



Background Guide

All India Political Parties Meet

Agenda : 2013-2015: Accessing Political Realities, Restructuring Alignments & Forthcoming Challenges to India.

ALL INDIA POLITICAL PARTIES MEET

अखिल भारतीय राजनीतिक दल बैठक

BACKGROUND GUIDE

2013-2015

**ASSESSING POLITICAL REALITIES, RE-
STRUCTURING ALIGNMENTS & FORTHCOMING
CHALLENGES**

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Message from the Executive Board

The committee concept, as earlier stated is one with a continuing timeline being followed between 24th September 2013 and 15th July 2015. The Executive Board, comprising the Speaker, Deputy Speaker, Cabinet Secretary & Editor-in-Chief-ANI shall be responsible for all content in the Background Guide, and may also be contacted at any

point in time for clarifications, if any.

Leaders of different political parties and special invitees are expected to attend the Meet and discuss various issues as notified to them by the Executive Board. Leaders shall be judged not only upon their research, but also political alignments and necessary acumen shown at the meet.

It is hoped that the leaders will be thoroughly researched on all prevalent issues between the dates aforementioned and therefore the Background Guide has been made keeping in mind all possible issues that could be discussed. A humble request from the Executive Board would be to kindly go through the Background Guide in depth to understand necessary perspectives on any given issue. It is also hoped that leaders will be well acquainted with their political interests and shall take decisions in manner best suitable to their political party.

We hope to see a good level of debate at the meet and more importantly, an even better level of political craft since that is what Indian polity is largely about. Sincerely hoping and confident for a memorable conference this year, Jai Hind!

*Kumar Ritwik
Speaker*

*Nivedita Joon
Dy. Speaker*

*Pranay Tuteja
Cabinet Secy.*

*Nimish Sarin
Editor-in-Chief, ANI*

PART-I

SECURITY ISSUES

Muzaffarnagar Riots, 2013

MUZAFFARNAGAR TRAGEDY: THE BEGINNING

Muzaffarnagar- the region that once professed Muslim-Jat harmony being the home region of the erstwhile Prime Minister of India Choudhary Charan Singh erupted in violent clashes between the two communities thrice; June 2012, August 2013 and September 2013. Violent riots of extreme levels began on 27th August 2013.

Though there are many stories over the fact as to why the riots and violence erupted, the accepted fact was that a Muslim youth was stabbed to death in Kanwal village by two young Jats for allegedly stalking their sister. The duo then reached the deceased youth's family to talk to them but was beaten to death by the Muslims. Muzaffarnagar Police registered an FIR against the parents of the duo who killed the youth and themselves got beaten to death. This led to anger within the Jat community as parents of the girl/duo were not even present at the site of killing.

This led to a violent demonstration by the Jats of the towns near Muzaffarnagar which eventually led to an angered mob killing many from the other community, and hence invoking larger response from their side as well.

DAMAGES CAUSED BY RIOTS

According to various estimates, the number of deaths reported during the riots are pegged to be around 60-80 while the injuries are reported to be approximately 100-120. There were more than 1045

arrests by the Muzaffarnagar Police while over 9800 civilians were detained during the brawls.



Around 134 Kachcha houses were demolished, 23 cars and 11 public vehicles burnt with no less than 33 Pakka houses being damaged in the riots that followed the incident.

POLITICS OVER MUZAFFARNAGAR

Political leaders from across the political spectrum exploited and allegedly aggravated or provoked the mobs by speaking in favour of their respective communities. Local leaders of Congress and BSP

spoke in an inflammatory tone just three days after the incident at the Jumma-Friday prayer meeting. Similarly, local BJP leaders addressed a Mahapanchayat called by the Jat community which was named the 'Bahoo Bachao Beti Bhachao Panchayat'. There were allegations on local BJP leaders of having spread a video from Pakistan and provoking the Jats further. FIR was registered against a BJP MLA Sangeet Som and MP Naresh Balyan, but no evidence was found. Later, Naresh Balyan was appointed as a Union Cabinet Minister by the Prime Minister Modi.

The necessary steps of preventing inflammatory speeches and gatherings was avoided by the UP administration with serious repercussions as the farmers returning from the Mahapanchayat were attacked by the Muslims and a localized dispute between private parties snowballed into a full-fledged riot.

ROLE OF THE UTTAR PRADESH GOVERNMENT

After a PIL which was filed against the UP government for not acting wisely in the riots by deploying army swiftly in the affected areas, there have been allegations of the Samajwadi Party government having acted in favour of a particular community to generate a favourable vote bank for themselves.

The Uttar Pradesh government decided to sanction over Rs 6.84 crore as compensation for damages caused to movable and immovable assets during the communal violence in Muzaffarnagar and its adjoining areas.

Approximately 1000 army troops were deployed and curfew imposed for a few days in all affected areas. 10000 PAC personnel, 1300 CRPF troopers and 1200 RAF personnel were deployed to

control the situation at hand.



UBER RAPE CASE, 2015

THE UNFORTUNATE INCIDENT OF UBER RAPE CASE

While returning home from a dinner party in Gurgaon, a 27-year-old woman was allegedly raped by the driver of the cab. She had hired the cab from a reputed company Uber, to return home.

The young woman, who works for a finance company in Gurgaon, was headed back to her home in North Delhi's Inderlok area. En route, the woman dozed off on the back seat of the car only to wake up and notice that they had stopped at a secluded spot. She found that the car doors were locked and upon raising an alarm, the driver thrashed her and then committed rape.

SEARCH FOR THE ACCUSED

Upon receiving the complaint and registration of FIR at a local Delhi Police station, the Delhi Police did spring into action but only after a strong media campaign. A massive search operation involving 12 Delhi Police teams was set up in Delhi-NCR and nearby cities/towns like Mathura and other parts of Uttar Pradesh to nab the accused. Delhi Police also announced a cash reward of ₹1,00,000 for the accused's arrest or any relevant information on his whereabouts.

