

SEPTEMBER 2024

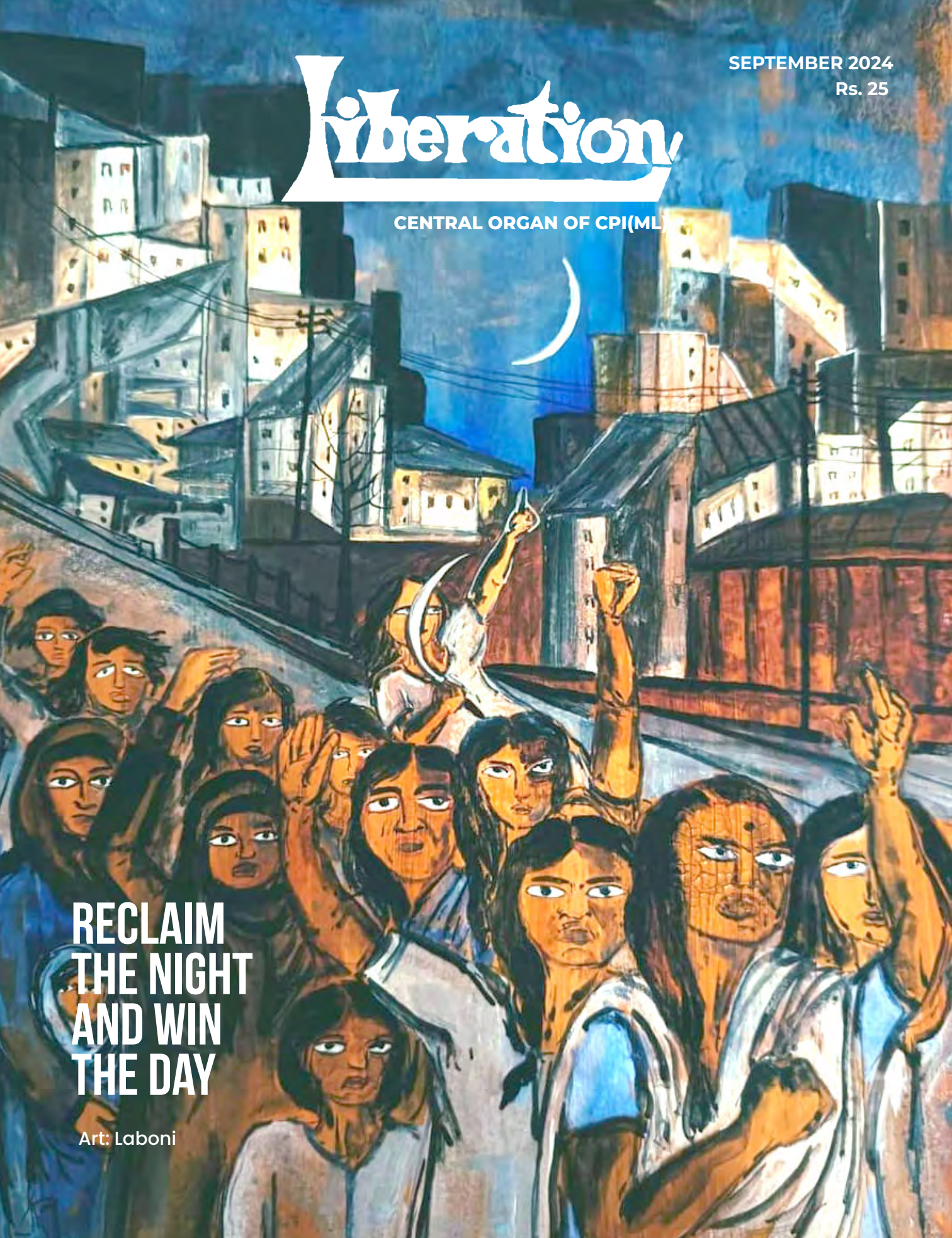
Rs. 25

Liberation

CENTRAL ORGAN OF CPI(ML)

**RECLAIM
THE NIGHT
AND WIN
THE DAY**

Art: Laboni



Marxist Coordination Committee Merges with CPI(ML)

The unification of Jharkhand's two leading Left forces, CPI(ML) Liberation and Marxist Coordination Committee (MCC), was announced on 10 August 2024 in a press conference at Ranchi by CPIML Politburo member and MP Raja Ram Singh and MCC Executive President and Ex-MLA Arup Chatterjee. This will begin a new chapter in the anti-fascist resistance and struggles against crony capitalism in Jharkhand and will also be a decisive factor in the forthcoming Assembly elections in the state.

This announcement was made after the conclusion of the final round of unification meeting held in Ranchi. The meeting was attended by MCC central leadership including General Secretary Haldhar Mahto, central secretary Mithilesh Singh, Bablu Mahto, Nitai Mahto, Dilip Tiwari and Vasant and CPIML State Secretary Manoj Bhakt, Politburo member Janardan Prasad, MLA and PBM Vinod Singh, CC member Subhendu Sen, ex-MLA Raj Kumar Yadav, Devdip Singh Diwakar, Kartik Hadi and all state committee members of CPIML and MCC. The meeting was presided over by Janardan Prasad, Mithilesh Mahto, Nitai Mahto, Devdip Singh Diwakar and Kaushalya Das. There will be a 'Oust BJP, Stop Plunder' (Bhajapa Hatao, Loot Mitaaao) rally in Dhanbad on 9 September followed by a meeting of the Central Committee of CPIML Liberation. The rally will be attended by all central leaders of the unified party.

The meeting announced the formation of a new unified 85-member Jharkhand State Committee of the CPIML. The unification process up to the grassroots level has started and will be accomplished within a month. A primary list of prospective Assembly constituencies has also been prepared where the party will contest in the forthcoming elections. The party has called upon unified ranks to start preparations for the Assembly elections.

Earlier the CPI(ML) Polit Bureau in its meeting held on July 31- August 1, 2024 at New Delhi adopted following resolution welcoming the unification: "The Polit Bureau of the Central Committee of CPI(ML) heartily welcomes the decision adopted by the Central Committee of Marxist Coordination of Jharkhand, founded by Comrade AK Roy and other leaders in 1972, to merge with the CPI(ML). Under the inspiring and iconic leadership of Comrade AK Roy, MCC played a key role in the Jharkhand movement and also in the struggle for nationalisation of India's coal industry. The unification of this significant trend of the Communist movement of Jharkhand with its glorious legacy of struggles against injustice and oppression with the CPI(ML) at today's critical juncture will energise the fighting forces of Jharkhand in intensifying the ongoing struggles against the fascist onslaught of the Modi government and the Sangh brigade and defending the rights and unity of the working class, Dalits and other indigenous communities and deprived people of Jharkhand. The Polit Bureau calls upon the Jharkhand State Committee of the party to initiate necessary measures and steps to accomplish the process of unification with respectful accommodation of the entire membership of the Marxist Coordination Committee."

CPIML Politburo member and MLA Vinod Singh said this merger will have a great impact on the political scene of Jharkhand as well as Bihar. When CPIML was founded under the leadership of Charu Mazumdar after the historic Naxalbari uprising, almost in the same decade AK Roy organised coal workers in the Dhanbad region and founded MCC. Both parties have been leading struggles of workers, Adivasis and downtrodden in Jharkhand on the issues pertaining to Jal-Jangal-Jamin and workers' rights. Both were leading forces during the Jharkhand movement and thereafter and have valiantly struggled for the people's rights where dozens of comrades like Gurudas Chatterjee and Mahendra Singh were martyred and hundreds were incarcerated in jails. This unification will strengthen the struggles of peasants, adivasis and workers in Jharkhand, especially in the North Chhotanagpur region. BJP's attempts to divide the society with its communal designs will be foiled. A great number of people have faced displacements and evictions in the state due to the pro-corporate policies, and we will resolutely voice their concerns also in the coming elections, he said. ■



New Series Vol. 30 No. 05
SEPTEMBER 2024

CONTENTS

COVER STORY

The Battle for Gender Justice 05

COMMENTARY

Equality versus RSS 09

RSS and the Global Far-Right 10

Verdict on SC/ST Sub-Classification 13

IN FOCUS

Budget 2024 20

SEBI and Adani Scam 21

ARTICLES

Wayanad Calamity and Global Warming 23

Olympics 2024 25

INTERNATIONAL

On Bangladesh Situation 27

Venezuela and US Imperialism 34

FACT-FINDING

36

REPORTS

37

OBITUARY

39

Editor-in-chief

Dipankar Bhattacharya

Editor

Arindam Sen

Editorial Board

V. Shankar

Sanjay Sharma

Sucheta De

Ajit Patil

Clifton D' Rozario

Maitreyi Krishnan

Akash Bhattacharya

Editors' e-mail:

liberation@cpiml.org

Design: V Arun Kumar

Manager: Prabhat Kumar

Phone: 7042877713

Website: liberation.org.in

E-mail: manager.liberation@gmail.com

40 pages including covers

Annual Subscription Rates

India Rs. 300

Abroad US\$ 60

Digital Subscription Rs. 200

Online Payment: liberation.org.in

Pay By Bank transfer:

Account Name: Liberation Publications

Account No.: 90502010091855

IFSC Code: CNRB0019050

MICR Code.: 110015388

Bank: Canara Bank

We Want Justice: The Renewed Struggle for Safety and Freedom for Women in India

The horrific rape and murder of a 31-year-old postgraduate trainee doctor in Kolkata's RG Kar Medical College and Hospital has triggered a massive people's assertion in West Bengal powered by a remarkable women's initiative called 'Reclaim the Night' – derived from an international movement - on the eve of Independence Day. This August 15, the focus was turned on the crucial question of women's freedom, women's safety and women's inalienable right to a dignified and democratic life in today's India. The fact that a young doctor was killed and brutalised in her own hospital after completing a strenuous 36-hour-shift became a shocking symbol of the utter lack of safety of women in their workplaces. The idea of small protests planned in select spots of Kolkata soon grew into an unprecedented statewide assertion by women. Students, doctors and concerned citizens across the country too were quick to come out on the streets in solidarity with the West Bengal movement.

In some ways, India is reliving moments of the 2012 anti-rape upsurge which had followed the Nirbhaya case - the rape and murder of a 22-year-old physiotherapy intern in a private bus. Back then it had led to not just countrywide powerful protests but also the setting up of a judicial committee, holding of extensive consultations with women's organisations and activists and major updatings of the criminal law to make it more effective in dealing with sexual harassment and violence. The six men involved in the crime had all been arrested: one died in custody, four have been executed by hanging on 20 March 2020, and the juvenile offender has served his sentence.

The anti-rape movement in 2012-13 had rightly focused on the question of justice in cases of sexual harassment and violence and making it easier to file cases, quickening the process of investigation and increasing the rate of conviction of the perpetrators. This time too the central chant that rent the air across West Bengal and beyond was 'we want justice'. It was to ensure that justice was done that the people of West Bengal came out on the streets promptly and strongly to foil every perceived attempt to cover up the heinous act and shield anybody guilty or complicit in this ghastly crime. The 'Reclaim the Night' call emerged precisely against the crude victim-blaming statement by the principal of the RG Kar Medical College (RGKMC). When the same principal was entrusted with the charge of another medical college in the city just hours after he was forced to resign from the post of principal of RGKMC, the anger of the people understandably spread like wild fire.

The inaction of the police in the face of vandalism in the RG Kar Medical College and Hospital - on the very night when tens of thousands of people were out on Kolkata streets in the 'Reclaim the Night' assemblies and marches - only added to the anger and resolve of the people. As did the farcical exercise in which Chief Minister Mamata Banerjee staged a 'protest march' demanding the hanging of the lone accused arrested so far in the case, rather than acknowledging her own responsibility not just as Chief Minister but also being in charge of both health and law and order ministries of the state government.

In another remarkable show of solidarity and protest, the state government's move to cancel a football match between traditional rival clubs Mohun Bagan and East Bengal provoked a united march of football lovers of the top three football clubs of the city - Mohun Bagan, East Bengal and Mohammedan Sporting. Theatre workers, lawyers, and people cutting across all professions and walks of life are continuing with their daily protests demanding justice.

At the recommendation of the Kolkata High Court the investigation has meanwhile been handed over to the CBI. The Supreme Court too has taken suo moto cognizance of the case, asking both the State government and the CBI to submit updates. While appealing to the doctors to end their strike and resume duties, the Supreme Court has announced its decision to form a national task force to decide on measures to strengthen workplace security for medical professionals and health workers. It has also asked the West Bengal government to respect the people's right to organise peaceful protests and not try and violate it by applying force. The pressure mounted by the powerful protest movement has clearly put not just the state government on the defensive but also forced the Supreme Court to respond in a proactive manner. This pressure must have to be kept up to secure some real justice and positive change.

The issue here is clearly not limited to the security of just medical professionals but the right of all women to safety and dignity in workplaces and public spaces as well as in the domestic sphere of homes and families. The very night women were occupying the streets across West Bengal to reclaim their rights, a young Adivasi woman, Priyanka Hansda, was brutally killed in Shaktigarh of Bardhaman district. Around the same time as the horrific RG Kar incident, brutal

cases of sexual violence have been reported from several states in India including the rape and murder of a nurse in Uttarakhand, rape and murder of a 14-year-old Dalit girl in Bihar's Muzaffarpur district, and shocking sexual assault on girl students in a renowned school in Badlapur near Mumbai. And just the day before the Supreme Court heard the RG Kar case, the Kerala government released the report submitted by a committee headed by Justice K Hema on pervasive sexual harassment and deeply entrenched misogyny in the Malayalam film industry.

Indeed, there have been any number of horrific rape and murder cases since the 2012 Nirbhaya case - from Kathua in Jammu to Hathras in UP to the shocking incidents in Manipur - that have never really got due attention from the apex court in the country. The Vishaka guidelines instituted by the Supreme Court in 1997 to prevent sexual harassment in workplaces and the updated 2013 Act are still observed more by way of violation. Convicted rapists and rape-accused politicians are routinely rewarded and appeased by the BJP, and as was highlighted by Mamata Banerjee's farcical 'protest' in the RG Kar case, the question of justice is sought to be replaced by most parties by frenzied calls for capital punishment.

The fact that, in spite of the Nirbhaya case where as many as four convicts were executed by hanging, rape still remains such a pervasive crime in India clearly tells us that capital punishment is no deterrent. Institutional measures to ensure a safe environment for women in all spheres, prompt and assured delivery of justice and a strong social awakening and mobilisation against rape culture and patriarchy are the crying needs of the hour. Let the 'we want justice' roar triggered by the RG Kar horror take India firmly forward in this direction. ■

LIBERATION DIGITAL SUBSCRIPTION

Get Liberation Magazine PDF version directly to your Email or WhatsApp

Annual Subscription fee: INR 200

For more information email us at liberation@cpiml.org or manager.liberation@gmail.com



Reclaim the Night and Win the Day

The Battle for Gender Justice

▲ **SAMPRI TI MUKHERJEE**

On the early morning of 9th August, a horrifying crime shocked the state of West Bengal. A young post-graduate trainee doctor was brutally raped and murdered at her workplace in the Chest Medicine Department of R G Kar Medical College & Hospital in Kolkata. This atrocity not only shattered the medical community but also exposed the deep-seated patriarchal violence and corruption permeated in our country.

The response from the R G Kar Medical College administration exacerbated the tragedy. The principal, Mr. Sandip Ghosh, summoned the grieving parents of the victim, only to make them wait for three agonizing hours before they could see their daughter's lifeless body. Ghosh while informing the parents about the incident allegedly tried to pass it off as suicide! According to reports, despite the visible and gruesome injuries pointing towards a criminal offence, there was procedural delay in filing the FIR. The crime was detected in the early hours of the morning and no FIR was filed until late at night. The Supreme Court hearing the case of August 22 raised serious questions on handling of case by Kolkata police and observed, "this is very surprising, post-mortem precedes registration of the UD [unnatural death] case!"

On August 10th, the prime suspect, Sanjay Roy, was arrested. However, the arrest did little to quell the growing anger among the public as the hospital and police administrations actions (rather, inaction) pointed towards several glaring shortcomings. The incident had already brought to light the long-standing corruption within public hospitals and raised serious questions about the principal's role in potentially covering up the crime. Mr. Ghosh's shocking and insensitive remark that it was irresponsible for the victim to be alone at night further inflamed further public fury. His words were emblematic of the pervasive rape culture that continues to plague cases of sexual violence in India. On the other hand, instead of taking the accountability of such system level failure, Chief Minister Mamata Banerjee who is also in charge of the Health department, tried to channelize the collective grief, anger and rage towards the demand of hanging of the accused!

In response to the shameless victim-blaming and efforts to cover up the brutal rape and murder, a powerful movement began to take shape. Women, trans, and queer people from all walks of life—across class, caste, sexuality, and religion—came together to Reclaim the Night on the eve of Independence Day. It is metaphorically significant that, two years ago on the same Independence Day, Bilkis



Bano's rapists were acquitted by Gujrat high court and welcomed with garlands by BJP workers, highlighting a crisis in the equality and autonomy of women and gender minorities. In stark contrast, two years later, the mass upsurge of women and gender minorities under the banner of Reclaim the Night powerfully reasserted the right to gender justice, freedom & safety raising slogans for uprooting the brahmanical patriarchal system. Lakhs of women, trans, and queer individuals along with healthcare workers, civil society members and students-youth organisations across West Bengal gathered in protest against sexual violence. The battle for justice soon spread over other cities of India including Mumbai, Patna and Delhi, to claim the night and ensure women's freedom. It demonstrated how feminist movements are spaces for celebrating difference and diversity. For example, Mid-day meal workers organized a Reclaim the Night event in Howrah and North 24 Parganas, while trans and queer school students organized a similar event in Chakda, Nadia district. This movement sought

to challenge brahmanical patriarchal norms that restrict women's freedom and safety in public spaces and their right to a dignified and democratic life. The call for justice was not just for the young doctor but for every individual who faces rape culture on an everyday basis.

