling people, and same party that is selling out national resources to private and global corporates.

As per several members we met from the Kuki community, the discourse of infiltration and poppy cultivation used to target them has made them feel a deep sense of insecurity and alienation in the state.

While poppy cultivation and its impact on Manipur society needs unbiased and serious investigation, the selective targeting of only the Kuki community needs demystification. According to Thounaojam Brinda, former ASP of Manipur and a prominent political personality in Manipur, the Chief Minister himself is associated with drug cartels. She has said that while serving as a police officer she busted several drug cartels and found many BJP leaders associated with these cartels. She was also pressurized by senior BJP leaders not to file cases against the Autonomous District Council (ADC) Chairperson of Chandel, a BJP member despite finding high-value drugs at his residence in a drug raid led by her. She has said that the Vice President of the BJP of the state, the DGP and SP of Manipur police all were sent to her by the Chief Minister himself to drop the charges against people involved in the drug cartels.

Members from the Kuki community maintain that poppy cultivation is a problem which requires serious intervention; however they vehemently disagree with the manner in which the war on drugs is being carried out. Poppy is mostly cultivated by poor farmers, who have no other means of income according to several people from both Kuki and Meitei community that the team met during the visit. It is a shame that the head of a state, despite two terms in power, has failed to provide substantive livelihood and welfare to poor farmers to wean them from away from poppy cultivation and has rather focused on creating inflammatory narratives and generating animosity between different communities.

Another issue that needs attention is the role of Meitei organisations like Arambai Tenggol and Meitei Leepun in flaring up the polarisation in the State. As per several people the team met, these groups have played active role in blowing up the narrative of infiltration against Kuki community. They have also exaggerated the CM's hyped up campaign of War on Drugs.

Situation at the Relief Camps

The living conditions at the relief camps the team visited both in the valley and the hills are abysmal. We visited two camps in Imphal, three camps in Churachandpur, one camp in Moirang and one camp in Kangpokpi.

In Imphal city, we visited Shyamasakhi relief camp, sheltering 83 displaced Meiteis, which is being run by seven local clubs. The government is only providing 80 rupees per day for food for the residents, which as per people in the camp is extremely difficult to get by.

Another camp in Imphal city, Akampat Relief Camp, is presently providing shelter to about 800 Meitei people displaced from Moreh and Churachandpur. We saw residents living in cramped rooms and food being cooked near garbage pits. As per inmates, the government has promised 1000 rupees compensation per head, and that they have received only Rs 500 to date.

At ITI relief camp in Kangpokpi, we were told that lack of nutritious food has severely impacted people living at the camp. People have been surviving merely on rice, dal and potato for almost three months. We were also informed at the camp that almost no relief came from the State, and that the camp was completely dependent on money from CSO's to run. At the relief camps at Churachandpur, we were told that infectious diseases including measles, chicken pox and viral fever have begun to spread rapidly due to the how congested the living situation at the camps are. Sanitation is also a huge problem with most camps only having two washrooms for over 200 hundred people.

Aftermath of the Violence and Ethnic Segregation:

While the violence and the ethnic segregation will have long term impacts on the Manipuri society and politics, the segregation and blockade of roads the past three

months in the frontier of the valley and hills have had profound impacts on both communities.

Access to health is a major concern for people living in the hills. At the District hospital at Kangpokpi, we observed an acute shortage of medical supplies and medical professionals. We were informed that the hospital is unable to send samples for HIV/Hepatitis testing to Imphal and that several people have gone untreated for HIV/Hepatitis in the area as a result. An activist also narrated to us a tragic story of a dialysis patient dying after the sole technician providing dialysis in the area fled after the conflict began.

High inflation has also impacted the communities in the hill areas acutely. We were told that prices of essential commodities including food items in the hills have increased manifold since the blockade started.

Schools and colleges are shut in the Kuki dominated areas. In Imphal as well, several colleges have been transformed into relief camps. Kuki students who studied at the colleges in Imphal city have been forced to discontinue their studies as it is unlikely that they will be able to return to the city anytime soon.

What ahead?

This unprecedented ethnic segregation of the Meitei and Kuki communities into the valley and hills of Manipur, is BJP's gift on the 75th anniversary of India's independence. Never before in the history of India has a government overseen such a complete decimation of society's social fabric that has resulted in entire communities within a state being ethnically segregated into different parts of a State. The BJP government has manufactured this segregation in a state, which despite previous conflicts, was able to reconcile and live together.

It goes without saying that this ethnic segregation and violence that has been raging for more than 3 months now, is the consequence of the actions of the BJP government. Even as the Chief Minister Biren Singh proved thoroughly incompetent and reluctant to put an end to the violence, Prime Minister Narendra Modi prioritised his visits to France and the US over Manipur.

It is an almost unanimous opinion that the State was the biggest actor in this entire situation, and it consciously allowed the situation to worsen. It has allowed Manipur to burn, and to segregate ethnically.

Further decisions and steps need to be taken against the broader context of restoration of peace in the state and fixation of accountability of the government. For any feasible political solution to emerge, the first step is for Mr. Biren Singh to resign as the Chief Minister. We appeal to the affected communities to cease all hostilities to ensure that the displaced persons at the relief camps can receive proper aid. This will serve as an important gesture to move forward from the conflict towards any future resolution. ■

Uttarakhand: How the Double Engine BJP Sarkar Paved Way for Disaster

▲ INDRESH MAIKHURI

The incessant rains in Uttarakhand and Himachal Pradesh have led to widespread destruction and devastation in the hill states. The loss of life and property has been even greater in Himachal Pradesh, than in Uttarakhand. According to reports, between June and mid-August, 2023, the death toll due to heavy rains in Himachal Pradesh and Uttarakhand has crossed 230! At the time of writing this article in the third week of August, 2023, 68 people have died in Himachal Pradesh with 15 missing persons, whereas 16 lives were lost and 15 are missing in Uttarakhand.

But are the rains only to blame?

Just before the assembly elections in 2016, Prime Minister Narendra Modi visited Dehradun and announced that an all-weather road would be built by widening roads leading to the Char Dhams in Uttarakhand. The work for this project started with Rs. 12,000 crore for widening the existing roads to 12 meters width. To implement this project, thousands of trees were chopped and mountains were relentlessly blast and cut through. In fact, the central government ignored its own notification of 2018, which said that the width of a road cannot exceed 5.5 meters in the hilly terrains.