The accused driver, Shiv Kumar Yadav, was finally was arrested from Mathura in Uttar Pradesh on 7th December by a joint team of Delhi and Uttar Pradesh Police. He was then produced before the Delhi Court on 8th December 2014 with his face muffled amid tight security. The Hon'ble District Court in Delhi sent him to three days of police custody for interrogation. Police custody was granted after accused Shiv Kumar Yadav refused to undergo 'Test Identification Parade'. Yadav, who allegedly raped the woman, was a repeat offender and was also involved in a rape case in the year 2011 as

well for which he spent seven months in jail before an out-of-court settlement was reached.



HIGH COURT JUDGMENT & CONTROVERSY

Delhi police joined the cause with the rape victim against a Delhi High Court's order to recall and examine 13 prosecution witnesses, including the victim, on a demand made by the accused. Delhi Police had sought dismissal of the Hon'ble High Court order on the grounds that it would further cause harassment to the victim.

Hon'ble Supreme Court of India, more than one month after the controversial order by the High Court of 5th March, stayed the High Court order as well as the rape trial, while restraining the media from

reporting testimonies so far given by any of the 13 witnesses on the basis of the order of 5th March by Delhi High Court.

The Delhi Transport Department of the Govt. Of Delhi rejected the license applications of Uber and its home-grown rivals Ola and TaxiForSure on 2nd June 2015, saying that they continued to operate illegally throughout the period when their applications were pending for approval.

PART-II

ECONOMIC ISSUES

GOODS AND SERVICE TAX BILL, 2015

GST is one of the main items on the finance agenda of the Union Government of India. Under the aegis of Finance Minister Mr. Jaitley, its implementation has reported a projected growth of over 1-1.5% in the GDP. The Bill, being the One Hundredth and Twenty Second Constitutional Amendment Bill requires a 2/3rds majority in both Houses of the Parliament to be passed; making it a huge problem for the ruling NDA coalition since it does not have the required numbers in the Rajya Sabha even if it arranges for so in the Lok Sabha.

IMPACT OF GST

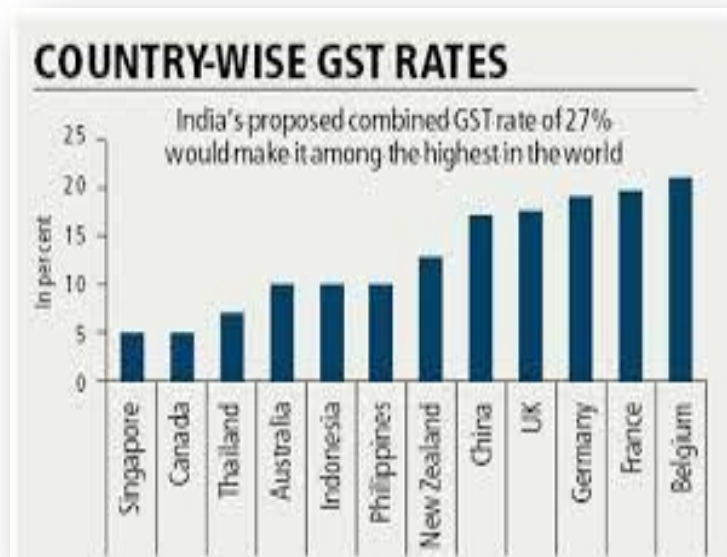
- i.) Adds a new Article in the Constitution to make taxation on goods & services a concurrent power of the Centre & state.
- ii.) GST will cut down the large number of taxes imposed by the Union Govt. of India and State governments.
- iii.) GST will lead to a larger unified market, which would facilitate seamless movement of goods across states and reduce the transaction cost of businesses.
- iv.) GST will dissolve taxes like custom, entertainment tax, sales tax, electricity duty, luxury tax, lottery tax and VAT into one single tax.
- v.) Helps corporate houses by simplifying taxation and helps bring transparency in the tax process.
- vi.) Creation of a GST Council that is tasked with the purpose of

optimising tax collection for goods and services by the Centre & states. It shall decide upon the taxes to be levied upon by the Centre and the states and local bodies, and the basis and rates at which GST shall be applied.

ISSUES OF GST

Because of the federal structure in India, the single unified structure of taxation shall be more like a 5-layered mechanism, and may ultimately defeat the purpose of GST that is to simplify tax regime prevalent in the country today. Instead, this may create further chaos and disorder.

Rate of GST is another issue in question since it is yet to be decided by the GST council. A higher rate of such a tax would mean the risk of a higher inflation.



Govt. Of India faces a dilemma that makes it hard to implement or plan the implementation of the GST. GST will automatically lower the

revenue earned by the Union Govt. and at the same time, may also impact certain states who are apprehensive about the rollback of the Central Sales Tax. Under various meetings of the NITI Aayog, Gujarat, Maharashtra and Tamil Nadu representatives have shown apprehension towards such a drastic step.

Present average of indirect taxation in India is about 17.2% according to various economic studies, and lowering it would prove to be a difficult task at hand at the moment.

BLACK MONEY ISSUE, 2014-15

BLACK MONEY

Black money is tax-evaded income. It can be earned both through different means. Its most common source is that the income-earners do not reveal their whole income for tax purposes.

AMOUNT IN MARKET

The total amount of black money deposited in foreign banks by Indians is unknown. Some reports claim a total exceeding US\$12.4 trillion are stashed in Switzerland and other safe tax havens like Mauritius, Lithuania and Singapore. Other reports, including those

reported by Swiss Bankers Association and the Government of Switzerland, claim that these reports are false and fabricated, and the total amount held in all Swiss banks by citizens of India is about US\$2 billion.

GOVERNMENT ACTION ON BLACK MONEY

The BJP government led by Narendra Modi made black money a major election issue during campaigning going to the extent of saying that Rs. 15,000 would be deposited to every individual's account if black money were to be recovered with BJP-led government at helm. After forming the Government at the Centre, Cabinet's decision in the maiden meeting was to form a high-profile SIT to unearth illicit money. The SIT is headed by former Supreme Court judges MB Shah and Arijit Pasayat, and includes the highest-level officials from financial and economic departments as well as law enforcement agencies.

