

The Hindu



ANALYSIS

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7 AUG 2019

BY AMIT SAINI



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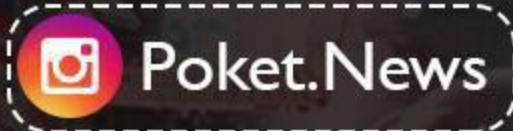
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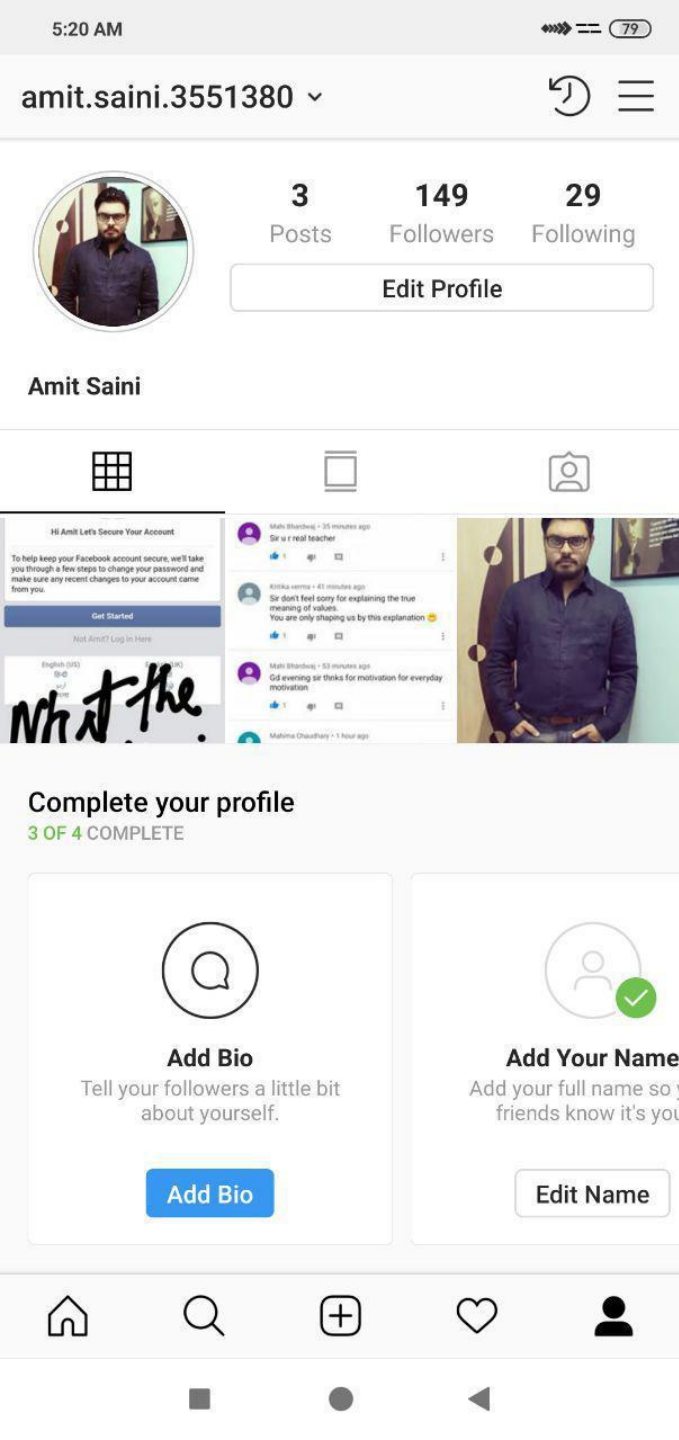
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Vocabulary