As the movement gained momentum, on the same night of Reclaim the Night, RG Kar and NRS hospitals saw protesting students and doctors being met with vandalism and brutality by certain groups in an attempt to divert the public attention and weaken the movement for justice. The night also witnessed another horrific crime: an Adivasi woman was brutally murdered in Shaktigarh, Bardhaman. The violence did not stop there. On August 15th, several trans women were assaulted by the Railway Protection Force (RPF) at Rabindra Sadan, followed by the naked parade of a woman by BJP activists in Nandigram. Many women and gender minorities took to social media to share their traumatic experiences during the Reclaim the Night gatherings, where they were abused and heckled. This underscores that reclamation cannot remain a mere symbolic protest; the widely spread masses need sensitization, orientation and a feminist vision to culminate in a movement that can truly reshape public discourse, allowing women, trans, and queer communities to reclaim the world without fear of abuse and humiliation. Despite these setbacks, the determination of the movement has only grown stronger. On August 17th, a rally with over 3,000 participants was organized to march to RG Kar in solidarity with the protesting students and doctors. While the unprecedented uprising of the masses has struck fear in the hearts of the ruling TMC government, it has also drawn the attention of fascist forces like the RSS and BJP. These groups, which have historically enabled rape culture and suppressed voices demanding gender justice, are now attempting to co-opt dissenting voices for their own vested interests. It is crucial to remember that the brutal rape and murder of the medical student at RG Kar is not an isolated incident but a reflection of the patriarchal power structures perpetuated by those in power, regardless of the political regime.

It is important for us to look back at the Nirbhaya movement which had ignited nationwide protests in India's socio-political landscape, profoundly impacting the discourse on women's safety and autonomy in workplaces particularly concerning prevention of sexual harassment at workplaces, both formal and informal sector. The movement's impact led to the establishment of Justice Verma Commission and the introduction of the Prevention of Sexual Harassment (POSH) Law. Women, students, citizen's organisations including AIPWA and AISA were instrumental in catalyzing substantial changes in the legal and institutional framework governing women's safety and agency, particularly in the context of the workplace. The Prevention of Sexual Harassment at Workplace (POSH) Act, 2013, was enacted to create safer workplaces for women, recognizing sexual harassment

as a direct violation of women's fundamental rights to life and dignity. It acknowledges the inherent power imbalances in workplaces that often place women in subordinate positions. Covering both organized and unorganized sectors, the POSH Act mandates the formation of Internal Complaints Committees (ICCs) within organizations and Local Committees under district administrations to address complaints from women in the unorganized sector. The Justice Verma Commission's recommendations also emphasized the need for Gender Sensitization Committees Against Sexual Harassment (GSCASH) to oversee the effective implementation of the POSH Act in educational institutions and workplaces. A decade later, the incident at RG Kar Medical College highlights the urgent need to reassess the effectiveness of the POSH Act and the functionality of its mechanisms. The dysfunction of the Internal Complaints Committee (ICC) at RG Kar is particularly concerning, especially since Mr. Sandip Ghosh, the accused principal in the cover-up, was a member of the ICC. The issue stems from the ICC being chosen rather than elected, contrary to what the Justice Verma Commission advised. This situation highlights that without regular monitoring by stakeholders from legal, feminist, and citizen spaces, addressing the power imbalances in workplaces remains unattainable.

In this context, the West Bengal government's 17-point circular, feels like a rushed attempt to silence the ongoing efforts rather than genuinely address the issues that the Reclaim the Night movement has raised. The proposed measures, such as reducing night duties for women, are a step backward, directly contradicting to the demands of ensuring structural measures for autonomy of women as championed by the movement. Steps such as deploying police security, surveillance at workplaces promotes control over women and marginalized communities, rather than addressing the root causes of gender based violence. For example, the space where the RG Kar incident took place was covered by CCTV yet the crime couldn't be stopped, which raised question that what does safe spaces mean for women and gender minorities. The lack of practical implementation plans, such as the vague suggestions for restroom construction, only further highlights the disconnect between the state's proposals and the demands raised by the movement. In response to the state's efforts to surveil and limit women's autonomy, a call was made on August 19th under the slogan 'Solidarity, Not Surveillance; Liberation, Not Protection.' This call was celebrated at 30 locations across the state of West Bengal, where women, trans, and queer individuals organized human chains to spread the message.

Along with demanding a fast and transparent CBI investigation into the brutal murder and rape of the PTG doctor at RG Kar and thorough investigation and punishment for all those responsible for the vandalism and targeted attack at RG Kar on the night of August 14th,

including the administrative and police officers on duty that night; it is high time that we leverage on the mass outrage to strengthen the demands for structural changes to ensure rights of women and gender minorities to reclaim our space as equal citizens of the state which have been far too neglected by governments, judiciary and people in power. We need to raise voice for systemic changes like reconstitution of ICCs and LCCs with elected representatives, construction of public toilets at every 1 km distance, 24-hour public transport, creches for working women, and hostels for those working late hours. The services must be available at free or subsidized rate. Enacting these measures will ensure that women and gender minorities can truly access the public space and practice autonomy. Most importantly, there must be a comprehensive review of the enactment of POSH act, and the status of ICCs and LCCs across India, by establishing a special commission.

The Reclaim the Night movement is a powerful reminder that the fight against patriarchal violence is far from over. It is a call to action for all those who believe in justice, equality, and the right to live without fear. We must remember that the fight is not just against the individuals who commit these crimes but against the entire system that allows such atrocities to happen. We must be determined to continue this struggle until justice is secured for all women, trans, and queer people, and until we create a society where everyone can live and work in safety and dignity. ■

Protests Across the Country for Justice for Kolkata RG Kar Medical College Victim



The battle for justice in the horrific RG Kar Medical College rape and murder intensifies in West Bengal and across the country. The roar is getting louder and the issue of continued violence against women has once again come to the forefront. A female doctor trainee was raped and murdered on August 9 at a seminar room on the 4th floor of the emergency ward of R G Kar Medical College & Hospital in Kolkata.

The rape and murder incident has once again sparked the “Reclaim the Night, Reclaim The Rights Movement” across the country against sexual violence, victim-blaming and rape culture. On the eve of Independence Day, midnight marches were organised in Kolkata and across the state of West Bengal in which thousands of women and people from all walks of life marched in unison demanding an end to sexual violence in the workplace and enduring freedom and liberty for women and gender minorities, asserting their presence with slogans and posters in hand from villages to the cities. Their voices echoed against the victim blaming and pervasive rape culture in society. AIPWA comrades across the state actively participated in the movement in West Bengal, Delhi, Bangalore, Assam, Jharkhand, Uttarpradsh in demand of justice for R.G Kar and putting an end to deep rooted rape culture. In Delhi, doctors, students and citizens organised the ‘Reclaim The Night’ march from All India Institute of Medical Sciences (AIIMS) campus. Members of CPIML, AISA and AIPWA participated in these protests in large numbers demanding justice in RG college incident and immediate steps to ensure end to violence against women. The call for gender sensitisation committee against sexual harassment (GSCASH) bodies in all institutes and workplaces, along with proper implementation of Vishaka judgement and Justice Verma Committee recommendations were raised. Similar marches were organised in Delhi, Mumbai, Assam, UP, Pune and several other cities across the country claiming rights over public spaces without fear. On August 14, CPIML also organised protests and deputation in Howrah.

On August 16, CPIML organized statewide protest condemning the attack on RG Kar medical college protest site in the night of August 14, which was attempt to weaken and mislead the people's outrage. Protests were organised in Kolkata, South and North 24-Parganas, Alipurduar, Hooghly, Howrah, Bankura, Nadia, Burdwan and other places. Joining the protest, CPIML and AIPWA called for a full-time minister for state's health ministry to take immediate measures to ensure safety and protection for healthcare providers and accountability of health institutions.

On August 17 and 18, as part of nationwide strike call given by doctors, thousands marched in Kolkata's College Street to Shyambazar, Delhi's LMCH hospital

and several other places demanding justice. The protesters warned against any kind of cover-up and insisting on the delivery of justice. They also warned against any attempts to impose restricting codes on women in the institutions in the name of women's safety. Their voices echoed against the victim blaming and pervasive rape culture in society.

On August 18, the rattled state administration in West Bengal even cancelled the football match between Mohun Bagan and East Bengal football clubs, fearing the shadow of Justice for RG Kar College incident protests. Despite the cancellation, football fans from both clubs unitedly marched demanding end to sexual violence and calling for justice. The police even tried to

lathi-charge the protesting football fans, but the call for justice is getting only louder.

The state of West Bengal is witnessing mass protests in different forms from various sections of the society, from Doctors to teachers, writers to artists, lawyers to mid day meal workers, students to gig workers and so on.

The recent spate of rapes and murders of a doctor in Kolkata, a nurse in Uttarakhand and a Dalit girl in Bihar and the calls against sexual violence from Manipur to Women Wrestlers have sparked the fire for gender justice and women's freedom. CPIML salutes the raging battle for women's freedom and ending violence against women - everywhere. ■

Protests in Bihar for Justice in Muzaffarpur Rape and Murder Case



On August 12, a 14-year-old Dalit girl was raped and murdered in Bihar's Muzaffarpur. The criminal inaction and silence of the BJP-JD(U) government in this case have sparked widespread protests by CPI(ML), AIPWA, and Insaf Manch, as battle rages across the country for gender justice and an end to violence against women.

Statewide protests were held on August 18 in multiple places, including Patna, Samastipur, Gaya, Ara, Biharsharif, Begusarai, Masaurhi,

Punpun, Sasaram, Siwan, Nawada, Khagaria, and Vaishali. In Patna, a demonstration led by AIPWA General Secretary Meena Tiwari, MLC Shashi Yadav, AIPWA State Secretary Anita Sinha, Rakhi Mehta, and Nasreen Bana was concluded in a mass meeting at Buddha Smriti Park.

Meena Tiwari, General Secretary AIPWA, criticized the double standards of BJP and JD(U), noting their vocal responses to similar incidents elsewhere but their lack of action in Muzaffarpur. She pointed out that the local administration has

been neglectful, with no support or compensation announced for the victim's family.

On August 16, a CPIML-AIPWA fact-finding team visited the place of the incident and talked to relatives of the victim. They informed that despite brutal murder and injury marks all over the victim's body, the police administration is claiming she was in touch with the accused in the case.

Shashi Yadav, MLC and Central Committee member of CPIML, condemning the state's insensitivity and inaction, said that the administration and police are trying to blame the victim to cover up their negligence. Demanding justice and immediate action, she said that a high-level judicial inquiry must be conducted in the case to ensure justice.

Key demands included the immediate arrest of the perpetrators, an end to the victim-blaming culture, and a compensation of Rs. 10 lakhs and protection for the victim's family. The protest underscores growing people's outrage and demands for justice in the face of ongoing issues of violence against women and inaction by authorities. ■

Equality versus RSS: *Modern India's Fundamental Battle of Ideas*

The caste system is India's unifying factor and anybody who attacks the caste system is an enemy of India' : Panchajanya, the Hindi mouthpiece of RSS, has said as much in an editorial comment. There has perhaps never been such an open glorification of the caste system in recent years. That this editorial appeared on the eve of India's 77th anniversary of independence and that the RSS, which will celebrate its centenary next year, is today the custodian of India's 'official ideology', tell us why this cannot be brushed aside as just a stray rightwing regressive rant.

It is well known that the RSS vision of India has all along been antithetical to the vision of modern India that grew out of India's freedom movement and came to be upheld by the Constitution of India drafted under the chairmanship of Babasaheb Ambedkar. But this level of candour can perhaps only come from the arrogance and impunity bred by the organisation's growing grip on state power. Just the other day we saw the Union Home Ministry circular lifting the ban on government employees taking part in the RSS organisation and its activities.

In the formative years RSS ideologues never tried to hide their views and were quite open about their espousal of Manusmriti as India's ideal social code and the need to emulate the ideas and policies of Mussolini and Hitler. But for the sake of maintaining its legal status it has had to resort to a constitutionally compliant narrative in independent India. And then to win and stay in power, it has had to adapt itself further to the needs of competitive electoral politics. The brahminical core of RSS has

today perfected the art of sporting a deceptive SC/ST/OBC friendly image.

In the process the RSS has evolved a multi-pronged strategy to tackle the question of caste and reservation. Three decades ago, the Sangh brigade was known for its strident anti-reservation stand when the VP Singh government had first announced its decision to implement some of the Mandal Commission recommendations. But over the years, the Sangh brigade realised the futility of opposing reservation and instead began to specialise in using caste as a tool of divisive social engineering by pitting one section of OBCs against another. Ahead of the 2024 elections we even heard Mohan Bhagwat try and persuade upper caste Indians to accept reservation for 200 years to end the discrimination that lower castes have had to suffer for 2000 years.

Coming from Bhagwat this talk of two thousand years of caste oppression sounded like a belated confession after decades of denial. Now in power, the BJP of course has better means of truncating and negating reservation - by playing around with the system than by calling for its outright abolition. From the introduction of exclusive upper caste reservation in the name of EWS quota to leaving the SC/ST/OBC quota unfulfilled through the rampant use of the fake and flimsy 'NFS' (not found suitable) excuse to the outright circumvention of reservation by provision of 'lateral entry' and indiscriminate promotion of privatization, the Modi government has devised multiple ways to subvert the very system of reservation.

Yet the demand for caste census seems to have rattled the RSS. Afraid that a caste census will unleash

the demand for fair representation in all institutions and spheres of society, the Sangh brigade seems desperate to discredit the very idea of a caste census. According to the Panchajanya editorial, caste is Hindu religion, caste is Indian nation and castes are all united in a harmonious order. But if caste is so central and omnipresent, why is the RSS afraid of an updated caste count? Because caste - along with gender - is the biggest marker of social inequality and imbalance in India. Just as the Sangh propaganda wants to hide India's obscene economic inequality by pointing to the overall size of the Indian economy, it wants to suppress the utterly skewed nature of social representation by selling the fiction of caste as the building block of a harmonious and cohesive social order and national entity.

Like caste, the Sangh-BJP establishment is equally defensive about India's crony capitalist order. Every question about Adani's meteoric rise and monumental corporate fraud and the central role played by the Modi-Adani nexus behind the phenomenal concentration of wealth and public assets in the hands of the Adani group is sought to be silenced by branding it as an act of anti-India conspiracy. The Adani-Ambani stories are essentially about state-sponsored aggressive accumulation of wealth and obscene exhibition of opulence, yet the Sangh discourse celebrates them as great national achievements and invokes these examples to hide the fact that if the richest five percent are removed, India's per capita income is on par with some of the poorest nations of the world. Indeed, caste and crony capitalism define the most telling trajectories of India's acute social and economic inequality, but to the

Sangh vision of India, these are the two pillars of India's social stability and economic development.

This Sangh vision in which inequality is celebrated as an Indian success story runs absolutely counter to Ambedkar's egalitarian vision of India as a democratic republic based on the principles of liberty, equality and fraternity where the three features constitute an integral whole. For Ambedkar, the biggest threat to the political equality of 'one vote, one value' lay in India's deep rooted social inequality and growing economic disparity, and caste was the biggest impediment to the development of India as a unified modern nation. And here is the RSS which treats caste as the fundamental source of India's stability and strength.

However much Modi may pay lip service to the Constitution, the RSS worldview remains fundamentally opposed to the constitutional vision of justice and equality without which there can really be no united modern India. It was inspiring to see that the outrage against the horrific rape and murder of a young Kolkata doctor triggered statewide protests in West Bengal and countrywide solidarity, with the Independence Day eve observed as an unprecedented collective assertion of freedom for women through dozens of "Reclaim the Night" protest assemblies and loud "we want justice" chants. Independence today is not about remembering the past, it is about fighting for securing our constitutional goals and rights and India will have to decisively defeat the RSS design to march forward as a democratic republic. ■

RSS and the Global Far-Right

Expanding Links, Growing Ambition

▲ DIPANKAR BHATTACHARYA

Cultural nationalism, the standard RSS description of its ideology, has got a new global brand name: national conservatism. The global far-right has been trying to forge a broad ideological coalition over the last five years by holding a series of NatCon (national conservatism) conferences. The initial conferences held in London, Washington and Rome between May 2019 and February 2020 also marked the launching of a new American institute named Edmund Burke Foundation chaired by the Israeli-American philosopher Yoram Hazony. The latest NatCon conference, held in Washington DC on 8-10 July, 2024 saw for the first time two participants from the Sangh stable - Ram Madhav and Swapan Dasgupta. This throws some new light on the emerging global linkages of the RSS beyond its own intricate network within the Indian diaspora.

At the time of its inception, the RSS was clearly inspired by the fascist far-right of Europe in the first half of the twentieth century. Significant inputs were borrowed from the rise of Mussolini in Italy. Golwalkar had talked openly about the lessons that nationalists in India should draw from Hitler. The current congregation of the global far-right is also happening in the backdrop of a renewed surge of neo-fascism. But the word fascism or Nazism (so-called national socialism) today is a taboo even to the fascists and hence the cover of national conservatism.

Ram Madhav had a typical WhatsApp university answer to the charge of fascism. 'How can we be called fascists or blamed for following Hitler when we love Jews and Israel so much', said Madhav. He asked his predominantly white audience not to trust Indian and Western liberal talk about 'backsliding of democracy' in India: 'Remember, the same people call you white supremacists and racists'. One just has to listen to Ram Madhav's address at the NatCon conference to see how fascists and racists are seeking to rehabilitate themselves under the umbrella of conservatism.