To expedite the 825 km project, the central government split up the project into each less than 100kms, only to bypass the mandatory Environmental Impact Assessment (EIA). As per the 2006 notification, EIA is mandatory for the 'expansion of all highway projects of a length of 100 km and above and construction of projects over 20,000 sq metres'.

Today, instead of an all-weather road, this path is marred by regular landslides. The National Highways going to Rishikesh-Badrinath and Rishikesh-Gangotri have remained closed for several days, and at many places, it is found that the road has completely sunk in. In other places, the widened part of the roads are completely washed out. In yet others, even the road that existed has now collapsed.

The committee constituted by the Supreme Court has stated that the hill cutting and blasting deployed for this project is unscientific and that it has created more than 145 new landslide zones along the path.

Illegal mining has been another major contributing factor for widespread devastation in the state. It is important to note that the unscientific and unfettered mining has resulted in rivers flowing at an increased speed, which in some cases has led to the change in its course,

thus taking unprecedented paths downstream during the monsoon, which is wreaking havoc.

Typically, the river mining season is between October 1st and May 31st, and the mining activity is banned outside of this period, especially in the rainy season. However, in 2020, the BJP government of Uttarakhand managed to avail permission from the Union Ministry for Forest and Environment for mining in the month of June, which is in blatant disregard of environmental safeguards.

A report published by the Reporters Collective in 2023 states that the Chief Minister Pushkar Singh Dhami has been visiting Delhi since February to obtain permission for mining in Gaula river. The Union Government, while granting permission, has failed to check the devastation that is already caused to Gaula river in the recent years due to sand mining.

Amid the uncontrolled sand mining, experts and activists have warned of the impending disaster, but it seems as if the sand mafia is calling the shots with the double engine government in Uttarakhand playing the invisible hand.

The collapse of the Dehradun-Rishikesh bridge on the Jhakan river in 2021, which was supposed to last for 100 years, was a forewarning of the devastation that was to happen due to the uncontrolled sand mining. As per reports, in this monsoon season in Uttarakhand, 83 bridges have been damaged. Like the Dehradun Rishikesh bridge, most of these bridges were built only around 10 years ago, with their estimated durability being that of 50 to 60 years. The bridge built on Malan river in Kotdwar, which was built in 2010 at a cost of Rs. 12.35 crore, collapsed on July 13th. After the collapse, a video of Kotdwar MLA and Assembly Speaker Ritu Khanduri Bhushan went viral, in which she was telling the disaster management secretary that a lot of sand mining has occurred in the area, and local sand miners were standing behind her!

Government Backtracking on its Promises in Joshimath

▲ ATUL SATI

From the time land subsidence and cracks appeared in houses in November 2021, the people of Joshimath town have been on a path of struggle. After nearly a year of the people's movement led by the Joshimath Bacha Sangharsh Morcha, the Dhami-led Uttarakhand government agreed to accept the demands of the people, which included adequate rehabilitation package, a halt to the on-going disastrous projects in Joshimath-Vishnugad and the Helang by-pass road.

A few months after the Joshimath tragedy received national attention, the relief camps came to be closed down and people had to return to their damaged homes. The situation in Joshimath has nevertheless worsened. The heavy rains lashing through Uttarakhand has made the situation more vulnerable for the people, who are living in fear. Land subsidence has aggravated and there have been fresh landslides in many places, with more than 100 new houses developing cracks.

The government initially counted 868 houses with moderate to severe cracks, however, these numbers are much higher. The situation in areas considered as 'sensitive' or 'danger' zones has become much severe. In the recent rains, many people spent their nights in constant fear of an impending disaster. Areas which were not initially identified as dangerous by experts and the government are now under severe risk of massive land subsidence.

In January 2023, a team of scientists from eight government institutions conducted a comprehensive survey of Joshimath, and the findings of which was handed over to the National Disaster Management Authority in February 2023. Despite assurances of the Chief Minister, this report has not been made public till date. Fear and apprehension of safety has increased among the people as the government is not being transparent with the people. The findings of this report could give an idea of the extent of the tragedy, which would help people be better prepared. Moreover, the entire process of rehabilitation depends on this report. The double engine BJP Government has made the report a classified document and is using its power to threaten other organisations and scientists. Furthermore, the NDMA has gagged government institutions from providing scientific data on Joshimath. In fact, the national body sank the ISRO-NRSC report which demonstrated the rapid land subsidence since April 2022 in Joshimath.

The disaster in Joshimath is a result of severe environmental degradation which was enabled by the State without striking a proper balance between environment and human development. This was reflective in the disaster of 2013 wherein more than 5,000 people lost their lives and the disaster that took place in Rini in 2021. The government has failed to learn its lessons and moves forward with its agenda of corporate exploitation of the environment.

The unfettered and uncontrolled exploitation will prove dangerous not only to the residents of Joshimath, but for the rest of the country as well. The government's open facilitation of the loot of natural resources in the name of development, along with the recently passed Forest Conservation Act, will only exacerbate the crisis.

The Joshimath people's movement has played an important role in exposing the anti-people and anti-environment policies of the government, especially in the Himalayan States. People are demanding a development model that preserves nature and the fragile ecosystem, and not one which is based on greed and prioritises profit over people. The Himalayas have given us a warning – if the corporate exploitation of the environment continues, the destruction that will follow will be severe and unprecedented. ■

In June 2020, Uttarakhand government estimated a revenue of Rs. 50 crore from mining. Now, the government will have to shed an estimated Rs. 92.47 crore to rebuild these bridges.

Not So Smart City

The rains have also washed off the fallacy of the Centre's ambitious project of 'Smart City' in cities like Dehradun of Uttarakhand. Dehradun regularly witnesses waterlogging even when it experiences light rain. The recent photos of the Dehradun SSP and Urban Development Minister Premchandra Agarwal (in Rishikesh), who were seen clinging to boats when the rains caused flooding in some areas, expose the reality of the smart cities.

The recent rains have also caused further land subsidence and cracks in Joshimath. In the past eight months, the residents of Joshimath have been demanding relief and rehabilitation as the hill town continues to sink. But

the double engine government of the Centre and the State has not yet made public the report of the eight central scientific institutions submitted in February 2023.

