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A report by
Swadeshi Samwad



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People's popular leader

In Prime Minister Narendra Modi, India most probably has got its first popular leader, who seems to be rooted in the real India and its hoary past. His direct and spontaneous communication with people right from the day he was nominated as the Prime Ministerial candidate by the Bhartiya Janta Party earned him mandate unbelievable for many and unprecedented for decades. People were & continue to be eager to listen to every word he utters and watch every more he makes. With every passing day people of India saw Narendra Modi in different Avatars working very hard from early mornings to late in the night, travelling across the country, mingling with people without any hesitation or inhibitions. Narendra Modi not only raised issues like corruption, security related concern that troubled Indian citizens over decades but also suggested solutions that seemed within the realm of reality. Asking people to join the movement for the change as participatory participants is another distinguishing feature of the entire campaign that has continued even after the formation of government off late some signals from government are not good. Even after forming the government he has not severed the communication with common people. On the contrary he has launched several schemes to involve people in the transformation of India.

'Swachh Bharat Yojna', 'Jandhan Yojna' and now 'Run For Unity' event organised on the occasion of the birth anniversary of our first home minister, the Iron man of India Sardar Vallabh bhai patel as "Rashtriya Ekta Divas" is a very good gesture. A large number of people across the country enthusiastically participated in these events and more than that gave people a feeling that they are a part of larger scheme of things. Prime Minister and his council of Ministers and the party organisation joined the Run for Unity. Prime Minister Narendra Modi flagged off the Run at vijay chowk in national capital. He also joined the people in the Run along with several cabinet colleagues.

People have rightly appreciated this initiative. It will surely go a long way in fostering the unity and integrity of the country. Participation of youth in such a large number in such events is an encouraging sign. Youth after a long time is participating in government sponsored national events demonstrates their trust in new leadership. This trend if continues will help Indian progress at a rapid pace. Youth, we all agree, is the future of any society. Women participation though visible were not in expected numbers. We need to encourage them to come forward and join such events. It is very essential for the government to see that these events are not reduced to photo ops only. The energy must be channelized properly for betterment of society. There are several indications emanating from the government that give rise to various apprehensions. BJP and Prime Minister must be careful not to waste the opportunity provided. This opportunity comes very rarely.

– Ishant Sharma, Punjab

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Quote-Unquote



Self centred collective greed gives rise to exploitation, suppression, violence and fanaticism.

Mohan Bhagwat

Sar Sanghchalak, RSS



It is only a matter of time when Pakistan will be divided into four parts.

Subramanian Swamy

BJP Leader, on Pakistani leaders calling for wresting Kashmir from India



The benefits of space research to humanity, and particularly to the Indian people, is our main priority.

K. Radhakrishnan

ISRO Chairman



I am a little confused about the Black Money controversy. With real estate booming, why would money lie in Banks ?

Shekhar Kapur

Indian Film Director

Black Money: the perception persists

*"There are things known and there are things unknown,
and in between are the doors of perception."*

— (Aldous Huxley)

Black money is back in the focus. It again became a hot topic of debate after the Supreme Court pulled up the government for seeking a modification of its earlier order on the disclosure of names of black money holders abroad. In doing so, the court seriously questioned the Narendra Modi government's attitude over the black money issue. The Supreme Court said several sharp things to the government which suggests that it has no faith in the government's investigation process. Media was quick to highlight strong comments of the apex court like 'Why are you providing a protective umbrella to the foreign bank account holders?' Opposition parties were prompt in slamming the government accusing it of changing its stance after polls. Even the people who otherwise are unwilling to doubt Prime Minister Narendra Modi led government feel that the NDA government's stance over the black money accounts has changed after coming to power. People including the supporters of Prime Minister perceive it to be an effort to blockade the recovery of Black money. Questions are being raised. The Supreme Court in strong words also asked for all the names in a sealed envelope, a day after the government named eight people being prosecuted for stashing untaxed money in overseas illegal bank accounts. The perception is that the Government was forced to reveal all the names by The Supreme Court, which is monitoring the attempts to recover untaxed or black money stashed abroad. The stand of the new government seemed no different from that headed by Dr Manmohan Singh which had argued in court that tax treaties with other countries prohibit the disclosure of names till charges are framed. What has pained even the passionate supporters of the Narendra Modi is the fact that well known experts including those sympathetic to present regime emphatically say, "the government is wrong..... because the DTAA with America specifically says you can disclose this information in public court proceedings." Clarification by Finance Minister saying it is not when disclosures can be made, did not help much.

The issue of Black Money, we must understand has become a national issue. It no more can be pushed under carpet by whosoever it may be. We have come a long way from the days when people tried to dismiss it as 'complete nonsense' and deny its very existence. Credit goes to the taskforce created by sh. L.K. Advani just before the 2009 election. It became a much talked about issue during the elections. After that black money became a public issue. The BJP promised then and also before the 2014 election that it would bring back the black money stashed away if it were voted to power. Even in its manifesto the BJP promised that by minimizing the scope for corruption, it will ensure minimization of the generation of black money. It further said that "BJP is committed to initiate the process of tracking down and bringing back black money stashed in foreign banks and offshore accounts. We will set up a Task Force for this purpose and to recommend amendments to existing laws or enact new laws. The process of bringing back black money to India what belongs to India will be put in motion on priority." The new government took some strong steps like constitution of SIT. Immediately after taking charge. Still the BJP stance is being questioned. Congress party and others in opposition may have no moral right in criticizing this government on black money issue because of their complicity in both generation and stashing away Indian money in tax heavens. But that does not mean questions cannot be raised. The government led by Prime Minister Narendra Modi is not just another government that came to power after yet another general election. It is the government that has won a historic mandate. People of India, most of them well informed educated youth, have voted Narendra Modi to power with a lot of hope and expectations. It is a mandate that very clearly surpassed the barriers of caste colour and region. It was a participatory vote for the Change symbolized by an energetic and hardworking Narendra Modi. People trusted his every word. This trust is sacred and cannot be squandered away so casually. We are reluctant to doubt the intentions of this government. But its actions will be/must be scrutinized by the people. Fed up with divisive politics people of India are ready to wait but in no case willing to trust blindly. The government will be well advised to take care of changing perception about it and not take people for granted.



"Swadeshi Sangam" call for 'Make by India'

“Swadeshi Sangam”, a two day conclave of the representatives of mass organisations dedicated to implementation of Swadeshi Model of development concluded in Jaipur Rajasthan with a call to make “Made by India” the national goal of the country.

“Swadeshi Sangam” was organised under the aegis of Swadeshi Jagran Manch on 11th and 12th October 2014 in Indira Gandhi Panchayati Raj Sansthan Jaipur. Over 400 delegates from different parts of the country from Tamil Nadu to J&K participated in this Sangam.

Five Technical sessions besides inaugural, concluding and public function were conducted during the two day conclave. The issues discussed in these sessions included FDI, FTAs, PPP, IPR, WTO, agriculture, animal husbandry, Land acquisition, industry, trade, rivers, water, environment, vanvasis. Both, subject matter specialists and ground level activists shared their experiences.

Participants expressed their serious concern over economic spoilage caused by globalisation during past 23 years. Delegates forcefully underlined adverse impact of economic globalisation on farming, retail trade, Animal husbandry, cottage & small industry and the huge section of population involved in these sectors and their dependent families.

Education and health care is becoming more expensive with every passing day and hence out of reach of deprived and under privileged people, it was observed. Large scale displacement from villages to urban areas is further complicating the problem, they added. Experts were of the view that FDI and liberal imports were primarily responsible for large scale closures of industrial units. Others have been lost to MNCs through mergers and acquisitions, in so doing shaking the very foundation of manufacturing sector of the country. Liberal imports policy has turned India into a captive market of foreign goods.

“Swadeshi Sangam” was unanimous in stressing the need to follow an all

It was for this all inclusive sustainable and consistent development that people of India gave an unprecedented mandate to the new government after three decades.

inclusive and sustainable model of development. Speakers were unanimous in asking people of India to unitedly oppose and resist the onslaught of anti people policies of economic globalisation. We, therefore declare here in Swaeshi Sangam that the people of India are not ready to allow the endangering of the lives of common people for the sake of economic globalisation, said the declaration issued after conclusion.

It was for this all inclusive sustainable and consistent development that people of India gave an unprecedented mandate to the new government after three decades.



Sh. Kalyan Singh speaking in public function

Speaking in public function chief guest Sh. Kalyan Singh, the Hon'ble Governor of Rajasthan said that mere raising of slogans cannot eradicate poverty from the country. He opined that poverty was an outcome of unemployment. We need to provide employment to every person to remove poverty.

Talking about integral Humanism propounded by Pt. Deen Dayal Upadhyay, Sh. Kalyan Singh said that there are several Isms in the world, but it was only integral humanism based on eternal truth that was capable of creating real equality among human beings. Recalling several fond memories of his association with Pt. Deendayal Upadhyay, Kalyan Singh termed him as an epoch maker who lived a very simple life but inspired a whole lot of people. Deendayal ji

lived a Swadeshi life, he added. He further said that Swadeshi is the only way out as it lays thrust on cottage and small scale industry available in even remote villages and far-flung areas of the country where poverty is more prevalent. Large scale industry is unable to reach them while small scale and cottage industry uses locally available raw material and provides income as well as products to the poor population there. Govenor Kalyan Singh expressed concern over rising cost of inputs in farming that has made farming unprofitable for farmers and unattractive option for youngsters. Son of a farmer prefers to work as a labour to earn Rs. 100-150/day, but is not ready to cultivate food, he added. This situation must change and Swadeshi Jagran Manch is capable of ensuring this change, he said. Kalyan Singh was all praise for the efforts of SJM in spreading awareness in the country.