Ram Madhav and Swapan Dasgupta told the conference that India was best suited to lead this upsurge of conservatism because Indians were apparently born conservatives. According to them, the conservative credo of 'faith, flag and family' - 'belief in God' and loyalty to family and nation - came naturally to Indians. Madhav was quick to assign a number to the base of conservatism in India, claiming one billion Indians follow the conservative ideology. Incidentally, India has an electoral roll of close to one billion of which 642 million voted in 2024 and BJP had a vote share of 36.56% or less than 24 million, if we are talking of actual numbers.

From status quoism to fascism, whatever shade Madhav may have in mind while using the generic term conservatism, the Sangh-BJP establishment has never had the support of one billion Indians. Like appropriation of icons and falsification of history, the Sangh discourse continues to misrepresent the justice-seeking democracy-loving common people of India as supporters of the regressive ideological project of the RSS. If conservatism and conformism were to be the dominant features of India's tradition, call it social, cultural or political, India would still be reeling under colonial rule, Dalits would still be subjected to slavery, and Hindu women would still be burnt on the pyres with their dead husbands in the name of sati. Of course, while democratic and radical impulses are as 'Indian' as conservative ones, they have always had to struggle to root themselves

in what Ambedkar called the deeply 'undemocratic soil' of a patriarchal-feudal caste society – the core of what Madhav celebrates and wants to showcase to the world as a model for global conservatism.

Ram Madhav seeks to lead his fellow conservatives from other parts of the world, by invoking the power currently enjoyed by the Modi regime. He boastfully says that had it been ten years ago, he too would have perhaps been sharing a conservative 'sob story', but today he has a success story to tell. And he says this success has been achieved by cultural mobilisation from below, grassroots assertion of conservative ideology. He is clearly telling a big lie here. The BJP's rise to power has been paved by a series of violent campaigns from Advani's Ayodhya rath-yatra to the Gujarat carnage under the stewardship of Modi to the relentless anti-Muslim riots, lynchings and bulldozer attacks over the last ten years. And having come to power by systematic use of violence, the BJP today sustains it by unleashing more violence and instilling terror.

True to the classical character of fascism, the BJP rule today in India is virtually an open terrorist dictatorship. Modi 3.0 is by no means ready to reconcile with the increased opposition strength and the consequent weakening of the fear factor resulting from the 2024 election outcome. And as far as the rise and growth of the RSS is concerned, it has always depended on the organisation's direct and indirect control over state power and the institutional network of a modern society apart from the traditional tools of caste and creed. More than direct appeals to the regressive ideology of conservatism, the RSS has grown historically by spreading lies and rumours and orchestrating hate and violence.

Like Modi's 'Vishwaguru' ambition and posturing, the RSS too now seems to be aspiring for greater global recognition and role. The RSS is aware that India's strategic relevance in the US vision of the world revolves around the role and potential of India as an ally in the so-called war on terror and containment

of China. It wants to place this strategic relationship on a stronger ideological footing of shared far-right conservative bonding. Beyond the diplomatic collaboration of states within a framework of broad neo-liberal economic consensus and Western military domination, the RSS wants to seek out its role in the ideological arena by working for a conservative convergence spearheaded by the far-right regardless of the changing political equilibrium and electoral fortunes in individual countries, building on the shared values of racism, Islamophobia and anti-immigrant hypernationalism and xenophobia.

Ram Madhav and Swapna Dasgupta compare the Indian diaspora in US to the pro-Israel Jewish lobby, Dasgupta even believing that in terms of economic advancement the Indian diaspora has reached a comparable level of strength and affluence. They would now like the Indian role in America to be also politically and ideologically as influential as the pro-Israel lobby. Just as Israel enjoys complete impunity and active support from the US, Madhav also wants the US to embrace the Modi government's model of dealing with India's religious minorities and its Muslim neighbours, and stop making even mildly critical noises about religious freedom and human rights violations. Madhav would also like the evangelist American conservatives to appreciate the RSS' opposition to religious conversion or what the Sangh calls the Christian campaign of proselytization.

Perhaps as the RSS readies for its centenary in 2025, we will see more attempts from the RSS to sell itself as a global role model and India as the ideological destination for 'National Conservatives' from around the world. In fact, Madhav told his conservative colleagues that India was ready to play the vanguard role in taking the conservative agenda forward. The emerging contemporary international linkages of Indian fascism surely need closer attention from anti-fascist forces around the world.

(This article was first published in TheWire.com on 19 August 2024)

Normalizing Hindutva: Participation in RSS Activities by Government Staff

▲ AKASH BHATTACHARYA

Following a recent directive from the Department of Personnel and Training (DoPT), issued on 9 July 2024, government employees are now permitted to participate in Rastriya

Swayamsevak Sangh (RSS) activities without attracting disciplinary action under the rules of conduct applicable to them.

The ban on government employees participating in RSS activities was

imposed in 1966, following a massive anti-cow-slaughter protest at the Parliament, which was supported by the RSS and its political front – the Bhartiya Jana Sangh (BJS). This led to the dismissal of several government employees who were found to be involved with the RSS.

The removal of these restrictions from central government employees by the Union government follows similar moves by the Bhartiya Janata

Party (BJP) led state governments in Madhya Pradesh (2006), Uttarakhand (2008), Chhattisgarh (2015), Haryana (2021) with regard to their respective employees.

The Logic Behind the Ban

On November 30, 1966, the Ministry of Home Affairs (of which DoPT was part until 1998) issued a circular: “Certain doubts have been raised about Government’s policy with respect to the membership or any participation in the activities of the Rastriya Swayamsevak Sangh and the Jamaat-e-Islami by Government servants... Government have always held the activities of these two organizations to be of such nature that participation in them by Government servants would attract the provisions of sub-rule (1) of Rule 5” of the Central Civil Services (Conduct) Rules, 1964.

“Any government servant, who is a member of or otherwise associated with the aforesaid organizations or with their activities, is liable to disciplinary action,” the circular said.

In order to prevent any dithering and manipulation, the 1966 order was subsequently reiterated through government orders and circulars. On July 25, 1970, the Ministry of Home Affairs again said, “Action should invariably be initiated against any Government servant who comes to notice for violation of the instructions [of November 30, 1966].”

On October 28, 1980, the government of Indira Gandhi issued a circular underlining “the need to ensure a secular outlook on the part of Government servants”, and stressed that “the need to eradicate communal feelings and communal bias cannot be over-emphasized”.

Can Public Servants Participate in Politics?

The 1966 ban came at a time when the relation between government servants and political parties was

being clarified by the post-colonial government. The Central Civil Services (Conduct) Rules, 1964, and the All-India Services (Conduct) Rules, 1968, imposed restrictions on involvement of government servants in politics.

Rule 5 of the 1964 Rules is about “Taking part in politics and elections”. Rule 5(1) says: “No Government servant shall be a member of, or be otherwise associated with, any political party or any organization which takes part in politics nor shall he take part in, subscribe in aid of, or assist in any other manner, any political movement or activity.”

The All-India Services (Conduct) Rules, 1968, which apply to officers of the IAS, IPS, and Indian Forest Service, has a similar Rule 5(1).

Prior to these, there was the Government Servants’ Conduct Rules, which were framed in 1949, when Sardar Vallabhbhai Patel was home minister. Rule 23 of 1949 was the same as Rule 5 of 1964 and 1968.

Thus, participating in political activities was always prohibited for government employees. The nature of the organizations in question was clarified from time to time as per requests and representations.

Is the RSS a Political Organization?

The RSS is an organization of a peculiar nature. Its structure is murky and deliberately so. It has always claimed to be a cultural organization whereas it has proactively participated in politics through its various frontal organizations – the BJS, the BJP, the Vishwa Hindu Parishad (VHP), the Bhartiya Mazdoor Sangh (BMS) and so on.

While the RSS claims to merely be an ideological influence on these, in reality it is much more than that. RSS leaders have nurtured and shaped these organizations at an ideological and organizational level.

The murky nature of the RSS has been used cleverly by the organization to

push its agenda forward, including the flouting of the 1966 ban from time to time. The judiciary initially succumbed to its machinations.

The Punjab and Haryana High Court in Chandigarh set aside the dismissal of a government employee who was removed from service in 1965 for his participation in RSS activities, citing lack of material to prove that the RSS was a political party. That’s why the government felt it necessary to reiterate the ban in 1970 and 1980.

Is Ban the Solution?

Notwithstanding whatever we have said above, it is worth asking if banning is a solution, given the widespread influence that the RSS now holds over Indian society.

Here it needs to be clarified that the entire question hinges on the nature of the RSS. If public servants are banned from participating in political activities, then they should certainly be banned from participating in the RSS because of the outright (though denied) political nature of its work and objectives.

Crucially, while the 1966, 1970, and 1980 circulars also mentioned the Jamaat-e-Islami as an organization of a “political” nature, the July 9 circular removes that tag from only the RSS. This means that the Jamaat-e-Islami still remains an organization whose activities are categorized as “political”, and government officials cannot take part in them.

Thus, the government’s move is nothing but a way of normalizing the RSS.

The RSS has historically been opposed to the constitutional democratic framework of Indian state and society, not even accepting the Indian flag. Institutional capture and corporate support are two key ways in which the RSS has legitimized itself. The 9 July circular marks another step towards institutional capture by the RSS and must be opposed by all democratic forces. ■

The Supreme Court Verdict on the SC/ST Sub-Classification

▲ CLIFTON D' ROZARIO

On 1st August 2024, a 7-judge Constitution Bench of the Supreme Court delivered a 6:1 majority judgment upholding the legality of sub-classification of Scheduled castes for the purposes of reservation. This 565-page judgment contains 6 opinions – judgments by Jst. Chandrachud and Manoj Mishra, and the concurring opinions by Jst. Gavai, Jst. Vikram Nath, Jst. Pankaj Mittal and by Jst. Satish Chandra Sharma, constitute the majority, and Jst. Bela Trivedi has authored a dissenting judgment.

Genesis of these proceedings

The judgment was passed in a batch of matters challenging judgments of the Punjab and Haryana High Court that had struck down State legislations from Punjab¹ and Haryana², and a challenge to a Tamil Nadu legislation³ mandating sub-classification. The High Courts had invalidated the provisions in the said legislations that provided for sub-classification, on the ground that they fell foul of the law laid down by the Constitution Bench in **E. V. Chinniah v. State of Andhra Pradesh**⁴ that sub-classification was impermissible. During the hearing of this challenge to the judgement



of the Punjab and Haryana High Court, the State took the stand that **EV Chinniah** was inconsistent with the judgment of the nine-Judge Bench in **Indra Sawhney v. Union of India**⁵, and on 20th August 2014, a three-Judge Bench⁶ referred the correctness of **Chinniah** (supra) for consideration by a larger Bench. This came up before a Constitution Bench in **State of Punjab and Ors vs. Davinder Singh and Ors**⁷, which endorsed the opinion of a 3-judge Bench that **E.V. Chinniah** ought to be revisited by a larger Bench and sought for the matter to be placed before a Bench comprising of 7

Judges or more. It is in this manner that the matter came up before the present Bench.

Legal permissibility of SC/ST Sub-classification

The sole question that was before the Court is succinctly laid out in the first para of the judgment (opinion of Jst Chandrachud and Jst Manoj Mishra): “The reference to this Constitution Bench raises significant questions relating to the right to equal opportunity guaranteed by the Constitution. The principal issue is whether sub-classification of the

[1] *Judgement dated 29th March 2010, of the High Court of Punjab and Haryana, striking down provisions of the Punjab Scheduled Castes and Backward Classes (Reservation in Services) Act 2006, that set aside 50% of the vacancies of the quota reserved for the Scheduled Castes in direct recruitment shall be offered to Balmikis and Mazhabi Sikhs, if available, as a first preference from amongst the Scheduled Castes.*

[2] *Judgment dated 6th July, 2006 of the High Court of Punjab and Haryana quashing the notification dated 9th November, 1994, which classified Scheduled Castes in the State were into two categories, Blocks A and B - for the purposes of reservation. Block B consisted of Chamars, Jatia Chamars, Rahgars, Raigars, Ramdasias or Ravidasias. Block A consisted of the remaining thirty-six castes in the list of Scheduled Castes for the State. Within the quota reserved for Scheduled Castes in direct recruitment for Government jobs, fifty percent of the vacancies were to be offered to candidates from Block A and the other fifty percent were to be offered to candidates from Block B. Thus, preference would be given to castes belonging to Block A and Block B in the fifty per cent earmarked for them.*

[3] *Arunthathiyars (Special Reservation of Seats in Educational Institutions including Private Educational Institutions and of Appointments or Posts in Services under State within the Reservation for the Scheduled Castes) Act, 2009 that provides for reservation of seats to Arunthathiyars, within the seats reserved for the Scheduled Castes, in educational institutions, including private educational institutions in the State and for appointment in services under the State*

[4] (2005) 1 SCC 394

[5] (1992) Supp (3) SCC 217

[6] (2020) 8 SCC 65

[7] (2020) 8 SCC 1

Scheduled Castes for reservation is constitutionally permissible". In para 42, the Court has clarified its brief as follows: "Constitution Bench has to adjudicate upon whether the sub-classification of Scheduled Castes for the purpose of providing affirmative action, including reservation is valid".

Pertinently, as noted by the Court, the submissions were restricted to the issue of whether the judgment of this Court in **E. V. Chinnaiiah** required to be reconsidered.

The opinion of Jst. Chandrachud and Jst. Manoj Mishra has overruled the law laid down in **E. V. Chinnaiiah** that sub-classification of the Scheduled Castes is impermissible. It is also held that Article 14 of the Constitution permits sub-classification of a class which is not similarly situated for the purpose of the law. Further it is clarified that the Supreme Court, in **Indra Sawhney**, did not limit the application of sub-classification only to the Other Backward Class and had upheld the application of the principle to beneficiary classes under Articles 15(4) and 16(4). It is also held that sub-classification within the Scheduled Castes does not violate Article 341(2) because the castes are not per se included in or excluded from the List. It is also concluded that historical and empirical evidence demonstrates that the Scheduled Castes are a socially heterogenous class, as such the State in exercise of the power under Articles 15(4) and 16(4) can further classify the Scheduled Castes. (para 205)

Jst. Gavai, Jst. Vikram Nath, Jst. Pankaj Mittal and Jst. Satish Chandra Sharma have concurred with the judgment authored by the Hon'ble the Chief Justice of India, however, Jst. Gavai has proceeded to give detailed reasoning for the same and held that: "...it is the duty of the State to give preferential treatment to the backward class of citizens who are not adequately represented. If the State while discharging that



Rail roko protest in Arrah against the SC's Subclassification order as part of Bharat Bandh on August 22, 2024.

duty finds that certain categories within the Scheduled Castes and Scheduled Tribes are not adequately represented and only the people belonging to few of the categories are enjoying the entire benefit reserved for Scheduled Castes and Scheduled Tribes, can the State be denied its right to give more preferential treatment for such categories? In my view, the answer would be in the negative, since the same would not amount to tinkering with the Presidential List". (para 258 of Jst Gavai's concurring opinion).

Jst. Gavai has taken a no-holds-barred approach in upholding the State's right to sub-classification. To quote para 268 of his concurring opinion: "I find that the attitude of the categories in the Presidential List opposing such a sub-classification is that of a person in the general compartment of the train. Firstly, the persons outside the compartment struggled to get into the general compartment. However, once they get inside it, they make every attempt possible to prevent the persons outside such a compartment from entering it".

Scale and scope of permissible sub-classification

Jst. Chandrachud and Jst. Manoj Mishra, while declaring the permissibility of sub-classification of Scheduled Castes, has handed down the broad legal contours within which the State could exercise such powers.

- Firstly, it is held that the identification of inter-se social backwardness within the Scheduled Castes can be identified based on inadequacy of effective representation. The State must "prove that the group/caste carved out from the larger group of Scheduled Castes is more disadvantaged and inadequately represented, and further the inadequacy of effective representation of a caste is because of its social backwardness". (para 177 and para 205(f)(i))
- Secondly, the State must collect data on the inadequacy of representation in the "services of the State" because it is used as an indicator of backwardness; (para 205(f)(ii)). In this regard the Court has clarified that adequacy of representation has

to be viewed from the lens of “true and effective representation of socially backward classes across posts” (para 167). As such for data-collecting exercise by the State in this regard to be valid, it must “collect quantifiable data with respect to the inadequacy of representation of the sub-categories in the services of the State” (para 204). Further the “State while deciding if the class is adequately represented must calculate adequacy based on effective and not quantitative representation”. (para 204)

- Thirdly, in regard to the scope of permissible sub-classification, the Court has laid down broad constitutional parameters while clarifying that it is doing so “without trenching on matters of policy” and that it is not intending to “prescribe an inflexible criterion for the State”. (para 178) Having said so, the Court examines two models of reservations for the sub-classified classes are permissible – the “preference model” and the “exclusive model”. In examining these the Court concludes the permissible “preference model” as one where preference to certain castes is given only over a certain percentage of the seats (para 183), and the permissible “exclusive model” being one where only a certain percentage of seats is exclusively allotted to the sub-classified castes (para 187), which, if unfilled, can be filled by other Scheduled Caste persons. The Court has clarified that “the state has the power to follow either of the two permissible models discussed above while reserving seats through sub-classification. The decision of the State to choose from either of the two models will depend on multiple considerations such as the degree of backwardness of

certain castes vis-à-vis the other castes and the total number of qualifying candidates belonging to the Scheduled Castes (both the more backward castes of the Scheduled Castes and the others)”. (para 189)

- Fourthly, the Court has held that though sub-categorization based on each caste is permissible, “there can never be a situation where seats are allocated for every caste separately”. It is clarified that while each caste is a separate unit, the social backwardness suffered by each of them is not substantially distinguishable to warrant the State to reserve seats for each caste and “if the social backwardness of two or more classes is comparable, they must be grouped together for the purposes of reservation”. (para 195)
- Fifthly, the Court has held that the State’s decision in regard to sub-classification is amenable to judicial review. While holding so, the Court has cautioned that the State may embark on an exercise of sub-classification on the basis of quantifiable and demonstrable data bearing on levels of backwardness and representation in the services of the State and it cannot “merely act on its whims or as a matter of political expediency”. As such it is held that when the State’s action is challenged under Article 226 or Article 32, “the State must provide justification and the rationale for its determination”. (para 190)

Applicability of “creamy layer” concept to Scheduled Caste reservations

The concept of “creamy layer” was applied originally to those segments of OBCs who are high-earning and thus, economically-speaking, may not meet the criteria for

backwardness. The Supreme Court in its nine-judge bench decision in **Indra Sawhney** explicitly stated that it had “no relevance in the case of Scheduled Castes and Scheduled Tribes.” This is because, it was contended, that “creamy layer” is too narrow and too economic of a concept to be applied to SC/STs who face injustices and suffer from a more egregious form of social backwardness when compared to the Other Backward Class.

