

UNDOING HARMS
The CAA non-discriminatory is the only way to dispel fears

As the Centre tries to fend off criticism that its Citizenship (Amendment) Act excludes Muslims from its beneficial provisions and quell strident protests, it must look for ways to undo the incalculable harm caused by fears set off by the law. Indications that it is open to suggestions on the rules to implement the CAA are welcome. However, these should not be confined to the proposed rules. The government must heed the call for meaningful changes that would dispel fears gripping the country, especially minorities. The stated objective is the fast-tracking of applications from minorities from three Muslim-majority neighbourhood countries for citizenship by naturalisation. Can't this be achieved without violating the Constitution or its secular ideals? A first step would be to further amend the Act, even by an ordinance, to drop its religion-specific wording, and make it explicit that the benefit would be open to all undocumented migrants who can prove persecution in their home countries. For allowing a Hindu, Sikh, Christian, Jain, Buddhist or Parsi to apply for citizenship after staying in the country for six years, there is no need to bar Muslims from making a similar claim. It is only an enabling law and does not oblige the government to grant citizenship to anyone. And Muslims and atheists have been persecuted in these and other countries by authorities and dominant sections.

Regarding others such as Sri Lankan refugees, the legal bar on their applying for citizenship stands out. A 2004 amendment to the citizenship law introduced a clause that 'illegal migrants' will not be eligible to apply for citizenship. The definition of 'illegal migrants' as those who arrived without valid travel documents includes refugees. A provision of the present CAA is to remove this 'illegal' tag from non-Muslim minorities from Bangladesh, Afghanistan and Pakistan. Dropping the reference to 'illegal migrants' will automatically enable any refugee to apply for citizenship, subject to the residential requirement. Therefore, a general enabling provision to allow a relaxation of the minimum residency requirement will serve the purpose of considering citizenship to any persecuted people. This would be non-discriminatory, without obligation to grant citizenship. Finally, India should enact a refugee law wherein the right to live a life without fear or confinement can be protected. If the fear is that people may seek permanent asylum, the UNHCR can work with them officially for their voluntary repatriation, and without rendering long-term refugees ineligible for applying for citizenship. Finally, the government must end the process once the National Population Register is updated. It must give up the notion of a citizenship register. No good will come out of setting off a clamour for inclusion and panic over possible exclusion. That is a pain Indians of all persuasions can do without

Words

Discriminatory
 Dispel
 Beneficial
 Provision

Kind

Adj.
 Verb
 Adj.
 Noun

Meaning

Prejudicial, biased, prejudiced, unjust
 Banish, eliminate, dismiss, dissipate
 Advantageous, favourable, instrumental
 Facilities, services, amenities, equipment

Quell	Verb	Suppress, bottle up, put down, end to
Strident	Adj.	Harsh, raucous, rough, grating, jarring
Set off		Start a process, journey, incident
Grip	Verb	Afflict, affect, take over, based, rack, torment
Naturalise	Verb	Grant citizenship to, enfranchise, citizen ice
Violate	Verb	Contravene, breach, infringe, infract
Explicit	Adj.	Clear, direct, plain, straight forward
Persecution	Noun	Oppression, victimisation, abuse, tyranny
Atheist	Noun	Non believer, non theist, heretic, sceptic, infidel pagal, irreligious, person
Dominant	Noun	Presiding, ruling, governing, ascendant
Amendment	Noun	Revision, alteration, change, modification, adaptation
Migrant	Noun	Immigrant, emigrant, asylum, seeker
Attend upon	Verb	Serve
Enact	Verb	Make law, pass, approve, ratify, validate, sanction, authorize
Confinement	Noun	Imprisonment, internment, incarceration, custody, detention
implement	Verb	Execute, apply, carry out, carry through
Voluntary	Adj.	Optional, discretionary, elective, non-mandatory
Repatriation	Noun	The return of someone to their own country
Render	Verb	Give, provide, supply, contribute, offer
Clamour	Noun	Din, noise, racket, boos, commotion
Inclusion	Noun	Incorporation, addition, insertion, introduction
Panic		Alarm, anxiety, nervousness, in jitters
Persuasions	Noun	Belief, opinion, conviction, certitude