Sh. Arun Ojha, national con-



Sh. Arun Ojha addressing Swadeshi Sangam

vener of SJM also addressed the public meeting. He reminded the audience the circumstances in which SJM was constituted. Forces of globalisation and their apologists had promised moon at the time when this process began in the decades of nineties 23 years ago.

Sh. Arun Ojha recalled the events of 25 years back in early nineties and late eighties when globalisation was being marketed as panacea for all the ills our econo-

my was troubled with. It was said then that globalisation will bring much needed. Capital, technology and competitiveness to the markets in India, he reminded. Swadeshi Jagran Manch had resisted this unrefined and illogical euphemism, added Arun Ojha. We were accused of taking country back to 15th century, he recalled.

Arun Ojha continued, saying that the passage of "The Omnibus Trade Bill of 1988: Super 301" and its effects on the multilateral trade system under the GATT by USA that empowered US government to take unilateral action against countries accused by it of a broad range of so called "unfair Trade Practices". It exposed the double standards of west led by USA who were forcing developing countries to use multilateral fora and international agreements but justified its power to take unilateral action to maintain their unfair trade monopoly. It in simplified words self empowered USA not to allow unfavourable imports in to their country, but self-authorized itself to take action against all those countries who were not allowing exporting unveiling to US products to their markets.

Strangely a section of influential opinion makers in our country never raised their voice against this immoral behaviour and instead continued to preach globalisation. It is therefore important to understand that SJM is fighting a global war on behalf of the poor people of the entire world.

Arun Ojha recalled how Mahatma Gandhi in his last wish just one day before his assassination on 29th explicitly had said that what India had attained on 15th August 1947 was just the political indepen-

dence. The economic freedom was yet to be achieved. In fact in a letter dated 27th January 1948. Mahatma Gandhi is quoted by SL Goel Aruna Goel in their book *Human values: Principles and Practices* (page 121) having said “The Congress has won political freedom, but it is yet to win economic freedom, social and moral freedom. These freedoms are harder than the political, if only, because they are constructive, less exciting and not spectacular”.

Expressing his concern over the signals emanating from the present government, Arun ji emphasised that India does not need to look for Vasco De Gama’s in the streets of West. India has talent as well as resources to achieve its goal. Cautioning about a new type of danger approaching the country because of the policies being followed by the government he recalled a statement of Winston Churchill quoted often by Rev. Dattopant Thengdi to sum up his remarks. He said, “it is better to be irresponsible and right, than to be responsible and wrong.”

Arun Ojha praised all the delegates for attending Swadeshi Sangam. Terming participants as extra ordinary people making history he recalled the poem “The Road not taken” by Robert Frost.

Two roads diverged in a wood, and I—

I took the one less travelled by,
And that has made all the difference.

Dr. Devinder Sharma, the well know journalist and expert was the main speaker in public meeting. He began his speech by citing several falsehoods being spread deliberately by vested interests to the detriment of Indian



Dr. Devinder Sharma in Swadeshi Sangam

economy. People of India are totally unaware of real facts and a section of media goes on spreading untruth by recalling so called experts in their TV studios who either do not know the subject they speak on or are deliberately suppressing truth to suit their pay masters. This phenomenon is going on for years because common man does not ask questions, he said. He stressed the need to ask question to expose these people.

Recalling an incident of some decades back Devinder ji said, “soon after the Ministry of Food Processing was set up in Prime Minister Rajiv Gandhi’s tenure, I was speaking at the M S Swaminathan Foundation in Chennai. While most speakers were busy hyping the importance of food processing in reducing food wastage, which I am not in disagreement, I stressed on the need to ensure that the nascent food industry focuses more on sourcing local farm produce in processing rather than importing the food concentrate. Illustrating the point I made, I gave an example of the orange juice being made available in tetra-packs.

At that time, I remember one of the popular orange juice brands had it written on the tetra-pack: “Made from freshly picked up oranges from California.”

I am sure you will agree that if the orange concentrate is to be imported from California, all the talk of reducing food wastage be-

comes meaningless. Soon after my viewpoint was carried prominently by the media, the processing house at least dropped this sentence from their juice cartons.”

Again on a visit to a food processing unit in Sonapat district in Haryana recently, I was shocked when I was told that tomato paste is being imported in large quantities from China. In fact, most of the big brands of tomato ketchup and tomato puree are using imported paste and pulp from China. This is happening at a time when farmers are repeatedly being forced to throw tomatoes onto the streets for want of buyers. This year too, when food inflation was at its peak, reports of dumping of tomatoes by farmers had poured in from several parts of the country, including Himachal Pradesh, Punjab, Haryana, Uttar Pradesh, Karnataka and Andhra Pradesh.

With tomato prices crashing to Rs 2 (and at several places to Re 1 per kg) farmers had no choice but to feed it to cattle or to throw it away.

This was happening at a time when the tomato processing industry was merrily importing tomato paste and up mainly from China. While politicians, TV commentators, editorial writers stressed on the need to strengthen food processing, not many know that the existing tomato processing industry was relying heavily on cheaper import of pulp and paste. This is not the first year for such imports, a review of reports on Google showed that such imports are continuing over the years, he lamented.

Dr. Devinder Sharma cited several similar examples to highlight how Indian policy makers were deliberately destroying Indi-

JAIPUR DECLARATION

We, the representatives of mass organisations working across the country having assembled here in “Swadeshi Sangam” held in Jaipur (Rajasthan) and having a firm resolve for all inclusive Bhartiya model of development unanimously express our concern over the disastrous over 23 years of economic globalisation in following words :-

1. Earning a sustainable living for vast sections of population involved in farming, retail trade, animal husbandry SSIs, MSMEs etc. has become progressively more difficult. Expensive education and health services have endangered the life of common man. Displacement from villages to urban areas has complicated the crisis further, which needs to be stopped and reversed.
2. Growing control of FDI over medium and even large industry has also led to its large scale closures besides merger and acquisitions by MNCs. Liberal imports have malformed India as a mere market of foreign goods.
3. As a consequence of disregard for the environment our water resources, atmosphere and land etc. has been contaminated leading to global warming, rapid evaporation of natural resources etc thus further deteriorating the situation and also jeopardizing even the cattle population of the nation.
4. Hasty Permission to conduct open field trials of GM crops and allowing FDI in more and more sectors is bound to push us into a new era of severe trouble.
5. Acquisition of fertile farm land for non-farming purposes, capturing of seed market by MNCs, impulsive grounding to amend patent laws, impediments in industrial & agriculture production, incessant suicides of farmer and weavers, lop-sided use of chemical fertilisers leading to infertility of land, lack of regulatory mechanism in generation and supply of power, FDI in more and more sectors, incentivising foreign investors with liberal condition, allowing monopoly of MNCs in the garb of protecting biodiversity, PPP model, authorizing private profiting from public property and discredit “Washington consensus” cannot solve the problems faced by India.

We, therefore declare here in ‘Swadeshi Sangam’ held in Jaipur that the citizens of India are not ready to put in danger the lives of common people for the sake of economic globalisation. Countrymen gave an overwhelmingly unprecedented mandate to the new government after three decades for pursuing ‘all-inclusive sustainable and consistent development’ of India. At this moment of the dawn of a new era we declare in following words the aspirations of the people:

— Effective steps be taken, without any further delay to protect and growth of agriculture, retail trade, SSI, MSMEs etc. The liberal import policy be put to an end, decentralised production system based on Indian R&D be strengthened without reliance on FDI and required steps be undertaken to establish Indian brands all over the world by encouraging ‘**Made-by-India**’ as a national objective of development based on sustainable principles.

Swadeshi Sangam appeals to the countrymen to –

1. Stand up and resist jointly anti-people globalisation process that is in place for last 23 years.
2. Adopt Swadeshi as a way of life.
3. Swadeshi Sangam also appeals to all those engaged in making India self-reliant and economically independent, to come together on one platform to protect economic independence and sovereignty of India by jointly resisting dominance of foreign capital in India economy. □

an agriculture presumable on behalf of foreign towers.

Ridiculing the argument of inviting foreign players and technology, he stressed the need to know facts about the efficiency and impact of these so called big players in their strong holds, which is

very dismal. Talking about the crisis in agriculture sector he said, most times when the discussions veer around to agriculture the emphasis is invariably on enhancing crop productivity.

Whether it is farmer suicides or food inflation, the way out sug-

gested is often in increasing investments in improved technology to increase crop productivity and thereby improve farm incomes. Raising crop productivity will bring down the cost of production and thereby reduce food prices.

It is not improved technolo-

gy that is hampering crop diversification but the failure to provide an assured income that is keeping the farmers away, he added.

Agriculture is not simply a play of technology. It requires supporting policies to make it click. Even the Green Revolution wouldn't have been successful if the Indian government had not provided two critical policy planks. Assured price to farmers through the mechanism of MSP and the assured marketing of the surplus produce by setting up a procurement structure is what made high-yielding varieties perform and deliver, stressed Devinder Sharma.

He also spoke about inflation and bias of policy makers in India who happily provide assistance to Industry from government coffers in what they term as 'incentives' and reluctantly shell out money for poor by giving it a bad name like subsidy.

Expressing his amusement over blaming APMC for the monopolistic market structure that restricts the entry of free trade and competition thereby denying farmers an economic price for his produce, he emphasised that under the APMC Act, farmers bring produce to the designated *mandis* where the private trade is first allowed to make purchases. It's only when there are no private buyers left that the Food Corporation of India (FCI) or the State procurement agencies step in to lift whatever is available at the minimum support price.

This is what irks the private trade. It doesn't want to pay the minimum support price to farmers. If it can get paddy at Rs 800-900 per quintal in Bihar for instance why should it shell out Rs 1,310 per quintal to Punjab farmers?

