

## Course correction – **A considered step that opens up new vistas**

### ***The abrogation of Kashmir's special status is a major move towards ensuring an inclusive India.***

The recent decision by the government to abrogate Article 370 has resulted in a countrywide debate on the subject. The general perception is that a vast majority of people in the country feel that the abrogation is a welcome step. They also feel that the abrogation should not be viewed through a narrow political prism as it centres around the unity and integrity of the nation. In fact, it is also seen as a major step towards ensuring an inclusive India.

#### ***Historical perspective***

Before delving into the issue, one should understand the essence of Article 370; it was only a temporary, transitional arrangement and was never intended to be a permanent provision.

Under Part XXI of the Constitution of India, which deals with 'Temporary, Transitional and Special Provisions', the special status was conferred upon **Jammu and Kashmir (J&K)** after Maharaja Hari Singh signed The Instrument of Accession on October 26-27, 1947.

However, an important nugget of history is that Article 370 was not incorporated at the time of accession. It was included in October 1949 at the instance of Sheikh Abdullah, who was a member of the Constituent Assembly that drafted the Constitution. It became operative only in 1952.

Under Article 370, Jammu and Kashmir State was allowed to have a separate Constitution and a Flag. Its Constituent Assembly, initially, and the State legislature, subsequently, were empowered either to adopt or not to adopt any law passed by the Indian Parliament. Except for matters such as 'Defence', 'External Affairs', 'Communications' and matters mentioned in 'The Instrument of Accession', the Indian Parliament had no jurisdiction on extending its legislations to the border State without the concurrence of Jammu and Kashmir.

While considering the proposal to incorporate it in the Constitution, Prime Minister Pandit Jawaharlal Nehru advised Sheikh Abdullah to convince B.R. Ambedkar, who apparently was not in favour of it.

In the book, *Dr. B.R. Ambedkar Framing of Indian Constitution*, by Dr. S.N. Busi, Dr. Ambedkar was cited as saying: "Mr. Abdullah, you want that India should defend Kashmir. You wish India should protect your borders, she should build roads in your area, she should supply you food grains, and Kashmir should get equal status as India, but you don't want India and any citizen of India to have any rights in Kashmir and Government of India should have only limited powers. To give consent to this proposal would be a treacherous thing against the interests of India, and I, as the Law Minister of India, will never do. I cannot betray the interests of my country".

Even Pandit Nehru had pointed out in Parliament on November 27, 1963 that "Article 370 is part of certain transitional, provisional arrangements. It is not a permanent part of the Constitution. It is a part as long as it remains so."

#### ***Hardly unifying***

History shows that instead of bringing people of Kashmir closer to the rest of India, Article 370 has only widened the chasm. This schism has been systematically widened by vested interests. While Article 370 has failed to benefit the people in a meaningful way, it was used by separatists to drive a wedge between those living in J&K and the rest of India. It was used by a neighbouring country to spread terrorism.

The demand for abrogation of Article 370 has been under consideration for a long time. In fact, Parliament had discussed this way back in 1964. A discussion on a private member's bill seeking abrogation of Article 370 found near-unanimous support back then.

It would be pertinent to point out that the non-official resolution moved by Prakash Vir Shastri in the Lok Sabha was supported by leaders like Ram Manohar Lohia and K. Hanumanthaiya, a senior Congress leader.

Hanumanthaiya not only pointed out that the members, irrespective of party affiliations, wanted the abrogation of Article 370 to be made into law but also went on to say: "To go against or to say anything against this unanimous opinion in this House is to disown constitutional responsibility in a convenient manner. Article 370... stands in the way of full integration."

Of the 12 members who favoured its abrogation, seven belonged to the Congress including Inder J. Malhotra, Sham Lal Saraf (from J&K), H.V. Kamath, Socialist, Sarjoo Pandey (CPI) and Bhagwat Jha Azad, former Chief Minister of Bihar.

The country felt that this provision needed to go sooner or later. As Jawaharlal Nehru's colleague and then Home Affairs Minister Gulzarilal Nanda had told Parliament decades ago, "Article 370 is nothing more than a shell emptied of its contents. Nothing has been left in it; we can do it in one day, in 10 days, 10 months. That is entirely for us to consider."

Parliament and the Government have now come to the conclusion, finally, that such a dysfunctional provision has no relevance in the current context and that the time has come to integrate Jammu and Kashmir fully into the rest of India. Without having improved the lives of people in any way, Article 370 had become an impediment to the very development of the State.