Similar cases of land subsidence have also been observed in Mastadi village of Uttarkashi. In Jakhan village of Binhar area, Dehradun, an entire village was flattened by a massive landslide and around 150 people are now without shelter.

The Himalayas are known as "young fold mountains" which are still growing and are seismically very active. Formed due to the collision of Indian and Eurasian plates, the northward movement of the former puts continuous stress on the rocks, rendering them weak and prone to landslides and earthquakes. This, combined with steep slopes, rugged topography, high seismic vulnerability, and rainfall, makes the region geologically unstable and disaster prone.

Incidents like heavy rains, fires and earthquakes are natural, but the indiscriminate construction and exploitation of resources without recognising the delicate ecology and environment of the hills have increased the exacerbated the devastation caused by these natural phenomenon. From the mega road expansion project in the name of national security to building cascading hydroelectric power projects, from unplanned expansion of towns to unsustainable tourism, all these are taking a heavy toll on the fragile Himalayan ecosystem. Furthermore, these unscientific and unfettered exploitation in turn impacts the climate and cause erratic climate patterns.

Environmentally devastating projects of the double engine BJP governments have today made Uttarakhand a ticking time bomb for disaster. While big corporations, continue to reap profits by exploiting the ecosensitive mountains, the people of Uttarakhand continue to pay the price. ■

MMDR Amendment Bill 2023: Critical Minerals Are Now Open For Private Mining

▲ MADHURIMA BAKSHI

The Mines and Minerals (Development and Regulation) Amendment Bill, 2023, was approved in the Lok Sabha on 28th July and passed in the Rajya Sabha on 2nd August. The Bill amends the Mines and Minerals (Development and Regulation) Act, 1957 which aims to regulate the mining sector in our country. Mining related activities are classified in the Act into reconnaissance (preliminary survey to determine mineral resources), prospecting (exploring, locating, or proving mineral deposits) and mining (extraction of minerals). The Bill redefines "reconnaissance operations" as any operations undertaken for preliminary prospecting of a mineral through

regional, aerial, geophysical or geochemical surveys and geological mapping, and includes pitting, trenching, drilling and sub-surface excavation which was prohibited earlier. Along with reconnaissance permit, prospecting licence, mining lease and composite license (provisioned earlier in the Act); the Bill introduces an 'exploration licence', for a period of five years (extendable by two years) which will authorize either reconnaissance or prospecting, or both activities for specified minerals. This exploration licence will be granted by the state government through competitive bidding. The license will be issued for 29 minerals specified in the Seventh Schedule of the amended

Act, including critical, strategic, and deep-seated minerals.

Earlier in the Act, 12 atomic minerals were reserved for mining and exploration only by the Government entities. The new Bill declassifies 6 atomic minerals from this list. With the new amendments, private sectors are now allowed to get exploration licence to mine these 6 minerals namely lithium, beryllium, niobium, titanium, tantalum and zirconium alongwith 'deep seated minerals', such as gold, silver, copper, zinc, lead, nickel, cobalt, and platinum group of minerals, diamonds which are difficult and expensive to explore and mine comparing to the surficial or bulk minerals. Minerals like lithium and other 5 minerals which are used for manufacturing batteries for electric vehicles and energy storage devices, aerospace industry, electronics, telecommunications etc. have been categorized into a list of 'critical and strategic' minerals. According to the Bill, auction for

composite licence and mining lease for specified critical and strategic minerals will be conducted by the central government. However, concessions can still be granted by the state government.

The Bill also increases the maximum area in which activities are permitted under a single exploration licence up to 1,000 km². Earlier, a prospecting licence allowed activities in an area up to 25 km². After the initial three-year period, the licensee will be allowed to keep upto 25% of the originally approved area, provided they submit a report to the state government justifying the need to retain the specified area. The Bill has further facilitated an incentive (share in the auction value of the mining lease) to the licensee for the mineral prospected by them which will be prescribed by the central government. Even if the state government does not complete auction of mining lease within the specified period, the state government needs to pay to the exploration licensee an amount prescribed by the central government. Altogether, the Bill grants the Central government the authority to conduct auctions for mining leases and composite licenses pertaining to specific

critical minerals and aims to foster, promote, and provide incentives for private sector involvement in all aspects.

As per reports published in The Hindu, it is estimated that India has explored just 10% of its Obvious Geological Potential (OGP) mostly by Geological Survey of India and other PSUs like Mineral Exploration Corporation Limited (MECL), less than 2% of which is mined and the country spends less than 1% of the global mineral exploration budget. Instead of developing specialized technical abilities of these government entities, the Bill has been designed to attract private sector investment in the exploration of critical and deep-seated minerals in the country without addressing the safety (both environmental and occupational) consequences and peoples' rights.

India is highly dependent on import of many of these critical minerals due to lack of availability, limited exploration and extraction processes. The need of clean energy and net zero emission goals are being publicized to facilitate greater accessibility of these critical minerals such as lithium and other rare earth elements. In the name of enabling increased availability,

declassifying these minerals would eventually enable private players to takeover and hound profits from exploration and mining of these strategic minerals. We must not forget, renewable energy can only be a meaningful solution if it is done in a decentralized way ensuring access to common people and not handed over to a few corporate players like Adani, Acme, Birla as their profit-making ground.

MMDR Amendment Bill 2023 also needs to be seen in the light of Forest (Conservation) Amendment Bill 2023 which was also passed in the same monsoon session of the Parliament. On one hand, forest lands are made vulnerable by redefining forest, expanding the exemption list (including exemption of land within 100 kilometres of the borders from conservation laws), amending the range of 'Non Forest use', imposing centralized forest governance and suppressing legal rights of the forest communities. Simultaneously, private mining is being encouraged and incentivized in the area of critical and strategic minerals. This is nothing but a clear ploy to expedite corporate takeover of vast forest, mineral and other natural resources disregarding people's rights. ■

CAG Reports Point Towards Corrupt Practices And Lack of Transparency

▲ SAURABH NARUKA

The Comptroller and Auditor General of India (CAG) has come out with several audit reports which expose the fallacy behind the government's tall claims of combating corruption. The audit reports on Ayushman Bharat (PMJAY), Bharatmala Pariyojana, and Economic and Services Ministries-Civil brought out instances of short spending on social welfare, dramatic cases of suspicious payments to beneficiaries, multiple cost overruns and financial

irregularities, pointing towards myriad layers of corruption.