However, in the most instant judgement, Jst. Gavai, went beyond the Bench’s mandate to restrict itself to the question on the permissibility of sub-classification of the Scheduled Castes. Instead, Jst. Gavai, waded into the contentious creamy layer question for SC/STs.

Before proceeding to do so, Jst Gavai looks at the law on the point including the **Indra Sawhney**, which specifically refrained from applying this concept to SC/ST reservations, and caveats that he is proceeding in this regard since the correctness of the contra view in **Jarnail Singh⁸** and **Davinder Singh⁹** has not been questioned. Jst. Gavai further states that since the “present reference we are dealing with the question about equality among the group of unequals, I find it appropriate to consider the said issue also”. (para 283)

Reasoning that the “...the people from this category, who after having availed the benefits of reservation have reached the high echelons in life cannot be considered to be socially, economically and educationally backward so as to continue availing the benefit of affirmative action...” (para 292), Jst. Gavai concludes as follows: “I am therefore of the view that the State must evolve a policy for identifying the creamy layer even from the Scheduled Castes and Scheduled Tribes so as exclude them from the benefit of affirmative action. In my view, only this and this alone

[8] (2018) 10 SCC 396

[9] (2020) 8 SCC 1

can achieve the real equality as enshrined under the Constitution". (para 295).

Thereafter Jst Gavai has concluded that the creamy layer principle is also applicable to Scheduled Castes and Scheduled Tribes, adding that the "criteria for exclusion of the creamy layer from the Scheduled Castes and Scheduled Tribes for the purpose of affirmative action could be different from the criteria as applicable to the Other Backward Classes". (para 296(vii) and (viii).

Jst. Vikram Nath, Jst. Pankaj Mittal and Jst. Satish Chandra Sharma have explicitly stated that they are also in agreement with the views expressed by Jst. Gavai in regard to applicability of the 'creamy layer principle' to Scheduled Castes and Scheduled Tribes.

However, Jst. Chandrachud (and Jst. Manoj Mishra) have agreed with Jst. Gavai only to the extent that it holds that the State must prove that the group/caste carved out from the larger group of Scheduled Castes is more disadvantaged and inadequately represented, without commenting on the other finding of Jst Gavai on the applicability of creamy layer to reservations for Scheduled Castes. (para 177)

There was no need and no mandate for the Court to comment on the applicability of the creamy layer concept to Scheduled Caste reservations since that was not the issue before the Court. As such, the various observations and conclusions drawn in this regard are mere obiter and have no binding force whatsoever. Incidentally, Jst. Gavai has not issued any binding or enforceable directives to the State in regard to the implementation of the same.

Even so, bringing in this debate was unnecessary. Moreover, it ignores the basic fact that caste is not necessarily altered by economic status, and introducing this concept in Scheduled Caste and Scheduled Tribe reservations, undermines the essence of affirmative action aimed at social justice.

Jst. Pankaj Mittal's efforts at sanitization of caste in Vedic Hinduism:

Vedic Hinduism is structured by the four-fold varna system of social classification ascribed by birth, with jatis being the everyday manifestation of caste hierarchy. Anyone who argues otherwise is either uninformed about Vedic Hinduism, or for political purposes, seeks to sanitize it. Jst. Pankaj Mittal has authored a concurring judgment, which is in agreement with the judgments of Jst. Chandrachud and Jst. Gavai. However, he also insists "since the matter in issue is basically concerning "reservation", I consider it to be of utmost importance and, therefore, deem it appropriate to pen down my own views separately". (para 9)

Among the views penned by Jst. Mittal in this concurring judgment are his views on the manner in which caste was born in Indian society. Referring to the Bhagwad Gita, Jst. Mittal states as follows: "According to my limited understanding of the scriptures specially the Gita, I am of the firm view that in primitive India there was no existence of any caste system rather there was categorisation of the people according to their profession, talent, qualities and nature." (para 59). Thereafter referring to the Skanda Purana, Jst. Mittal states that "... the duties of Brahmins, Kshatriyas, Vaishyas and Shudras were distributed according to their qualities (guns) and nature (and not by birth). All people have different nature and characteristics. Their personality is shaped according to their qualities (gunas). Thus, different professionals duties are suited to persons of different nature and character. Since the center of society is God (Parmatma), everyone (atma) works according to their intrinsic qualities to sustain themselves and the society. (para 63) In effect, Jst. Mittal concludes that there was no caste system in ancient India i.e., Bharat." (para 66). Had he been alive, Dr. B.R. Ambedkar

would beg to differ with Jst. Mittal.

These alarmingly ahistorical comments on origin and spread of caste were definitely not the issue before the Court, and reflect a deeply problematic Brahmanical mindset that has been thoroughly debunked by Dr. Ambedkar and legions of scholars. Moreover, they belie a majoritarian political agenda that seeks to ignore the inequities that are embedded not just in the scriptures and practices of Vedic Hinduism, but also in the daily practices of all religions in our country.

If this were not enough, Jst. Mittal proceeds to suggest that the "policy of reservation as enshrined under the Constitution and by its various amendments requires a fresh re-look and involvement of other methods for helping and uplifting the depressed class or the downtrodden or the persons belonging to SC/ST/OBC communities". Further it is also concluded that "any facility or privilege for the promotion of the above categories of persons has to be on a totally different criteria other than the caste" suggesting that it "may be on economic or financial factors, status of living, vocation and the facilities available to each one of them based upon their place of living (urban or rural)".

Equally problematically, Jst Mittal also concludes that "reservation, if any, has to be limited only for the first generation or one generation and if any generation in the family has taken advantage of the reservation and have achieved higher status, the benefit of reservation would not be logically available to the second generation". Jst Mittal also suggests that a "periodical exercise has to be undertaken to exclude the class of person who after taking advantage of reservation has come to march, shoulder to shoulder with the general category".

These comments/conclusions betray a creative reinterpretation and sanitization of Hinduism, not to mention a poor understanding of reservations as a key aspect

of affirmative action, meant to ensure participation of Scheduled Castes and other marginalized and oppressed sections, in all walks of life. Furthermore, it ignores the fact that Scheduled Caste reservation as an affirmative action is meant to counter and mitigate the continuing reality of social exclusion and marginalization facing India's Dalit-Adivasi population across both rural and urban settings and across multiple generations. To casually remark that a historical marginalization of centuries and generations can be corrected within one generation is insensitive and unbecoming of persons tasked with the responsibility of upholding the constitution. There is a gross disregard of Indian reality where Scheduled Caste students and scholars continue to face atrocities even in reputed universities and other centres of higher education like IITs, IIMs and medical and engineering colleges.

Moreover, Jst. Mittal's reasoning resembles a march back to the 1950s and thereafter when reservation (or any other form of affirmative action) was regarded as antithetical to the equality principle and not a re-statement of it.

Resolving the dilemmas in concurring judgments?

In regard to the conclusions and observations of Jst. Gavai and Jst. Mittal, it must be said that multiple opinions in judgments of Constitutional Benches is a common occurrence, and Judges' elaboration of their views on aspects that were not in issue before those Benches. These do not become the "law declared by the Court" so as to have binding effect under Article 141 of the Constitution which states that the law declared by the Supreme Court shall be binding on all Courts across India. Quoting from **Director of Settlements, A.P.**

v. M.R. Apparao¹⁰: "A judgment of the Court has to be read in the context of questions which arose for consideration in the case in which the judgment was delivered. An "obiter dictum" as distinguished from a ratio decidendi is an observation by the Court on a legal question suggested in a case before it but not arising in such manner as to require a decision. Such an obiter may not have a binding precedent as the observation was unnecessary for the decision pronounced. So far as constitutional matters are concerned, it is a practice of the Court not to make any pronouncement on points not directly raised for its decision".

Interestingly, Jst. Bela Trivedi's in her dissenting judgment has pointed to the legal position in such a situation as follows: "Not all that has been said in the body of judgment would become a precedent or binding for other Courts. The judgments of the Constitution Benches have to be read in the context of questions which arose for consideration before them. Certain observations made in the judgment may be necessary for deciding the issues involved, but every observation made on law in the course of delivering the judgment may not have a binding effect as a precedent. Any observation or remark made or opinion expressed incidentally or collaterally, and not directly upon the question posed before the Court would be an 'obiter dicta' and not a 'precedent'. A decision is an authority for what it decides and not what can logically be deduced therefrom, as held in *State of Haryana vs. Ranbir alias Rana*¹¹. It was also observed in *ADM Jabalpur vs. Shivakant Shukla*¹² that the statements which are not part of ratio decidendi constitute obiter dicta and are not authoritative." (para 74)

While the remarks of Jst. Gavai and Jst. Mittal will not set legal precedents; these remarks may yet emerge as

key normative standards in legal-political discourse on social justice and reservations. As such these must proactively debunk their misleading, insensitive and uninformed claims on caste, inequality and the state of social justice.

Unity on reservations but divided on sub-classification

The judgement has brought to the fore a long-standing debate regarding the ways and means to achieve social justice and equality. On one end of the spectrum, are those who argue that sub-classification is a long overdue method for ensuring that reservations reach those who need it most; on the other end are those who suggest that this is a politically divisive strategy that dilutes the historical injustices and ongoing indignities faced by Dalits and Adivasis, and undermines their sense of collective identity, and pave the way for their co-optation by majoritarian politics.

Sukhadeo Thorat, the former Chairman of the University Grants Commission and Professor Emeritus at JNU, has argued that if some of the sub-castes are lagging behind, that is not because of discrimination by the other sub-castes but a factor of the denial of educational opportunities caused by lack of income earning capital assets. In making this argument, Sukhadeo Thorat invokes the three policy prescriptions fought for by Ambedkar –legal safeguards against caste discrimination, reservation in the legislature, public jobs, education institutions, and measures to improve ownership of capital assets such as land, businesses and education levels, to drive home the point that these three measures are complimentary to each other and cannot be viewed as standalone solutions. As such, he cautions, that sub-caste reservations would

[10] 2002 (4) SCC 638

[11] (2006) 5 SCC 167

[12] (1976) 8 SCC 521

not be the solution without academic justification and the factual reality based on data of sub-castes, and an improvement in their ownership of capital assets and education levels.

Others have questioned the very foundational basis for sub-classification claims by arguing that the question posed is in itself erroneous, that is to ask whether there is disparity between various sub-castes within the Scheduled Castes since the argument of economic or social forwardness within Scheduled Castes is not the cause of this disparity, and furthermore, it cannot be argued that all among those so-called dominant Scheduled castes enjoy identical levels of benefits and entitlements. At the core of this rejection of sub-classification, lies the belief that this creates hierarchical distinctions within a community that is socially and economically oppressed and undermines the very purpose of reservations that is to redress some of the redress historical injustices faced as a community. Sub-categorisation, it is feared will reduce the unity and united struggles of Scheduled Castes leading to increased oppression, marginalisation and disenfranchisement.

The proponents of sub-classification point to the decades-long democratic struggles particularly in Andhra Pradesh, Karnataka, Tamil Nadu (and to lesser extent in other states), of Scheduled Caste groups that have demanded sub-classification by pointing to their inter se backwardness and extreme underrepresentation vis-à-vis other Scheduled castes groups. This, they believe, is vindicated by the reports of various committees including the Jst. Sadashiva Committee (in Karnataka), Jst. Ramachandra Raju commission (Andhra Pradesh), Jst. Usha Mehra commission (Union of India committee constituted for Andhra Pradesh), which confirm that some sub-groups have not been able to reap the benefits of reservations as other sub-groups. They believe that the other sub-groups ought

to support their demand for sub-categorisation in a spirit of forging a militant unity against the assault on reservations, in particular, and social justice, in general.

These differences or a divide as some see it, is a manifestation of the deep mistrust in the ruling class, particularly the Modi regime, and the consistent effort to undermine social reservations through various means – whether it is EWS, or the judiciary-induced limitations like creamy layer and 50% cap. As such, given that, despite contrasting stands on sub-classification, progressive forces are united by the belief that any decisions around reservations must be done with a view to strengthen, and not weaken, the process of empowerment of marginalized communities, it is necessary that caution prevails to revitalise the united struggle for social justice politics.

Conclusion

In sum, with this verdict, the State will be well within its rights to sub-classify Scheduled Castes for the purposes of reservation. The three impugned legislations from Punjab, Haryana and Tamil Nadu which have led to this Constitutional Bench judgment will now be taken up for hearing. The outcome of this will be eagerly awaited since the tests for sub-classification will be applied on these legislations, further clarifying the extent and scope of permissible sub-classification within Scheduled Caste reservations.

We must also remember that the approval is for sub-classification, based on empirical data of relative marginalization, within Scheduled Caste reservation, as such it would require a comprehensive caste census without which there is no realistic basis to assess the degree of relative deprivation of diverse castes. A caste census and a proportionate formula of reservation to ensure due and adequate representation of all under-represented groups is thus the most crying need of the hour.

Aggressive privatization and the shrinking of the welfare state under the fascist Modi regime, has drastically reduced the opportunities for state education and employment. This is coupled with the conscious policies of the Government of withholding recruitment indefinitely, the inadequate implementation of existing provisions of SC/ST reservations in jobs and education, the lack of consideration of the possibility of reservations in the private sector, and a general weakening of policies promoting equality and social justice. It is only a matter of time before these opportunities completely dry up, as is the intent of this regime.

It is the need of the time that the tactics of Not Found Suitable (NFS) to keep reserved posts unfulfilled is done away with proper legal-political intervention. The Bihar Caste Survey had brought out the acute marginalisation of oppressed communities even after 77 years of independence. There is a need to rethink about the 50 percent limit to reservation and take necessary steps to expand the scope of reservation and ensure reservation in the private sector as well.

The constitutional provision of reservation as a tool for social justice and equality, now the constitution itself, is under increasing attack, and we need greater unity and solidarity among all marginalised, oppressed and deprived sections of the society. The internal reservation question is one that is best addressed socially rather than by law reform. As such we have to make sure that this judgement does not lend itself to promoting more division and rivalry among the oppressed and the deprived and serving the divide-and-rule strategy of the powerful and the privileged to reinforce their social and economic domination, but rather strengthens the collective fight against social exclusion and marginalisation, upholding the principles of social justice and equality. ■

Likes of Brij Bhushans Couldn't Have Tolerated the Victory of Vinesh Phogat!

▲ KUMAR PARVEZ

“Mother, wrestling has won and I have lost. Pardon me! Your _____ dreams and my courage are all shattered. I have lost hope and am left with no more strength. Goodbye wrestling 2001-2024. I shall always be indebted to you all, Sorry!” On 6th August during the Paris Olympics, Indians were greeted by a cheerful news that Vinesh Phogat had created history by prevailing over the Cuban wrestler Guzman in the semi-finals. But the next day, came the shocking news that Vinesh had to exit the competition because of being overweight by 100 grams! The entire nation was stunned by the dramatic turn of events. Her dream of winning the gold medal lay shattered. Crestfallen, she decided to quit wrestling forever and then made this emotional post to her mother.

No Vinesh, you have not lost! The entire nation stands with you. Right from the social media to the bustling street corners of the country, people are talking about you. You have grown taller in stature than any medal could have given you. You have emerged as a symbol of hope and struggle for crores of Indians. Were you really fighting Susaki or Guzman? You were fighting the Brij Bhushans, who were conspiring to oust you from the wrestling ring. Only a few months ago, you had been dragged on the streets of the national capital Delhi and humiliated but you remained steadfast in your resolve to fight with all your strength against all odds and humiliation. You reached the finals in Olympics and what a wonderful performance it was - victory after victory. What a spectacular show up to the finals! How could the likes of Brijbhushan tolerate all this?

When you won in the semi-finals,

the social media was flooded with memes. Matted below your palms and feet lay not Guzman but a defeated Brij Bhushan Sharan Singh in the memes. The video of your struggles on the streets of Delhi became viral. How could they tolerate that you would contest in the finals and win a gold medal! What happened on the night of 7th August remains shrouded in mystery. What we do know for sure is that suddenly you gained 2.7 kilogram and even after many efforts to shed it, you remained overweight by 100 grams. While many were concerned by your sudden rise in weight, our lapdog media was ready with a convenient explanation and continued to spew venom against you in its campaign.

But your struggle has resonated in the world media. American media channel CNN has written that Vinesh Phogat was protesting a year ago against sexual harassment on the streets of Delhi. On Tuesday, her luck took a bad turn and in spite of hard work, she could not compete in the match which was being contested for the gold medal. She was confident that after so much struggle, she would win a gold or at least a silver medal. She had defeated one of the best wrestlers in freestyle wrestling, Susaki, to become the first Indian woman to reach the finals of wrestling in the Olympics. The channel Al Jazeera focussed on her struggles last year against Brij Bhushan Sharan Singh. The channel said that winning the gold in Olympics was not the only dream of Vinesh but before that she fought for the dignity of women wrestlers in her country. It is only through that struggle that she reached such a stage.