- Collusion
- Consummate
- Invective
- Brazen
- Ruse
- Elicit
-

Great expectations

Ending commercial surrogacy will not be possible without regulating ART clinics

- It is a truth, universally acknowledged, that surrogacy needs to be regulated by law. There is no argument about whether an issue such as surrogacy fraught with bioethical issues aplenty requires regulation: it does. The Surrogacy (Regulation) Bill, 2019, should have come a long time ago. Regulations in the past in the area of child adoption and transplantation of human organs have, historically, borne fruit, effectively putting an end to rampant commercial transactions, and providing a structure by which any excursions outside of the law may be shut down. **Flagrant violations of human rights have been witnessed repeatedly in the 'baby-making factory' in India, the underprivileged woman often in the cross hairs, and at the bottom of the pile.**
- **The plethora of unregulated assisted reproductive techniques (ART) clinics that mushroomed, coinciding with India becoming a global health-care destination, ensured that there was a good volume of traffic toward the country, besides growing domestic demand for surrogacy services.** In this context, there is expectation that the Surrogacy Bill will regulate commercial surrogacy, while allowing an altruistic form of it to continue, by putting in place strict supervisory and regulatory frameworks. The question here is whether the Bill, recently passed by the Lok Sabha, will serve the wholesome purpose of regulating the vastly complex area of surrogacy, while sensitively balancing the needs of 'intending parents' and surrogates.
- The Bill mandates payment to the surrogate mother, who can only be a 'close relative', to the extent of covering medical expenses and providing insurance during the term of the pregnancy. It has specified that **'exploiting the surrogate mother' would attract punishment of imprisonment of up to 10 years and a fine of up to ₹10 lakh; advertising for surrogacy and selling/importing human embryos or gametes for surrogacy also attract the same punishment.** It has mandated registration of surrogacy clinics, and put in place regulatory boards to ensure compliance with the law. But its critics have panned it for the lack of specifics in definitions (the generalized 'close relative' criterion for surrogates); the exclusion of various groups of people from access to surrogacy (only married couples of a certain age group are eligible); and primarily, of **trying to put the 'cart before the horse' by seeking to regulate surrogacy before setting the ART house in order.** The capacity of the state to end commercial surrogacy may itself be compromised if it does not first set up a regulatory framework for ART clinics, which provide the basic technology for surrogacy. Else, the government is merely setting itself up to implement a law that may spectacularly fail. That would be a tragedy, because this is one law that is pregnant with the possibility of truly revolutionizing the surrogacy sector, cleaning it up, and fulfilling the dreams of people who are themselves unable to bear children.

Kashmir has been cut to the quick

The Centre is riding roughshod over Kashmiri public opinion already beset with disaffection



WAJAHAT HABIBULLAH

In the face of a massive security build-up in Kashmir at the close of July, a seasoned journalist conjectured, “This is just the right time when militants and their masters in Rawalpindi could do with a terror attack in Kashmir.” Such were the arguments trotted out by experienced media persons in seeking to account for the extraordinary lock down that had descended on Kashmir throwing its citizens into a panic, with a run on banks, petrol pumps and stores across the Valley. I began receiving phone calls from friends and associates as far as Gopalpora, Mattan and Doabgah and Sopore asking what was happening. My former colleagues in government, some in key positions, had no inkling and made dire predictions.

A steamrolling

And then we had the statement of the Home Minister, Amit Shah, in the Rajya Sabha on the morning of Monday August 5, 2019. Under Article 370 of the Constitution of India, the State of Jammu and Kashmir had its own Constitution and its own laws, with the President of India empowered to decide which provisions of the Indian Constitution would be applicable within the State, but only with the assent of the State.

In one fell swoop, the President, Ram Nath Kovind, declared that all provisions of the Indian Constitution shall now apply to the State, thus nullifying Article 370 with the use of that same article thereby ending the special autonomous status of Jammu and Kashmir that it had enjoyed since the promulga-

tion of India's Constitution. The Jammu and Kashmir Reorganisation Bill 2019 further bifurcates the State of Jammu and Kashmir into two Union Territories, both with a Muslim majority namely: the Union Territory (UT) of J&K and the Union Territory of Ladakh. While the UT of J&K will have a legislature, the Union Territory of Ladakh will be without one. Although in the past UTs have been upgraded to States, never has a State been downgraded, thus bringing to a consummation the process initiated with the accession, although hardly in the manner dreamt.

Umbilical link

Article 370 has governed the accession and relationship of the princely State of Jammu and Kashmir with India under the Indian Constitution. As originally envisaged, Article 370 formed the basis of Kashmir's special and autonomous status. Mainstream political leaders such as Farooq Abdullah, Mehbooba Mufti and others have warned that revoking Article 370 will mean a break in the relationship between the State and India.

A devout Muslim, the then unchallenged Kashmiri leader, Sheikh Abdullah (Baba-i-Qaum to his people), ‘faced a clear choice in 1947; he could join a Muslim nation or he could join a secular state, where Kashmiris would be free to live a life of their own choosing. In making his choice, India's Prime Minister Jawaharlal Nehru was the Sheikh's reassurance. Of Kashmiri descent, a heritage that Nehru cherished, Nehru had an inclusive vision of what India was to be’. By contrast, the leader of the newly emerging nation of Muslims, Mohammed Ali Jinnah, was a cold and distant figure, a modernist who could excite awe but little affection. At the time of accession, the portion of the State where Jinnah's Muslim



League had its support lay not in the Kashmir Valley but across the Pir Panjal, in Mirpur and the old Poonch principality of the feudal State of Jammu and Kashmir, an area a large part of which Pakistan occupies today and calls ‘Azad Kashmir’.