The Centre on 17th October, 2014 told the SC that it could not disclose the names of those who have deposited money in banks abroad as it would jeopardise tax agreements with nations providing those names to India. This echoes the line taken by the previous UPA government, which the BJP had slammed over alleged inaction on the issue and made it into an election issue earlier last year.

On the other hand, Finance Minister Arun Jaitley on 18th October 2014 said that Switzerland had agreed to share information related to HSBC and Liechtenstein lists of account holders, provided there is independent evidence collected by Indian authorities.

Finally on 27th October 2014, the government named seven persons and a company facing prosecution for keeping illegal wealth in foreign banks. Those named in a government affidavit were Pradip

Burman of the Dabur group, Rajkot-based bullion trader Pankaj Chimanlal Lodhya and directors of Goa-based mining company Timblo Private Limited — Radha Satish Timblo, Chetan S Timblo, Rohan S Timblo, Anna C Timblo and Mallika R Timblo. Timblo Private Limited, a firm identified by Association for Democratic Reforms as a donor to both the BJP and the Congress, was also named.

Hon'ble Supreme Court directed the government on 28th October 2014 to submit to it the names of all foreign bank account holders by the next hearing scheduled for 29th October 2014. On the next day, the government submitted a list of 627 Indians holding accounts in HSBC Bank, Geneva, to the court, which directed the SIT to examine them and take appropriate action. However, the court refused to open the envelope containing the names of black money holders.

UNDISCLOSED FOREIGN INCOME & ASSETS ACT, 2015

During the Parliament's annual budget session, the government introduced the Undisclosed Foreign Income and Assets (Imposition of Tax), Bill 2015. The Bill was passed by both the houses of Parliament with oppositional support and received the President's assent soon after. The law provides for separate taxation of any undisclosed income in relation to foreign income and assets. Such income will henceforth not be taxed under the Income-tax Act but under the stringent provisions of the new legislation.

The act taxes the undisclosed foreign income or assets at a flat rate of 30 per cent while levying a penalty at the rate of 90 per cent of the undisclosed income or asset, 3 times the amount of the tax payable ordinarily.

The law also provides a one-time compliance opportunity for all those who have stashed black money abroad. However, this opportunity does not provide immunity from penalty. It also

provides stringent action against offenders, including rigorous imprisonment of 3 years-10 years.

CRITICS OF THE ACT

Although foreign tax evasion is a significant problem, there is no law regarding domestic tax evasion. The law also does not provide a foolproof mechanism to actually retrieve the black money stashed abroad. Lastly, many activists feel that there has been no action taken to curb the use of black money in politics and in the real estate business.

LAND BILL ISSUE, 2014-2015

ORIGINS

Land Acquisition literally means the acquisition of land for some public purpose by a government agency from individual landowners, as authorised by the law, after paying a government-fixed compensation to cover losses incurred by landowners from surrendering their land to the concerned government agency.

LAND ACQUISITION ACT, 1894

This act is a British era law which governed the process of land acquisition in India till 2013. The Land Acquisition Act, 1894 was created with the purpose of facilitating acquisition by the government of privately held land for public purposes. The word “public purpose”, as defined in the act, refers to the acquisition of land for constructing educational institutions or schemes such as

housing, health or slum clearance, as well as for projects concerned with rural planning or formation of sites. It is not necessary that all the acquisition has to be initiated by the government alone. Local authorities, societies registered under the societies registration act, 1860 and co-operative societies established under the co-operative societies act can also acquire the land for developmental activities through the government.

Under this Act, the government could acquire any land as it wishes to, in the name of “public purpose”. The British had never defined the words “public purpose” in a straightforward manner, which meant that in theory as well as in practice, a government could acquire land for any purpose they wanted, and term their purpose “public purpose”.

After independence, this practice continued whereby Indian governments, both at the central and at the state level, acquired large amounts of land for various kinds of development and infrastructure projects, such as roads, highways, ports (air and sea), power projects (thermal, hydro and nuclear) etc. During 1947 till 1991, most of these acquisitions had been done by agencies or units in the public sector. After 1991, when liberalization had taken place, most of the land acquisition was done by the government to provide land for the private sector, either for private sector projects (infrastructure projects like power, roads etc.) but also for housing projects.

There were many issues raised against such land acquisition:

- a) No one, be it the land owners whose land was acquired (mostly farmers), nor those who may not have owned the land but whose occupations were dependent on the land acquired (mostly agricultural labourers), were compensated monetarily or otherwise as per this Act. No attempt was made for the

rehabilitation or resettlement of those who had been affected by such land acquisition either.

b) There was no requirement of any prior consent of the affected parties (those who will lose their land and/or their occupation or be affected by the pollution or environmental impacts of these infrastructure projects in future as they live nearby) for constructing any of these projects.

c) Also, land could be acquired with just a notice by the Collector within a very short time frame where people who would be affected neither had a chance necessarily to challenge the acquisition legally, nor had a chance to find some alternate occupation or arrangements for their own. The government could acquire land in a manner it deemed fit.

d) Most of the land was acquired in the name of India's development, but the local people found very little stake or benefits in the project. Not only were they not given much compensation or rehabilitated, they also did not get employment opportunities (which in many cases were promised to them) in the name of development of the area. In many cases, educated people from outside were able to get these jobs, while the local people did not get any kind of benefit.



Once liberalization came in, companies which used to spend on health and education in the name of Corporate Social Responsibilities (CSR) outside the areas affected by their projects were not willing to spend on health and education of those affected by their own projects. The local people also did not receive any training in many cases to be fit to be employed in these development projects, either by the government or the project-owner (be it private or public).