In seven years after repealing

It is high time India gave up neo-liberal economic policies.

the APMC Act Bihar has seen any revolution in agricultural marketing. Farmers have been left in the lurch. Nor is the private trade interested to make investments. In fact, the industry wants to exploit the already existing supply networks in the frontline agricultural states like Punjab and Haryana.

Prof. Bhagwati Prakash in his address to the delegates attending 'Swadeshi Sangam' said that India is home to almost 20 percent



Prof. Bhagwati Prakash speaking in Swadeshi Sangam

more population than the combined populations of the Europe (733 million) and US (313 million), and is also larger than the combined populations of US, Europe, Japan and Taiwan. But, it is still largely dependent on the unorganized and informal sector for its growth, as the deceleration in the manufacturing and core sectors is continuing unabated without any pickup in the new project announcements.

Growth rate in the manufacturing sector which was always good in India went into negative zone because of the policies of allowing liberal imports.

He said it was high time India gave up neo-liberal economic policies being pursued after the economic reforms, as the country had suffered on all fronts. "Indiscrim-

inate imports have wrecked our economy. We have become dependent on foreign companies for all our needs and those companies are indulging in predatory takeover of our companies. The Indian Government is doing nothing to protect the domestic industry. China, on the other hand, has overtaken us on almost all fronts and is posing a serious threat," he remarked.

It is absolutely necessary for India to acquire and assimilate advanced technology at any cost, as China is doing, to emerge as a force to reckon with in the present century, as otherwise it will be left far behind China and other nations, according to Bhagwati Prakash Sharma, Vice-Chancellor of Pacific Academy of Higher Education and Research University, Udaipur (Rajasthan). Bhagwati Prakash Sharma said India should pursue policies of economic patriotism and techno nationalism, as otherwise the country would face a very bleak future. He cited the example of Chinese government that is working in tandem with the industry to ensure that technology innovation is taking place in that country with local IPRs. EVD in place of DVDs and India should give up too much import liberalisation and "make all efforts to assimilate the latest technologies by all means and at any cost," he said. He suggested that Indian companies acquire bankrupt foreign companies, as China did, "if they have the right technology and a substantial market share in that sector."

Informing audience about how China could have a new homegrown operating system very soon to take on imported rivals such as Microsoft Corp, Google Inc and Apple Inc, Bhagwati ji said

China is now looking to help its domestic industry catch up with imported systems such as Microsoft's Windows and Google's mobile operating system Android.

The operating system would first appear on desktop devices and later extend to smartphone and other mobile devices. He said he hoped domestically built software would be able to replace desktop operating systems within one to two years and mobile operating systems within three to five years. Similarly they have developed their own EVDs to replace imported DVDs.

India on the other hand is almost completely dependent on imports. Chinese products ranging from Tixson calculators to TCL Television sets, Lenova computers, pens, toys to electric bulbs and huge power generators and telephone exchange equipments have flooded India.

He said there should be a change in the purchasing behaviour of Indians. "It is not enough if we buy goods made in India. Maruti car is made in India by a Japanese company with Japanese technology. We should buy goods and services made by India with its indigenous technology and components. The slogan therefore should be "Made by India" and not "Made in India", he remarked.

He also said Indian culture was also being undermined by foreign companies to sell their products and services. He cited several examples from TV serials after the economic reforms.

India has altogether missed the opportunity to industrialize, and has transited directly from agri-based economy into a services driven economy with extremely poor share of manufacturing in the GDP.

India has the lowest, 15 percent share of manufacturing sector in the GDP, vis a vis many other countries, viz., Thailand which has 36 % share of manufacturing in the aggregate GDP, South Korea 31% , China 30%, Malaysia 26% , Hungary 23%, Germany 21%, Argentina 21%, Japan 19%, Poland 18%, Turkey 18%, Russia 16%, Brazil 16% and Egypt 16%. For almost one and a half decades, the growth rate in the manufacturing sector in India had been less than the overall GDP growth rates. While, all these aforesaid countries had higher rates of GDP growth from the manufacturing sector, than the overall GDP growth in these decades. Moreover, to the contrary, India has been experiencing an unfortunate trend of de-industrialization, in this post liberalization era since 1991, as a consequence of pursuing the neo-liberal economic policies and the operation of multilateral trade agreements coming under the domain of the WTO.

He said India could become the world leader with its young population, if the Government pursued the right policies.

'Made by India' vs 'Make by India'

The slogan was raised during "Swadeshi Sangam" the difference between "Make in India" and their "Made by India" is of ownership. By 'Made by India', we mean that a product is built with Indian capital and Indian ownership," said Pradeepji.

According to Pradeep, given a choice, "the SJM would like to make India a manufacturing hub or assembly-line hub, we would prefer the former". "Rather than creating an assembly line of fitters and labourers, we want creation of owner-

We should buy goods made by India with its indigenous technology and components.

ship and self-employment which will make us prosperous," he said.

On the FDI issue too, Pradeep said that the SJM has argued many times that FDI is actually a wealth drainer than creator.

"In 2013, RBI data suggest that \$24 billion worth of foreign money came to India but \$26 billion went out in form of royalty, interest and dividend. In 2014, \$26 billion came while \$31.7 billion were taken out by the foreign investors and companies," he said, adding that this is exactly why the SJM has been demanding a white paper on FDI.

"We have demanded a white paper on FDI in the last 15 years, which will not only clear how much money came into the country and how much went out but also pros and cons," he added. SJM says it wants a level playing field for all. "We want the same interest rate and same smooth process of availing loan for small entrepreneurs as is the case with corporate. In 2014 MSME which provides employment to 8 crore people got just 8.39% share in loans distributed by all the banks compared to 91.61% to corporate listed on stock exchanges. The top 10 industrial houses alone got 13% in total loan," Pradeep said adding that retailers mostly get funds from friends and relatives or private lenders at 18% per annum while street vendors and hawkers pay as much as 10% a month to money-lenders for loan. □□

Legalism & Government Stand in Black Money Case



The way the Supreme Court slammed the government on October 28 for not disclosing the names of black money holders given by the French government is like the classic *case* of both eating 100 onions and taking 100 lashes when the option was given to a person to do either of the two.

The short story of this paradox is this. The Supreme Court, moved by a public interest petition filed by Ram Jethmalani in 2009, delivered its judgment in July 2011, directing the government to appoint a Special Investigation Team (SIT).

It was to be headed by two former Judges of the Supreme Court and consisted of the enforcement and intelligence agencies to probe the issue and recovery of huge black money suspected to be stashed away by Indians abroad.

The estimate of the rogue money, according to Global Financial Integrity (GFI), was \$500 billion till 2008 and still counting. The UPA government, which had received *information* from Germany about black money account holders in Liechtenstein Bank and from France about such account holders in HSBC Bank in Geneva, was dodging the court's insistence to disclose the details. It was taking refuge in some provisions of the Double Taxation Avoidance Agreement (DTAA) under which it said it had received the information. This forced the court to direct and get the government to disclose the Liechtenstein Bank details to the SIT. But before the court could direct the government to give details of HSBC account holders, the government filed a review petition asking the court to take back the judgment. After that the matter went into hibernation till it came back alive when the new government took over. The very first act of Modi Government was to appoint the SIT - which the UPA was stalling - to which all investigations of black money stood transferred under the court's orders. When everything seemed to be going well, the Finance Ministry filed an application on October 15, asking the court to vary its judgment of July 2011 since the government was advised that the direction of the court to disclose names overriding the DTAA was impeding the government's efforts to secure an Inter Governmental Agreement (IGA) with the US for exchange of banking information. The IGA had the same provisions regarding disclosure as the DTAA with the US and most other nations.

The government said that since court orders seemed to prevent the government from signing the IGA with restrictions on disclosure, the judgment needed to be recast. Many, particularly Ram Jethmalani and others, who had worked on



The government has concealed nothing from the SIT or the court. But the court rapped the government despite the government's affidavit saying it has given all the names months ago, finds
S. Gurumurthy

the black money issue for years, saw in this effort the same stonewalling which the UPA Government was doing to block the black money probe. The government's October application lacked a sense of timing and ran contrary to the sentiments of its supporters on black money recovery agenda. Hell broke loose. Critics and friends alike began drawing parallels between the UPA and the NDA regimes, and sceptics began to feel that one was not different from the other. The ill-conceived and ill-timed application made everyone feel that this government too wanted to protect the black money holders.

But the facts were the other way round, as the clarification affidavit filed by the Finance Ministry on October 27 revealed. The affidavit unfolded how the government had not only been transparent with the SIT appointed by the court but also had been following its directions. The affidavit asserted that a complete list of cases where information had been obtained from the German and French governments, with the status of the action taken by the government was submitted by the Central Board of Direct Taxes on June 27. It added that the CBDT officials also met and briefed the SIT on the status of the cases, background of the information received, non-sharing of information by Swiss authorities, and constraints faced by the government and alternative methods of securing account details.

Shockingly, his disclosure of how transparent the government had been and how it had parted with the details to the SIT was not mentioned when the Finance Minister briefed the media two days later on

October 17, when already its critics and some friends had begun saying that the present government was no different from the UPA.

The Finance Minister's briefing took the position that the DTAA prohibited the disclosure of information received under its provisions till the prosecution proceedings were started. This was precisely the argument of the UPA, which the Supreme Court in its judgment of July 2009 had overruled. This coupled with not mentioning that the government had already parted with the details to the SIT proved to be a disaster. In the huge negative publicity, the further affidavit of the government, which claimed that the list of names had been given to the SIT was not noticed at all.