It is important to remember that the Kashmir freedom movement was a movement to rid Kashmir of despotism, working in tandem with the national movement but not part of it. This was primarily a Kashmiri movement drawing almost universal Kashmiri support in a Muslim majority State where the Kashmiris were the largest single ethnic group. Despite efforts by Maharajah Hari Singh's Prime Minister Ram Chandra Kak in eliciting the Sheikh's support for Independence, the latter stood steadfast in his demand for an end to the monarchy.

Visiting Srinagar on June 18-23, India's Viceroy Lord Louis Mountbatten urged Hari Singh not to make a declaration of independence. He conveyed Sardar Vallabhbhai Patel's message that ‘the States Department was prepared to give an assurance that, if Kashmir went to Pakistan, this would not be regarded as unfriendly by Government of India’. It was only when Jammu and Kashmir forces faced an uprising by the Poonch troops of the British Indian Army's decommissioned Sixth Punjab Regiment (in the border district of Poonch), and then a military rout by invading frontier tribesmen in the State's border town of Domel on October 22, 1947 that the Maha-

raja turned in desperation to India.

Pakistan's lost cause

According to the 1941 Census, 77.11% of the population of Jammu and Kashmir was Muslim, 20.12% Hindu and 1.64% Sikh. Pakistan has argued that the logic of Partition meant that the State had to be a part of Pakistan. But by recourse to an invasion by Pakistan's frontier tribesmen and the support of the invasion by Pakistan's armed forces, Pakistan virtually lost its case, certainly in the eyes of Kashmiris. India's case rested on the public will. Indeed, Sheikh Abdullah spoke for Kashmir at the United Nations in February 1948 as part of a delegation led by N. Gopalaswami Ayyangar firmly declaring, “We shall prefer death rather than join Pakistan. We shall have nothing to do with such a country.” And it was this freedom within the Indian Union that Abdullah sought through the constitutional guarantee of Article 370, which read with Article 369, provided temporary powers to Parliament to make laws for J&K.

Under sub-section 3 of this Article, the President of India can revoke Article 370 only on advice from the Constituent Assembly of Jammu and Kashmir. The Constituent Assembly was dissolved in 1957, and replaced by a Legislative Assembly, which was dismissed last year after the coalition between the Bharatiya Janata Party (BJP) and the Jammu and Kashmir Peoples Democratic Party collapsed and the Governor Satya Pal Malik rejected a bid for an alternative coalition. Importantly, the current Presidential order modifies Article 367 of the Constitution, with “Constituent Assembly” to be read as “Legislative Assembly of the State” and the State government construed as the Governor. This has enabled the President to abrogate Article 370 with the con-

sent of the Governor as consent of the State. The people themselves, who the Constitution is designed to serve, therefore, had no part in this process. The constitutional validity of these amendments are for the Supreme Court to ponder. But the question here is that if these are indeed designed to benefit the people, was it necessary to bring them before Parliament under stealth, with the leaders of mainstream parties, the former Chief Ministers the Abdullahs (father and son), Mehbooba Mufti and the BJP's ally Sajjad Lone all under house arrest?

Opaque moves

There is little doubt that these are bold constitutional measures described with contrasting adjective or invective, consummating a process that began with the Constitution of India. But if the view of government was simply to rectify a constitutional error or remedy an anachronism as claimed by assiduous government spokesmen, did it not follow that democratic compulsion required that it be placed before the public most affected – the people of J&K, – before being sneaked into Parliament in tight secrecy? This without the knowledge of even the local government amidst security measures unprecedented in their intensity, surpassing even those that the Jagmohan government was forced to take following the outbreak of insurgency in 1989-90? This endeavour has meant riding roughshod over Kashmiri public opinion already beset with widespread disaffection. What it has succeeded in doing is leading to a feeling of betrayal among a section of our people and foreboding among well wishers of Kashmir.

Wajahat Habibullah, a retired civil servant, has served as Chief Information Commissioner and Chairperson of the National Commission for Minorities

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The new facts on the ground for Kashmir

India cannot claim the moral high ground any more that it has kept the State's integrity intact



LAV PURI

Without going into the moral and legal arguments for or against the scrapping of the special status to Jammu and Kashmir and the decision to reorganise the State into two Union Territories (UTs), a dispassionate analysis of the possible immediate implications of these constitutional changes is needed. Some assertions in support of the changes may partially be true while others may run contrary to the facts.