Is it not shameful that our social



media savvy prime minister did not come up with a single tweet till she reached the finals, but once she failed to compete for the gold medal, there were many tweets from him? It seemed as if he was waiting for this to happen. In the parliament, all limits of decency were crossed by the sports minister while explaining the context in which Vinesh was declared unfit for competition. He went on to point out that Rupees 70,45,775 were spent on her by the Indian Government. What was the need of talking about money at that point. The social media was abuzz with a blatant display of hate campaign. Does all this not point fingers toward the intentions of government and the BJP? Should not the Indian wrestling association have registered its opposition to the hate campaign? Was there a conspiracy behind what happened? There is no proof but there were indications that something strange might happen and the statements of the sports minister lends credence to it.

That there could be a conspiracy is not a fallacious argument. Let us read a post of Vinesh Phogat, dated

April, 2024- "On 19th April, the Asian Olympic qualifying tournament is beginning. I have been requesting the Indian government (S.A.I. and T.O.P.S.) for the past one month to grant recognition to my coach and physio. Without this, it would not be possible for them to assist me in the competition. Even after repeated requests, there has been no satisfactory response from any quarter. Will the future of athletes be spoiled like this. Brij Bhushan and his dummy Sanjay Singh are trying their level best to ensure that I do not make it to the Olympics. The coaches associated with the team are close to Brij Bhushan and his people. It cannot be ruled out that during the bouts, they may add some spurious ingredient in my water. I may even be trapped in a doping case. No stone is being left unturned to mentally harass us. Is it fair to mentally torture us before an important tournament? Has the situation come to such a pass that even before representing the country, we will be pawns of politics because we raised our voice against sexual harassment? Is this the cost that one has to pay in this country to speak the truth? I hope that I will get justice before I go out to play for the country. Jai Hind!"

Many questions remain unanswered, Vinesh! Come what may of the conspiracies that may have been hatched against you, in the eyes of the people, you have won laurels. You are a ray of hope for many Indians against injustice- from the streets to the Olympics. Salute to you! ■

Budget 2024: *Celebration of the Ultra Rich at the Cost of the Poor and Middle Classes*

The first full budget of the third term of the Modi government has left even large sections of the middle class support base of the regime highly disillusioned and angry. Even Godi Media anchors have started raising inconvenient questions before the Finance Minister. A budget coming in the wake of an election in which the economic crisis cast such a long shadow and the ruling party lost its majority could not remain completely quiet about the concerns haunting the country. Yet the budget said nothing about the most pressing issue of soaring prices, food inflation in particular, and its pretense to address the burning issue of jobs and the long-pending promise of a special package for Bihar only exposed the regime's absolute incompetence and shocking indifference to the plight of the people.

The BJP in Bihar had supported the demand for a caste census and the resolution adopted by the Bihar Assembly to expand reservation to 65% following the publication of caste census figures in the state. But ahead of the budget session of Parliament, the Patna High Court had struck down this expanded reservation. The most urgent issue concerning Bihar was therefore to adopt a resolution to transfer the Bihar reservation issue to the Ninth Schedule of the Constitution to take it outside of the ambit of judicial review. The other popular demand of Bihar which Nitish Kumar had also repeatedly raised since becoming Chief Minister of the state has been the demand for a special state status which would have entitled Bihar to a greater ratio of grants than loans. The NDA government in Delhi rejected this demand of the NDA government in Patna, offering instead a one time special package. Even on this score, the budget made a mockery of Modi's famous August 2015 promise of a 1.25 lakh crore package by announcing a Rs. 58,900 crore package clubbing together pending proposals of a power plant, flood-fighting measures and road construction projects.

The economic survey and the budget both appeared to focus on the issue of jobs. The survey expressed concern that half of India's unemployed were actually unemployable and hence the work force needed to be skilled and trained. The question of job creation was thus cleverly reduced to the question of skill improvement and training. Nine years ago, the Modi government had launched its much hyped Skill India mission with the goal of training over 40 crore citizens with different industry relevant skills by 2022. If in 2024 the government still laments about the unemployability of India's youth, it is in the first place a confession about the failure of the Skill India mission and the government owes an explanation about it before talking of new programmes. The economic survey also noted that the corporate sector was not creating jobs in spite of huge gains made from tax cuts. The government must therefore take the lead in job creation while holding the corporate sector accountable for its performance. The budget however refused to follow this course.

In the name of job creation, the budget once again expects a market-led solution and limits the government's role to giving incentives to the private sector to employ more people. The budget offers extra income support to first-time employees and provident fund support to employers for additional employees. There are talks of upgraded ITIs and internships for one crore youth in 500 top companies. If 500 top companies are to provide internships to one crore people over next five years, it amounts to an annual average intake of 4,000 interns per company. Soon after the Finance Minister made such loud announcements in the budget, ministry officials let out the truth - the companies will not be forced but only

'nudged' to provide internship. The impact of such nudging on India's top companies who habitually revel in evading taxes and skirting social responsibilities is not difficult to imagine.

Heavily indebted farmers and jobless youth were the major social forces behind the 2024 mandate. The budget once again betrayed both these forces. The government continues to evade the farmers' long-pending demand for legal guarantee to MSP as recommended by the Swaminathan Commission in spite of an assurance given to the farmers' movement. The question of debt relief too remains unaddressed despite continuing farmer suicides. Partial acknowledgement of some symptoms of the economic crisis means nothing without policy reorientation and course correction. There can be no economic justice for India's toiling millions without a clean break with crony capitalism.

Budget 2024 gave us an alarming picture of the vicious cycle the Indian economy is mired in. With relentless rise in domestic debt and consequently debt-servicing burden on the budget, the government must seek ways to increase revenue by taxing the rich. But the Modi government has brought down corporate tax rate to an all-time low and even though the government talks about better tax compliance, corporate tax proceeds in India are now less than personal income tax earnings. Even GST earnings are more than corporate tax proceeds and GST is most regressive with the bottom half contributing two-thirds of GST collection and the richest 10% accounting for only 3-4% of total GST income. According to Budget 2024 figures, personal income tax accounts for 30.91% of total tax revenue, followed by GST (27.65%) with corporate tax coming third (26.56%). Top 1% of Indians hold more than 40% wealth, it is high time India levied 2% wealth tax on the top 1% and spend the money to increase India's education and healthcare budgets. The Modi government follows the opposite direction - increase revenue by taxing the poor and the middle classes and keeping the budget deficit in check by reducing social sector and welfare spending. The Rs. 5,000 crore wedding celebration of the Ambani family gave us the truest picture of what the annual budget means in Modi's India - endless celebration of the ultra rich at the cost of the poor and the middle classes. India needs an urgent course correction to lift the people out of this morass. ■

SEBI Chief Must Resign, Supreme Court Must Reinvestigate the Adani Scam!

▲ DIPANKAR BHATTACHARYA

Hindenburg Research's second report on the Adani scam is in some ways even more explosive than the first report that had rocked the world eighteen months ago. The first report had exposed the monumental corporate fraud perpetrated by the Adani group and pushed Gautam Adani down the global ladder of wealth. Questions were raised across India, including in the Indian parliament, about the Modi-Adani nexus. In response, the regime desperately attempted to suppress every inconvenient question going to the extent of disqualifying, expelling and arresting those parliamentarians who were most vocal in demanding answers. Modi said not a word about Adani until he inadvertently accused Ambani and Adani of supplying black money to the Congress in one of his desperate election speeches.

In the legal arena, the demand for an investigation into the alleged corporate fraud of the Adani group was referred last year by the Supreme Court to an expert panel and the market regulatory institution the Securities and Exchange Board of India (SEBI). According to an affidavit filed by SEBI in the Supreme Court on 25 August 2023, two of the 24 investigations were still awaiting conclusion. And now the second Hindenburg report raises serious questions about the SEBI chairperson Madhabi Puri Buch and her husband Dhaval Buch, which in turn makes the credibility of the whole investigation highly suspect. According to the whistleblower documents cited in the latest Hindenburg report, Madhabi and Dhaval Buch themselves had stakes in Bermuda and Mauritius-based offshore entities managed by the Adani group in its money-siphoning scam.

Madhabi and Dhaval Buch have issued a statement since the release of the Hindenburg report on 10 August. Their rejoinder confirms the basic facts outlined in the Hindenburg report, and indeed raises more questions than it answers. It also confirms the existence of the Singaporean and Indian entities - Agora Partners Singapore and Agora Advisory Limited (India) - set up by Madhabi Buch, and Dhaval Buch's involvement with the global private equity firm Blackstone which has benefited from certain recent SEBI regulations. It is not enough for the Buch family and SEBI to dismiss the allegations made in the Hindenburg report as being 'malicious and motivated' when the basic facts all stand substantiated.

The charges need to be probed thoroughly and the first step clearly has to be the resignation of Madhabi Puri Buch from the post of Chairperson of SEBI. In fact, the affidavit filed by the SEBI in Supreme Court should be revisited and the SC should reopen the twenty-two cases investigated by the SEBI. The SC had held the SEBI as the ultimate authority in the whole probe, yet the probe has

remained incomplete even beyond the extended time frame granted by the SC. The first Hindenburg report on the Adani group had led to a major crash in Adani shares clearly adversely affecting many retail investors. The second report, though not raising any fresh charges against the Adani group, has also led to a reported loss of Rs 53,000 crore in the combined market value of ten combined Adani stocks.

More than the Adani group, the report clearly affects the credibility of SEBI and the investor trust in the Indian share market. And the SEBI-Adani equation may well have been growing over a longer period. We have not forgotten that the previous chairman of SEBI, Mr UK Sinha is

now a non-executive chairperson of Adani-owned NDTV. While Madhabi and Dhaval Buch tell us that they have made all essential disclosures before SEBI, the very fact that the chairperson has a history of investing in Adani-linked offshore funds - while her husband in his capacity as a senior advisor of a multinational equity firm continues to deal with 'prominent clients in the Indian industry' - certainly does not inspire any confidence in the functioning of SEBI.

From UPSC to Election Commission to SEBI, every institution has been compromised and captured in the Modi era while every investigative agency has been weaponised against the opposition. When the

result becomes obvious, and the world starts commenting about the sordid state of affairs - be it about the fragile state of India's democracy, growing hunger, declining press freedom or fraudulent corporate governance - the regime seeks to suppress it by crying conspiracy! But Hindenburg certainly cannot be blamed for India's growing economic mess that the government's own economic survey had to admit. If SEBI has been complicit in the shocking growth of crony capitalism in the Modi era, it is in the interest of the Indian economy and the Indian people to get to the bottom of this scam and hold those responsible to account. ■

Corporate Onslaught on People's Lives and Livelihood in Maharashtra

▲ AJIT PATIL

The BJP government is turning Maharashtra into a new laboratory for corporate pillage and plunder of people's lives and livelihood, as Adani conglomerate continues to spread its tentacles across the state. The unfolding of the Dharavi Slum redevelopment project (DRDPL) has revealed the nefarious intentions and acts to make Adani the new corporate slum landlord of Mumbai. Adani gets about 600 acres of Dharavi land including interestingly the reserved eco-sensitive Mahim Bird and sea creatures Sanctuary surrounded by mangroves- the flood resistant shrubs all around the creeks in Mumbai and Navi Mumbai. (see January 2023 issue of Liberation for detailed coverage on DRDPL and Adani).

From the multi-crore DRDPL to introducing electricity Prepaid smart meters into the electricity sector, the Adani group is attempting to wreak havoc on people's lives. The prepaid Smart Electricity, under the Central government's Revamped Distribution

Sector Scheme (RDSS), is against consumers and a step to make electricity distribution attractive for private monopolies. With more than half of power generation already in control of private corporates like Tata, Adani, Jindal and Torrent, they now want to own and control complete power supply chain - generation, transmission and distribution. Both RDSS and the proposed Electricity (Amendment) Bill are part of this nefarious agenda which Modi- BJP government is trying to push for its corporate cronies.

To lay the foundation for this exploitation, prepaid smart metering was introduced as Adani and other corporates have pushed for subsidies on electricity rate must be paid by the government to companies promptly. They also want the government to create a loss free and upgraded distribution system, with the aim of taking over the system without hassle and any actual investment. Furthermore, the implementation of the smart metering scheme itself will

provide business opportunity of about Rs 2 lakh crore for the corporates. In Maharashtra alone, Adani has been given an order of Rs.14,388 crores, holding 30% market share in India. They have bagged the contracts in 5 states for the smart meters.

Consumers would have to pay in advance before consuming power, and power would get disconnected automatically when the pre-paid amount is exhausted. These can have differential pricing structure for peak hours of the day. Modi government plans to install smart meter in every household in the country by 2025. This will be an additional financial burden on people. Already, in the state of Bihar, people are facing the wrath of smart meters with poor people receiving exorbitant electricity bills and there is growing anger against the scheme.

In Maharashtra, people are up in arms against the anti-people scheme. Several organisations came together in Mumbai on Sunday, July 7, 2024 under the banner of Vidyut Smart Meter Virodhi Kruti Samiti (Action Committee for Opposing Electricity Smart Meters), and resolved that they would fight against the installation of smart electricity meters till the Scheme is withdrawn. ■

Wayanad Calamity: The Escalating Threat of Global Warming

▲ DR S FAIZI

Meppadi panchayat of Wayanad district of Kerala was devastated in the wee hours of July 30. Relentless rainfall wrought two event of deadly landslides that resulted in the death of 231 people in their sleep and 128 people still missing; the devastation was so ghastly that many victims were broken into pieces- 205 body parts were recovered. About 400 houses of Mundakkai, Chooralmala and Attamala villages were completely destroyed, many washed off in the torrent of water, mud, boulders and gravel from the upstream epicentre of the landslide.

This tragedy follows the 2018 deluge that affected a large part of the state, wrecking damages estimated at Rs 40000 crores, and the 2019 landslides in Wayanad and Malappuram districts that took 75 lives- the Wayanad site of Puthumalai is barely six kilometers away from Chooramala.

The latest tragedy marked Kerala as a perpetual victim of climate change, in the making of which the state has no significant role. Although some were quick to blame an assumed reduction in forest cover and the presence of stone quarries and even seriously attributing the heavy precipitation to the dust from the quarries, this disaster confirms Kerala as a hapless theatre where the impact of the climate crisis is being played out in succession. The first bout of landslide occurred at 2 am of 30 July and the second - the more devastating - at 5 am. In the preceding 24 hours from the second catastrophe the area was lashed by rainfall measuring a frightening 372 mm. 204.5 mm rain is what qualifies as extremely heavy as per the definition of the India Meteorological Department. And this rain was falling on a landscape that was already soaked by 200 mm rain



@Francis Mascarenhas

in the 24 hours prior to that, pounding the area with 572 mm rain in 48 hours prior to the inevitable catastrophe.

Changes in the intensity and distribution of rain as a result of global warming were predicted by the multidisciplinary Intergovernmental Panel on Climate Change (IPCC) in 2007. IPCC reported with high confidence in 2021 that 'heavy precipitation and associated flooding are to intensify and be more frequent in most regions in Africa and Asia'. When this prediction is being played out in Wayanad, there are interest groups hard at work to divert attention from the debilitating climate crisis. The argument of loss of forest doesn't hold water as, if the 2021 forest estimation report of the Forest Survey of India can be trusted, Wayanad has 74.2 per cent of the land area under forest cover and a net gain of 0.29 sq km of forest from the preceding two years, and not a loss of forest. There are quarries in Wayanad as elsewhere in the Western Ghats, but the nearest quarry was 10.5 km away from the epicentre of the landslide, which notably is a Reserve Forest area. UAE,

as a petroleum exporting country, was shy to attribute the devastating April floods to climate change, but the country was lashed by 254 mm rains in just 24 hours between April 14 and 15, while the total rain recorded for the year of 2022 was only 56.2 mm spread over 10 months.

Some commenters, like Dr Madhav Gadgil and associates, were too quick to jump to blame forest loss and quarries during the 2018 deluge too, totally ignoring the fact that no landscape can bear the torrent of continuous rain from 9 to 15 August of that year which was 257 per cent of the normal rainfall during this period. The FSI report of 2017 had recorded a net increase in forest cover in the state during the reporting period. June used to be a month of good rain in Wayanad but this June the biodiversity rich hill district was rain deficient. As if the moisture was stored for the devastation in the early morning of 30th July, menacing cascade of water and stones literally washed away two villages. Another community of hapless victims of the climate crisis wrought by the industrial countries and the rich of



Satellite image from before and after landslide.

Sources: Planet Labs (after landslide); Google © 2024 Maxar Technologies, Airbus (before landslide)

the developing world. Dr Gadgil's argument this time was so outlandish as to claiming the dust ('aerosol', he says) from the stone quarries as the cause for the heavy precipitation, as outlandish as his claim of the caste apartheid as an ideal system for sustainable natural resources management and his new accusation that Dr Salim Ali, the father of India's conservation movement, was an American agent.

While the genuine mitigation of the climate crisis lies in significantly reducing the emission of warming gases which governments are resisting, the UN Framework Convention on Climate Change (UNFCCC) has recently established a Loss and Damage Fund, informed by the differential role of countries in causing the warming. We saw unusual floods as a result of incessant rains in UP, Himachal Pradesh, Assam, Rajasthan and Haryana this season. India is a vulnerable country and Kerala is a perpetual victim. Kerala, with the support of the Union government should initiate the process to seek compensation from the Fund, though the institutional content of it is being firmed up in Philippines. It is ironic that Wayanad with its 74.2 per cent forest cover sequestering a disproportionately huge volume of carbon had to suffer

this tragic impact of global warming. In a world order where wealth and poverty are polarised, both between countries and within countries, the brunt of climate change caused by the rich is borne by the poor.