SIGNIFICANT REVERSAL

NCLAT decision to reverse the removal of Mr. Mistry is a setback to Tata Sons

Three years after Tata Sons Limited voted to remove Cyrus P. Mistry from his post as the Executive Chairman of the Tata Group's main holding company, the National Company Law Appellate Tribunal (NCLAT) last week declared his removal "illegal" and ordered his reinstatement. The appellate body's decision to reverse the National Company Law Tribunal's ruling dismissing Mr. Mistry's challenge to his ouster, in October 2016, has far-reaching implications. For a start, the NCLAT has in no uncertain terms held that Tata Sons' "affairs have been or are being conducted in a manner 'prejudicial' and 'oppressive' to members" including Mr. Mistry as also 'prejudicial' to the interests of the company and its group companies. By upholding the appellants' contention that the minority group of shareholders — the 'Shapoorji Pallonji (SP) Group' — had been a victim of 'prejudicial' and 'oppressive' actions undertaken by the majority shareholders of Tata Sons, the NCLAT has struck a blow on behalf of the rights of all minority shareholders. Terming the company effectively a "quasi-partnership-company" — the Tata Group through the Tata Trusts and other Tata entities and family members holds 81% of Tata Sons' effective shareholding while the SP Group owns 18% — the appellate body stressed the need for the Tata holding firm to operate as a "two-group company" that could provide checks and balances in the running of the businesses.

The NCLAT's findings lay emphasis on greater transparency and adherence to governance norms especially in the conduct of affairs at the controlling company of a large diversified conglomerate. Throughout its 172-page ruling, the appellate body has relied extensively on the correspondence between Mr. Mistry and the respondents including his predecessor and interim replacement Ratan Tata, and its findings are hard to fault on facts. That the NCLT had in its ruling dismissing Mr. Mistry's plea made several "disparaging" and "wholly unsubstantiated" remarks against him also attracted censure from the appellate body, which expunged them entirely. The tribunal's language reflecting a predisposition to view the Tata Group in a favourable light points to the pressing need for a more dispassionate judiciary while dealing with corporate misdemeanours. With the Tata Group clear that it plans to challenge the NCLAT verdict, it will be left to the Supreme Court to have the final say on the conclusions of the NCLAT, particularly on the question of whether Tata Sons is in effect a "quasi-partnership". This construct was, after all, the basis for the NCLAT's reasoning that the company had always been run on mutual trust and understanding between the Tata and SP groups — a trust that the appellate body would like to see restored post its ruling.

<u>Words</u>	<u>Kind</u>	<u>Meaning</u>
Declare	Verb	Aver, avow, pronounce, herald
Reinstate	Noun	Restore, put back, replace, reinstall
Appellate	Verb	Appeal, urge, plea
Ouster	Noun	Ejection from a property, deprivation of an inheritance
Implication	Noun	Suggestion, inference, innuendo
Prejudicial	Adj.	Detrimental, damaging, harmful
Oppressive	Adj.	Harsh, cruel, brutal, repressive, tyrannical, ruthless draconian
Appellant	Noun	One who applies to a higher court for a reverse
Contention	Noun	Disagreement, dispute, disputation, argument
Quasi		Supposedly, seemingly, apparently, allegedly
Stress	Verb	Pressure, tension, stain, tightness, tensity
Transparency	Noun	Translucency, lucidity, limpidness
Adherence	Noun	Attachment, commitment, to a person
Conglomerate	Noun	Mixture, mix, combination, mingling, comingling, amalgamation, union
Rely	Verb	Depend, count, bank, bargain, reckon
Extensive	Adj.	Large, large scale, sizeable, substantial
Plea	Noun	Appeal, entreaty, supplication, petition
Disparaging	Adj.	Criticising, derogatory
Expunge	Verb	Erase, remove, delete, efface, wipe out
Disposition	Noun	Temperament, nature, character
Censure	Noun	Broadside, criticism, vilification, denouncement, Denunciation
Predisposition	Noun	Susceptibility, proneness, inclination
Pressing	Adj.	Urgent, critical, crucial, serious
Dispassionate	Adj.	Unemotional, non-emotional, impassive, non-chalant
Verdict	Noun	Judgement, adjudication, finding, pronouncement
Entity	Noun	Existence, being, life, animation

Segregation	Noun	Separation, setting apart, quarantine
Pigeon hole	Verb	Categorize, compartmentalize, classify
Talisman	Noun	Lucky charm, charm, fetish, mascot
Repudiation	Noun	Rejection, denial
Disruptive	Adj.	Trouble making, trouble some, disorderly, undisciplined
Sneak	Verb	Creep, slink, steal, slip, slide, edge
Evade		Evade, elude, avoid, shun
Allegiance	Noun	Loyalty, faithfulness
Machinations	Noun	Tricks, artifice, ruses, plays, manoeuvres

SPECIAL VOCAB

Out and out		Completely
Out right	Adj.	Complete
Out law	Verb	Ban, embargo
Out law	Noun	Criminal, felon, crook
Out shine	Verb	Surpass
Out class	Verb	Surpass
Out do	Verb	Surpass
Outlandish	Adj.	Very bad, a by small, want on
Out cry	Verb	Protest, fulminate
Out cast	Verb	Reject, repudiate, jettison, rebuff
Out cast	Noun	Person of no importance, pariah