The implicit claim that this would lead to greater counterterrorism preparedness is questionable. The strength of any counterinsurgency grid is largely based on human intelligence coming from the ground. Here, it will be unrealistic to expect that merely changing the administrative and political set-up of the State will lead to more intelligence to the security apparatus; in fact, there is a high possibility of the contrary happening in the short-term on account of the decision's unpopularity in the Kashmir Valley. India needs to be mindful of the fact that historically, any spike in disaffection in Jammu and Kashmir has facilitated a misadventure by Pakistan. For instance, the maximum dilution of Article 370 took place in the 1960s, including changes concerning the nomenclature of the 'head of the State'. And this was followed by the infamous 'Operation Gibraltar' by Pakistani President Ayub Khan in August 1965.

A self-defeating strategy

The present cycle of violence can be traced back to the rigging of the 1987 Assembly elections and, in this connection, Home Minister Amit Shah is right in citing rigging of successive elections as the primary cause of the mistrust of Kashmiris towards India. But in bringing the State directly under the Centre as a Union Territory, the government may have overlooked the hard lessons learned by India's intelligence in its nearly 30 years of counterinsurgency operations – relying purely on militaristic tools can be self-defeating.

Further, bifurcating the State and



The call for Ladakh to be made a Union Territory gained momentum in the 1990s, particularly in Leh. Picture shows Ladakhis demonstrating to call for an autonomous hill council. •THE HINDU ARCHIVES

creating a Union Territory of Ladakh mirrors what Pakistan did with Gilgit and Baltistan regions by *de facto* creating a separate province in 2009. New Delhi has often objected to the Chinese infrastructural projects in the region and also opposed Islamabad's decision to separate it from the rest of Pakistan-occupied Kashmir. Now, after stripping Jammu and Kashmir of its special status, India cannot claim the moral high ground any more by pointing out unlike Pakistan, it kept the integrity of the State intact.

Ladakh as Union Territory

Though the demand for Union Territory status picked up momentum in Ladakh in the 1990s, its spread was limited to the Leh district of Ladakh. The Shia population of Kargil has consistently opposed such a call as it fears Buddhist domination in the new set-up. Hence, the Centre needs to assure leaders from Kargil that their interests would be safeguarded in the new Union Territory. India would not want to create another zone of disaffection in a strategically important border region of the State where it has already faced Pakistani aggression once.

The Centre also needs to take steps to prevent further polarisation

within the State. The ruling political elite, particularly from the Kashmir Valley, has remained indifferent to regional and ethnic aspirations, which are inherently political. Factoring in the complex societal landscape of the State and its divergent aspirations, same proposals have been made before for five-tier devolution of powers – from State-level to regional-level to district-level to block-level to village-level. However, in the absence of any institutional mechanism to address regional and ethnic aspirations, polarisation has continued to increase among different regions, often taking a communal turn. Monday's decision might polarise the State even further along regional and religious lines.

Mr. Shah made a valid point when he said that political reservation, as enshrined in the Indian Constitution, has been denied to Scheduled Tribes in Jammu and Kashmir even though all political parties have suitably accommodated them in other ways. In the past, there had been several Bills in the Jammu and Kashmir Assembly for political reservation but they were never passed. Around 11.91% of the State's population is made of Scheduled Tribes, the bulk of them from Gujjar and Bakarwal tribes. Extending political reservation to them

will make the State's political structure more inclusive.

However, Mr. Shah's claim of widespread poverty in the State, cited as one of the justifications for Monday's decision, is not backed by facts. Only 10.35% of the State's population lives below the poverty line, compared to the national average of 21.92%. It needs to be noted that though restrictions on land sale existed, successive State governments had been, on an *ad hoc* basis, liberally giving land to non-state investors on 99-year leases.

Removal of impediments

Monday's decision on paper has removed all impediments on sale of land but, in the short term, could lead to an increase in private investment only in Jammu. A prolonged period of peace is needed in other parts of the State to attract investment. Monday's move has also removed another impediment – children born to women marrying citizens from outside Jammu and Kashmir can now inherit property.

Further, descendants of Partition refugees who migrated from Sialkot, many of whom belong to Scheduled Castes, will now be able to get employment, buy and own land and vote in the new Union Territory.

What also needs to be considered is that bifurcation of Jammu and Kashmir may trigger demands for further division of the State which, unless they are categorically rejected, could trigger a long period of instability and turbulence. Separation of ethnically and culturally distinct Ladakh from the rest of Jammu and Kashmir is somewhat less challenging, because of its relatively smaller population. And what about the right to return of Kashmiri Pandits? Monday's decision is unlikely to alter their present status as the security environment in the Valley is currently not conducive for them to go back.

On the whole, the country needs to be better informed of the implications of the changes on the ground. The road to resolution of the Jammu and Kashmir tangle lies in bringing the policymaking closer to facts, learning from the past and avoiding unrealistic expectations.