Performance Audit Of Ayushman Bharat

he performance audit found that 7.87 crore beneficiaries were registered as on November 2022 under the scheme, constituting 73 percent of the targeted households of 10.74 crore. The scheme was supposed to mainly identify beneficiaries on the basis of the deprivation and occupational criteria of the Socio-Economic Caste

Census, 2011 (SECC) for rural and urban areas. But as per National Health Authority (NHA) record, only 2.08 crore households had been identified from SECC-2011 database. This raises concerns regarding the identification of beneficiaries and the process adopted for the purpose. This concern gets further enhanced when one takes into account the audit observation that the match confidence score, which the online system of beneficiary registration generates based on matching the documents of a beneficiary with the SECC list of eligible beneficiaries, has been rendered ineffective as applications for registration were approved or rejected irrespective of the match confidence score.

The arbitrary way with which beneficiaries were identified will affect objectivity of the process, which in any welfare scheme of the government intended to serve the most downtrodden, is not a welcome scenario.

The audit also found out that in several states Empanelled Health Care Providers (EHCPs) associated with the scheme fail to meet the minimum criteria of support system and infrastructure and lack quality standards. The audit notes that there was a shortage of equipment and doctors, and several available equipment were found non-functional.

In the audit period, 3.57 crore claims amounting to Rs 42,433.57 crore were settled. Out of these, claims amounting to Rs 22,619.88 crore (53.30 per cent) pertained to the states with their own health insurance schemes which are sharing the data through API, where the transaction did not capture PMJAY identification of beneficiaries. Moreover, the audit revealed that there were large numbers of beneficiaries registered against the same or invalid mobile number. In one case it was found that 7,49,820 beneficiaries were linked with a single mobile number. It is surprising that in country where people have to go through Aadhaar based verification linked to individual mobile number, how 7,49,820 beneficiaries were registered using a single mobile number! This surely raises several questions.

The report also points out that in 2,25,827 cases amounting to about Rs 392 crore, claims were paid in cases where date of surgery was later than discharge of that patient. In 45,846 claims involving Rs 224 crore, the date of discharge was earlier than date of admission of these patients.

Bharatmala Pariyojna (BBP)

By 31 March 2023, 26,316 km of national highways had been awarded under BBP-I, which is 75.62

percent of the Cabinet Committee on Economic Affairs (CCEA) approved cost. The sanctioned cost was Rs 8,46,588 crore with Rs 32.17 crore/km as against CCEA approved Rs 15.37 crore/km. The sanctioned cost was doubled from the approved cost. In the case of Dwarka Expressway under the BBP-1 between Delhi to Gurugram, the expressway was built at a cost of Rs. 250.77 crore per kilometre against CCEA approved cost of Rs. 18.20 crore per kilometre, i.e., 14 times more than the sanctioned cost!

Furthermore, many BBP-1 projects were implemented without environmental clearance in contravention of guidelines. The audit report has also flagged the tendering process, with several bidders being selected based on falsified documents.

CAG on Finance Audit

The actual spending on social sector outlays has remained below the budget allocation in FY 2021-22 indicating that the government's priority lies elsewhere. The actual expenditure of Department of Health and Family Welfare remained short by Rs 39,365 crore of budgeted numbers. Similarly for higher education, Rs. 27,754 crore remaining unspent which is 42.49% short of planned spending. For the Department of School Education and Literacy, this short-spending amounts to Rs 22,062 crore (21.88%). Rs 24,457 crore of the states' share of taxes also remained unpaid in FY 2021-22.

Compliance Audit of Union Government

Deewan Housing Financial Corporation (DHFC) had attracted headlines for improper financial reasons some time back. The audit observes that Coal Mines Provident Fund Organization made an investment of Rs 1,390 crore during 2015 to 2018 in nonconvertible debentures in DHFC. The debentures amounting to Rs 864 crore had an

early redemption clause, in case credit rating falls below AA- or lower. In spite of the fall in ratings since March 2019 and portfolio manager's recommendation, the Coal Mines Provident Fund Organization failed to exercise this option resulting in avoidable loss to the tune of Rs 315.15 crore. Such blatant mismanagement of investment raises suspicions that a decision may have been made to benefit the promoter of Deewan Housing in an unfair way. This should be probed and appropriate action should be taken against those responsible for looting the hard earned money of workers.

The compliance audit further notes that Rs 8,800 crore was infused in SBI as additional capital without there being any demand. The Department of Financial Services (DFS) didn't make an assessment of additional capital requirements by following the laid down criteria. It also put in money for recapitalizing PSBs even over what is laid out as cushion by RBI. This resulted in excess infusion of Rs 7,785 crore. This cushion of additional recapitalization from budget over and above RBI benchmarks would only encourage boards of PSBs to clean balance sheets of banks by write offs of bad and doubtful debts instead of focusing on recoveries. With Narendra Modi as Prime Minister, PSBs have written off a whopping Rs 14 lakh crore, naturally at the cost of ordinary depositors. The infusion of additional recapitalization above all benchmarks can only signal to bank managements that the government is comfortable with the policy of write-offs of bad corporate debts.

The CAG audit reports bring out in open the financial malpractices, lack of transparency, non-spending of funds allocated for social sector, favouring contractors and corporates in large infrastructure projects, compromises on federal character and using taxpayers to facilitate write-offs in Public Sector Banks. ■

Organizing Movements

▲ KUMAR RANA

Inaugural Speech at the All India Conference of All India Students' Association (10 August, 2023)

I am grateful to the organizers of the All India Conference of the All India Students' Association for creating a scope for me to join the meeting. The occasion retrieves for me some of the moments from the past, which I never wanted to lose in the oblivion. This is especially so, for I belong to a community the social existence of the members of which was shaped, to varied degrees, by students' movements. Joining students' movement, no matter in which capacity—as organizer or sympathizer, leader or cadre—in itself is a great experience of life. It is a social moment with special significance, for it gives you the opportunity to multiply your education: firstly, your involvement in a movement takes you many miles ahead in the pursuit of truth, and secondly, the experiences gained through myriad activities while involved in the movements adds a lot to your social existence. In other words, the way education has twin values—intrinsic and instrumental; involvement with students' movements has also two distinct but interrelated virtues.