In this situation came the application filed by the government asking for modification of the July 2011 judgment. The Attorney General did not sense the mood of the court and the nation, of course, and set out on legalism to justify the application, which the AG himself had personally approved. The fact that the government had already given the details was lost in the din. The court ordered the government to give the details in a sealed envelope to the court on October 29.

Did the AG tell the court that the details are already with the SIT? Even if he had, it was lost in the legalistic arguments on how justified the application for modification was. The result was bad imaging of the government in the court and in the public domain. Result, the government, which had already disclosed the details to the SIT, got a drubbing for not disclosing it - precisely like eating 100

DTAA with France does not prohibit disclosure of information.

onions and taking 100 lashes instead of either.

But even the AG's legalism seems to be wrong. The hard fact is that the DTAA with France does not prohibit disclosure of information on the account holders in HSBC received from France in public court proceedings. The DTAA with France disciplines the disclosure of information received by India under it thus: One, the information shall have the same confidentiality as under India's domestic law, that is the Income Tax Act and the Right To Information Act read together.

Two, if originally the information was secret in the hands of France (the sender) it shall be kept secret by India (the receiver). Apply the two norms now. First, the Income Tax and the RTI law permit disclosure and so no secrecy attaches to the HSBC details under the Indian law.

Next, the French got stolen information about bank account holders in HSBC in Switzerland. It is therefore not a secret in sender France's hands. It is secret only in Switzerland. So under both the norms disclosure of HSBC information cannot be denied. And there is an overriding third norm.

The DTAA with France permits disclosure in public court proceedings in addition to disclosure

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Is Modi Government Eco-friendly?

Global Environmental Crisis

The Global warming and climate change problem is seriously threatening the very survival of life on this planet Earth. The wolf is knocking at our doors. The UN appointed the intergovernmental panel on climate change - I.P.C.C. established in the year 1988. It is a body of about 2,500 scientists drawn from various national governments. Its mandate is to study constantly the developments in the field of global warming and climate change and to submit periodical reports. The I.P.C.C. has so far submitted 5 reports called Assessment Reports -A.Rs. First Assessment Report was submitted in the year 1990. The successive A.R.s were submitted in 1995, 2001 and 2007. The V A.R., the latest one was released on 27th Sep. 2013. The reading of the V A.R. makes one shudder. Some of the highlights of it are,

1. Each of the last 3 decades (1980-90, 1990-2000 and 2000-2010) has been successively warmer than any preceding decades since 1850.
2. There is more carbon dioxide, methane and nitrous oxide (green house gases – Ghgs) in the atmosphere, today than in the last 800,000 years.
3. Due to unabated Ghgs emissions, the 2°C barrier may be crossed by 2040, i.e. next 25 years.
4. By 2050 Arctic could be completely ice-free.
5. By 2100 global temperature could rise by 4.8°C.

The average global temperature before industrial revolution was 14°C. It was stable at that point for millions of years. However after the industrial revolution at around 1800 A.D., the use of fossil fuels, such as coal and petroleum oil as primary sources of energy has increased by leaps and bounds. As a result CO₂ in atmosphere which was 280 ppm (parts per million) before industrial revolution has reached 400 ppm by May 2013.

Average Global Temperature can rise by only 2°C above the pre-industrial revolution level (14°C). Even a 2°C rise in global temperature will leave 200 crore



It is unfortunate that such a question has risen within the first six months of Modi government. I do not have the courage to answer the above question in the positive, laments Prof. B.M. Kumarswamy



people water starved by 2050 and threaten the extinction of 20% to 30% of species. Therefore scientists warn that the world cannot afford to cross the 2°C barrier. It has to wake up and curb CO₂ and other ghg emissions soon and prevent at any cost, the crossing of 2°C barrier.

However the world leaders, have miserably failed to listen to the warming signals and CO₂ emission has continued to increase since 2007 when 4th A.R. was released by I.P.C.C. As per the 5th A.R. the world will cross the 2°C temperature barrier by 2040 which is just 25 years away.

The consequence of this inaction will be disastrous. The process of climate change has already started. Typhoons and cyclones have become more frequent and more powerful. The cyclone phalin which wreaked havoc in Orissa in 2013 and Hudhud which has just devastated Vishakhapatnam in Andhra and parts of Orissa are fresh in our memory. The devastating rains and Urban flooding in Jammu and Kashmir, especially Srinagar in Sept. 2014 and Kedar-nath of Himachal Pradesh 2012 are still fresh in our memory. Such extreme weather events are going to be more frequent and more devastating in the coming years.

Imagine the consequences of the Arctic, which plays a very crucial role in regulating global climate, becoming totally ice-free by 2050, which is just 35 years away.

In this extreme situation, every year is important and every month is important to take preventive measures.

According to International Climate Conference in Durban, South Africa in 2011, all countries

World leaders, have miserably failed to listen to the warming signals.

developed as well as developing are bound to take action to reduce CO₂ emission. India and China are also included. India has also committed itself to reduce CO₂ emission voluntarily by 25%. We must note that India is to day 4th largest petroleum consumer in the world, behind the U.S., China and Japan. It is also the 4th largest polluting country in the world.

W.W.F.'s Living Planet Report

The World Wide Fund W.W.F. and the London Zoological Society have jointly conducted a research and published the Living Planet Report on 30.09.2014 at London.

Some highlights of this report are —

1. Half of the World's Wild animals have disappeared since 1970 due to hunting poaching, over fishing and habitat loss.
2. The report points out that currently the global population is, Cutting down trees, faster than they re-grow, Catching fish faster than the oceans can re-stock, Pumping water from rivers and aquifers faster than rainfall can replenish them., Emitting more CO₂ than oceans and forests can absorb.
3. The Living Planet Report shows the crises in global bio-diversity and resource use.

Both these reports - I.P.C.C., V.A.R. and Living Planet Report emphasise that the unprecedented global environmental crisis is anthropogenic - due to human activities. These human activities pertain

to the greed based, industry-led development model pursued by the west since 1800. This model of development is to be squarely blamed for bringing the life sustaining environment of the Planet Earth to this sorry state within just 200 years since the Industrial Revolution in 1800 A.D.

India's response to global environmental crisis, under Modi government

The election of B.J.P. to the parliament in a thumping majority under the dynamic leadership of Shri Narendra Modi raised the hope in several minds that the new Modi government would follow a more sustainable and environment friendly development policy.

However the first 100 days of Modi government has totally belied all such hopes. Modi government is following the same greed based, G.D.P. centric and environmentally destructive development model as the world has been following for 200 years.

In his hurricane tour to Japan and the U.S., Modi has welcomed foreign investment in India. Make in India campaign is a clear pointer.

Dilute all Environment Laws

Indian as well as foreign corporates have always complained that the Environment Laws of the country are the biggest impediments for corporate investments. They have been demanding the dilution of the Environmental Laws. Modi government has positively responded to the calls of the corporates. On 29th August 2014, the M.O.E.F. issued a notification appointing a High Level Committee under the chairmanship of T.S.R. Subramanian, former cabinet secretary to review and suggest

amendments to 5 most important Environment Laws of the country namely,

1. The Environmental Protection Act 1986
2. The Forest Conservation Act 1980
3. The Wild Life Protection Act 1972
4. The Water (Prevention and Control of Pollution) Act 1974
5. The Air (Prevention and Control of Pollution) Act. 1981

The committee has only bureaucrats in it. It is required to submit its report within 3 months.

One should know that these 5 Environment Laws were passed due to the struggle of the people of the country, especially the project affected millions.

It is because of these Acts that, the Environment of the country, has remained at least at today's level. A pragmatic government ought to have strengthened these Acts and their implementation. On the contrary the Modi government is out to dilute these Acts in a hurry, to please and facilitate the foreign and domestic corporates and their greed. This was least expected from a government led by Shri. Narendra Modi.

Open field trials of G.M. seeds permitted

Another shock administered to the farmers and people by Modi government is the clearance given by the Genetic Engineering Appraisal Committee – G.E.A.C. working under the Environment Ministry for the open field trial of 15 Genetically Modified Crops, including Paddy, Wheat, Chick Pea, Brinjal and several other food crops on July 18th 2014. Scientists with social and environmental concern, all over the world, including

India, have been warning against the cultivation of G.M. crops due to their adverse effect on human and animal health and larger environment. M.N.C.s like Monsanto are hell bent on capturing the large Indian seed market. In 2009 when the G.E.A.C. permitted field trial of Bt. Brinjal, the entire country protested and Dr. Jayaram Ramesh the then minister for Environment was forced to put a moratorium on cultivation of Bt. Brinjal.

Even though, succumbing to public pressure Shri. Prakash Javdekar, Environment Minister stalled the clearance, people are suspicious

about the intentions of the central government. Mr. Javdekar has time and again stated that his ministry will not pose any impediments for investment projects and environment clearance will be given expeditiously. What does it imply?

On the whole, the signals so far received, indicate that Modi government is not eco-friendly. It may be too early to draw conclusions. But those who want development of the country in an environmentally sustainable manner demand a change of track by Shri. Narendra Modi and his government. □□

[Continued from page no. 11]

Legalism & Government Stand in Black Money

in tax proceedings. It means when a court - the highest court in this case - directs the disclosure the government is empowered to disclose under the DTAA. Move further. The DTAA with the US is on identical terms as with France and the proposed IGA with the US is identical to the DTAA with the US on the disclosure of information. Consequently, the application of the government to the Supreme Court that the judgment prohibits disclosure of information is clearly misconceived, if not unnecessary. It is all confusion compounded at every stage.

How then should the government move forward now? The government should consult the SIT appointed by the Supreme Court whenever it has any doubt on how to go forward. It is the SIT that should ask the court for directions. The Supreme Court has already made it clear: the SIT will handle

the investigation on black money. Will the government heed?