Lav Puri is the author of 'Across the Line of Control: Inside Pakistan administered Jammu and Kashmir'



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- **The implicit claim that this would lead to greater **counterterrorism** preparedness is questionable.** The strength of any counterinsurgency grid is largely based on human intelligence coming from the ground. Here, it **will be unrealistic to expect that merely changing the administrative and political set-up of the State will lead to more intelligence to the security apparatus;** in fact, there is **a high possibility of the contrary happening in the short-term on account of the decision's unpopularity in the Kashmir Valley.** India needs to be mindful of the fact that historically, any spike in disaffection in Jammu and Kashmir has facilitated a misadventure by Pakistan. For instance, the **maximum dilution of Article 370 took place in the 1960s, including changes concerning the nomenclature of the 'head of the State'.** And this was followed by the infamous 'Operation Gibraltar' by Pakistani President Ayub Khan in August 1965.

- **A self-defeating strategy**
- The present cycle of violence can be traced back to the rigging of the 1987 Assembly elections and, in this connection, Home Minister Amit Shah is right in citing rigging of successive elections as the primary cause of the mistrust of Kashmiris towards India. But in **bringing the State directly under the Centre as a Union Territory, the government may have overlooked the hard lessons learned by India's intelligence in its nearly 30 years of counterinsurgency operations — relying purely on militaristic tools can be self-defeating.**
- Further, bifurcating the State and **creating a Union Territory of Ladakh mirrors what Pakistan did with Gilgit and Baltistan regions** by de facto creating a separate province in 2009. New Delhi has often objected to the Chinese infrastructural projects in the region and also opposed Islamabad's decision to separate it from the rest of Pakistan-occupied Kashmir. **Now, after stripping Jammu and Kashmir of its special status, India cannot claim the moral high ground** any more by pointing out unlike Pakistan, it kept the integrity of the State intact.

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- Mr. Shah made a valid point when he said that **political reservation**, as enshrined in the Indian Constitution, has been **denied to Scheduled Tribes** in Jammu and Kashmir even though all political parties have suitably accommodated them in other ways. In the past, there had been several Bills in the Jammu and Kashmir Assembly for political reservation but they were never passed. **Around 11.91% of the State's population is made of Scheduled Tribes, the bulk of them from Gujjar and Bakarwal tribes**. Extending political reservation to them will make the State's political structure more inclusive.
- However, Mr. Shah's **claim of widespread poverty in the State**, cited as one of the justifications for Monday's decision, is not backed by facts. **Only 10.35% of the State's population lives below the poverty line, compared to the national average of 21.92%.** It needs to be noted that though restrictions on land sale existed, successive State governments had been, on an ad hoc basis, liberally giving land to non-state investors on 99-year leases.

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- Further, descendants of Partition **refugees who migrated from Sialkot**, many of whom belong to Scheduled Castes, will now be able to get employment, buy and own land and vote in the new Union Territory.
- **What also needs to be considered is that bifurcation of Jammu and Kashmir may trigger demands for further division of the State which, unless they are categorically rejected, could trigger a long period of instability and turbulence.** Separation of ethnically and culturally distinct Ladakh from the rest of Jammu and Kashmir is somewhat less challenging, because of its relatively smaller population. And **what about the right to return of Kashmiri Pandits?** Monday's decision is unlikely to alter their present status as the security environment in the Valley is currently not conducive for them to go back.
- On the whole, the country needs to be better informed of the implications of the changes on the ground. **The road to resolution of the Jammu and Kashmir tangle lies in bringing the policymaking closer to facts, learning from the past and avoiding unrealistic expectations.**

The pitch for a second term

The Trump strategy seems to focus on internal progress and in pursuit of peace abroad in unconventional ways



T.P. SREENIVASAN

Today, there is expectation that U.S. President Donald Trump will not only complete his term but also win a second term in 2020. But not so long ago, the demand to impeach Mr. Trump on the charge of Russian interference in the U.S. presidential electoral process arose within weeks after his largely unexpected victory in 2016. Many believed he would not complete his term as accusations gathered momentum, which culminated in the Mueller report – it had enough material to indict the President. The Presidency came close to one constitutional crisis after another, but the President used the same report to claim there was no collusion or cover-up.

While the Democratic challengers to the President have multiplied with each passing day there are no serious Republican contenders even though many in the Grand Old Party believe that the President has undermined the party. While age was an issue when Mr. Trump offered his candidature first the same issue is now in the President's favour today as the two serious contenders, name-

ly Democratic candidates Joe Biden and Bernie Sanders, are older than him.