#### ***A leveller***

The people of the country also need to know, as pointed out by the present Home Minister, Amit Shah, in the Lok Sabha recently, that key Central laws made for the welfare of citizens of the country could not be implemented in J&K due to Article 370. With its abrogation, a total of 106 Central laws will now be extended to J&K. Some of the key pieces of legislation include the Prevention of Corruption Act, the Land Acquisition Act, the National Commission for Minorities Act, the Right to Education Act and those relating to empowering local bodies.

With Article 35A becoming void, the decades old discrimination against the women of J&K has been eliminated. They can now purchase and transfer property to their children, even if they get married to a non-resident.

In my view, the abrogation of Article 370 is indeed a step in the right direction to safeguard the unity and integrity of India.

The State of Jammu and Kashmir has been an integral part of our country. It will always remain so. So, the action to remove Article 370 is purely an internal matter. It goes without saying that India will not allow outsiders to meddle in its internal affairs. People should guard against false and mischievous propaganda by a section of the Indian and western media, which probably still believes in the colonial mindset of 'divide and rule'.

Parliament has carefully considered and taken a decision that this transitory provision needs to go and that J&K must be fully integrated with the rest of India. The naysayers who are alleging that constitutional impropriety has been committed must know that the Bill was passed by two-thirds in the Rajya Sabha and four-fifths in the Lok Sabha after an elaborate discussion.

#### ***Game changer***

I am sure that this integration fulfils a long-standing demand of many sections of the people in J&K, including Ladakh. The speech of the Ladakh MP, Jamyang Tsering Namgyal, in the Lok Sabha recently, was truly noteworthy, where he pointed out that Ladakh was not just a piece of land but a precious gem of Bharat. I am also confident that the status of a State would be accorded once things improve and total normalcy is restored in Jammu and Kashmir.

The Government's decision would facilitate greater investments by both individual entrepreneurs and major private companies in different sectors including hospitality, tourism, education and health. It would naturally generate much-needed employment for local youth. It would also enable greater scrutiny of the implementation of the schemes of the Government of India.

In conclusion, it should be noted that the abrogation of Article 370 is a national issue involving our country's safety, security, unity and equitable prosperity. It is a step in the right direction that the Indian Parliament has taken with an overwhelming majority. It is a step that opens up new vistas for the all-round development in a State that was relatively neglected. It is a stepping stone to enable an improved quality of life for the people of Jammu, Kashmir and Ladakh.

### **Meanings of Difficult Words :**

- **open up** (phrasal verb) – disclose, reveal.
- **vista** (noun) – view, prospect, perspective.
- **abrogation** (noun) – abolition, repeal, cancellation (of a law/agreement).
- **abrogate** (verb) – cancel, abolish, revoke, repeal.
- **perception** (noun) – insight, understanding, discernment.
- **prism** (noun) – a viewpoint which clarifies/distorts something.
- **delve** (verb) – investigate, conduct investigations into, research.
- **transitional** (adjective) – interim, temporary, provisional, short-term.
- **provision** (noun) – term, clause, requirement.
- **confer upon** (verb) – bestow on, present to, accord to.
- **nugget** (noun) – a valuable idea/fact.
- **accession** (noun) – assent, consent, agreement.
- **subsequently** (adverb) – afterwards, later on, eventually.
- **empower** (verb) – authorize, allow, entitle.
- **concurrence** (noun) – agreement, consent, concurrency.
- **apparently** (adjective) – seemingly, evidently, it appears that.
- **treacherous** (adjective) – untrustworthy, unreliable, unfaithful.
- **betray** (verb) – be disloyal to, be unfaithful to, let down.
- **chasm** (noun) – a clear difference between two people/groups' thoughts, feelings, opinions, etc; divergence, disunion, breach.
- **schism** (noun) – a division between people within a group with differences in opinion; separation, split, rift.
- **vested interest** (noun) – a personal interest in something to get benefit.
- **separatist** (adjective) – dissident, nonconformist, sectarian.
- **drive a wedge between** (phrase) – separate, divide.
- **unanimous** (adjective) – in complete agreement/accord, with one voice, concordant/united.
- **pertinent** (adjective) – relevant, to the point, applicable.
- **disown** (verb) – reject, abandon, deny.
- **stand in the way of** (phrase) – prevent someone from accomplishing something.
- **shell** (noun) – the outer case of a nut kernel.
- **dysfunctional** (adjective) – not functioning/working normally or properly; troubled, unsettled, flawed.
- **impediment** (noun) – hindrance, obstacle, restriction.
- **acquisition** (noun) – acquiring, collection/procurement, appropriation.
- **discrimination** (noun) – inequity, prejudice, bigotry.
- **step in** (phrasal verb) – become involved, get involved, act.