Kerala unites in the time of calamities, this time too was no different. Huge numbers of people participated in the rescue and relief operations, along with the government forces. The unity minds and the willingness of the people to support the victims was striking. However, the occasion of the calamity was also an opportunity for ugly faces to show up. The head of the state's disaster relief commissioner, an IAS officer, issued a 'request' to the head of the science and technology department to stop scientists from visiting the disaster site for studies and asking them not to share their study reports with media or speak to the media. The government was forced to withdraw it following widespread protest. But what was worrying was that the head of the science and technology establishment instantly asked his office to circulate the gag order among the concerned rather than writing back questioning its wisdom. That tells quite a bit about the sorry state of our science and technology where appointments are made based largely on caste

connections and political influence, without regard to competence or considerations of diversity or inclusion. The government also asked a well-lauded food supply facility set up by young people as it belongs to a youth group from an opposition party, but that the government was forced to reverse following public outcry. The spirit of unconditional solidarity was pervasive.

While the promise of such catastrophes from climate change cannot be averted from delivery, Kerala with about half of its land area under various levels of vulnerability to landslides ought to create the political ambience to effectively enforce the multiple laws on sustainable land use. The political parties and bureaucracy ought to overcome the pressure exerted by the powerful lobbies of the planters, tourism, church and the quarry owners. The Kerala Panchayati Raj Act has very powerful environmental protection provisions and the people must organise and demand the panchayats to enforce these in the interest of our common future. ■

Author is an ecologist specialising in biodiversity management and international environmental policy, based at Trivandrum. He can be reached at s.faizi111@gmail.com.

Olympics 2024

▲ AISHIK SAHA

“In societies where modern conditions of production prevail, all of life presents itself as an immense accumulation of spectacles. Everything that was directly lived has moved away into a representation.”

- GUY DEBORD, SOCIETY OF THE SPECTACLE (1967)

While Debord was writing during the tumult in France in the late 1960s, speaking to the increasing importance of television and consumer culture in Europe, the foundational situationist text may well have been written today with no lessening of its significance. There could be no stronger vindication of Debord than the Paris Olympics, which demonstrated the spectacular hegemony of the image.

The very opening of the Olympics stoked controversy when its representation of the Feast of Dionysus was misinterpreted (by self-proclaimed defenders of western civilisation) as a parody of the Christian Last Supper with performers in drag. This obsession with an impending collapse of ‘western civilization’ (peppered with incoherent comparisons of the collapse of the Roman Empire) is actually an animating force of contemporary fascism in Europe and America.

Keeping with the theme of transphobia that seems to have gripped right-wing discourse, the Algerian boxer Imane Khelif became its victim after her opponent Angela Carini tapped out after a short bout. Transphobes like author J.K. Rowling and billionaire Elon Musk immediately claimed that Khelif was a ‘biological’ man allowed by the IOC to compete as a woman. The fact that she was born with female genitalia did not save her from allegations, nor the fact that she had been defeated in the boxing ring several other times by women. The sole criteria for the allegation was her disqualification by the Russian IBA after an unspecified

eligibility test after she defeated the previously undefeated Russian prospect Azalia Amineva. Social media platforms were inundated with purported ‘manly’ images of Khelif, repeated the allegations.

Turkish shooter Yusuf Dikeç also became a sensation when his casual attire and minimal gear approach to shooting when he won a silver medal in the 10 meter air pistol mixed team event alongside his teammate Şevval İlayda Tarhan. Many started speculating humorously if Dikeç was a hitman recruited by the Turkish team. One internet rumour claimed that he had taken to shooting after an argument with his wife. This obscured misogynistic discourse however was simply untrue. Dikeç had been a shooter for a long time being a non-commissioned army officer. He had been participating in the Olympics since 2008.

Another image that gripped conservatives was the podium selfie taken together by Chinese, North

Korean, and South Korean Ping-Pong teams. Given that the Korean peninsula is famously divided, this showed the connecting power of sports. Some online commentators speculated with an orientalist lens however that the North Korean players might be punished by their government for this display of amicability.

Hosting the Olympics itself has increasingly become an expensive affair with little benefit going towards the host cities. Fewer and fewer cities have been bidding to host the Olympics with only two bids for 2024, from Paris and Los Angeles (LA was granted 2028 as the IOC was worried there would be no bids for 2028). This is also the condition for other major sporting events like the FIFA world cup.

France itself has been gripped by political uncertainty as weeks before the Olympics the French President Emmanuel Macron called for snap elections to the French national assembly after the fascist RN had a strong showing in the European Parliamentary elections. While the left-wing coalition Nouveau Front Populaire won a plurality, actual



Algerian boxer Imane Khelif

government formation was put on hold till after the games.

Moreover the actual organisation of the Olympics with its accompanying disruption and displacement incensed ordinary Parisians to no end. Hundreds of homeless people in Paris were evicted in what was condemned as 'social cleansing' by critics. Students housing were requisitioned for the Olympic teams leaving students to fend for their own or look for housing outside the city. 1.5 billion USD was spent to clean the river Seine and President Macron along with Paris Mayor Anne Hidalgo promised to go swimming in the cleaned up river. Yet the effort became so reviled by ordinary Parisians that many threatened to defecate in the river just to disrupt any plans for swimming Macron may have had. Macron has quietly stood down from his earlier proclamation though a minister in his cabinet did go swimming.

The injustice suffered by Vinesh Phogat as she was deprived of a medal on a technicality despite actually winning on the mat resonated with crores of Indians. Vinesh along with her fellow wrestlers Sakshi Malik and Bajrang Punia had led the struggle against former BJP MP and Wrestling Federation of India chief Brij Bhushan Sharan Singh, who is accused of sexually harassing at least seven wrestlers. She even suffered a knee injury when the police attacked the protesters at Jantar Mantar.

In August 2023 Phogat suffered

another knee injury in training that required her to undergo surgery and prevented her participation in the Asian Games in Hangzhou. In February 2024 she won the 55kg event at the National Wrestling Championship. However she was denied her usual position in the 53kg category despite her request for trials, forcing her to qualify for the 50 kg position in the qualifiers at Bishkek in April. Vinesh has a natural weight of 57kg and had to drop 7kg in a little over 2 months. For context Sarah Hildebrandt, the gold medallist in the 50 kg category in the Paris Olympics had been competing in the 55kg category, had 2 years to drop her weight.

Vinesh's run at the Olympics were nothing less than an absolute inspiration. She defeated Japan's 2020 Olympics champion Yui Susaki, handing her the first international defeat in 95 matches. She then defeated Ukrainian Oksana Livach 7-5. Finally she beat Yusneylis Guzman of Cuba to secure her final slot and seemed poised to win gold. Despite the extreme weight cutting measures taken, Phogat was finally defeated by a mere 100gms of additional weight.

Conspiracy theories naturally arise when one takes into account that the BJP had spent the past year vilifying Vinesh for her protest, and her victory would be PM Narendra Modi's loss of face. But even if we are to discard every conspiratorial angle, the plain and simple fact is that she was defeated, not by a worthy opponent, but a hostile

system that refused to offer her a fair fight. Indians have proclaimed her a champion in their hearts nonetheless.

Another inspiration, not only in overcoming adversity, but in the hope for a better future in the South Asian subcontinent. Arshad Nadeem, who won gold in Paris, had long struggled against financial odds and lack of support from the Pakistani authorities. Neeraj Chopra had expressed support for Nadeem in March, when the latter requested the national federation for a new javelin as his eight years old equipment had been damaged. Incidentally Neeraj had also shut down right-wing hate against Nadeem in 2021, when footage showed that he had been using the former's javelin to practice (which is perfectly acceptable by Olympic rules).

The heart-warming reactions by Saroj Devi and Raziah Parveen, Neeraj and Arshad's respective mothers calling them both their sons were widely hailed. Neeraj himself had won a silver and Arshad had won the gold showing a rare South Asian dominance on the podium. Despite geopolitical clashes India and Pakistan, and the BJP's stoking of anti-Muslim hate in India, such shows of solidarity and love preserve the idea that the two nations may one day co-exist without hate or animosity.

India had other victories to celebrate with Manu Bhaker being the first Indian woman to win an Olympic shooting medal by winning a Bronze. She also won the 10m air pistol bronze with Sarabjot Singh. Swapnil Kausale's Bronze in Men's 50m rifle 3 positions, made shooting the richest haul in India's Olympic score. Aman Sehrawat became India's youngest Olympic medallist when he won bronze in wrestling. India's bronze in Men's Hockey also revived hopes that Hockey would come to reoccupy a place of pride in India's Olympic roster. ■



Bangladesh Navigates a Turbulent Transition, Awaits a New Equilibrium after Ouster of Awami League Rule

As Bangladesh navigates its way through a turbulent transition, Liberation spoke to a number of progressive and Left voices in Bangladesh - Anu Muhammad, economist and political activist; Saiful Haque, Bangladesh Revolutionary Workers Party; Representative from Socialist Party of Bangladesh and Saeed Juberi, poet and journalist - to get their views about the unprecedented mass upsurge that triggered this transition and their assessment of and expectations from the interim administration now in place.

There have been disturbing reports of attacks on minorities, Hindus in particular, and leaders and supporters of the ousted Awami League establishment. But it has been reassuring to see all major strands of the movement and members of the interim administration, including the current chief advisor Mohammad Yunus, appeal for restoration of stability, and emphasise the need



for ensuring the safety and security of all citizens.

We also reproduce here the statement issued by the Central Committee of CPIML immediately after the fall of the Sheikh Hasina government congratulating the people of Bangladesh on the great victory of their unprecedented collective assertion and expressing solidarity and best wishes for a stable and sovereign democratic future of Bangladesh avoiding the

pitfalls of fundamentalist takeover and imperialist manipulation.

The mass uprising in Bangladesh and its present culmination

Anu Muhammad, economist and political activist (AM): The events from July 1st to August 5th have created an example of how a peaceful popular movement can escalate into a situation of mass uprising, even leading to the fall of a long-standing

CPIML Statement on the Developments in Bangladesh

New Delhi, 6 August 2024

With the Hasina government's attempt to crush the popular quota reform movement in Bangladesh by unleashing all-out violence, the student movement had grown into a people's upsurge for Sheikh Hasina's resignation and an end to her autocratic regime. Her resignation and exit from the country vindicates the anti-autocratic anger and assertion of the people of Bangladesh. We congratulate the democracy-loving people of Bangladesh at this hour of victorious assertion.

Bangladesh is currently in a turbulent phase of transition. There

are disturbing reports of attacks on Awami League leaders and offices and on statues of Sheikh Mujibur Rahman and incidents of loot and arson, but there are also reassuring reports of movement forces being alive to the challenges of the situation and taking steps to defend the minorities and lives and properties of common citizens. Reports coming from Bangladesh indicate the possibility of an interim arrangement and the name of the veteran economist and Nobel Laureate Mohammad Yunus as the chief advisor to the new arrangement.

Democratic forces in India share the hope that Bangladesh will

advance towards the goals of its Liberation War avoiding any protracted period of instability and anarchy and steering clear of the pitfalls of military rule, fundamentalist takeover and imperialist intervention that have often been seen to hijack the assertion and aspirations of a people fighting for change and democracy. Indian government must accept the sovereign choice of the people of Bangladesh in the spirit of friendship and cooperation.

A lot of misleading propaganda is being spread in the Indian media and social media on Bangladesh developments, with the aim of vitiating the social and political environment in India. We have to be on our guard to combat this propaganda war. ■

authoritarian government. The level of brutality, the number of killings, and the amount of bloodshed by the government from July 15th onwards in response to this peaceful popular movement are unprecedented. We have heard orders to shoot or such rhetoric before, but never before have we witnessed such direct, widespread killings, where so many lives were lost, and people were shot so indiscriminately that individuals were killed by gunfire even while on balconies, rooftops, or inside their homes. Not only were the protesters targeted, but also workers, teachers, students, journalists, and professionals who had no connection to the movement were injured by gunfire. Such indiscriminate shooting has never occurred in the history of the country, not even before or after the Liberation War. Between July 15th and July 24th, at least 300 people were killed by police, armed terrorists, and organizations affiliated with the ruling party. Then, on August 4th alone, over 100 more people were killed. Among those killed were people of all ages, from a 4-year-old child to a 60-year-old woman, including workers, students, journalists, and professionals. A large number of people were also seriously injured.

In contrast to the brutal repression, we have simultaneously witnessed an unprecedented and creative resistance from students and the general public. As the police continued their barbaric attacks, injuring and brutalizing the youth, people from various segments of society began to gather around them in increasing numbers. There had already been a buildup of anger in society, driven by several factors such as the continuous rise in the prices of essential goods, lack of employment opportunities, widespread oppression by state forces and ruling party militias in every nook and corner, rampant corruption in job recruitment processes, and the complete collapse of institutional accountability, including the judiciary. The recent events have clearly shown



how intolerance, centralization of power, and arrogance can create a terrifying situation in a country.

The more force the government exerted, the more the movement grew in strength. We observed that as students were being killed in large numbers, teachers, parents, lawyers, journalists, workers, artists, actors, and bankers began to stand with them. Men and women from all professions and social classes joined the protests. Public and private university students united and took to the streets together. When even those who typically do not directly participate in protests started joining the movement, it became clear that this uprising could not be turned back. It was evident then that there was widespread solidarity among the people and an extreme rebellion against the government. In this situation, even the police and the Border Guard Bangladesh (BGB) could not control the movement. Despite the severe injuries and loss of life, the people did not back down or retreat. The government then decided to use its ultimate power, imposing a curfew and deploying the military, creating an emergency-like situation. However, when people began to defy the curfew and took to the streets, it became clear that even through repression, the government could not prevent its downfall. The imposition of the curfew and the deployment of the military were

the government's last-ditch efforts. Once those measures failed, there was nothing left for the government to do but step down. The defiance of the curfew made it evident that the Sheikh Hasina government could no longer stay in power.

Saiful Haque, Bangladesh Revolutionary Workers Party (SH):

This unprecedented mass awakening of the student population or in general the mass uprising was not an accidental event. The multidimensional accumulated anger of the people of the country against the long sixteen years of fascist misrule of the Awami League government led by Sheikh Hasina was expressed through this uprising of the student population. The opposition political parties faced extreme repression and brutal fascist rule throughout the years. The students who started this fight to bid farewell to the government eventually turned out to be a deadly fight that challenged the entire armed state system and practically brought the state to a standstill situation.

August 5, the day Hasina left the country, is seen as a second independence day by many people in our country, it is measured as a victory similar to the 1971 Bangladesh liberation war. This revolution has created the ground for building a new democratic and more humanitarian Bangladesh against all kinds of discrimination.

Socialist Party of Bangladesh (SPB): Throughout these years all the state institutions including the administration, police, bureaucracy, and the judicial system kept within partisanship, admitting mega corruption with money laundering, reckless looting, and money laundering abroad fueled the fuss. Altogether, our nation needed a base around which the dormant volcano could erupt. The joint leadership of the student society focused on quota reforms and the arrogance and oppression of the ruling party fueled it.

In the case of government jobs, the quota reserved level was 56% (liberation fighters 30%, district 10%, women 10%, minorities 5%, disabled 1%). As there is no such scope of employment available in the country, other meritorious students are being deprived. The protests against this process have been raging since 2018. On the question of quotas, especially in recognition of the great contribution of the liberation war, the quota number fixed for the family members of the freedom fighters, i.e. 30%, is not reasonable after 52 years.

Saeed Juberi, poet and journalist (SJ):

In short, the citizens of Bangladesh wanted freedom from the politics of creating a one-sided narrative about the nation's history and the game of division, which had been created by the powerholders to separate the common people from the legacy of the Liberation War. Secondly, people have asked for the civilian's respect from state power, which has never been provided to them. Thirdly, people have become enraged to see corruption, misrule, lack of justice and loss of freedom of speech in front of their eyes.

The current situation is mainly to confront the challenges of establishing a stable government and its rules. The main challenge of the government is to manage the economy while appropriately handling law and order and the

administration. The student protestors are talking about bringing a new political settlement but the idea of it is still not clear at all. In post-nineties politics the main problem was Jamaat and now at this time we not only have Jamaat but also Awami League. It is not clear to us, how Awami League will hereafter shape their politics and how the issue of Jamaat will be resolved.

Expectations from the interim government

AM: Whether we call them expectations or demands, this government must understand the language of mass uprising. It must take action against the power structures that oppose the public interest. The government needs to ensure the investigation and prosecution of past crimes, looting, asset smuggling, and repression. Dangerous and misguided mega-projects like Rampal, Rooppur, and Banskhali must be abandoned. Transparency and accountability must be ensured.

From the 'University Teachers' Network,' which actively participated in the movement, we had stated that an inclusive interim government should be formed with the consent of the main forces behind the student-public uprising, based on the opinions of civic and political forces, and consisting of teachers, judges, lawyers, and members of civil society from all sectors of society—regardless of nationality, religion, gender, or class.

SH: Our hope for this government is that they will respect the democratic aspirations of the student population for their rights and freedom. They will take steps to clean up the garbage of Hasina's government without public mandate. They should immediately withdraw all false and harassing cases from all levels of the state including law enforcement and bureaucracy. Similarly, the martyrs of the uprising should be accorded due status and the families of the dead and injured should be given adequate

compensation and rehabilitation.

SPB: Leftists including our party have joined the government's pledge to remain with the student movement despite many weaknesses, limitations and shortcomings and the 'anti-discrimination' slogans raised in the movement have come to prominence because we are also part of the movement. However, instead of absolute support, we will continue with the apparent strategy of support and opposition, keeping in mind the issue of observation and protection of the main theme of the movement. Also, we will continue to clarify the issue of not walking on the path of the social system or the governance policy that creates discrimination, i.e. the capitalist socio-economic system, and the system that can end this discrimination.