'America First'

With his majority in the Senate enhanced, Mr. Trump has set aside his fears of impeachment and moved on with his 'America First' policy, internally and externally, marked by his characteristic unpredictability of upstaging friends and enemies alike. The President is busy dealing with weighty matters of state such as trade with China, North Korea, Iran and Afghanistan, and improving the economy. The Democrats are also coming round to the view that it is better to focus on the election than on the impeachment, a move which is bound to fail.

Mr. Biden, who started leading the polls even before he announced his candidature recently, and raised a contribution of a little more than \$6 million in first day fund-raising, has been tainted by his official and personal actions as the Vice President, which include inappropriate pictures and his alleged interference in Ukraine to help a company with ties to his son. The candidature of Pete Buttigieg, who is in a same-sex relationship, and characterised by *Time* magazine as "unlikely, untested and unprecedented" will be another distraction in the months to come.

Unlike his predecessor and Peace Nobel winner, Barack Oba-



ma, Mr. Trump has withdrawn U.S. forces from abroad, even from active fronts such as Syria and Afghanistan. In contrast, the National Security Adviser, John Bolton, has been on the warpath, constantly urging the President to use force in different theatres of conflict, especially North Korea. For all his threats of rage and fury, Mr. Trump has not declared war on anyone. Though he has issued a warning that the U.S. is ready to defend itself if Iran threatens its interests in the Gulf or elsewhere (even announcing the deployment of the USS Abraham Lincoln Carrier Strike Group and others to the U.S. Central Command region), the war-monger-in-chief has become a messiah of peace.

A thread of reform

The regime-changing policy of the U.S. is very much a part of Mr. Trump's global strategy, but he is pursuing a path of reforming world leaders rather than eliminating them. Bluster in words and

peace in action has tempered the image of the President. Though his announcements of withdrawals from international treaties have been swift, he seems to be relying on his bureaucracy to soften the blows. The Paris Agreement commitments have not been reversed pending the formal exit of the U.S., while sustainable energy projects may continue in his second term.

Mr. Trump has gone beyond expectation in the case of India when he exerted pressure on Pakistan to release the Indian prisoner of war, Wing Commander Abhinandan Varthaman, from Pakistan's custody, thus stopping an escalation in conflict during the India-Pakistan stand-off in 2019. Similarly, China was told that the international community would not tolerate inaction anymore in the case of Masood Azhar. In both these cases, Mr. Trump has demonstrated a clear pro-Indian stand *vis-à-vis* Pakistan and China. But when it came to the withdrawal of U.S. troops from Afghanistan, Mr. Trump unabashedly feted Pakistan Prime Minister Imran Khan in Washington in July, promising mediation between India and Pakistan on Kashmir. Russian missiles, Iran and trade imbalance are the irritants in India-U.S. relations.

On China too, the evolving U.S. position appears to be paradoxical. The trade war appears negotiable as there does not seem to be a strategy to strangle China. The way China has relented on the Ma-

sood Azhar issue shows that China is sensitive to the U.S. position. China does not seem to put any pressure on the U.S. when it comes to North Korea. China also does not sense much pressure from the U.S. to contain it in the Indo-Pacific, with the Quadrilateral having receded into the background.

The U.S.'s western allies are expressing concern that Mr. Trump is deviating from foreign policy priorities such as countering China and Russia and instead focussing on nations that pose no real threat to the West such as Iran, Venezuela and Cuba. The Democrats believe that such shifts will damage the credibility of the U.S. with its European allies in the long term as the Europeans are likely to cultivate other powers. Among the countries named as being agitated about the U.S. policy are Turkey, South Korea, Japan and India.

Behind Mr. Trump's perplexing 'America First' policy, there seems to be a clear game plan for the President to secure a second term by focussing on internal progress and peace abroad in unconventional ways, without paying attention to the consequences for the U.S. and the world beyond 2020.

T.P. Sreenivasan, a former diplomat, is Chairman, Academic Council and Director, NSS Academy of Civil Services. He is also the Director General, Kerala International Centre, Thiruvananthapuram

The bus to better transport

Buses need an image makeover and cities need several thousand of them, of good quality

G. ANANTHAKRISHNAN

The great cities of the world use one guiding principle in planning services for residents and visitors: working with finite space. In big cities, new roads are not possible, and no new land is available. But they must prepare to serve more and more people who arrive each year. Successful plans build better mobility.

When cities fail at mobility, the result is congestion, lost productivity, worsening pollution and a terrible quality of life. India's big cities have all these attributes, and 14 of them were in the list of the 15 most polluted cities worldwide last year. Congestion in the four biggest metros causes annual economic losses of over \$22 billion, the NITI Aayog says in its Transforming Mobility report.

Is there a viable solution? There is, and it is the good old bus.