- **go without saying** (phrase) – be obvious.
- **meddle** (verb) – handle, interfere intrude/intervene unwantedly.
- **mischievous** (adjective) – troublesome, bad; hurtful.
- **propaganda** (noun) – information, promotion, publicity/advocacy.
- **transitory** (adjective) – temporary, short-lived, short-term.
- **naysayer** (noun) – a person who always denies or opposes something.
- **impropriety** (noun) – wrongdoing, misconduct, offence.
- **noteworthy** (adjective) – significant, notable, important.
- **accord** (verb) – present, give, grant.
- **normalcy** (noun) – a normal condition; normality, regularity.
- **facilitate** (verb) – make easier, clear the way for, assist/help.
- **entrepreneur** (noun) – businessman, businesswoman, business person.
- **scrutiny** (noun) – observation, inspection, examination.
- **equitable** (adjective) – fair, impartial.
- **prosperity** (noun) – success, comfort, good fortune, well being.
- **overwhelming** (adjective) – massive/huge, sweeping/decisive, total/complete.
- **stepping stone** (noun) – an action/event to make progress in order to achieve a goal.

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## Course correction – **Making CSR work: On Companies Act amendments**

### ***Non-compliance by corporates should be decriminalised and made a civil offence***

It was first encouraged as a voluntary contribution by business; six years ago it evolved into a co-option of the corporate sector to promote inclusiveness in society and now, corporate social responsibility or CSR has become an imposition on India Inc. Key amendments to the relevant sections of the Companies Act in the last session of Parliament have now made non-compliance with CSR norms a jailable offence for key officers of the company, apart from hefty fines up to Rs. 25 lakh on the company and Rs. 5 lakh on the officer in default. Finance Minister Nirmala Sitharaman is said to have assured representatives of India Inc. when they met her last week that this amendment will be reviewed. Yet, it is curious that the government rushed through with amendments on the CSR law even as a committee constituted by it was finalising its report on the same subject. As it happened, the committee, headed by the Corporate Affairs Secretary submitted its report on August 13, well after Parliament had passed the amendments. On the specific issue of penalties, the committee has proposed that non-compliance be de-criminalised and made a civil offence. "CSR is a means to partner corporates for social development and such penal provisions are not in harmony with the spirit of CSR," the committee's report says and rightly so. CSR should not be treated as another tax on businesses.

Every company with a net worth of Rs. 500 crore or turnover of Rs. 1,000 crore or net profit of Rs. 5 crore should spend 2% of the average profits it made over the previous three years on social development. The experience since this provision was operationalised in 2013 has been mixed. Filings with the Ministry of Corporate Affairs show that in 2017-18, only a little over half of those liable to spend on CSR have filed reports on their activity to the government. The other half either did not comply or simply failed to file. The average CSR spend by private companies was just Rs. 95 lakh compared to Rs. 9.40 crore for public sector units. These are early days yet, and compliance will improve as corporates imbibe CSR culture fully. The committee's suggestion to offer a tax break for expenses on CSR makes sense as it may incentivise companies to spend. It has also recommended that unspent CSR

funds be transferred to an escrow account within 30 days of the end of the financial year. It should be recognised that CSR is not the main business of a company and in these challenging times they would rightly be focusing their energies on the business rather than on social spending. The government should be careful to not micromanage and tie down businesses with rules and regulations that impose a heavy compliance burden. Else it might end up with the opposite of what it intends — to rope in corporates as citizens to promote social inclusion.