SJ: Establishing the authority of the government and initiating various institutional reforms including the constitution. This includes social reforms starting from the judiciary, financial sector, election commission and political parties. The question of ensuring freedom of the press and speech is very prominent and critical here, as nowadays media is not only about printed papers and electronics, but it has also secured a very influential state in the digital platforms. Repeal of blasphemy, digital security act etc. is one of the tasks.

What role did workers, farmers, and all the working people play in this uprising, and what changes are they expecting from this interim government?

AM: Initially, this movement was primarily led by students. However, the workers, farmers, and the working class, including the lower middle class, strongly supported this movement because these groups are the primary victims of the country's current economic model. This model has led to increased inequality in

Bangladesh. A small fraction of the population has rapidly become millionaires, resulting in the majority of the population facing a harsh life characterized by unemployment, low wages, hunger, malnutrition, humiliation, and all forms of social insecurity.

Over the past decade, we've witnessed a rush to build large infrastructure projects, along with unprecedented levels of corruption, widespread deforestation, air and water pollution, and rampant grabbing and plundering of land and rivers. As a result, the working-class people have suffered the most, by an incredible increase in hardship and insecurity.

During the last decade, many mega-projects were funded by massive foreign loans. In the long run, many of these projects are environmentally disastrous and economically responsible for the long-term burden of foreign debt. These projects have led to an increase in the national debt, devaluation of the currency, and hikes in the prices of gas, electricity, and taxes, exacerbating the economic distress of the majority of the population.

Over the past decade and a half, a handful of individuals have become extremely wealthy, further widening the gap in wealth inequality. Statistics from 2010 showed that the top 5% of the wealthiest individuals had an income 30 times greater than the bottom 5% of the population. By 2016, this ratio had increased to 60 times, and by 2022, it had exceeded 80 times. It is important to note that these official figures only partially reflect the wealth of the ultra-rich looters. In such a situation, when the children of the majority are fighting a just movement, the brutal attacks against them triggered widespread outrage. Workers, farmers, and other working people actively joined the movement, standing in front of guns. More than 20% of those killed by police bullets were workers, underscoring their significant involvement in the struggle.

SH: In this mass awakening - mass upheaval, the working-class people including the workers in the cities and industrial areas played an important role. At the district upazila level, the role of village farmers was prominent enough.

People hope that this government will meet the immediate demands of workers, farmers and the rural poor and will take the initiative to start the closed factories.

SJ: The workers, peasants and working-class people were agitated for a long time regarding the issues of wages, salaries and status quo - but the opportunities for common people to get justice in these various situations were limited. With these outrages, the common people have come down on the streets after seeing the students being shot dead. They left behind the separate identities of workers, peasants or any class, they took part in this mass movement led by the students only as the citizens of Bangladesh. The new government must demolish the discrimination in social status and ensure the rights and respect of common people throughout the country. There is one more thing to be addressed, what will be the cheapest cost of labour in the market?

Expectations of the indigenous communities of Bangladesh

AM: The economic challenges faced by the indigenous communities in Bangladesh are similar to those of the Bengali majority. However, they have the added burden of the denial of their existence as distinct ethnic or indigenous groups. Moreover, it's not just the recently ousted government; the amendments made to the constitution over many years have made it increasingly communal, ethnically biased, undemocratic, and authoritarian. Therefore, a major aspiration for them is the elimination of class, gender, ethnic, and religious discrimination at the constitutional level. Additionally, they demand the

demilitarization of the Chittagong Hill Tracts, ensuring the safety of indigenous peoples' lives and land, and gaining constitutional recognition as indigenous communities. These are now their primary demands for the new Bangladesh.

SH: Religious and ethnic minorities, including tribals expect the elimination of all forms of discrimination. Their human and democratic rights shall be ensured.

SJ: First is recognition, and their rights need to be established despite the military control. Their relations with the Bengali settlers also needed to be eased enough. Their land management needs to be established differently; like the way they want it. There should be a quota system for tribal communities present in various state facilities.

On the overall current situation following the popular uprising?

AM: After the ousting of Sheikh Hasina, the first deviation in the transition process occurred when the army chief took charge and announced negotiations. It became evident that those who led the uprising and were the main forces behind the movement were not included in these discussions. Instead, some individuals with allegations of anti-public actions were present. This exclusion of the primary forces of the movement created a void here.

Based on this void, undesirable incidents began occurring across the country, including attacks on minority communities, vandalism of sculptures and structures, arson, and indiscriminate assaults on people. However, later on, leaders of the anti-discrimination student movement emerged on the scene and took a stand against this violence.

On one hand, the anti-discrimination student movement and various segments of society are advocating for a different Bangladesh, free from past oppression and discrimination.

Students are writing their aspirations on the streets. On the other hand, the old political parties are preparing to take power, while the former ruling classes and groups are trying to maintain their hold. Three active forces are at play here. Over the past few decades, especially the last 15 years, a significant concentration of wealth has occurred in Bangladesh, benefiting from the autocratic system. Additionally, the military and civilian bureaucracies have been structured in ways that serve the interests of party and looters. Extrajudicial killings, disappearances, and murders have been rampant and remain in place. Various international powers have also benefited from the autocratic system. For example, companies like India's Adani and Ambani have gained significantly under this system, and projects like the Rampal coal power plant, which threatens the Sundarbans, have only been possible due to the autocratic framework. The same holds true for the interests of the United States, China, and Russia. These lobbies remain very active.

The future trajectory of the country will depend on how vigilant the movement's forces are and how organized these forces for democratic transformation can become against these three powerful groups—the wealthy elite that has grown strong over the past few decades, the military-civilian bureaucracy, and the international lobbies.

SH: Political and social status has not yet been settled, it will take some more time. There are many types of activities taking place inside and outside the country to fail the interim government. There are also fears of subversive activities. The government has many urgent challenges. There is a huge outrage against India as they provided shelter to Hasina, who is accused of the massacre of the students and the anti-Bangladesh incitement activities of the BJP government. There are many questions yet to be answered like How long this government will remain with the support of the armed

forces, whether they have their specific political agenda or not! There is also a discussion about the American influence on this government.

SJ: I would like to see the steps taken to begin the implementation of the state and political changes that the students and the common people wanted. The police and public administration tend to stick to boil-up stories to fool the public as before. But this time we have seen the rarest social tenacity of the students and the mentality of doing good for the country, like there is no police posted for more than 7 days but no major crime has happened. Considering this matter, the attitude of all organizations needs to change; but as of now, we have not seen any changes. The language of the advisers of the interim government is sympathetic to the people and their aspirations, which is a good thing.

Current situation regarding the attacks on religious minorities

AM: When an autocratic regime is overthrown through a popular movement or uprising, opportunistic individuals often seek to exploit moments of uncertainty. Just hours after the Prime Minister's resignation on August 5th, the situation was chaotic, and even the movement's participants were not prepared to handle it. The military was also caught off guard. That night, there were incidents of looting and attacks on minorities. Also, community efforts were made to protect many temples, with local people organizing security outside them. The leaders of the uprising, particularly those from the anti-discrimination student movement, took proactive measures to maintain communal harmony. By that night, they had organized patrols in various areas.

The chaos, looting, and violence that followed the uprising can be categorized into three types. First, there were those who had been victimized by the Awami League's

oppressive tactics for years and sought revenge. Second, there were opportunistic individuals who took advantage of the situation to loot. Third, there were communal-fascist forces who planned attacks on minorities and vengefully vandalized sculptures and artworks. However, the nationwide resistance against these actions has been significant. Unfortunately, some Indian media outlets have exaggerated and spread false, provocative, communal propaganda regarding these events, hiding facts. In response, we have issued a public statement. These reports by Indian media about attacks on minorities, are exaggerated and untrue with vile intentions (statement: jugantar.com).

On August 6, I wrote, "Those who are tarnishing the joy of people's freedom from the tyrannical oppression through the mass uprising led by the anti-discrimination student movement, by attacking Hindus, Ahmadis, and other religious communities' homes, temples, places of worship, and various shrines, setting them on fire; those who are destroying sculptures and setting fire to museums across the country; those who are assaulting artists like Rahul Anand and destroying their priceless musical instruments; those who are endangering people's lives indiscriminately are the enemies of this mass uprising. We must resist them. Strengthen the initiatives to resist these criminals across the country. We demand swift justice and punishment for looters, occupiers, murderers, and perpetrators of violence. And we seek the safety of all citizens and creative works."

SH: There was no communal violence in Bangladesh during this period except for some exceptional cases; all attacks on religious minorities were conducted due to their political affiliation with the Awami League. Their rallies and protests fell due to the Awami League. They aimed to attract the attention of the Modi government. Now the situation has calmed down. Along with the students, the opposition political

parties are taking turns to protect them.

SPB: During this time some unexpected events happened in different places. Minority houses and business establishments were attacked, looted and vandalized in some places. Many memorial sculptures of the Liberation War, including Sheikh Mujib's sculpture, were vandalized. All these incidents took place in the absence of police forces, in an atmosphere of total emptiness. Bangabhaban, Ganabhaban also looted. These were mainly outbursts of uncontrollable activity. People have started coming forward against all this.

SH: Some incidents have happened, as always happens after a big event occurs in this country. For example, when there is an election, the houses of Hindus are burnt. Nothing happened compared to that level, you have to remember one thing there is no police in the country for more than 7 days. As a result, social awareness has been created regarding the security of minorities. Everything that happened was instantaneous.

As a citizen of Bangladesh, what is your message to the world?

AM: Rebellion against injustice is not only just but also unstoppable. The capitalist imperialist world system, which is imposing oppressive and exploitative governance in countries around the globe, is being challenged in various ways by people's struggles. The form of protest and resistance may differ due to factors such as the situation, the history of the people's struggle, and the relative distribution of power. However, the power of people consistently demonstrates that no matter how much a tyrant expands their coercive power, their defeat becomes inevitable when popular power erupts. Certainly, this requires the active role of vigilant and organized revolutionary forces. Solidarity among liberation forces

in different countries is also crucial. This solidarity is very weak in South Asia. The lack of communication between progressive and active forces in Bangladesh and India is harming the struggle for liberation of the people in both countries.

SH: Our message to the international community is that we want everyone's sincere support and cooperation in our journey of democratic transformation. We have already sought the cooperation of the United Nations in an impartial and credible investigation into the genocide committed by the Hasina government.

Our special message regarding India is that it should in no way be an accomplice in the political rehabilitation of the ghosts of fallen autocratic fascism. If India had not given unequivocal support to the Hasina government, this situation might have been avoided. And we also want to solve all our bilateral problems based on equality and fairness with India.

SJ: The public understands everything. And as much as one can live by knowing, every living person knows that. So, there is nothing to convince people more. People endure as long as they can. As a result, I will advise the rulers not to exceed the limit of human tolerance.

Notices are being circulated in Universities to halt student politics. What is your opinion regarding these mandates banning the very forces that built the background of this mass uprising?

AM: This is very wrong. It stems from the government's oppression and dominance in student politics. However, they fail to recognize that fighting against this oppression is also a form of politics. Those who led the massive political movement,

such as the mass uprising, should be advanced, not sidelined. Their responsibility should be to move forward, not to relinquish power.

SH: We think the question is not to stop student politics, the question is to end government party occupation, factionalism, terrorism, hooliganism and hostage situation in educational institutions. Cutting off the head for headaches is not at all a solution. In our country, educational institutions are the repositories of political thought and activism. Whatever, the anti-discrimination student movement is doing now is entirely political.

SPB: Stopping the practice of politics doesn't solve it. The remedy for this is an education culture centred on equality instead of idealistic scientific rational practices and consumerist individual interests, which will possibly give rise to the politics dedicated and devoted to the interests of the student population and the national interest.

What are your expectations from the new government to protect Bangladesh's sovereignty in the new situation?

AM: All obstacles to people's power must be removed. All agreements made with governments or companies from countries including India, under the pretext of development, security, or mutual interests, should be made public, and any agreements detrimental to public interest should be scrapped. Expanding the people's power is the only way to protect the country's sovereignty.

SH: The main safeguard of the sovereignty of Bangladesh is the unity of its people. Bangladesh has to ensure its national interests, national security and sovereignty outside the regional hegemonic power and imperialist circle. It requires our special attention that Bangladesh should not become a playground for any superpower. ■

On Far-right Violence in the UK

Statement by South Asia Solidarity Group



We are horrified and enraged by the escalation of violence against migrants, Muslims, and racialised people by far-right mobs across the UK in which lies spread about the perpetrator of the horrific murder of 3 young girls in Southport on 29 July 2024 were cynically weaponised. As many others have stated, this violence has not come out of a vacuum, but from a deeply racist and Islamophobic establishment and media landscape with global connections.

For several decades the so-called War on Terror unleashed a wave of Islamophobia and violence against Muslims which has grown to horrific proportions as years have passed, creating its own racist and often gendered tropes. These have been used to whip up more Islamophobic violence by the far right.

Israel's ongoing genocide in Gaza since October 2023 has further legitimised violence against Muslims particularly amongst the far right in the UK, with dominant media narratives and politicians framing those killed in Gaza as Islamic terrorists, and pro-Palestine protestors as supporters of

Hamas. The direct links between the UK far right and Israel are underlined by photos of fascist leader Tommy Robinson and his allies posing on Israeli tanks, alongside Israeli Defence Force (IDF) soldiers, and wearing IDF T-shirts. Underlying this is funding of Robinson by people directly connected to the Israeli state.

Tellingly, Robinson's racism and xenophobia does not extend to Hindus; Robinson has openly expressed support for Hindutva forces previously, saying in a video that Hindus and Sikhs have been 'a shining example of how immigration can work' and that Hindus in the UK are facing 'persecution' from 'Islamists and extremists'. During the Leicester violence in September 2022, when Muslim homes and shops were attacked by Hindu supremacist mobs, Robinson attempted to mobilise his far-right supporters to join the attacks. This reflects close connections with Hindu supremacists in India and in the UK diaspora which are not new. Tommy Robinson has been frequently platformed on Modi – and RSS – controlled media, while

online the BJP's troll army has been hugely amplifying the UK fascists' Islamophobic hate and lies.

Of course, the government and media responded with the same rhetoric of 'violence on both sides' during the Leicester violence as they have during the current far-right attacks. This is not a coincidence. The UK establishment, whether led by the Conservatives or the Labour Party, has consistently refused to call Islamophobia by its name, let alone acknowledge or take responsibility for its cause. The Islamophobia which has risen to the surface in the current bout of fascist violence is bred by insidious dominant narratives which paint Muslims the world over as terrorists that deserve to have their homes and communities destroyed, whether by far-right mobs or settler colonialists.

We need to start naming accurately: 'riots' or 'pogroms' not 'protests', 'terrorists' or 'far-right thugs' not 'anti-immigration protestors'. BBC reports have framed Muslim anti-fascists as the real threat 'confront[ing]' far-right protestors with chants of 'Allahu akbar', once again playing into the dominant construction of Muslims as organised terrorists and the far-right as protestors with legitimate grievances. Meanwhile, far-right narratives have been hugely amplified on social media by figures like Elon Musk and Andrew Tate.

British politicians like Suella Braverman have repeatedly painted pro-Palestine protests as anti-semitic, whilst refusing to name the current far-right violence as Islamophobic. Rishi Sunak – who has his own connections with Hindu supremacism – is forever associated with the 'Stop the Boats' slogan which is now being shouted by far-right mobs. But it is not just the Conservatives that have emboldened the far right through such rhetoric. Ahead of the recent General Election, current Labour Prime Minister Keir Starmer emphasised that Labour would be sending migrants back to the countries they had come from,

stating that 'people coming from countries like Bangladesh are not being removed' and that this would change. Under Starmer Labour continuously competed with the Tories in racist dog whistle politics around migration and refugees, projecting itself as more effective in preventing so-called 'illegal' migration, and in government one of their first actions has been to launch a new wave of raids and deportations. Meanwhile the new government is set to continue the policies of austerity, cuts and privatisation which have created such fertile ground for fascist ideologies.

It has been uplifting to see thousands rally against the fascists in the streets all across the UK. On the evening of Wednesday 7 August, massive anti-fascist protests took place at over 30 locations listed as planned targets of far-right violence, including immigration lawyers' offices and advice centres. The far-right was thus thwarted in many of these locations. But they are continuing to organise, terrifying attacks are ongoing, and the need for resistance has never been greater.

In today's new conditions, we must learn from and build on the struggles of the Asian communities of the 1970s and 80s. Their anti-imperialist analysis understood the deep roots of racism in colonialism and the new colonial wars, which lie just below the white British collective subconscious and are easily tapped into as required by fascism. They also understood the need for Black and South Asian unity. Their hard won struggles established that 'Self-defence is no offence'. As members of the South Asian diaspora, we must continue and extend this legacy – by publicly naming and consistently challenging Islamophobia and its centrality to far right organising across interconnected global political and economic contexts, whilst organising across our communities in unflinching solidarity. ■

Venezuela's Bolivarian Revolution versus the US Imperialism

▲ V ARUN KUMAR



As the sun sets amidst the mountains of Caracas valley, a young boy, sitting on his father's shoulder curiously looks between the images of Simón Bolívar and Hugo Chávez, two revolutionaries who changed the course of the region and spearheaded the movement to break the shackles of colonisation and injustice. Surrounded by tens of thousands of people from all walks of life on the final day of the presidential election campaign, the young boy with the zeal and determination in his eyes, like many, represents a generation that is growing under the Bolivarian revolutionary process.

What is the Bolivarian revolution? The answer to this question is there on the streets of Venezuela. An old man in his 60s, who had seen the turbulent periods and transitions of Venezuela's history, tells the meaning in a single sentence- it's power in the hands of the poor and toiling masses!