As a 'beneficiary' of students' movement let me welcome you all to Kolkata—the city of joy. Of course, the city of joy is an overriding nomenclature attributed to it by the author Dominique Lapierre who found unending energy of the working class population of the city to enjoy life amidst poverty and destitution, fluidity and uncertainty, and fragility and powerlessness. The helpless poor, the slum dwellers and homeless, who consist about one third of the total population of the city, cannot even share a grain of the facilities of city life. They lack everything—decent shelter, school, health centre, and protection from extortionists and police atrocities. Even many of the homeless—nearly 70,000 according to 2011 Census—don't even have the basic citizenship documents. Well intended as it was, Lapierre's nomenclature offered the upper crust city dwellers of Kolkata a chance to twist the inner substantiality of the phrase to a self-exculpatory fallacy. Kolkata is no aberration. Any city, for that matter, is characterized by the existence of contrasting realities. The contrast, however, has different layers. While one is manifested by the existence of lesser citizens and the elites, the other is manifested in the demographic composition of the elites. Youths, who have found an entry into the institutional sanctuary of education, mainly the colleges and universities, but sometime in the schools too, form a characteristically different elite group that reacts to the existing social order in an interrogative way. Students, in a generalized articulation,

[D]o not enjoy any definite relations to the productive process. While they are students, their careers remain

uncertain. Their fate will be settled by imponderables like the state of the labour market and their performance in examinations. ... Students are defined socially by their transitional situation. ... The effect of the examination system is not to unite students into a cohesive group but to atomize them, each student's fate is settled by his or her individual performance separated from that of all the others. But they are an oppressed group... Insecurity about the future is soon reinforced by the isolation of life on the campus. Although the discipline is less rigid than at school, decisions about the content of courses, appointments, price levels or anything else remains just as remote. The corridors of power inside colleges are certainly not for the use of students, except on a few occasions and only then at the convenience of the authorities. This general alienation of students creates their readiness to rebel.

The readiness to rebel is best manifested in the students' movements of the 1960s and 1970s, across the world. Barring a few, most of the movements emerged as a kind of revolt against what they felt unjust and oppressive, no matter which people were at the receiving end of the injustice and oppression. Indeed, the students. Movements of the 1960s and 1970s, were not confined to particular city, or national boundaries. It was not a mere co-incidence that students of the US universities and students of this city, Kolkata, the then Calcutta, took, at the same time, the protest against US aggression of Vietnam to a newer height. For a period in the 1960s, as an observer points out,

[S]tudent movements and the social explosions they provoked on campuses across the world contributed more than any other social group to a changing social climate. Even if they were often brief and spasmodic, they altered the balance of ideas and values in advanced capitalist society. They also provided key cadres for other movements of the period. SNCC, for example, brought new life and impetus to the US civil rights movement at a moment when it seemed to be in the doldrums, and its ideas and activists inspired both the black power movement and, indirectly, the Black Panthers Party.

However, students' protests did not appear in isolation—they were very much products of interactive social processes. Particular social settings give rise to particular motions, with varied characteristics. For example, many of the pre-1960s students' movements including that occasioned with the 1848 French Revolution sided with the state. Similarly many of the movements, especially after the 1990s, were regressive in nature. Within half a decade of the glorious movement of 1975 that contributed immensely to shape Indian politics in a democratic way, a reactionary surge in the name of Anti-Mandal students' agitation, well supported by the mainstream media and ultra-right groups, fought against the democratic values and achievements of the

country. The emergence of an ultra-right politics, both a cause and effect of the aggressiveness of capitalism, has re-shaped the contemporary social moments into various conceptual deformities to thrust upon the human species. The deformities often come in amalgamation: addicted nationalism merged with fanatic religio-political coercion; replacing the real developmental goals of education and health for all by an intoxicated persuasion of growth; brutal onslaught on the planet earth while demolishing the diverse ideas and institutions of democracy prevailed among the peoples living with nature; and so on. The new offensive, devised and executed by neo-liberal political militants, has especially targeted the education sector. It has created such a condition that students can blissfully forget the social moments they ought to inherit—the moments of challenging the authority. Ruling dispensations in most part of the world are desperate to abolish the very concept of education: they have almost launched a war to convert the public good into a private commodity. The New Education Policy 2020 in India is one of the crudest example of

such assault. The circle is made fuller by many of the state government's embracing this policy. Even those like the present government of West Bengal, the self-styled champions of secularism, have made themselves most loyally available for the services of capital. The state education sector, no need to explain, is already in jeopardy, and by almost copying the contents of the NEP 2020 for the state's education policy, it has as though made a declaration to follow the dictum of capital in letters. Not just in the education sector, many of the self-styled anti-fascists have been engaged in imposing on the people in their domain of power the most undemocratic and pro-capital regimes, making it hard to build up a broader democratic platform. The danger is much severe than one can imagine.

Here comes the responsibility of organization, the responsibility of organizing each fragments of the students' communities—in schools, rural colleges, the so called second rated universities, and the so called centres of excellence. History has made us stand at such a crossroad that there is no option for retreat. Now,

if the only way left is to move forward, the means to moving forward is to personify greater solidarity.

It's a matter of great hope that many organizations across the world, AISA included, are finding newer avenues and are consolidating the means. Students' organizations' extending support to the most deprived primary school children during the Covid crisis is a great example of such consolidation. Organizing movements cannot but involve the task of widening the circle and combining the different priorities of different groups—within the students and beyond. In the past many or most of the movements bore the marks of spontaneity. In our living present, movements need to be organized. I very much hope that AISA's contribution in that organizational movement will supply us all the much required inspiration. The deliberations in the conference, I believe, will widen the horizon and deepen the sensibility.

(Kumar Rana is a progressive social scientist, columnist and campaigner for education, health rights and rural empowerment) ■

10th AISA National Conference

The All India Students Association (AISA) held its 10th National Conference at a time when the people of India, and students in particular, have been consistently resisting the fascist onslaught of the Narendra Modi regime for the past nine years. The two-day national conference was inaugurated at the Purbashree Auditorium, Bidhannagar (Kolkata) with paying homage to the departed leaders and martyrs. With the slogans 'Young India Wants Education and Dignified Jobs, Not Hate Mobs', and 'Build India of Bhagat Singh and Ambedkar's Dreams', the national conference was organised between August 9th and 11th, with the stage was named 'Rohith Vemula - Payal Tadvil Manch', and the hall was named

'Chandrashekhar - Prashanta Paul'.