### **Meanings of Difficult Words :**

- **non-compliance** (noun) – disobedience, indiscipline, misconduct.
- **decriminalise** (verb) – make legal, legitimate, validate.
- **evolve** (verb) – develop, unfold, happen/take place.
- **co-option** (noun) – incorporation, integration, appropriation.
- **inclusiveness** (noun) – the practice of embracing many different types of people and treating them all fairly and equally.
- **corporate social responsibility (CSR)** – the ethical role of the corporation (private business) in society.
- **imposition** (noun) – burden, onus, demand, pressure.
- **relevant** (adjective) – suitable, applicable, pertinent/apposite/germane.
- **norm** (noun) – standard, convention, regulation.
- **hefty** (adjective) – large, huge, substantial.
- **curious** (adjective) – unexpected, remarkable, surprising.
- **rush through** (verb) – pass rapidly, hurry, push, speed.
- **means** (noun) – method, way, mode.
- **provision** (noun) – term, clause, requirement.
- **harmony** (noun) – accord, agreement, consensus.
- **imbibe** (verb) – assimilate, absorb, take in/acquire.
- **incentivise** (verb) – encourage, motivate, galvanize.
- **escrow account** (noun) – an account where funds are held in trust whilst two or more parties complete a transaction. This is a temporary account as it operates until the completion of a transaction process, which is implemented after all the conditions between the buyer and the seller are settled.
- **micromanage** (verb) – to control every part of an activity.
- **tie down** (phrasal verb) – restrict, restrain, limit.
- **rope in** (phrasal verb) – enlist, engage, persuade.

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## Course correction – **Justice for the mob: On Pehlu Khan case verdict**

### ***Acquittal in the emblematic case of Pehlu Khan's murder imperils the country's image***

It is a sign of the times that vigilante mobs can get away with daylight murder. Even after visual evidence becomes available; and even when the victim names his assailants in a dying declaration. The acquittal of all those charged by the Rajasthan police with beating dairy farmer Pehlu Khan to death in April 2017 is a stark reminder that there is a humongous gap between capturing video footage of a man being

beaten up and bringing the culprits to book. The Additional District Judge of Alwar has given the benefit of doubt to the six men charged with Khan's murder. A principal reason given is that the six persons named by Khan were not charge-sheeted by the police. It seems that the derailment of the prosecution case began early. Based on mobile phone call records and the statement of staff at a cow shelter, the police gave a clean sheet to the named suspects and booked a different set of people, including three minors. The police failed to conduct an identification parade, while there was an apparent contradiction between government doctors declaring that the victim died of injuries, and a private hospital's claim that the cause was cardiac arrest. It is not difficult to surmise that infirmities were built into the case in advance. The court also need not have held inadmissible the footage of the incident, as the Supreme Court had ruled last year that authentic and relevant electronic evidence can be accepted even in the absence of the required certification under the Evidence Act.

Last year, Jharkhand managed to obtain convictions in two cases of lynching, but the Pehlu Khan lynching case had emblematic significance. It was vital that it was properly investigated and the culprits convicted. Unfortunately, the wholesale acquittal is a setback to combating the rampant vigilantism of our times. Each such incident imperils India's image as a modern democracy. There is ample evidence to suggest that the institutional bias in favour of cow vigilantes is working against the interest of justice. The CID-Crime Branch took over the case two months after the incident, and filed a charge sheet. Those charge-sheeted were granted bail not long after. Even after the change of regime late last year, the police obtained permission to prosecute two sons of Pehlu Khan for transporting bovines in violation of a State law. This indicates the assiduity with which cattle protection laws are implemented, while lynch mobs in the garb of cow protectors are treated with kid gloves. The Rajasthan Chief Minister, who recently got a new expansive law enacted to punish lynching, has promised to take the matter on appeal. A mere appeal may not suffice; orders for a fresh investigation and trial — one that would lead to the formal indictment of all those responsible for the murderous attack — may be needed to restore a sense of justice.

### **Meanings of Difficult Words :**

- **mob** (noun) – a large, disorganized, and often violent crowd of people
- **acquittal** (noun) – declaration of innocence, clearing/discharge/release, absolution.
- **emblematic** (adjective) – symbolic, representative, demonstrative.
- **imperil** (verb) – endanger, jeopardize, risk.
- **vigilante** (noun) – a member of the self-appointed group which unofficially punishing crimes.
- **get away with** (phrasal verb) – escape (blame/punishment for).
- **daylight** (adjective) – blatant, visible, clear; happening during the day/daytime.
- **assailant** (noun) – attacker.
- **stark** (adjective) – (unpleasantly) clear, distinct/ evident; harsh, grim.
- **humongous** (adjective) – huge, enormous, substantial/massive.
- **bring someone to book** (phrase) – punish someone officially.
- **the benefit of the doubt** (phrase) – a favorable judgement given in the absence of full evidence.
- **charge-sheet** (noun) – an official document on which a police officer enters details of the charge against a person.
- **derailment** (noun) – the action of a train leaving its tracks accidentally.
- **prosecution case** (noun) – the case brought against someone by a legal authority.
- **clean chit** (noun) – In India, the expression is used to mean 'cleared of any wrongdoing'. Native speakers of English prefer to use 'clean sheet', instead.
- **suspect** (noun) – suspected person, accused, defendant.
- **contradiction** (noun) – disagreement, opposition, inconsistency.