Post Script: After all the strong words from the Supreme Court, which ordered the government forthwith to give to it the list of black money holders and critics saying that this government is no different from its predecessor, the SIT chief quietly confirmed last evening (on Tuesday) that the list handed to the court yesterday morning (on Tuesday) was the same as the list given to the SIT by the government four months ago, on June 27, 2014! Means what? The government has concealed nothing from the SIT or the court. But the court rapped the government despite the government's affidavit day before saying it has given all the names months ago. Neither the court nor the media is going to take back the strong comments. The damage is done. But morally, the Modi Government has won. □□

Changing of Indian Foreign trade and capital policies-BJP's Choice

New BJP Government is very much enthusiastic about positive outcome of its initiatives towards improving neighborly relations and relations with China and other developed or developing countries. Expected net result of these initiatives is increased flow of foreign investments and expansion of Indian trade. First hopefully will bring new technology and second new products or will possibly create opportunities for export. Both together are expected to make Indian economy vibrant, efficient and prosperous and will surely, at least satisfy increasing needs of affluent Indian consumer. True, foreign trade expands horizons of an economy and helps it gain on its comparative advantage of natural positioning. Foreign capital also helps exploit natural and human resources, increase infrastructure and industrial capabilities and benefit local economy. However, theories rarely match with realities. Trade is influenced by state policies and capital is driven by return. Over the years, world trade has expanded but with narrowed policies of national governments; Capital flow increased but with its speculative gamble on returns. Most of the time, this trade and this speculative gamble have brought volatility in the local markets and made local economy unstable. India is no exception. BJP government therefore, needs to base its foreign trade and capital policies on ground realities of world affairs and keep its national commitments ahead of other objectives.

India changed its policy course

India is not new to world trade and its participation goes back to the ancient silk trade. India has been celebrated throughout the ages for its valuable natural products, its beautiful manufactures and costly merchandise and was able to enjoy a favourable balance in her trade relations with other countries. Colonization of India by British Empire however, changed the fate of Indian foreign trade. India's share of world income collapsed from 22.6% in 1700, almost equal to Europe's share of 23.3% at that time, to as low as 3.8% in 1952 (Dr Manmohan



Trade is influenced by state policies and capital is driven by return. India needs to base its foreign trade and capital policies on ground realities of world affairs and keep its national commitments ahead of other objectives, stresses Anil Javalekar



Singh, Former PM-Hindu-10.07.2005). India after independence aspired for economic prosperity and its initial development strategies were for self reliance and import substitution. Its foreign trade policies were mainly to regulate imports and its foreign capital inflows were mainly through World Bank and other such agencies. Recent thrust on globalization and integration of Indian economy with that of world economies however, changed everything that initiated and believed for 40 years of independence. Freeing of trade and exposing Indian economy to world markets thereafter were important to consequential policy changes that are affecting Indian sectors like agriculture, small industries and small trade. Present Indian policies intend to open Indian markets to foreign countries on the one hand and allow foreign capital on the other in the hope of Indian prosperity.

World has not changed

Last four hundred years were different from earlier centuries with its technological innovations and colonization and the world has not changed much during this course of human development. All the expansionist tendencies and colonial approaches developed during this period still exist. There are developed and developing countries and rich and poor countries. Poor countries were and still are the source of wealth for rich and powerful countries and though military uses for colonization have declined, control through trade and capital have gained importance. Developed countries still control and use trade and capital or even grant and aid for their benefits.

Changed is the control of trade and capital

The controls of trade and capital have however, changed hands. Now world economic players, corporate and companies or MNCs, control the international trade and capital more than the sovereign governments. Most of the time, sovereign Governments suit their trade and capital policies to serve the interests of these economic players. More important, these economic players are motivated by profits and accumulate wealth for their own sake. Many of these are companies and corporate that is professional in approach and fair in dealing to ensure their profits and never involve emotionally with nations and people though influence policies to protect their interests. This approach of theirs can be beneficial for a country like India if it utilizes their capital, trade capabilities and new technologies for development. The need is to identify such professional corporate entities and benefit from new equation of trade and capital controls.

Take professional approach

First, there is no free trade and no free capital movement in the world. The aid and grants or even charity is part of trade. This is truer when the trade and capital are controlled not by governments but by world's major economic players that are basically exists for profit and are more powerful than many governments. Therefore, the need is to take a professional approach towards international trade and international capital as these corporate or MNCs can help local economy to exploit growth potentials. India should participate in world trade and allow foreign

capital in India with a long term vision of national progress instead of simply falling prey to lobbying to avoid current account deficit. The world companies and corporate seek profits and Indian government has to adopt rational approach towards their profitability if it expect foreign capital investments flows to desired sectors.

Define national priorities with self reliance objective

Second, important is defining national commitments and identifying national priority areas of Indian economy that need foreign trade support and or foreign capital treatment. This has to be within the basic national commitment of self reliance. Not every sector of Indian economy is the priority for globalised trade and not every sector needs foreign capital. India needs foreign capital mainly for its large projects with high investments and new technological inputs. Among these, defense and infrastructure are the priorities. The manufacturing and service sector also need infusion of capital for adoption of new technologies and can selectively be opened for foreign capital. This will surely help 'Make in India' campaign a success. For all other sectors India need to be cautious and selective. For instance, **Indian agriculture** is not a priority sector for foreign trade and foreign capital as it has already developed capabilities for innovations and can manage agriculture productivity increase and diversification required for future food security, self sufficiency and export. Indian **Financial sector including insurance** has also developed and diversified sufficiently and thus not a priority for foreign capital infusion. **Indi-**

an retail trade, another important sector, is not a simple business of profit but a survival kit for Indian small families and need to be saved from large corporate and their trade practices. Therefore, more clear the identification of sectors for foreign capital inflow clearer can be policies to attract foreign corporate and companies and positive will be the impact on Indian economy.

Give Good governance and rational systems

Third, the potential role of foreign capital in development is always limited. Most of the time, it plays speculative role making economy unstable and volatile. Success of Indian policies depends on how this speculative role is minimized and development role increased. Most economic players seek profitable sectors for investment and select countries accordingly. Their perceptions of investment opportunities and Indian investment needs are different and Indian government has to match this difference with assured profit options and fair treatment with good governance, good tax laws and appropriate property rights so to increase their development role. There should be no government interference once priorities and policy intents are spelt out. Investors should be very clear in the beginning itself about long term taxation policies, property legislations and profit and its appropriation apart from quick dispute settlement mechanism. Exit rout also needs to be clear. More than that, Government should not intervene in pricing etc unless ready to bear the cost difference. Investments under PPP model should also be clean and transparent with clear identified resource mobilization, pricing formulas and cost-

benefit sharing principles.

Not to forget the interests of Indian small sectors

Fourth, foreign trade affects all sectors and therefore need a cautious approach. India is a country of small entrepreneurs, small traders and small agriculturists with small income and small needs. They make their survival by serving local markets within their capabilities. Exposing them to high technology and internationally competitive market players cannot be the priority. Nor is the priority to increase their income to the income level of richest in the world. Indian domestic markets are sufficient to help many of Indian sectors survive and grow with good income to the small entrepreneurs. Therefore, Indian foreign trade policies cannot simply be left to world economic players which are more interested in expanding and monopolizing opportunities for their profits than help Indian increase their income. First Indian national commitment is of self reliance and second to protect the interests of small people and small sectors. None should be sacrificed for illusory trade expansion and foreign capital inflow.

Quick response mechanism is important

Fifth, there is always a need to respond quickly to changing situations of traded commodities, exchange rates and response policies of other countries apart from political happenings in the world. International political happenings, trade agreements between countries and WTO regulations apart from natural calamities continue to bring changes in world trade and influence capital flows. Indian government need to respond quickly to

gain or minimize the damage. This is important because world pressures for freeing of trade will leave fewer options for government to save and protect most commodities and sectors from volatility in world trade. All the responses to import and export situations, therefore, need to be instant and effective at least for commodities and sectors that are important to Indian economy. Protecting interests of Indian producers should be the prime concern for changes in export-Import situations affects domestic pricing and endanger profitability of domestic producers. Future trade policies can be less protective of Indian urban high end consumers for they are well informed, well prepared and can withstand volatility in markets.

India needs to prosper within

Present Indian foreign trade and capital policies are more inclined towards meeting current trade deficit needs and less towards making India self reliant. India needs a growth model that ensures self reliance and sustainable development of all sectors and all people with justifiable treatment to weak and poor. Simply chasing for high growth rate model based on export growth and heavy foreign capital investments in sectors that are not important to Indian economy will not serve the purpose. Indian failure is more in not developing new technologies that are important to modern development and not developing products that are important to reduce dependence on foreign countries. Its failure in infrastructure build up is also visible. Therefore, Indian foreign trade and capital policies need to capacitate Indian economy first to cope up with these failures. □□

Strengthen consumer to ensure Shrameva Jayate



Prime minister Narendra Modi's make in India gets another boost as the department of industry is simplifying registration process of companies. The ease of business is always welcome. It has to come also with simplification of licence procedures, inspections, tax system and free movement – without paying bribes on the road.

The corporate needs space. Nobody doubts. It has also to come with the “ease” of the consumers to select. There is a law for consumer protection. But it is a cumbersome

process. Reaching it for every complaint is not possible. Besides, the consumer laws do not prevent cartelization, mergers, acquisition and unethical pricing often in collusion with all the manufacturers.

The Competition Act 2002 is supposed to protect that. Somehow it is not happening. Since the law was enacted and till the abolition of Monopolies and Restrictive Practices Act in 2009, the alibi was of duplicity in applying the law. During all these years monopolies have strengthened. It has become difficult for a consumer to get his grievances redressed.