An open session was held on August 9th, the Foundation Day of AISA, this was addressed by CPIML WB State Secretary Abhijit Majumdar, Sandeep Saurav, Sucheta De and Jadavpur University Professor Manas Ghosh after which a cultural programme was also organised.

At the inaugural session of the conference, AISF National President Shubham Banerjee said that left student organisations must come together to fight the anti-people and anti-student policies of the Modi-BJP Government, which has unleashed an onslaught against the common people of this country. SFI National Vice-President Prateekur Rahman said that Modi-Shah is destroying

the unity, plurality and the diversity of the country by implementing Hindi-Hindu-Hindustan.

Educationist Kumar Rana and founding member of All Bengal Students' Association Nilkant Acharya, leaders of left fraternal organisations – PSU General Secretary Naufaul Saifulla and DSO State President Manishankar gave their solidarity speeches on the occasion.

CPIML General Secretary Dipankar Bhattacharya said, "At a time when AISA is having its historic conference, many student activists like Umar Khalid, Gulfisha Fatima who fought for campus democracy and civil rights are languishing in jails under false cases. Just like Bhima Koregaon, the conspiracy to criminalise the anti-CAA protests is part of the larger plan to destroy Ambedkar's India." He added that there is a greater responsibility on

students to expose how the government is turning young India into mobs to carry out their hate politics against Muslims and other oppressed communities. "It is important that AISA rises to the occasion and stops this practice of young people being used for hate politics and build a strong students' movement that will build an India of the dreams of Babasaheb Ambedkar and Bhagat Singh," he said.

At the inaugural session, Neeraj Kumar of Revolutionary Youth Association said, "This national conference is happening at a crucial time when the country's resources are being sold to crony capitalists. When the youth voted BJP into power and demanded employment and education, the regime gave guns in the hands of Manipur youth to fight against their own people. Youth are being given swords to fight against Muslims in the country, thus subverting the secular fabric of the nation. We need to fight against such an onslaught." Comrade Indrani Dutta of AIPWA,

Kalpana Wilson of South Asia Solidarity Group, and others addressed the gathering.

On the concluding day of the Conference, delegates adopted a report on current situation and tasks along with the amendments to the AISA Constitution. An AISA GSCASH Policy was also adopted by the house.

A National Council with 171 members and an Executive Committee with 65 members were elected at the conference, with Nilasis Bose as the National President and Prasenjeet Kumar as General Secretary. A 15-member office bearers' team was elected with Madhurima Kundu, Chanda Yadav, Sundar Rajan, Triloki Nath, Klengdung Phangcho, and Shivam Safeer as National Secretaries and Neha Bora, Lekha Adavi, Sabir Kumar, Md. Waquar Azam, Subrat Talukdar and Ankit Uchholi as the National Vice-Presidents. ■

Youth Parliament in Delhi

Hundreds of youths from all across the country assembled in Delhi on 1 August to declare their resolve to launch a resolute struggle on the burning demand of employment. The Youth Parliament began with presentation of revolutionary songs by Raju Ranjan of Bihar, R.P.Verma from Jharkhand and Sharad Sansare, Gyaneshwari Aiywale and Madina Sheikh from Maharashtra. This was followed by speeches from Revolutionary Youth Organization (RYA) leaders like Sunil Maurya from U.P., Shivprakash Ranjan from Bihar, Kunti Tanti from Assam, Sandip Jaiswal and Divya Bhagat from Jharkhand, Jeewan Surude from Maharashtra, Raman Singh Badouliya and Tariq Anwar of the Railway Group D selected apprentice movement, Jibo Phangcho from Karbi Anglong, Sundaraj from Tamil Nadu, Gurpreet Rattia from Haryana and Winder Alakh from Punjab.

Later, addressing the youths, the General Secretary of CPIML, Dipankar Bhattacharya said that the demand for employment has been raised for the last many years. He pointed out that a similar movement for jobs along with the farmers' movement for waiving of loans and MSP was gaining traction in 2018. Then, before the 2019 elections, Pulwama incident happened and the

political environment changed and the consequences are there for all of us to see. Hence, one must remain on guard against any future attempts to divert the issue of employment. The candidates who have qualified the railways examination are not getting their joining letter. Even in opposition ruled states, the question of jobs remains elusive. As the traditional jobs dwindle, new types of jobs are being created. Though farming stagnates, a new variety of farming- farming of hate is gaining traction. Jobs in industries are shrinking but an alternate industry of hate and murder is being established. Youths who remain unemployed due to non-availability of jobs in schools, farms, hospitals and offices are being encouraged to pick up arms, march in Ram Naumi processions and incite violence. Hence it becomes imperative that this industry of hate be demolished so that the agenda of respectful, safe and secure employment gains currency. Com. Dipankar gave the recent examples of transfer of a dutiful police officer in Bareilly in UP for foiling attempts of Kanwariyas to foment a riot, the targeted killings of Muslims by a railway policeman near Mumbai and the ongoing violence in Manipur and said that these incidents point out that those entrusted with the responsibility of protecting democracy

are making it barbaric. He ended his speech by exhorting the youth to integrate with the youths in their neighbourhood and wean them away from hate and violence. The issues of caste census and reservation should also be addressed with seriousness to ensure all-encompassing justice. He ended his speech by paying homage to martyr Com. Chandrashekhar and expressed his solidarity with the incarcerated Umar Khalid and those in Bhima Koregoan case.

The youth parliament was also addressed by Nandita Narayan, Professor in Delhi University and ex-President of DUTA. She said that those in power are against I.N.D.I.A. because their own history has been one of conniving with the British against India. The New Education Policy is a tool to destroy the education of this country and communalize it. Ratan Lal, Professor in Delhi University while addressing the gathering said that crimes against Dalits and tribals are on the rise. Even the emergency imposed by Indira Gandhi appears benign when compared to the undeclared emergency that we are witnessing today. Universities are being converted into jails where the teachers are being harassed and forced to commit suicide. He said that it is the need of the hour to throw away this government if the country is to be saved.