*RIGHT TO FAIR COMPENSATION AND TRANSPARENCY
IN LAND ACQUISITION, RESETTLEMENT AND
REHABILITATION ACT, 2013*

Background of Act

Land Acquisition Act of 1894, like many other legislations of the past colonial rule gradually became obsolete in its nature and implementation. One of the major concerns was that though the Act specified the measures by which land could be acquired but it refused to address the issue of fair compensation when private land was acquired for public use or even fair rehabilitation of land owners who were directly affected from loss of livelihoods. Hence the Government of India under Prime Minister Manmohan Singh introduced the Bill in the Parliament in the year 2011, having introduced two Bills on similar lines in the year 2007 which had lapsed with the dissolution of the 14th Lok Sabha. As is always the case, the Bill was met with strong protests from allies and opposition and was dubbed as being 'anti-industrialists' in nature.

Basis of the Act & its various provisions

The Standing Committee on Rural Development, chaired by Smt. Sumitra Mahajan submitted its report on May 17th, 2011 and the list included the following suggestions/advisories:

1. The term “public purpose” in the Bill includes specific government projects which benefit the public as well as provision of public goods and services by private companies or public-private partnerships (PPPs). The Committee recommended that land may not be acquired for use by private companies and PPPs. The Committee recommended including “infrastructure projects” within the definition of public purpose.
2. The Bill defines “infrastructure projects” to include projects related to generation of electricity, telecommunication services, roads and highways, water supply, and other projects that may be

notified by the government. The Committee felt that the Bill gives wide discretion to the government in notifying any project as infrastructure project and this Clause should be deleted.

3. The Bill requires that rehabilitation and resettlement (R&R) should be provided by private companies if they purchase land equal to or more than 100 acres in rural areas and 50 acres in urban areas through private negotiations. The Committee recommended that since sale and purchase of land is a state subject, the threshold for R&R provisions shall be fixed by the states and not the central government.

4. The Committee recommends that the Bill should not allow for acquisition or alienation of land of Scheduled Areas (Schedule V and VI). If unavoidable, there should be increased compensation and R&R benefits provided for acquisitions in such areas.

5. A maximum of five per cent of irrigated multi-cropped land may be acquired in a district, with certain conditions. The Committee recommended that this restriction should also apply to any land under agricultural cultivation. Also, the percentage restrictions should be fixed by the state governments.

6. The Bill exempted 16 existing legislations that provide for land acquisition. The Committee recommended that no central act should be exempted from the provisions of this Bill and necessary amendments should be brought in those Acts to bring them at par with this Bill.

7. The Bill provides a consultation process with Gram Sabhas at certain stages (SIA, preliminary notification, R&R). The Committee expands the scope to include other decision points (compensation awards, disputes, etc.) and requires consent instead of consultation.

8. The Bill requires the Collector to determine the market value based on certain specified parameters. The Committee

recommended that the appropriate government should constitute a multi-member land pricing commission or authority to finalise the cost of land acquisition state wise/area wise. Also, 12 per cent interest per annum should be paid in addition to the compensation from the date of the notification till the date of the award.

9. The Committee also recommended that in cases of urgency it should be clarified that the extra compensation would be 75 per cent of the total compensation package.

10. The Bill stated that if an acquired land is left unutilised for a period of 10 years from the date it was acquired, it shall be returned to the Land Bank or the appropriate government. The Committee recommended that this period should be reduced to five years and if left unutilised, the land should be returned to the land owners.

11. The Bill proposed that the Schedules in the Bill could be changed by a notification given by the government. The Committee suggested that this should be done only by amendment Bills brought in the Parliament.

12. The Committee recommended that the monetary components in the R&R entitlements given in Schedule II in the Bill should be inflation indexed. It also recommended that the minimum infrastructure at R&R sites shall be decided on a case by case basis.

Following is the summary of provisions that the Land Bill of 2013 held:

- a. Compensation will be given as twice the market value of the land acquired in the rural areas and four times the market value in urban areas.

- b. Developers to get the consent of atleast 80%of people whose land is acquired for private projects. For Public Private Partnership (PPP) projects, the approval of 70 per cent of land owners is mandatory.



- c. Multi-cropped, irrigated land cannot be acquired unless it is for defence or emergency caused by natural calamity
- d. Land should be returned to original owner if not used in five years for the purpose for which it is acquired, subject to the refund of one-fourth of the compensation amount with interest from date of payment
- e. The government will not acquire land for private companies for private purpose
- f. The Bill mandates social impact assessment when government proposes acquisition of land over 40.46 ha, which should be conducted in consultation with the Gram Sabha (village council). It also provides for the appointment of an administrator for rehabilitation.

Although the bill was passed with an overwhelming majority in both the houses of Parliament, the bill has been criticised by industrialists claiming it to be both anti-development and anti-farmer. Some of the problems with the bill are regarding the practicality of 80% consent of the affected families, and the return of the acquired land after 5 years if the land is unused.

*RIGHT TO FAIR COMPENSATION AND TRANSPARENCY
IN LAND ACQUISITION, REHABILITATION &
RESETTLEMENT ACT, 2015*

In 2015 ,the new Narendra Modi led BJP government came up with

the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Second Amendment) Bill. It was introduced in the Lok Sabha by the Minister for Rural Development, Mr. Birender Singh on May 11, 2015. The Act outlines the process to be followed when land is acquired for a public purpose.

Key changes made by the Bill are:

1. **Removal of 'consent' clause:** As per the UPA law, land could be acquired only with approval of 70% of land owners for PPP projects and 80% for private entities. However, the amendment, brought in by the NDA removed this provision of 'consent' for acquiring lands for five purposes – Industrial corridors, Public Private Partnership projects, Rural Infrastructure, Affordable housing and Defence. This has drawn much of the criticism not only from political circle but also from activists like Anna Hazare who had launched a mass protest against the bill.

2. **Return of unutilized land:** According to the Act 2013, if the land remains unutilised for five years, then it needs to be returned to the owner. But according to the ordinance promulgated by the NDA government, the period after which unutilised land needs to be returned will be five years, or any period specified at the time of setting up the project.