Not only that all large manufacturers have been cartelizing but are also resorting to predatory practices to eliminate competition.

Unfair trade practices, introduced in this country by companies like Coca Cola and Pepsi for gobbling up their competitors to create monopoly market, have not only robbed the opportunity of consumers to look for a choice but also has enormously harmed the working class, who are not given even the minimum benefits assured in the laws.

This goes against another pious concept of Modi – “Shrameva Jayate”. The labour or ‘shram’ is being shorn of the dignity, what the prime minister aimed at while launching the Deendayal Upadhyay Shrameva Jayate scheme. The dignity and rights of laobur are essential for the country to become a manufacturing hub. The lack of dignity and more fire than hire is also creating an aversion among the working class to work for such exploitative organizations. Outsourcing has become a norm for denying the basics to the working class.

The ease of consumer, that also means the large work force, is essential for many reasons. The consumer needs affordable prices. The cartelized corporate through creating large monopolies are preventing the consumer from getting the lowest prices. The companies create an illusion by offering what they say is ‘best price’ through elimination of competition.

Today, no consumer knows the right price for tea, cosmetics or a shaving



Consumer protection law is a cumbersome process unable to prevent cartelization, mergers, acquisition and unethical pricing often in collusion with all the manufacturers thereby denying consumers benefit of lowest prices, explains Shivaji Sarkar

blade. The market has been convoluted during the last over ten years by allowing elimination of most Indian or indigenous producers. Virtually few exist today, with some exceptions. The companies that even exist are virtually working for their competitors under pressure from them. So today we have too many monopolies in the consumer or FMCG areas.

Some Indian companies, be it in dairy product, confectionaries or food processing, have under duress joined the race with their competitors to help enhance profits. It is happening everywhere. Large foreign companies are edging out Indians and even telling them to follow their unethical practices to exploit the consumers.

Services from all these companies have become difficult. Earlier, products had standardization. This helped the consumers get access to the easy services provided by the neighbourhood mechanic. Spare parts were easily available. Now it is just the contrary. By minimal changes in designs of spare parts, they are not only insulting the skill of neighbourhood mechanics but also are forcing the consumers to take "service" from them at a premium. They would not sell even a nut-bolt. The stock answer is "our men would only fix it. You have to pay "service charges" up to Rs 600 for his visit".

The consumer grudges but has little option having invested in a product that has also been priced almost double its manufacturing price. Should for each of the audacities of the manufactures they go to consumer courts? Cannot there be another mechanism to help them get justice?

The heightening profits of



Services from companies have become difficult.

these companies in any sector or rather in all sectors have made the lives of consumers miserable.

This also makes manufacturing difficult because products are priced and serviced beyond the affordable limits of the consumer. It limits sale as also restricts the market for a competitor because the old ones create immense problem for new manufacturers. That is to hamper the significant "make in India" objective.

Noted economist Adam Smith in, 1776, said, "People of the same trade seldom meet together, even for merriment and diversion, but the conversation ends in a conspiracy against the public, or in some contrivance to raise prices".

John Stuart Mill, hundred years later, said, "When firms hold large market shares, consumers risk paying higher prices and getting lower quality products than compared to competitive markets".

This is the risk the country faces if regulations and checks (not controls) are weak. One of the reasons for shifting of manufacturing in the country has been allowing monopolies to thrive after the 1991 Manmohanomics. Effectively it has shifted to China and South Korea. If the nation wants to create the high level of manufacturing as it was till early 1980s, it could

be done by ensuring fair play not only for indigenous manufacturers but also for the foreign ones.

If some unethical ones get the opportunity to edge out others, it may help a dozen large houses to perpetuate the conspiracy, Adam Smith had predicted.

It has a political fall-out too. They could become too powerful to ignore the aspirations of the people and weaken the political system. Consumer protection has wider connotation. The government must not be swayed by the argument that they should be given all freedom to go on rampage in the name of "ease of business".

The new government is besotted with problems created by the misrule of decades. It needs scrutiny and corrections. In all these affairs, the consumer has to be treated as the king, not a mere user. He has to be provided wide protection from the onslaught to ensure quality, right price, standardization of products as per Indian needs, proper spares and not forced to have "service" from the seller or manufacturer and protected from their conspiracy.

The ease of consumer would ensure a thriving market, where all manufacturing can prosper and the country could take pride in "make in India". □□

Kailash Satyarthi: Nobel Prize for Advancing WTO's Agenda



The choice of Kailash Satyarthi for the Nobel Peace Prize is the result of an old tussle between India and the US. Throughout the 1990s, the US used trade sanctions as well as the World Trade Organization to foist its version of the so-called “free trade” which came complete with patent laws, genetically modified seeds, Enron’s shenanigans, and stringent standards related to environmental and labour laws. The Indian government as well as Indian activists resisted these moves at that time

and there was friction between the US and India.

The environmental and labour laws were intended to make it expensive for businesses to run their operations in India by forcing them to go through a costly certification process, and one such law that targeted the Indian carpet industry was the Child Labour Deterrence Act which was passed in the US. The law was first proposed in 1992 by Democratic Party politician and American Senator Tom Harkin who drafted it with inputs from Kailash Satyarthi.

Not only did the American law grant NGOs in India the status of inspectors of Indian businesses, but Satyarthi also demonstrated his entrepreneurial skills and set up one such NGO named Rugmark in 1994 with venture capital from a German Protestant group named Bread for the World. He thus profited from his venture while also effectively becoming an inspector on behalf of Western forces ensuring that Indian businesses would lose their competitive edge.

Satyarthi’s benefactor, Bread for the World, does not hide its political agenda when it declares on its website that it seeks “to influence political decisions in favour of the poor.” Many cables on the whistle-blower website Wikileaks too show that money from the group has ended up with churches in at least one country (South Korea) where these churches attempted to foment political trouble.

In 1994, Kailash Satyarthi appeared before a Senate subcommittee chaired by Tom Harkin instead of raising the issue with either the Indian parliament or the Indian government thus calling into question not only his motives but also the veracity of his claims made before his international audience.

When USA passed Tom Harkin’s law, India already had laws against using child labour and the American law, rather than helping families of children who were employed in the carpet industry by finding them alternative means of earning their livelihoods, merely aimed to help Western firms by weeding out competition. This point seems to have been noted by Dr. Subramanian Swamy who was appointed the Chairman of the Commission on Labour Standards and International Trade by the then Prime Minister PV Narasimha Rao.

The West has shown that its relationship with India is in bad faith and has sent the message that working for its mercantile agenda by acting against India’s economic interests can be rewarding, unearths Arvind Kumar

Dr. Swamy writes in his book, India's labour standards and the WTO framework, 'It would be of interest here to note that Section 2 of the Child Labour Deterrence Act of 1993 — Tom Harkin's Bill — introduced in the House of Representatives and the Senate in USA says brazenly: "adult workers in the United States and in the other developed countries should not have their jobs imperilled by imports produced by child labour in developing countries".'

Children who worked in the carpet industry did so out of desperation but Tom Harkin and his assistants cynically portrayed it as a case of exploitation. In many cases, the employer too was from a similar socio-economic background as the children they employed, and both parties viewed the arrangement as a means of providing a livelihood for the families of children involved in the manufacture of carpets. The result of the Harkin-Satyarthi effort was that scores of families of carpet manufacturers as well as families of their employees were reduced to misery and many of them even faced starvation.

Satyarthi's NGO, Rugmark, later changed its name to Goodweave International and it is pertinent to note that a majority of its board members have Christian names and at least two of them are from Western churches that use the alleviation of human suffering as a cover for proselytism, a strategy that has been effectively used by Western governments to destabilize several countries. While one board member, Rev. Pharis J. Harvey, is from the United Methodist Church, another board member, Pat Zerega, is from the Evangelical



Nobel Peace Prize is just an award given by a group of politicians from Norway.

cal Lutheran Church.

It also turns out that Tom Harkin was responsible for nominating Kailash Satyarthi for the Nobel Prize, effectively making the prize a quid pro quo for Satyarthi's services rendered to American politicians.

Although Satyarthi was unknown in India and around the world until he was named as the recipient of this year's Nobel Prize — making the award even more questionable — Western countries seem to have decorated him with many prizes such as the Robert F. Kennedy Award, Defenders of Democracy Award, an award from the US State Department and other awards from European countries. Many of the awards he has received are known to have been used in the past as rewards for advancing the agenda of American and European governments.

Despite the US government honouring Satyarthi with awards, a Wikileaks cable acknowledges that they understand he exaggerates the number of children who are engaged in child labour in India. Others have complained that Satyarthi has made tall claims of rescuing up to 50,000 children but has been unable to provide details of the identities and whereabouts of the children when challenged to do so. Satyarthi has also been accused

of staging a 'rescue' operation for the benefit of Dutch television cameras by using a child who acted out the part of the victim.

The West has shown that its relationship with India is in bad faith and has sent the message that working for its mercantile agenda by acting against India's economic interests can be rewarding. It should be noted that among the five Norwegian politicians who form the panel that decides the winner of the Nobel Peace Prize, two of them have a history of actively interfering in Sri Lanka and supporting the Sri Lankan terrorist group LTTE. Of the two, Gunnar Stålsett is a former bishop and served as the state secretary of the Ministry of Church Affairs and Education while Thorbjørn Jagland is a former Prime Minister and a member of the Labour Party in Norway which grew out of the Communist movement. It is time for Indians to realize that the Nobel Peace Prize is just an award given by a group of politicians from Norway who pursue their own agendas, and the process of awarding this prize too has had its share of corruption scandals. □□

(Courtesy <http://www.indiafacts.co.in/>)

[Arvind Kumar is an energy trader and entrepreneur. He can be reached at arvind at classical-liberal dot net..]