And this very idea, that stems from the legacy of Simón Bolívar and

further realised by Comandante Chávez that today represents the paradigm shift in more than a century old struggle of Venezuela and Latin America to chart its own course and be free from the grips of the US imperialism. But this struggle comes with a heavy price, from US backed dictatorships to dirty wars in the 1970s to soft and hard coups of the 21st century, tens of thousands were martyred across the region in the battle for liberty and freedom.

"Cuba and Venezuela are one of two major countries in the region that represent this process of breaking the imperialist shackles, creating the process of Latin American integration and moving towards socialism. That makes them the biggest target of US imperialism, with both facing a long history of assignments and regime change attempts, blockades and fanning of the far-right and oligarchy sections," says Cira Pascual Marquina, a Political Science professor at the Universidad Bolivariana de

Venezuela in Caracas and a political organizer at El Panal Commune, speaking to Liberation.

She adds, “the vast proven oil reserve puts Venezuela further deep in the cross-hair of US imperialism. These oil reserves and companies, once controlled by the US, were nationalised after Chávez came to power and revenue generated was channelised into massive social welfare programs in the country.”

July 2024 Presidential Elections

The Presidential elections in Venezuela were held on July 28, 2024 and the partial results (around 80% counted) were out on the intervening night of 28-29 July by the country's electoral body, National Electoral Council (CNE). Current president Nicolas Maduro of PSUV and Simón Bolívar Great Patriotic Pole alliance being declared as winner with 51.2% votes. The opposition candidate, Edmundo Gonzalez of the United States backed far-right Unitary Platform (alliance proposed by the 2019 coup d'état organiser Juan Guido) received 44.2% votes with the overall polling percentage being 59%.

Voting in Venezuela takes places using a combined EVM-VVPAT slip process, where a slip generated from the EVM is deposited in the ballot box by the voter to be counted later. After the closing of the votes, political parties can access booth wise voting results. Though the final results were supposed to be declared by July 29 after the auditing and verification procedures, according to CNE, the final data couldn't be published due to a massive cyberattack on its electoral publication website.

As the counting process was taking place, the far-right opposition groups unleashed a series of violent actions, including arson and attacks on polling stations and symbols of

the Bolivarian revolutions. And as soon as partial results were released, the opposition led by far-right leader of María Corina Machado rejected the results and declared the opposition candidate Edmundo Gonzalez as the president-elect, saying he had received more than 70% of the votes. Machado is one Venezuelan opposition leader who is a signatory to the far-right and anti-communist Madrid Charter initiated by the Spanish Fascist party, Vox.

Even before the results of the presidential elections in Venezuela were released on the afternoon of 29 July by the CNE, the United States backed far-right opposition group had refused to accept the results. Their sole aim was to kill the Bolivarian revolutionary process that threatens the US's neo-Monroe doctrine in the Latin American region. The United States government and its LIMA group countries also followed suit, branding the democratic mandate in Venezuela as fraud.

In the lines of the 2019 coup attempt by Guido, Maria and the opposition group unsuccessfully tried to provoke the military to organise a coup against Maduro, declaring that the military should “ensure the will of the people of Venezuela.” The far-right violence continued sporadically for a week, but later waned down amidst the strong popular mobilisations by Chavistas and people across the country.

On July 31, Venezuelan President Nicolás Maduro requested the Electoral Chamber of the Supreme Court to verify the results considering violent unrest in the days after the vote. On August 23, the Supreme Court verified voting data submitted by the CNE and confirmed the election results, declaring Maduro as the president. The SC also released the polling data which was under its custody during the hearing, and directed

the CNE to publish the electoral data, which was being demanded by progressive sections across the world to ensure transparency.

Apart from the far-right violence, massive anti-Chavismo media propaganda was also witnessed in the region, with corporate backed media in Latin America, the US and the EU wanting to see the death of the Bolivarian Revolution. No efforts were spared to paint the elections as fraud and victory of far-right opposition even before the elections started. The narrative was painted about the end of Chavismo and Chavez's legacy before the elections to create a fertile ground for violence against the Bolivarian revolution.

Challenges Ahead

Due to the rising crisis in West Asia, it seems the United States has taken a U-turn from its earlier decision of recognising opposition candidate Edmundo Gonzalez as the winner and President-elect. Even the current phase of far-right violence has waned down in Venezuela, there are ongoing attempts to destabilised by the Bolivarian process by covert and overt tactics. The US led sanctions and fluctuating global oil prices also create an economic challenge for Venezuela.

Cira notes that the answer to the problems lie in strengthening the process of communes in Venezuela that had been the backbone of the Bolivarian revolution.

"Commune is space from which the society will transform politically, socially and economically, which means production under collective control. It were communes that helped people to overcome the 2018-2020 brutal economic crisis caused by the economic blockade. For the process of strong socialism and democratisation in Venezuela, the communes are not only the horizon but a pathway," said Cira Pascual. ■

The Unending Miseries of Bastar Adivasis

▲ SOMENATH GUHA

Since 2019, 250 security camps have been established in the Bastar region turning the area into a vast cantonment. Since December 2016, 2479 kms of road construction has been sanctioned in the eight districts of Bastar. Roads are being constructed to 'counter Maoist menace' and camps are being set up to provide security for construction of roads. And road and rail connectivity is essential for mining in the area. All these together will ensure Vishwas, Vikas, Suraksha, Nyay and Sewa to the people. This in brief is the 'Development' story in Bastar. To add to these between 1st January, 2024 to 15th July there have been 141 extrajudicial killings in the area, many of whom are alleged to be ordinary civilians. Against this background the '*Citizens Report on Security and Insecurity: Bastar Division, Chhattisgarh*', compiled by a Fact Finding team of eminent civil libertarians and social workers like Bela Bhatia, Krishna VS, Nandini Sundar and others acquire immense significance. Let us dwell on some of the main points of this report.

Mining/roads/camps

In November, 2022 Chhattisgarh accounted for 14.8% of the mineral production in India. Two months earlier the then Congress government had shared information on 108 potential mining blocks in the state of which 39 were in Bastar. Of these four were auctioned in 2023. Also amendments were made to the 'Mines and Minerals (Development and Regulation) Act' following which private sector was allowed to invest in the exploration of critical and deep-seated minerals which was previously the remit of the public sector. Road and Rail networks were accordingly extended. These projects have come up by acquiring

huge areas of forest land made possible by the amendment of Forest Conservation Act in 2022 according to which there is no longer any mandatory consent required of Gram Sabha or local communities for forest land acquisition. Besides regulations mandated by PESA, 1996 (Panchayat Extension to Scheduled Areas) are repeatedly and blatantly flouted.

Have the People Benefitted?

The arrival of mining and transport projects have poisoned rivers, destroyed water sources, led to waste prime agricultural land and uprooted traditional villages. There has been massive deforestation and loss and vandalisation of sacred sites which the adivasis have worshipped through generations. After the mining companies came, livelihood options of local people have shrunk. They were promised employment, but all they got was poorly paid daily-wage work. Most importantly women, who have suffered most because of the acquisition of community lands, have been deprived of employment. Numerous roads have been built, widened but bus services are non-existent. In fact ever since

Salwa Judum spread terror in the countryside, bus services have almost stopped. Due to the same reason 123 schools closed down in Sukma district alone. While welfare projects have virtually stopped, the state has invaded into the lives of the people. Even the Haats, the village markets are not spared, their timings are controlled by the omnipresent security camps. People are not allowed to buy groceries in bulk on the assumption that these may be supplied to the Maoists.

Protests and Repression

Since 2019 people have been protesting against the camps. They have consistently launched dharnas, demonstrations and gheraos. In south Bastar people have formed an umbrella organization called 'Moolvasi Bachao Manch'. In north Bastar protests are mainly organized by 'Adivasi Adhikar Bachao Manch' or 'Sarva Adivasi Samaj'. Though all protests are peaceful, administration term them as Maoist-instigated and all open organizations are castigated as Maoist fronts.

Hence they are suppressed, often brutally. For this various kinds of security forces have been amassed in the camps. Though the Salwa Judum was banned, a force consisting of surrendered Maoists DRG (District Reserve Guard) was formed. This force continues to terrorise the people.



@ Sakhi

From 2011 to 2022, 6804 people have been arrested in the region. The report reveals that large number of people have been arrested for false charges of being Maoists and kept behind bars for years altogether. Inquiry committees have revealed that at places like Sarkeguda ordinary people have been killed by firing. Recently there have been worrying reports of increased use of drones for surveillance and even for dropping

explosives. About twenty villages are said to have been targeted with these strikes. However state police and CRPF have denied any drone attacks.

Conclusions

The report concludes that camps are set up to safeguard corporate interests and help the state make deeper inroads into Bastar. Mining companies are operating by violating laws, mainly PESA, forest

and environmental laws. This has caused severe environmental destruction resulting in massive livelihood problems. Peaceful protests by villagers have been suppressed by force and there are rampant human rights violations in the area causing arrests, deaths and destruction of villages. The report confirms that militarization of Bastar will achieve nothing except to open up the area for corporate plunder of minerals and other resources. ■

Adivasi Sangharsh Morcha Commemorates World Indigenous People's Day

On 9th August 2024, Adivasi Sangharsh Morcha commemorated the World Indigenous People's Day, by holding programmes, protests and rallies in various parts of the country including Jharkhand, Odisha, Chhattisgarh, Gujarat, Karbi Anglong, Karnataka, Tamil Nadu, West Bengal and the submission of a 14-point demand Memorandum to the President through the district administration. This was held in the backdrop of the statement issued by the RSS-affiliate Akhil Bharatiya Vanvasi Kalyan Ashram declaring that the World Indigenous People's Day is of no relevance to India since all people of the country are indigenous to this land, which was outrightly condemned by Adivasi Sangharsh Morcha with the resolve to free Adivasis from the clutches of the Sangh Parivar.

In Jharkhand, a massive march was taken out in Ramgarh city, in which hundreds of Adivasis marched with songs and slogans through the city before convening a meeting at Subhash Chowk to voice their rights and demands. The rally highlighted the lack of implementing CNT/SPT Act, Wilkinson Rule and other constitutional rights made for the protection of Adivasis even as there is an increasing corporate attack

on the of Adivasis' rights to water-forest-land-environment.

In Odisha, Adivasi Sangharsh Morcha organised a cultural program in Gunpur, Orissa followed by a march in which a memorandum was sent to the Chief Minister of Orissa and the President. Apart from this, programs were also organized in numerous villages to celebrate the occasion.

A meeting was held under the banner of Adivasi Tribal Sangharsh Morcha at Kisan Bhawan in Diphu, Assam in which more than 150 people participated and a memorandum was submitted to the district administration in the name of the President, reiterating the demand for the Union Government to declare the tribal hill districts as autonomous state in Assam under Article 244(A) of the Constitution of India.

In Gujarat, a convention was in Valsad, which was attended by hundreds of Adivasis, Besides highlighting the various issues faced by Adivasis, the Convention in particular highlighted the plight of the 4 crore Adivasis living in Gujarat, Rajasthan, Maharashtra and Madhya Pradesh as also in Dadra Nagar Haveli and Daman and reiterated the demand that the Union government must commit to the creation of Bhil Pradesh comprising the Adivasi belt currently spread over these states.

In Andhra Pradesh, a march and public meeting was held in Chodavaram, Anakapalli district which was attended by hundreds of Adivasis. Prominent Human Rights activist VS Krishna, Human Rights Forum (HRF) joined with Adivasis. In this meeting, the signatures were collected on the memorandum addressed to the President of India.

World Indigenous People's Day was also commemorated in West Bengal, Karnataka and Tamil Nadu through local programmes and submission of the 14-point memorandum addressed to the President.

Across the country, Adivasis continue to be one of the most deprived sections of society. State-sanctioned corporate loot and plunder of natural resources have dispossessed Adivasis of their forests and lands, without any security of life or livelihoods and in a constant battle to save their culture and identity. In fact, Adivasis continue to struggle for the most basic needs including land, education, healthcare, livelihoods, food security, drinking water and sanitation, etc. The occasion of 9th August, World Indigenous Peoples' Day, was an opportunity to highlight the fundamental concerns and demands of Adivasis and the firm the resolve to build Adivasi Sangharsh Morcha and militant struggles to protect the interests of the Adivasi communities across the nation. ■

Prism Johnson Ltd. RMC (India) Division Workers Face Factory Closure

▲ LEKHA ADAVI

When the workers of Prism Johnson Ltd. RMC (India) Division reported for their morning shift at 8 AM on 19.07.2024 in their two factory plants in Bengaluru, they were shocked to find the factory gates closed and a “Notice of Closure” stuck on the gate. This occurred after the workers on their night shift left the factory premises at 6 AM! The workers were not allowed inside the factory premises by bouncers hired by the company, even when the workers appealed saying they wanted to speak to the management!

The actions of the company is illegal and anti-workers. Contrary to what the management has stated, there is no “closure”, as the manufacturing activities continue. Such so-called closure has been done without taking the mandatory permission under law and is completely illegal. The so-called “closure” is illegal, in violation of labour laws, and done only with an intention to remove the unionized workers. It is to be noted that there are 107 workers in the two plants in Bengaluru and there are 25 workers employed in the establishment in Mangalore.

The Karnataka General Labour Union (affiliated to AICCTU) has been unionizing the workers in Prism Johnson Ltd. RMC (India) Division for the past two decades, during which time, the workers have been able to successfully consolidate themselves as a workforce and partake in collective bargaining for the rights and dignified employment in the company. While there were many permanent workers, much of the work was also being outsourced to contract workers through sham contractors.

These so-called contract workers were demanding permanent jobs. The company which has employed these workers for several years now, has, without even speaking to the union and its workers, have unilaterally thrown them to the streets!

After being disillusioned with CITU, RMC workers came into AICCTU fold in 2007, and since then have been the backbone of the party in Karnataka. They not only helped to expand AICCTU work to RMC Mangalore, Chennai and Hyderabad, but to other ready-mix companies such as RDC and Lafarge. Through their active role, thousands of construction workers were recruited to the union.

The RMC workers have played a commendable role - right from organizing other sections of workers to participating in political programmes with full vigour and spirit to financial contributions - in advancing our profile and image in Bangalore. In the context of demonetization and new forms of restructuring of industry, the companies were reeling under tremendous changes that led to greater struggles of working class.

One of the struggles taken up by these workers, they struck work for 37 days, which finally concluded in an agreement between the workers and the company. This entire struggle was led by workers themselves and we could unleash all their initiative. This had been the case despite being a recognised union that regularized two thirds of contract workers, entered into two agreements and negotiating the third one. Lafarge was at the verge of running into a major trouble

because of anti-worker approach of our rival union in the company, but somehow got averted by our unconventional approach and got concluded in a wage agreement. After demonetization and COVID, and about the same time as the anti-worker Labour Codes were introduced, the RMC management used it as an opportunity to clamp down on workers' rights, by trying to illegally close the factory and transfer them. However, there was a strong opposition to assault on right to unionise.

The workers have been sitting at the factory gates in protest and demanding their jobs back. The police, in connivance with the company officials have been trying to oust the workers, so that the equipment inside the factory plant can be shifted out. Despite these challenges, the workers have been standing their ground and fighting against the injustice meted out to them. On 12.08.2024, the workers, along with other AICCTU affiliated union members gheraoed the corporate office. The union has sought the intervention of the Labour Department and the conciliation process is ongoing, whereas the union has also separately sought permission from the Labour Department to prosecute the company for their illegal actions.

Managements have now been emboldened by the new Labour Codes of the BJP-led Central Government, which promotes “hire and fire” policy and where the employers enjoy zero-accountability. Right to unionise, collective bargaining power, dignified employment and strike have all been curtailed in the Labour Codes. Workers of Prism Johnson Ltd. RMC (India) Division are the latest set of workers to face such assault of the anti-worker employers and its government stooges! Let us stand with the workers and demand justice! ■



Comrade Munna Yadav

Comrade Munna Yadav, 46, passed away on the night of 21 August 2024. He had recently undergone a heart-valve replacement surgery in the RML Hospital, Delhi, and was under the process of recovery, but succumbed to some complications developed afterwards.

Comrade Munna was joined the party from the mid-nineties when he came to Delhi as a migrant worker after completing his ITI course from Arrah, Bihar. His native village in Bhojpur has been a stronghold of the party's struggles. He remained active in Delhi organisation since then and was always seen at the forefront performing arduous jobs with sincerity in various party programmes especially big all India rallies in the decade of nineties and later. He also worked for a living in industries in Azadpur-Wazirpur belt in Delhi till he decided to become a full time activist around 2009 when he became intensely engaged in trade union struggles in Wazirpur industrial area. He was among few comrades who successfully took the challenge of developing a party foothold in this industrial belt.

He led many trade union struggles in different industries in this area and became a popular name for the workers seeking help against repressive tactics of factory owners in those days, in the process he and other comrades also faced police highhandedness and confronted hired goons on many occasions. He contested the Assembly election from Wazirpur constituency in 2013 as CPIML candidate. Later, he couldn't remain active mainly for health reasons as he developed serious liver related ailments, went back to his native place, and was treated in a Patna hospital. He returned to Delhi a couple of years ago and rejoined party activities.

He is survived by his wife and two children. We pay our condolences to his bereaved family.

Red Salute Comrade Munna Yadav!



JNUSU' LONG MARCH TO MINISTRY OF EDUCATION | AUGUST 23, 2024



EDITORIAL OFFICE

CHARU BHAWAN, U-90, SHAKARPUR, DELHI - 110 092

PRINTED AND PUBLISHED BY

Dipankar Bhattacharya for the Central Committee, CPIML
from Charu Bhawan, U-90, Shakarpur, Delhi - 110 092

PRINTED AT: Divya Offset, B-1422, New Ashok Nagar, Delhi - 110 096

EDITOR : Arindam Sen

liberation@cpiml.org

www.liberation.org.in

PH.: 91-11-42785864