3. According to the 2013 Act, land can be acquired by any private company. But according the recent ordinance, land can be acquired by **any private entity**. A private entity is defined as an entity other than a government entity, and could include a proprietorship, partnership, company, corporation, non-profit organisation, or any other entity under any other law.

4. As per the new law, if any government official commits an offence during the process of acquisition, he/she cannot be prosecuted without prior sanction from the government.

5. The amendments propose to include 13 legislations that are currently exempted under the purview of the Act in the compensation, rehabilitation and re settlement provisions. This is, however, seen as a pro-farmer move as there was no uniform central policy of rehabilitation and resettlement.

6. The Bill mandates that employment be provided to at least one member of a family of farm labourers as a part of the R&R entitlements provided under the Act. It also requires that the government conduct a survey of wasteland, and maintain a record of this land.

7. The Act establishes a Land Acquisition, Rehabilitation and Resettlement (LARR) Authority to dispose disputes related to awards made under the Act. The Bill mandates that the hearing of the LARR Authority be held in the district where land is proposed to be acquired.

SUPPORT FOR THE ACT

Ever since this government came to power, Prime Minister Narendra Modi has been vigorously campaigning for the 'Make in India' vision which aims to boost domestic manufacturing. Though Modi is wooing the foreign companies to invest in India, land acquisition is a major problem for these firms with many of them dropping their

investment plan over the past few years.



Though there are suggestions from some corners that the industrial enterprises should purchase land directly from farmers, it doesn't seem feasible in India as the records of land holding cannot be easily verified in the country. This may open the possibility of disputes after the purchase. However, the government mediation in the transfer of land has not proved fully successful to compensate and rehabilitate the displaced people. The draft of the government's National Policy for Rehabilitation states that around 75% of the displaced people since 1951 are still awaiting rehabilitation.

According to Finance Minister Arun Jaitley, the bill was aimed at speeding up development in five areas: **development of industrial corridors, social infrastructure such as education, rural infrastructure such as roads and power, housing for the poor, and the country's defense capabilities.** The bill makes land acquisition easier in these areas by exempting them from several provisions of current law.

OPPOSITION TO THE ACT

The legislation has come under major criticism from opposition parties, calling the bill anti-farmer and pro-corporate. The congress-led opposition also held mass protests against government's bill by carrying out farmers rallies in the capital.

Some of the NDA allies have also come against the bill. The Shiv Sena has made it clear that it will strongly oppose the bill. The BJD has come up with a suggestion that it would support the bill if land owners whose land was sought to be acquired for commercial enterprises, public as well as private, were given a share in the profit.

Parties like the TMC, CPI(M), JD(U) and the AAP have also strongly criticised the bill.

Ambiguities over the Bill have increased since the Government of India has seemed reluctant to debate the matter on media. A long drawn comparison to the Modi Sarkar being one of 'Suit-Boot ki Sarkar' has readily increased after the Opposition stepped up their protests.

Farmer organisations affiliated to the RSS, like the Bharatiya Kisan Sangh have ordered gheraoes of Government leaders' houses and blocked roads to protest and express their concerns over the Bill.

PART-III

DOMESTIC ISSUES

WHAT IS SAFFRONISATION?

Saffronisation is a term used in the Indian polity jargon by critics to

refer to the policies of the right-wing Hindu nationalists that seek to recall and glorify ancient Hindu history.

While the Rashtriya Swamayamsevak Sangh (RSS) has never deviated from its core ideology of Hindutva, it is the systematic attempt of rewriting history with saffron ink through its vast network of educational institutes like Vidyabharti, one of the largest chain of private schools in India, catering mainly to lower middle classes; Vanvai Kalyan Ashram (VKA) which specialises in hostels for Adivasi children along with other activities and Ekal Vidyalaya Foundation, which runs single pre-school teacher centres, where students are taught basic reading and writing of Sanskrit and Sanskrit behaviours, is a clear indicator of RSS's slow but deliberate attempt of "saffronising" the education system of the country.



HRD MINISTRY APPOINTMENTS

HRD Ministry's approval of creation of the Bharatiya Shiksha Niti Ayog (BSNA), which is full of members from the RSS affiliated Shiksha Sanskriti Utthan Nyas, that is mandated to "suggest corrective steps" to "Indianize" the education system, which will be headed by

the controversial Dinanath Batra, the same person who advised Madhya Pradesh Chief Minister Shivraj Singh Chouhan to remove sex education from the state curriculum and got Penguin to pulp Wendy Doniger's book "The Hindus: An Alternative History", suggests how the BJP-led Government of Narendra Modi is adamant on controversial decisions like these.

Murli Manohar Joshi, the then HRD minister, went all out to saffronise the education system by bringing changes in NCERT text along with huge changes in the reconstitution of major educational bodies like Indian Institute of Advanced Studies, the NCERT and the Indian Council of Historical Research to include members having pro BJP/RSS stand in the first term in 1998-2004.

HRD MINISTRY'S STANCE

Smt. Smriti Irani has categorically stated that reading ancient texts and scripts has no communal aspect to it, but opposition alleges that the agencies and institutions propagating the move are the one that need to be scrutinised.

HRD minister Smriti Irani has denied all allegations that education was being saffronised after her recent decision to remove German and replace it with Sanskrit as the third language for students studying in Kendriya Vidyalayas. She defended her decision, saying that the teaching of German under a Memorandum of Understanding (MoU) signed in 2011 had been in violation of the Constitution.

Call it saffronisation of education, communalisation of education or politicisation of education, the basic fact remains that young minds are increasingly becoming laboratories for fundamentalists and extremists propagating their views and ideologies, while the

innocent minds get fashioned in the beliefs which are inculcated in them and the result is creation of a generation which is fed half-baked truths, misrepresented facts and distorted history.

CONSTITUTIONAL & ADMINISTRATIVE CHAOS IN DELHI

2013 ASSEMBLY ELECTIONS OF DELHI

The 15-year rule of the Congress in Delhi came to an end with the results of the 2013 Delhi Assembly elections being announced.