Sandip Saurabh, the National General

Secretary of AISA and an MLA in Bihar said that those were supposed to run RSS Shakhnas are running the country. Small and medium industries are being closed to help crony capitalists who are close to the government. Reservation in jobs is on the decline as the government jobs are being privatized. Youths are being told that it is the Hindus that are under attack and not the jobs. Graduation courses have been converted into four years to deny education to a large number of students. Only by foiling these attempts can the youth save the country. Jitendra Meena, a Professor in Delhi University said that the promise of 2 crore jobs in a year has been forgotten. Even the media is deliberately silent on this issue. The Forest Protection Act of 2023 makes it possible for the government to snatch the lands from the tribal people.

Ajit Kushwaha, youth leader and MLA from Bihar appealed to the youth to prepare themselves for the 2024 elections and foil all attempts to divide them on communal lines. Social activist Banojyotsana said that democracy is preserved in a country only when there is a mass-movement on the streets. She said that the fighting youths are a source of inspiration as well as the saviours of democracy in the country.

The National President of RYA, Aaftab Alam in his address said that the parliament is held in such times when Muslims are being subjected to targeted killings in trains and Manipur

is on fire. The youth will have to give a befitting reply to this conspiracy.

Neeraj Kumar, the National general Secretary of RYA said that this youth parliament is being held in Delhi because the country's Parliament has stopped discussion on issues of the youth. The Modi Government had come to power by promising 2 crore jobs every year. In response to a question in Parliament, the government had to accept that in the past 8 years, only 7.2 lakh jobs could be provided by the government against applications from 22 crore youth. The fact is that the PM is offering jobs to a few thousand youth in 'Rozgar Mela' and the Godi media is portraying it as a big campaign to provide employment. Even the number of jobs granted by the PM are a mere 15 % of the total vacancies. The 'Agni Path' scheme has bulldozed the job prospects of the youth of this country. He said that the tragic train accident in Orrisa was the outcome of shortage of railway staff in the signal section.

The youth parliament was also addressed by faculty members of Ambedkar University, Dipa Sinha and Shivani Nag, Uma from Delhi University and V. Shankar, the National President of AICCTU.

Resolutions adopted by the Youth Parliament:

1. A special session of the Parliament should be convened to discuss a roadmap for providing employment to the

youth of the country.

2. Manipur crisis should be discussed in Parliament, a judicial enquiry should be conducted and CM Biren Singh should be removed.
3. The government should put an end to the hate mongering and such goons should be put behind bars.
4. All activists of CAA movement including Umar Khalid should be unconditionally released.
5. All fake cases in the Bhima Koregoan incident should be withdrawn.
6. The New Education Policy 2020 which restricts education to poor students should be scrapped.
7. The government should issue a white paper on the number of jobs provided by it in the past 9 years.
8. Implement Bhagat Singh Employment Guarantee Act.
9. Provide Rs. 10,000 per month to all unemployed youth.
10. Stop move to sell all state assets including railways.
11. Cancel 'Agniveer Scheme' and fill all vacancies in the armed forces.
12. Increase the number of seats in the general and sleeper coaches in trains
13. Roll back the decision to cut 15 lakh jobs in railways
14. Put an end to the recurrent paper leaks, mala fide practices and reservation scandals in competitive examinations.

Curb Hate Speech Campaign of Sangh Outfits in States

On August 2nd, the Supreme Court directed states and police authorities to "ensure there's no hate speech" and to take strict actions and preventive measures to curb hate speech incidents. Later on August 11th, the Apex Court asked the Centre to constitute a committee to look into the cases of hate speech.

Despite the Supreme Court directions, there has been a steep rise in the incidents of organised hate speeches which called for boycott and violence against Muslims in various states. The state governments and the police have remained a mute spectator which is a blatant violation of the directions of the Apex Court.

On August 13th, in Haryana's Palwal, a mahapanchayat was organised by the Bajrang Dal and Vishwa Hindu Parishad (VHP) where hate speeches and call to arms were made. On August 2nd, in Hansi city of Hisar district, a speaker from the Bajrang Dal issued an ultimatum to local businesses to remove their Muslim employees from their jobs or face a boycott.

Post the Nuh violence in Haryana, there have been a large-scale mobilization across various cities in Northern India, where calls for violence and boycott have been issued against Muslims.

In a letter to the Uttarakhand Governor and the Director General of Police, Indresh Maikhuri, State Secretary of CPIML, flagged the issue of increase in hate speeches in Uttarakhand and called for immediate action to prevent it.

“In various parts of Uttarakhand, there have been several attempts by some groups to stoke communal violence and frenzy. It is a matter of great concern that so far, no concrete action has been taken in these cases. Despite the Supreme Court’s order, the silence of the state and administration against hate speech cases is highly condemnable. This inaction by the state is only helping the divisive forces in the society to spread its hate campaign in all the big and small towns of Uttarakhand,” wrote Indresh in a letter dated August 18th.

In Uttarakhand’s Dehradun, on August 2nd, a rally by Hindutva far-right groups virulently targeted the Muslim community. This vulgar display of hate in Dehradun happened in the full presence of the police. In Roorkee, VHP members organised a rally raising derogatory slogans. Similar cases were witnessed in Uttarakhand’s Bhikiyasain and Someshwar in early August 2023.

The Supreme Court and the various High Courts have issued a slew of directions to the police to strictly deal with cases of hate speech. “The police must take immediate action against every small or big attempt to spread communal frenzy, and hatred should be dealt with strictly. No one should be allowed to spread hysteria, hatred and violence,” added Indresh.

On August 4, CPIML Delhi State Secretary Ravi Ravi along with state secretaries of other Left parties met the Police Commissioner of Delhi and expressed serious concern about the attempts by VHP and Bajrang Dal to stroke communal tension by spreading anti-Muslim

hatred propaganda in different areas of Delhi. The delegation called for immediate action by the police against such attempts.

In Jharkhand, several civil society groups along with Jharkhand Janadhikar Mahasabha wrote a letter to the state DGP on August 14th, raising concerns about incidents of hate speech in the state. The letter also called for attention towards the hate videos on social media that aims to vitiate the communal harmony in the state. “In recent weeks, the leaders and members of BJP and its Sangh groups (like Bajrang Dal, VHP) have been organizing meeting and rallies in Ranchi and other districts delivering hate speech against Muslims and Christians,” noted that letter calling upon the police to initiate suo moto action against any case of hate speech.