Unnat Gaon - Unnat Bharat



Gandhi ji's idea to develop the Indian society was based on his understanding of the society and hence based on the village system. Talking about the importance of village, he wrote in 1936, "I would say if the village perishes, India will perish too."

After 67 years of India's Independence when we look towards our villages we see that there is a lot, which needs to be done. Almost 70% of India's population lives in villages. As per RBI report of 2012 about 21.66 Cr people which constitute about 26% or rural population are Below Poverty Level. A major cause

of poverty among India's rural people, both individuals and communities, is lack of access to productive assets and financial resources. High levels of illiteracy, inadequate health care and extremely limited access to social services are common among poor rural people. Microenterprise development, which could generate income and enable poor people to improve their living conditions, has only recently become a focus of the government. Women in general are the most disadvantaged people in Indian society, though their status varies significantly according to their social and ethnic backgrounds.

Literacy rate in rural India is about 69% as compared to 85% in urban India. Though the Female literacy rate in rural India has increased in the past decade but still it is as low as 59% compared to 80 % in urban India. Access to quality medical care is limited or unavailable in most rural areas. According to a 2005 report, 42% of India's children below the age of three were malnourished, which was greater than the statistics of sub-Saharan African region of 28%. Approximately 1.72 million children die each year before turning one. Diseases such as dengue fever, hepatitis, tuberculosis, malaria and pneumonia continue to plague India due to increased resistance to drugs. Health issues confronted by rural people are many and diverse – from severe malaria to uncontrolled diabetes, from a badly infected wound to cancer. Postpartum maternal illness is a serious problem in resource-poor settings and contributes to maternal mortality, particularly in rural India. A study conducted in 2009 found that 43.9% of mothers reported they experienced postpartum illnesses six weeks after delivery.

Access to improved sanitation is available to only 24% of the rural population. That means more than 60 Crore people in rural area defecate in open. Though Govt. claims that about 90% of rural population has access to improved drinking water facility, but the fact is that only 31% of the 167 million rural households in India have access to tap water. The harmful impact due to lack of sanitation facilities and poor quality of water can be assessed by the fact that about 37.7 million Indians are affected by waterborne diseases annually, 1.5



A major cause of poverty among India's rural people is lack of access to productive assets and financial resources. High levels of illiteracy, inadequate health care and extremely limited access to social services are common among poor rural people, emphasizes Sanjay Ganjoo

million children are estimated to die of diarrhea alone.

As on 31st August 2013, a total of about 84 thousand villages of India are yet to be provided with electricity access. Though the access to electricity may be upto more than 90 percent villages but in terms of electricity connection to households the Census of 2011 indicates that close to 43.2 percent of India's rural households continue to depend on Kerosene for lighting, while even today 0.5 percent of its population or close to 9 lakh households does not have access to lighting at all. Teledensity in rural India is about 43% as against the national figure of 74%.

In the year 2000, around 40 per cent of the villages in India lacked all-weather access roads. This constrained economic activities and access to essential services. Nearly 74 per cent of India's rural population, constituting the majority of India's poor, were not fully integrated into the national economy. PMGSY was launched in Dec 2000 to provide connectivity to all habitations having a population of more than 500 persons is densely populated villages and 250 persons in sparsely populated villages in 10 yrs period. After 14 years of PMGSY launch and after spending 1,09,638 Crs connectivity to 81% eligible habitations (1,78,184) has been made.

Agriculture and allied sectors like forestry and fisheries accounted for 13.7% of the GDP in 2013, about 50% of the total workforce. The economic contribution of agriculture to India's GDP is steadily declining with the country's broad-based economic growth. Still, agriculture is demographically the broadest economic sector and

plays a significant role in the overall socio-economic fabric of India. As of 2011, India had a large and diverse agricultural sector, accounting, on average, for about 16% of GDP and 10% of export earnings. India's arable land area of 159.7 million hectares (394.6 million acres) is the second largest in the world, after the United States. Its gross irrigated crop area of 82.6 million hectares (215.6 million acres) is the largest in the world. India is among the top three global producers of many crops, including wheat, rice, pulses, cotton, peanuts, fruits and vegetables. Worldwide, as of 2011, India had the largest herds of buffalo and cattle, is the largest producer of milk and has one of the largest and fastest growing poultry industries. In spite of being second largest producer of agricultural products India reported 13,754 farmer suicides in 2012. The farmers suicide rate in India has been in 1.4 to 1.8 per 100,000 range over a 10 year period through 2005.

Though India has registered a record wheat and rice output, yields of major crops are much lower when compared with the production developed countries. According to the latest FAO report, the average yield of rice in India is 2.3 tonne/ha as against the global average of 4.374 tonne/ha. China is the largest producer of rice with an output of 197 million tonne with a per-hectare yield of 6.5 tonne while countries like Australia (10.1 tonne), US (7.5 tonne), Russia (5.2 tonne) lead the tally.

India has done better in wheat by achieving a yield closer to the global average. It has recorded an average yield of 2.9 tonne per hectare as against the global benchmark

of 3.0 tonne/ha. However, it's still far from countries like France (7.0 tonne), US (3.11 tonne) and China (4.8 tonne).

Water shortage, absence of high-yield varieties of seeds and the lack of research and development are the basic causes behind the low per-hectare yield of crops in India. "If production has to go up, yield must improve.

Government of India through its various Ministries spends more than 2 lakh crores annually for rural development. Ministry of Rural Development alone spends about 80 thousand crores on schemes like MGNREGA, NRLM, PMGSY, IAY, Nirmal Gram Abhiyan, IWMP, NRD-WP, BGRF etc. Though these scheme have been helpful in improving the condition of rural areas and masses to some extent but keeping in view the above statistics a lot more needs to be done.

For instance MNREGA instituted with great hope that it will help in eradicating poverty from Rural India has not delivered the desired results on ground. The expenditure under this Act has marginally increased from 29.2 thousand crs in 2011-12 to Rs 33 thousand Crs in 2013-14. Out of this expenditure the actual wage component is only about 75%. As against 100 days of guaranteed employment National average of 43 per person days per HH in FY 2011-12 was achieved. The National average of person days per HH per year is decreasing every year. This means if an average wage of Rs 150 per day is paid to a worker then the annual income of that HH through MGNREGA is about Rs 6500.

[To be continued]

Development of science & technology must for self sufficiency in Food and Defe

Top most requirement of a country is self sufficiency in wholesome organically grown food and indigenized national defense. This can be best achieved through development of high grade edge breaking superior scientific and technological intellectual knowledge giving world class universities and inventive research institutes for developing superior unfailing deterrents and missiles with their effective control and interception measures. The system and quality of governance and administration are means and should supplement and facilitate pursuit of scientific excellence. Greater emphasis and complacent reliance on traditional ethics deficit governance and administration and glamorous populist development or vikas have been regressive and illusory. Therefore, development of science and technology is panacea and sine-qua-non.

Food self-sufficiency

A country can live happily, peacefully and honorably if its citizens have sufficient wholesome food and fiber. A tropical and sub-tropical country can produce sufficient wholesome food and fiber and grazing grass for dairy cattle and sheep under efficient field micro catchment salt free and oxygen rich rain water harvesting and subterranean dam systems with augmenting salt free canal and ground water irrigation, where available, rain water recharge of underground aquifers through recharge wells and compatible river interlinking only for surplus flood water for subsequent ground water irrigation using solar energy pumps, light non-incisive soil structure and natural perennial vegetation preserving cultivation practice and harnessing of solar energy at grass root level in open villages and towns in arid, semiarid and sub-humid regions. It is ironical that India having sufficient average annual rainfall for less water consuming summer and winter crops has been facing draught and famine once in four years particularly in arid and semiarid regions causing large number of cattle deaths. Therefore, greater

India, a tropical country with vast natural resources and plenty of sunshine, does not require foreign direct investment. It needs development of high grade edge breaking superior scientific and technological intellectual knowledge giving world class universities and inventive research institutes for developing superior unfailing deterrents says
Bhanwar Dan Bithu



Strong, prosperous and intellectually developed country can live in peace and happiness.

emphasis and priority should be given to efficient field rain water harvesting and augmenting artificial irrigation for organic agricultural, livestock and social forest production farming instead of environment polluting industrialization and excessive human comfort and convenience giving fossil fuel burning vehicles and machines. Even hydro-electrical power generation in seismic and semi-seismic Himalayan and other hilly regions submerging forest trees, destabilizing rocky strata, increasing earthquake vulnerability of geological strata and causing rock slips and mud slide on heavy rainfall over saturation is un-scientific in the long run. Mechanized farming and wind power generation required deforestation and land clearance have led to rock slips and land-slides on saturation after heavy rainfall in 2014. Therefore, all development works should be tested by touch stone of science and technology by subject matter specialists for long term sustainability and structural, soil and geological integrity. Unilateral unscientific and incompatible populist decisions of development works should be avoided.