Sadly, buses have an image problem, which came up during a public interaction Prime Minister Narendra Modi had in the U.K. He explained aspiration with the example of someone who wants to progress from a bicycle to a scooter, then to a four-wheeler; equally a lack of ambition, he said, could lead to the loss of even the bicycle, upon which the individual resigns himself to a bus ride. Ironically, Mr. Modi made his comments in London, a city with an iconic bus system that integrates famously with its equally popular 'tube' system — as the Metro is known there. The British capital also discourages the use of cars through a congestion charge within a defined area.



Not enough buses in India

So important is the bus to urban transport ecology that the executive in-charge of technology and customer satisfaction at Transport for London, Shashi Verma, said during a visit to India in July that Indian cities need to add several thousand buses more, and not just spend heavily on Metro rail. There are over 1.7 million buses in India, about 10% of them operated by governments. Individual cities don't have enough of them to provide a good service, and the gap is

filled mostly by unregulated intermediaries, such as vans. The buses operated by governments are not properly designed, are uncomfortable and badly maintained. Government corporations do a poor job when it comes to using technology.

Lack of information

One of the key barriers to taking a bus is not getting information about the service; bus corporations deprive themselves too, of revenue, by failing to act on this. Cities such as London and Singapore have systems to tell passengers where the next bus is on a route and predict its arrival at a stop in real time. Such a system is not available for even the biggest metro cities in India, something the Smart City mission could have addressed.

Buses need an image makeover and cities need several thousand more buses, of good design and build quality. They need to use contact-less

fare payments using suitable cards, since buying tickets is also a barrier.

Buses also need support to move faster through city traffic, using policy tools such as congestion pricing for cars. This is an old idea, dating back to 1975 in Singapore, where it was done manually first and automated much later. The London congestion charge immediately cut traffic in the demarcated area by 20%, helped speed up buses and improved revenues.

The biggest reform that the U.K. experience teaches is integration. Bringing traffic authorities, road engineers and transport operators under the same umbrella worked wonders in London to eliminate planning and operational problems. Indian cities have unified Metropolitan Transport Authorities to do that. They must be brought to life and given mandatory targets. The goal should be a stipulated higher share of travel by public transport, walking and cycling, and this should be evaluated through periodic surveys of customer satisfaction.

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Idea of dividing Kashmir has a chequered history

It goes back to the Dixon Plan of 1950, which was not accepted by India

T. RAMAKRISHNAN
CHENNAI

The idea of dividing Jammu and Kashmir into two or more parts has a chequered history, tracing its origin to the Dixon Plan of 1950.

Owen Dixon – an Australian jurist chosen by the United Nations to mediate between India and Pakistan on the J&K issue – in his report of September 1950, suggested a package that did not find acceptance from India.

According to columnist A.G. Noorani in his article in *Frontline* of October 2002, the Plan had assigned La-

dakh to India and northern areas and Pakistan-Occupied Kashmir to Pakistan, besides splitting Jammu between the two. It had proposed a plebiscite in the Kashmir valley.

A year later, B.R. Ambedkar, after quitting as Law Minister from the Jawaharlal Nehru Ministry, had suggested the formation of three zones: the area held by Pakistan, the Valley and Jammu-Ladakh. He had also favoured a plebiscite only in the Valley.

In September 1952, when the demand for separating Jammu and Ladakh from



Sheikh Abdullah, Jawaharlal Nehru and others at the open session of the All Jammu and Kashmir National Conference in Srinagar on September 24, 1949. ■ THE HINDU ARCHIVES

Kashmir was made in certain quarters, Sheikh Abdullah, who was then Premier of the State, had opposed it.

Karan Singh, now a senior leader of the Congress and then J&K Governor, in an interview to a foreign newspaper in August 1966, had mooted the idea of separat-

ing Jammu from Kashmir and merging it with Himachal Pradesh, which was then a Union Territory. Dr. Singh later said he “disliked” the observation.

The then Home Minister G. L. Nanda told the Rajya Sabha that the government had “no intention” of sepa-

rating Jammu from Kashmir.

In 1983, former President R.Venkataraman, who was Defence Minister in the Indira Gandhi Cabinet, floated the concept of trifurcating J&K – Ladakh as a Union Territory; Jammu as a State and the Valley as a “separate entity”. He had recorded this suggestion in his book, *My Presidential Years* (1994).

In August 1996, veteran leader of the Communist Party of India (CPI) Indrajit Gupta, as Home Minister in the United Front government, was reported to have told BBC that he was in favour of trifurcation of J&K – the Valley, Jammu and Ladakh.

When this sparked a row,

Mr. Gupta said that he had been misunderstood.