Though the results resulted in a hung assembly with no single part winning a clear majority, the elections gave rise to the prominent position played by the debutant Arvind Kejriwal-led nascent Aam Aadmi Party (AAP).

Kejriwal's singular victory in the New Delhi constituency, coupled with the 28 Assembly constituencies that it bagged, did surprise all political rivals including the Congress and the BJP. Having promised not to accept support from any political party, the AAP led by Arvind Kejriwal backtracked and accepted support from the Indian National Congress and finally formed the Government.



RESIGNATION OF AAP GOVERNMENT IN 2013

Arvind Kejriwal resigned as Chief Minister of Delhi on 14th February 2013 frustrated by obstacles put in the way of Jan Lokpal Bill. The Jan Lokayukta bill would have set up an ombudsman with the power to investigate politicians and civil servants. Kejriwal had wanted it to be passed in the Delhi assembly in the coming days, but the Congress and the Bharatiya Janata Party (BJP) thwarted him, arguing that it must be approved by the central government first.

Kejriwal announced he was standing down after a chaotic stand-off that had paralysed the Delhi assembly through the day, with lawmakers bawling at each other and some trying to snatch the microphone of the legislature's speaker.

PRESIDENT'S RULE IN DELHI

Delhi came under a spell of President's Rule, 60 hours after Arvind Kejriwal resigned from the Chief Minister's post. Acting on the advice of the Lieutenant General of Delhi and erstwhile Delhi CM who proposed to keep Assembly in suspended animation, President Pranab Mukherjee approved a resolution imposing central rule in the capital. President's Rule continued for around 9 months paving way for a 7th February elections to the Assembly.

ELECTIONS TO THE DELHI ASSEMBLY IN 2015

Delhi Legislative Assembly election was held on 7 February 2015 to elect 70 members. The results were announced on 10 February 2015 and the Aam Aadmi Party received a thumping majority and a crystal clear mandate of 67 seats in Delhi.

AAP with its clear majority formed its government again with Arvind Kejriwal as the CM, Manish Sisodia as the Deputy CM and five other Ministers to run the semi-state.



TURF WAR: ARVIND KEJRIWAL – NAJEEB JUNG

Lieutenant Governor and Chief Minister of Delhi had a stand-off over his decision to appoint IAS officer Shakuntala Gamlin as acting Chief Secretary.

Mr Kejriwal has cited rules under the Constitution, which, he alleged, the Lieutenant Governor had bypassed. The new order came after the Lieutenant Governor wrote to the Delhi Government saying its decision to remove an officer and appoint another were "void" as he had not cleared it.

.The officer who was removed, Principal Secretary Anindo Majumdar, was locked out of his office on the Chief Minister's orders.

TRAGEDY AT AAP RALLY

On April 29 2015, a farmer from Rajasthan Shri Gajendra Singh committed suicide by hanging himself from a tree at the public rally of the Aam Aadmi Party. In full view of the thousand volunteers of the Aam Aadmi Party and leaders present on the dias, the live suicide drama was played out on media cameras but no one made an attempt to talk him out of the extreme step.

A rich farmer, Gajendra Singh tried his hand at politics unsuccessfully twice – in 2008 and 2013 -- to fight the assembly elections as a Samajwadi Party candidate. After that, he wanted to join the Aam Aadmi Party (AAP).

A purported suicide note left by Gajendra said he had lost his crop in last month's untimely rain and hailstorm. But local officials said crop loss in the Baswa tehsil, under which falls Gajendra's village, had been between 20-25%, far less than the damage in many other parts of Rajasthan.



AAP leaders accused the Police for not taking actions when they saw him on the tree whereas the Delhi Police complained that the AAP volunteers tried to provoke him to commit suicide. Shockingly, the leaders at the rally including the Delhi CM Kejriwal continued with their speeches even after the death of the farmer.

Kejriwal and AAP was accused of being inhumane and continuing the rally even after an untoward incident of such level having taken place at the place.

TELANGANA STATEHOOD, 2013

ORIGINS OF THE MOVEMENT

This was a people's movement for the creation of a new state of Telangana from the existing state of Andhra Pradesh in

South India. The proposed new state corresponds to the Telugu-speaking portions of the erstwhile princely state of Hyderabad.

In December 1953, the States Reorganization Commission was appointed to prepare for the creation of states on linguistic line.

The commission, due to public demand, recommended disintegration of Hyderabad state and to merge Marathi speaking region with Bombay state and Kannada speaking region with Mysore state.

The States Reorganisation Commission (SRC) also discussed pros and cons of the merger of Telugu speaking Telangana region of Hyderabad state with Andhra state. Discussing the case of Telangana, paragraph 378 of the SRC report said "one of the principal causes of opposition of Vishalandhra also seems to be the apprehension felt by the educationally backward people of Telangana that they may be swamped and exploited by the more advanced people of the coastal areas." In its final analysis, SRC recommended against the immediate merger. In paragraph 386, it said "After taking all these factors into consideration we have come to the conclusions that it will be in the interests of Andhra as well as Telangana, if for the present, the Telangana area is to constitute into a separate State, which may be known as the Hyderabad State with provision for its unification with Andhra after the general elections likely to be held in or about 1961 if by a two thirds majority the legislature of the residuary Hyderabad State expresses itself in favour of such unification."

But even after going through the recommendations of the SRC, the then Central Government led by Jawaharlal Nehru decided to merge Andhra state and Telangana to form Andhra Pradesh state on 1st November 1956 after Potti Sriramulu died fasting for the Vishalandhra.

VIEWS OF POLITICAL PARTIES:

In 1997, the state unit of the Bharatiya Janata Party (BJP) passed a resolution seeking a separate Telangana.

In 2000, Congress party MLAs from the Telangana region who supported a separate Telangana state formed the Telangana Congress Legislators Forum and submitted memorandum to their president Sonia Gandhi requesting her support to Telangana state.