It is pertinent to note that, the social media platforms are increasingly becoming the hot spot of hate speech and calls for violence. Everyday new videos are emerging where individuals associated with the Hindutva right-wing groups are blatantly calling for violence against Muslims. The Modi government has been pro-active in curbing social media posts that express dissent and those that are critical of the government policies. But, hundreds of virulent videos that get posted everyday spreading hate against Muslims, Christians, Dalits and Adivasis face zero action.

Despite several directions and orders by the Supreme Court and various High Courts, the recent rise in cases of hate speech and calls for violence clearly point towards the complicity of the Modi government and BJP governments in Haryana, Uttarakhand, MP and UP to vitiate the secular fabric of the country. ■

OBITUARY

Achyut Yagnik, socialist scholar, activist and anti-communal campaigner passed away following a cardiac arrest at his residence in Ahmedabad on August 4. He will always be remembered for his bold and courageous role in building people’s solidarity amid the divisive politics that marred the state post 2002 Gujarat genocide.



Tribute to the revolutionary balladeer Gaddar (Gummadi Vittal Rao), legendary musical ambassador of the revolutionary communist movement in Andhra Pradesh and Telangana. He passed away on August 6 in a hospital in Hyderabad. His legacy will live on in the struggles of the people.



Comrade Rajendra Prajapati passed away on 21 August in a hospital in Siwan. He was a Block committee member in Mairwan and had also served a term as elected Mukhiya of his panchayat. He had been a vanguard in many struggles against feudal-criminal forces in his district and only for this reason spent many years of his life inside jails. He was spreadheading the movement to organising rural workers at the block level. Just recently he shared his plans for strengthening the movement for MGNREGA workers in his district. Losing an enthusiastic, militant and committed comrade untimely is a huge loss for the party. We pay revolutionary tributes to comrade Rajendra Prajapati and resolve to accomplish his unfinished work.



Indian Diaspora Protests in London

On August 15, eleven of the UK's leading Indian diaspora groups, including diaspora organisations from Manipur, alongside several key feminist organisations and a number of MPs, came together in London on India's Independence Day to protest against targeted sexual attacks on minority women, systematic ethnic cleansing, and hate-inspired killings being orchestrated by the current Modi regime, with a particular focus on recent events in Manipur and Haryana. They also delivered an open letter to the President, in which they urged her to take action to ensure justice for the victims and survivors of sexual violence against minority women, and called for a number of measures to be undertaken urgently.

The angry and vocal protest took place in Parliament Square opposite the Houses of Parliament in Central London on 15 August. Among numerous speakers, Kailean, Chair of Unau Welfare UK, an organisation representing members of Manipur's tribal communities in Britain, including some who have been forced to flee as a result of the recent BJP-orchestrated conflict in Manipur, spoke powerfully of his anguish at the horrific violence against Kuki-Zo women, the ethnic cleansing faced by the tribal communities in which state forces were colluding, and the silence of the central government. He highlighted that the government's drive to control natural resources was a cause of the violence, and strongly rejected the state's attempts to brand Kukis as 'foreigners'. Claudia Webbe, MP for Leicester East, described the naked parading, gangrape and murders of Kuki-Zo women, in which the police collaborated, as cruel and horrifying, noting that the language of ethnic cleansing and annihilation is in use in Manipur and the world must not turn away.

Mukti from South Asia Solidarity Group, which called the protest, linked the terrible incidents in Manipur with the targeting of minoritized women for sexual violence elsewhere in India under the BJP. She pointed out that Bilkis Bano had to wage a courageous campaign to bring those who gang-raped her during the Gujarat genocide to justice, but just one year ago, last Independence Day, the Modi government approved the early release of the rapists and they were welcomed with garlands by the VHP. In Hathras, the Yogi Adityanath government went to extreme lengths to shield the oppressor caste men who gang-raped and murdered a 19-year-old Dalit woman. In Kathua, the BJP held marches in support of those who gang raped and murdered eight-year-old Asifa. This hideous misogyny against Muslim, Christian, Dalit and Adivasi women and girl children she said, is inseparable



from the rise of fascism and the terrifying spectre of ethnic cleansing and genocide. She said that people must choose between the visions of independence of Ambedkar, Bhagat Singh and of Mohammad Saad, the 22 year old Naib Imam murdered in Gurgaon who had recorded the prayer, 'Hindu-Muslim baith ke khaye ek thali mei, aisa Hindustan bana de ya Allah' (Ya Allah let there be an India where Hindus and Muslims sit together and eat from the same plate') and on the other hand the exclusionary fascist vision of Hindutva.

Taranjit Chana of MillionWomen Rise called on feminists everywhere to rise in rage against the state-sponsored attacks on women particularly in Manipur and across the country, saying that 'we are anguished, pained, and enraged to see that a country which calls itself a democracy inflicts such violence against women'. Satpal Muman, Chair of the UK's largest Dalit organisation CasteWatch UK stated that from Manipur to Haryana, mob-lynchings, rapes and murderous attacks on minorities and progressive forces and suppression of dissent have become an everyday occurrence in India under the BJP. The world needs to wake up and take serious note of the 'world's largest democracy' under the shadow of majoritarianism turning into a terrorist state, he said. Mohammed Owaise of the umbrella group UK Indian Muslim Council also expressed his solidarity with the Kuki-Zo people and highlighted that Hindutva activities extend even beyond India, with hate preacher Dharendra Shastri recently visiting Leicester and calling for India to become a Hindu state, following which he was shamefully presented with an award for 'services to the community' by Leicestershire Police!

The protest also heard messages of support from Labour MPs John McDonnell, Stephen Timms and Apsana Begum. The latter wrote that the attacks on Kuki-Zo women were a reminder of the use of violence against women's bodies as a strategy in intimidation and oppression, that the use of rape, degradation and violence towards minority women was reflective of the oppressive anti-minority politics of the current BJP regime and that this had emboldened Meitei militias in Manipur to commit these horrific crimes, while any kind of accountability or justice had been hampered by the internet blackout in Manipur.

- South Asia Solidarity Group ■



Azaadi March in Jharkhand

On August 14, 2023, on the eve of the India's independence day, CPI (ML) organised Azaadi March in Giridih district (Jharkhand). Calling for the defence of democracy and constitution, the 16km long march started at Ambedkar statue in Birni to Gandhi Chowk in Rajdhanwar, where tributes were paid to the martyrs of the Freedom Movement.

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