A few years later, when a report of the State Autonomy Committee, formed by the J&K government, had triggered a nationwide debate, the Rashtriya Swayamsevak Sangh had renewed the idea of trifurcation. In October 2000, after attending an official meeting in Srinagar, L.K. Advani – the then Home Minister in the Vajpayee government at the Centre – rejected the RSS demand.

With Parliament adopting a Bill to make Jammu and Kashmir into two Union Territories with the carving out of Ladakh, the proposal of dividing the State has become a reality.

Consumer Protection Bill gets RS green light

It will replace the Consumer Protection Act of 1986

SPECIAL CORRESPONDENT
NEW DELHI

The Rajya Sabha on Tuesday passed the Consumer Protection Bill, 2019 that provides for the establishment of authorities for the timely and effective administration and settlement of consumer disputes.

The Bill, which has already been passed by the Lok Sabha, seeks to strengthen the rights of consumers and provides a mechanism for redressal of complaints regarding defects in goods and deficiency in services.

Moving the Bill for consideration and passing, Food and Consumer Affairs Minister Ram Vilas Paswan said it is a long-pending legislation, and except five, all recommendations of a Parliamentary Standing Committee



Customer is king: The Bill seeks to address the complaints regarding deficiency in goods and services. ■ FILE PHOTO

have been included in the Bill.

Healthcare dropped

The Bill will replace the Consumer Protection Act, 1986. Mr. Paswan said the government had dropped healthcare from the bill as several members had objected to it.

The Upper House also passed the Public Premises (Eviction of Unauthorised Occupants) Amendment Bill, 2019 for speedy eviction of unauthorised occupants of government residential accommodation. The Lok Sabha had passed the Bill on July 31.

Trump freezes all Venezuelan government assets in U.S.

President says he's considering a quarantine of the South American nation

REUTERS
WASHINGTON

President Donald Trump imposed a freeze on all Venezuelan government assets in the U.S. on Monday, sharply escalating an economic and diplomatic pressure campaign aimed at removing socialist President Nicolas Maduro from power.

The executive order signed by Mr. Trump goes well beyond the sanctions imposed in recent months against Venezuela's State-run oil company PDVSA and the country's financial sector, as well as measures against dozens of Venezuelan officials and entities.

Mr. Trump's action, the toughest yet against Mr. Maduro, not only bans U.S. companies from dealings with the Venezuela government but also appears to open the door to possible sanctions against foreign firms or individuals that assist it.



Pressure tactics: Venezuela's President Nicolas Maduro with wife Cilia Flores and other officials in Caracas. ■REUTERS

Russian and Chinese companies are among those still doing significant business in the South American OPEC nation.

"All property and interests in property of the Government of Venezuela that are in the United States... are blocked and may not be transferred, paid, exported, withdrawn, or otherwise dealt in," according to the executive order released by the White House.

The U.S. and most West-

ern nations have called for Mr. Maduro to step down and have recognised Venezuelan opposition leader Juan Guaido as the country's legitimate President.

Coup attempt

Mr. Guaido, accused by Mr. Maduro of mounting a U.S.-directed coup attempt, appointed a board for Citgo Petroleum, Venezuela's most important foreign asset, earlier this year.

Mr. Trump said on Thurs-

day he was considering a quarantine or blockade of Venezuela, although he did not elaborate at the time on when or how such a blockade would be imposed.

He is taking more dramatic action after numerous rounds of sanctions failed to turn Venezuela's military against Mr. Maduro or make significant progress in dislodging him.

Venezuela's Foreign Ministry said the freeze was designed to "formalise a criminal economic, financial, and commercial blockade" of the country but said the government would continue political dialogue with the opposition.

Mr. Trump said in a letter to Congress the decision was necessary "in light of the continued usurpation of power by the illegitimate Nicolas Maduro regime, as well as the regime's human rights abuses and arbitrary detention of Venezuelan citizens."

China vows to counter U.S. missile plans

REUTERS

BEIJING

China threatened counter-measures on Tuesday if the United States deploys intermediate-range, ground-based missiles in Asia and warned U.S. allies of repercussions if they allow such weapons on their territory.

U.S. Defense Secretary Mark Esper said on Saturday he was in favour of placing ground-launched, intermediate-range missiles in the region soon, possibly within months.

U.S. pulled out last week from the Intermediate-

range Nuclear Forces Treaty, a 1987 pact with the former Soviet Union that banned ground-launched nuclear and conventional ballistic and cruise missiles with ranges of 500-5,000 km. The withdrawal also allows the Pentagon to develop new weapons to counter China.

Fu Cong, Director General of the Arms Control department at China's Foreign Ministry, said Beijing "will not stand by idly" and warned "China will be forced to take countermeasures".