- **surmise** (verb) – assume, conjecture, suppose.
- **infirmity** (noun) – weakness, uncertainty, inconstancy.
- **inadmissible** (adjective) – not allowable, invalid, unacceptable.
- **authentic** (adjective) – reliable, dependable, trustworthy.
- **conviction** (noun) – sentence, judgement, verdict.
- **lynching** (noun) – an act of punishing/killing someone by hanging for claimed offence by the group of people without legal trail.
- **convict** (verb) – sentence, find guilty, declare guilty.
- **setback** (noun) – problem, difficulty, issue.
- **rampant** (adjective) – widespread, present everywhere/pervasive, unrestrained/out of control.
- **vigilantism** (noun) – unofficial way of punishing crime by a self-appointed group of people.
- **ample** (adjective) – sufficient, adequate, abundant.
- **bias** (noun) – prejudice, partiality, favouritism, unfairness.
- **bovine** (noun) – cow-like animal, cattle-like animal, buffalo-like animal.
- **assiduity** (noun) – determination, constancy, resolution.
- **lynch** (verb) – punish/kill by hanging someone for claimed offence without legal trail by the group of people.
- **garb** (noun) – an outward appearance, form, guise.
- **kid gloves** (plural noun) – used in reference to careful, cautious, tactful dealing with a person.
- **suffice** (verb) – be enough, be sufficient, be adequate.
- **indictment** (noun) – charge, accusation, allegation.
- **murderous** (adjective) – brutal, violent, barbaric, cruel.

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## **IMPORTANT IDIOMD & PHRASES**

### **1. Hand to mouth**

**Example** – Heavy rainfall led the farmers to live hand to mouth.

**Meaning** – Live on only basic necessities.

### **2. Hit the bull's eye**

**Example** – Your suggestion hits the bull's eye in the exam.

**Meaning** – To be exactly right about something or to achieve the best result possible.

[ **Hit the bull's eye** also mean to hit the very center of a circular target. *For example*; The Bowman hits the bull's eye three times in a row.]

### **3. Let the cat out of the bag**

**Example** – John had planned a surprise party for his wife. But their five-year-old son let the cat out of the bag and ruined the party.

**Meaning** – To reveal the secret carelessly or by mistake.

### **4. Make a face**

**Example** – Do you have any better suggestion? If not, then don't make a face.

**Meaning** – To show dislike or disappointment through facial expression.

### **5. Don't put all your eggs in one basket**

**Example** – Try to invest in different ways. Don't put all your eggs in one basket.

**Meaning** – Do not put all your resources in one place.

### **6. To be a good Samaritan**

**Example** – I was stuck in the middle of the highway, and then a good Samaritan offered me a ride.

**Meaning** – To be kind and compassionate to someone in distress.

**7. To put in a nutshell**

**Example** – One of my lecturers is expert in teaching the topic in a nutshell.

**Meaning** – To say in a few words./ To make something concise.

**8. To pour oil on troubled waters**

**Example** – The argument between Jack & David has turned worse, so I tried to pour oil on troubled waters but failed to do so.

**Meaning** – To do or say something in order to make people stop arguing and become calmer.

**9. To move heaven and earth**

**Example** – The ACP ordered the police to move heaven and earth to find the murderer.

**Meaning** – To do everything possible to achieve the result.

**10. Bear the palm**

**Example** – India may bear the palm in the Champions Trophy.

**Meaning** – to win.

*NOTE: Palm leaves were formerly used as symbols of victory.*

**11. To egg someone on**

**Example** – My classmates egged on me to talk with the principal.

**Meaning** – To urge someone to do something that is usually negative.

**12. On the spur of the moment**

**Example** – I decided to go on the spur of the moment.

**Meaning** – Suddenly, without any planning

**13. A man of straw**

**Example** – In today's match, the opponent team members are like men of straw.

**Meaning** – A person or idea that is weak and easy to defeat.

**14. Cut the mustard**

**Example** – Mr. Bansal appointed Rajesh as the project manager, but can he cut the mustard?

**Meaning** – To succeed./ To come up to expectations.

**15. To fish in troubled waters**

**Example** – My uncle is fishing in troubled waters by buying shares of that software company.

**Meaning** – Involving oneself in a difficult situation in the hope of gaining some personal advantage.

☞ "A LITTLE PROGRESS EACH DAY ADDS UP TO BIG RESULTS" ☞