A new party called Telangana Rashtra Samithi (TRS), led by Kalvakuntla Chandrashekar Rao (KCR), was formed in April 2001 with the single-point agenda of creating a separate Telangana state with Hyderabad as its capital.

In 2001, the Congress Working Committee sent a resolution to the NDA government for constituting a second SRC to look into the Telangana state demand. In April 2002, Advani wrote a letter to MP A. Narendra rejecting the proposal explaining that "regional disparities in economic development could be tackled through planning and efficient use of available resources".. However in 2012, Advani said that if their then partner TDP cooperated during NDA tenure, a separate state of Telangana could have been created.



.SRIKRISHNA COMMITTEE REPORT

The Srikrishna Committee headed by former Chief Justice B. N. Srikrishna toured all the regions of state extensively and invited people from all sections of the society to give their opinion on the statehood. It received over one lakh petitions from organisations, NGOs and individuals. It also held consultations with political parties and general public while also factoring in the impact of recent developments on different sections of people such as women, children, students, minorities, Other Backward Classes, Scheduled Castes and Scheduled Tribes.

The report discusses six solutions to the problem, the preferred option being keeping the State united by simultaneously providing certain definite constitutional and statutory measures for socio-economic development and political empowerment of Telangana region through the creation of a statutorily empowered Telangana Regional Council. The second best option is bifurcation of the State into Telangana and Seemandhra as per existing boundaries, with Hyderabad as the capital of Telangana and Seemandhra to have a new capital.

THREAT FOR A TELANGANA MARCH

After setting 30TH September as the deadline for the Centre to announce the formation of Telangana, the TJAC threatened to organize a 'Telangana March' in Hyderabad on the lines of the 'Dandi March'. Anticipating violence and possibility of attack on properties of Andhraites, the Police began checking buses and trains entering the city and students who tried to enter the city to participate in the protest were sent back. They identified troublemakers and arrested certain pro-Telangana activists throughout the Telangana region. Police said that there were intelligence reports that the protestors could attack properties of people of Seemandhra.

On 30th September, the day of the march, Police closed the gates and blocked students at the Osmania University gate and other protestors at several places in the city when they were proceeding in rallies towards the March venue. Congress MPs from Telangana were arrested in front of Chief Minister's office when they staged a dharna as they were not allowed to meet him over the detention of their party supporters who were stopped from reaching the venue.

GOVERNMENT DECISION ON TELANGANA

After several years of protests, demonstrations and bandhs, the UPA government decided to bifurcate the existing Andhra Pradesh. The Union Cabinet on 7th February 2014 unilaterally cleared the Bill for the creation of Telangana, clearing the way for its introduction in Parliament. On 18th February, Lok Sabha passed the Bill with Voice Majority. Subsequently, the bill was passed by Rajya Sabha on 20th February 2014.

As per the bill, Hyderabad will be the capital of Telangana while the city would also remain the capital of residual state of Andhra Pradesh for no more than ten years.

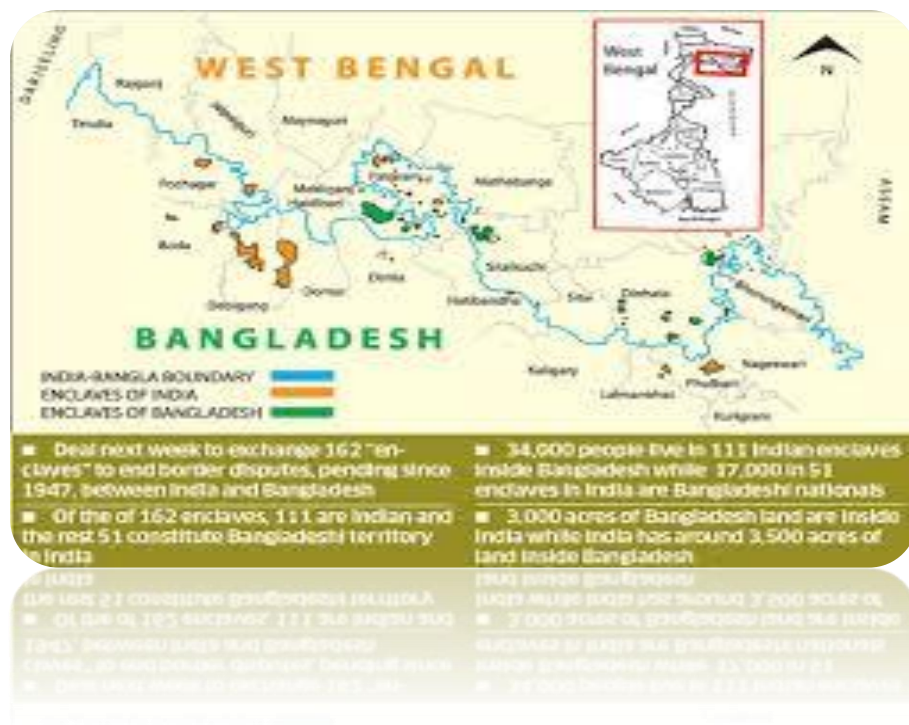
PART-IV

FOREIGN AFFAIRS

HISTORICAL SIGNIFICANCE BEHIND THE AGREEMENT

As per a Treaty signed between both the Prime Ministers Indira Gandhi and Sheikh Mujib-ur-Rehman on 16th May 1974, India and Bangladesh were to hand over the sovereignty of the Tin Bigha Corridor and South Berubari to each other; thereby allowing access to the Dahagram–Angarpota enclaves and the Indian enclaves adjacent to South Berubari. Bangladesh did hand over the sovereignty of the smaller South Berubari to India instantly in 1974.

India, however, could not transfer the Tin Bigha Corridor to Bangladesh as it required constitutional amendment which could not be done due to political reasons.



After much Bangladesh government protest, India, instead of

handing over sovereignty in 2011, proposed to lease the Tin Bigha Corridor to Bangladesh for a certain time. South Berubari, meanwhile, would remain in the possession of India.

The total area of South Berubari Union No. 12 is 22.58 km². Of which 11.29 km². was to go to Bangladesh. The area of the four Cooch Behar enclaves which would also have to go to Bangladesh was 6.84 km². making the total area to be transferred 18.13 km². The population of the area including the four enclaves to be transferred, as per 1967 data, was 90% Hindu. The Bangladesh enclaves like Angorpota, were to be transferred to India. Their total area was 18.68 km². and as per 1967 data more than 80% of their population was Muslim. If this exchange had gone through, it would have meant a change of nationality for the population or migration of the population from Dahagram and Angorpota and South Berubari Union No. 12 and consequent serious rehabilitation problems. There were in any case major agitations by the people of Berubari protesting against the transfer.

After 1971, India proposed to Bangladesh that India may continue to retain the southern half of South Berubari Union No. 12 and the adjacent enclaves and, in exchange, Dahagram and Angorpota may be retained by Bangladesh. As part of the package a strip of land would be leased in perpetuity by India to Bangladesh, giving her access to Dahagram & Angorpota in order to enable her to exercise sovereignty on these two enclaves. This was accepted by Bangladesh as part of a carefully constructed Land Boundary Agreement signed by Prime Minister Indira Gandhi and Prime Minister Sheikh Mujibur Rahman on May 16, 1974.

ACTION ON THE PROMISES: 41 YEARS TOO LONG?

- i.) The list of enclaves was prepared in 1997 by both nations.
- ii.) Two Joint Boundary Working Groups were formed to work out the details of enclaves in 2001. The joint census was carried out in May 2007.
- iii.) In September 2011, India signed the Additional Protocol for the 1974 Land Boundary Agreement with Bangladesh. Both nations announced an intention to swap 162 enclaves, giving residents a choice of nationality.

Under the agreement, India will receive 51 out of the 71 Bangladeshi enclaves that are inside India proper while Bangladesh will get from 95 to 101 of the 103 Indian enclaves that are inside Bangladesh proper. India will also acquire 2777.038 acres adverse possession areas and transfer 2267.682 acres adverse possession areas to Bangladesh. According to July 2010 joint census, there were 14,215 people residing in Bangladeshi enclaves in India and 37,269 people residing in Indian enclaves in Bangladesh.

CONSTITUTIONAL MODALITIES

The Constitution (119th Amendment) Bill, 2013 was introduced to the Upper House of Parliament of India on 18th December 2013. The parliamentary panel, Standing Committee on External Affairs, approved the bill in November 2014. The Rajya Sabha approved the constitutional amendment on 6th May 2015, and the Lok Sabha approved it the following day. President of India Shri Pranab Mukherjee gave his assent to the Act on 28th May 2015.

On 6th June 2015, Indian Prime Minister Narendra Modi ratified the agreement during his visit to the Bangladeshi capital of Dhaka. In the presence of Modi and Bangladeshi Prime Minister Sheikh Hasina, the foreign secretaries of the two countries signed the instruments of the land exchange. Under this agreement, India will get 51 Bangladeshi enclaves (spread over 7,110 acres) in the Indian mainland, while Bangladesh will get 111 Indian enclaves (spread over 17,160 acres) in the Bangladeshi mainland. According to the agreement, the people living in these enclaves without a nationality will be allowed to choose their nationality.

FOREIGN TRIPS' CONTROVERSIES, 2014-2015

FOREIGN TRIPS BY THE PRIME MINISTER

Narendra Modi has been quite active on foreign policy matters visiting various countries in his first year of Prime Ministership, making a total of 21 visits for bilateral meetings and multilateral meetings to 20 countries.

SUMMARY OF FOREIGN TRIPS

<u>COUNTRY</u>	<u>DATES</u>
Bhutan	16 th -17 th June 2014
Brazil	13 th -16 th July 2014
Nepal	3 th -4 th August 2014
Japan	30 th August-3 rd September 2014
United States of America	26 th -30 th September 2014
Myanmar	11 th -13 th November 2014
Australia	14 th -18 th November 2014
Fiji	19 th November 2014
Nepal	25 th -27 th November 2014
Seychelles	10 th -11 th March 2015
Mauritius	11 th -13 th March 2015
Sri Lanka	13 th -14 th March 2015
Singapore	29 th March 2015
France	9 th -12 th April 2015
German	12 th -14 th April 2015
Canada	14 th -16 th April 2015
China	14 th -16 th May 2015
Mongolia	16 th -17 th May 2015
South Korea	18 th -19 th May 2015
Bangladesh	6 th -7 th June 2015

FUTURE TRIPS LINED UP

<u>COUNTRY</u>	<u>DATES</u>
Russia(BRICS Summit)	7 th -10 th July 2015
Turkmenistan	11 th July 2015
Kazakhstan	July 2015
Tajikistan	July 2015
Uzbekistan	July 2015
Kyrgyzstan	July 2015
Turkey	15 th -16 th November 2015
Israel	November 2015
Palestine	November 2015
Malaysia	21 st -22 nd November 2015
Singapore	November 2015
Russia	November 2015

OPPOSITION

Opposition has cried foul over such trips as having spent too much public money on such trips that have yielded no results according to

them. According to the Opposition MPs, there have been claims of spending of about \$10bn solely on 5-6 foreign trips of the Prime Minister which caused a brief outrage in the country.

Opposition has also raked up the issue of PM Modi's visits at times. "When the country was suffering from a thunderstorm and drought, how could the Prime Minister leave us in distress and go abroad?" is what one farmer said.



GOVERNMENT STAND

Government of India and all spokespersons stand with the Prime Minister and have categorically stated that such trips are intended to bring a large amount of investment back to the country.

Foreign investment in the form of FDI and FII would increase automatically with the strong pitch of 'Make in India' being made by the Union Government of India at every foreign destination. Government presented its annual reports that showed 38.5%

increase in a single year in the FDI sector.



Also, at many occasions, the Prime Minister Modi stated how his trips had forced the world to take note of the Indian presence and how there was an increased expectation from the Indian side.