National defense

Strong, prosperous and intellectually developed country can live in peace and happiness and can establish righteousness by defeating and destroying un-righteousness. Post vedic and medieval period his-

tory has shown that unilateral over peacefulness and piety believing that nobody would cause physical and cultural invasion if we are peaceful and brotherly has proved wrong showing lack of understanding of human psychology and intelligence service inputs. Rama and Krishna could establish righteousness because they were very strong and invincible and possessed superior unfailing deterrents and missiles. The invading hordes in medieval period perpetrated physical, social and moral crimes and terrorized and defeated India because we had not developed competitive superior weapons and could not thwart guerrilla and proxy wars. We have got to be victorious in proxy wars thrust on us by inimical neighboring countries also by using proper quick heavier retaliation, intelligence service inputs and superior precise deterrents and missiles. Therefore, development of indigenous national defense with invention of high generation of superior unfailing nuclear and electro-magnetic deterrents and short and long range missiles and their control and protective devices is of top most priority. This needs to be done through intensive research and inventions in indigenous world class scientific and technological universities and inventive research institutes in public and private sector encouraging, recognizing and financially supporting our own scientists and technologists. Development of import and foreign direct investment based national defense weapons, equipments and technology may generally be of second rate and may not be dependable in adverse condition and situations. Good governance and administration are essential but are secondary and supple-

mentary. Complacent trivialization, deficit recognition and autocratic generalist dealing of world class scientists and technologists prompt brain drainage and weak national defense development. Weakness and failure in thwarting and strategically fighting and controlling proxy war have been humiliating and damaging in the long run. Superior long range remote control weapons and effective intelligence service inputs are of great help.

Intellectual development

It is unbecoming and not good that India has not yet established world class scientific and technological universities and research institutes to be counted among one hundred top world class universities and research institutes. Therefore, one of the most important works is to establish indigenous world class autonomous universities and research institutes in public and private sectors based on merit and excellence. The country may give full scale financial and social help to poor and neglected class of persons. Spreading mediocre elementary and secondary education extensively is good but not at the cost of world class scientific and technological universities and inventive research institutes. Learned and dedicated world class scientists and technologists and research scholars can ensure national wholesome organically grown food, indigenous national defense and scientific and technological excellence self sufficiency. Working of high level world class dedicated scientists, technologists and research scholars is more of desire less and ego less working (Nishkam karmayoga) and as such needs trust, recognition, congenial atmosphere, encouragement and

View Point

full financial support without admonition and autocratic generalist unproductive dealing. Teachings of Rama and Krishna greatly inspire and encourage us to develop indigenous world class science and technology for national strength, prosperity, intellectual honor and establishment of overall righteousness and human welfare.

Foreign direct investment and self sufficiency

Agriculture, science, technology and national defense self sufficiency requires indigenous natural resources, scientific and technological intellectualism and national capital investment augmented by foreign direct capital and intellectual investment. It is a multi-pronged approach dominated by indigenous investment and scientific and technological intellect. Foreign direct investment is one among other aspects which may not be panacea for long term holistic national development in the prevailing international scenario where foreign direct investment is generally laced with high profit demand and sharing of second rate scientific and technological knowledge. Therefore, foreign direct investment should be acquired sparingly laying greater emphasis on developing indigenous capital, natural resources and superior human intellectual excellence.

FDI in the form of capital investment and giving of scientific and technological knowledge in return of high profit, higher grade employment and sale of manufactured goods may give capital to import needed hardware and scientific and technological knowledge. It is a give and take transaction at un-level ground and is just better than doing nothing in the



A multi-pronged approach dominated by indigenous investment, scientific & technological intellect needed.

absence of capital and knowledge. But the better course is to develop national local people's capital investment and acquiring of superior high generation scientific and technological knowledge through indigenous world class scientific and technological universities and inventive research institutes. FDI does give industrialization, mega mechanized inorganic farms, metro and high speed bullet trains and proliferating market importing high cost defense weapons and equipments and other manufactured goods at the cost of environmental pollution, unwholesome food, loss and extinction of high valuable indigenous diverse genetic biological wealth and evolved domesticated seeds and unequal short term wealth and employment generation with saturating and diminishing market and return. It is intrinsic human nature to make the country strong, prosperous, intellectually superior and excellent and self respecting through our own wealth, hard work and home grown scientific and technological excellent knowledge in our world class universities and inventive research institute.

Internal investment

Self internal investment is local people's investment from their savings. It is country's saved money with no strap and bondage. For general infrastructure development

of roads, railways, aerodromes, civil planes, ships, heavy trucks, helicopters and heavy earth moving equipments local money, natural resources and known science and technology are required which India can manage from indigenous resources without FDI and import of science and technology. Therefore, a tropical country with vast natural resources and plenty of sunshine does not require foreign direct investment for organic agricultural, livestock and forest production farming, harnessing solar energy at grass root level, solar powered essential industrialization and smart clean cities.

Technology import

FDI and import of national defense deterrents and equipments are needed for import of essential superior world class scientific and technological knowledge. This knowledge can be developed by our own world class high generation scientists and technologists working in indigenously established world class science and technology teaching universities and inventive research institutes. India has very big resource of talented and learned scientists and technologists of which thirty percent are youths. The country's talented intellectuals and intelligent persons should opt for scientific and technological education and inventive research preferably

in indigenously developed world class scientific and technological universities and research institutes and adopt scientific research livelihood instead of cozy high wage earning ethics deficit administrative and business livelihoods.

The country more needs righteous, death embracing valorous, renunciation practicing and dedicated scientific and technological inventive research doing persons than FDI and import of scientific and technological knowledge which is generally of second rate. It can be skipped by developing internal self investment, indigenous scientific and technological excellence in organic wholesome food and superior edge breaking national defense self sufficiency, righteousness and economical and sustainable exploitation of natural resources. It is better and more effective to make smart, ethically dis-

ciplined, righteous, self sacrificing and world class scientific and technological persons who would contribute to national strength, prosperity and intellectual excellence and honor than to develop smart and clean heritage and religious cities and mega urban cities, import based national defense deterrents and equipments, highly productive unwholesome food producing inorganic mechanized agricultural farms and environment polluting non-essential goods and services producing industrialization through foreign direct investment and massive import of goods and second rate science and technology. Therefore sooner indigenous world class scientific and technological universities and research institutes are established better it would be to compete and not to lag behind in the race of developed countries. Big foreign direct invest-

ment and massive imports may be of not much help and use if prevailing corruption, selfishness, egoism and economical, social, moral, physical and terrorist crimes continue unabated and uncontrolled. Foreign direct investment and import of science and technology for cleaning polluted sacred rivers, developing smart clean heritage and religious cities and other mega cities and fanciful and glamorous bullet train and frightening long term accident prone nuclear power reactors are not essential for us as we already know and can implement these things provided there is firm determination, will to take non-populist correct scientific decisions, minimal interference in ecology and nature and necessary match making of execution personnel. Our heritage and religious cities and sacred rivers should have no interference in nature. □□

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Stem cell therapeutics & Regulations



Today, China is the leader in Stem Cell Therapy. It has become the destination for stem cell tourism. Even Europe with their high profile – vain glorious? – Ethics has found itself lacking in the advancement of therapeutics; though scientists from small European countries grumble that Americans steal their research and bask in the lime light!

Stem Cells are known to the science for more than 100 years. They emerged into therapeutics around 1980s. Compassionate, loving and caring grand daughters of grand dad suffering from Parkinson Disease got their embryos aborted in

USA so that embryonic stem cells from the aborted fetus can revert the old man to normal health. This startled the law makers in USA. It stirred the Catholic conscience of President George Bush. He banned Stem Cell Research funding. In the mean while, European and Chinese researchers got a head start. Ten years later several American researchers including some Nobel Laureates were to threaten American President in an open letter that they would leave USA unless the funding is restored. Barak Obama restored funding and, dared to proclaim that science can be infinitely patient; but a patient cannot. He cannot be made to languish to wait a green signal from conscience keepers.

India suffers

Most of our leaders, particularly Jawahar Lal Nehru were under the compelling influence of Western ethos; it took the Genius of Gandhi and Sri Aurobindo¹ to revert back to their roots. Most Indians still take pride in aping the West. This is even more so with our scientists; most of them have their advanced studies (including the authors) in the West and, may be only a handful would know a book by Mahatma Gandhi titled “Hind Swaraj.”

It is indeed fortunate that the sensibility of the present Prime Minister extends to cutting edge science of Stem Cell and Applications. We believe he is rooted in Indian Ethos, so the health needs of 130 Crore Indians will be on his mental radar. We also believe that he is perceptive to understand that multinationalals that he is wooing for Capital would be lured to India, not for any altruistic, humanistic aims but only by profits. The bottom line of all dialectic discussions should be that an Indian collective consciousness has to evolve to a consensus that we will be guided by Swadeshi interests and, our Ethics will be those that are enunciated in our scriptures: Rig Veda, Upanishads and Bhagvat Gita.

Need for Regulations

It will be foolhardy to say that there should be no regulations in health care. Quacks abound. Malpractice does prevail. An ailing patient, particularly one from suffering from an incurable condition, is likely to be drawn to Stem Cell Therapy in view of its potentiality. This can lead to not only exaggerated claims but also to fraudulent practice.

We need to amend the decision that labels stem cell as a drug since it is a decision “that should not have been taken”, plead
Dr. Bhaskar Vyas and Rajni Vyas

Yet, when we consider Federal Drug Agency as a gold standard; wisdom eludes us. FDA may be good for USA; the agenda here is not to discuss FDA. The agenda here is sure to denounce application and imitation of FDA regulations in India.

Regulatory Agencies and Regulations to-day

So, we may initially review the regulatory agencies and their roles in our country. We shall also overview the process and its successful implementation. The over all health care is regulated in India as:

- Registration of doctors as providers of Modern Medical Health Care by Medical Councils; State level and National
- Regulation of medical practice norms of doctors as providers of Modern Medical Health Care by Medical Councils and Indian Medical Association; State level and National
- Guiding and formulation of regulations of medical research norms of doctors, research scientists, biotechnologists and pharmacists as engines of cutting edge developments of Modern Medicine by Indian Council of Medical Research.
- Drug Controller General India (DCGI) at National and State Level regulates the production and manufacturing of drugs; registers and regulates clinical trials; this way it gives *license* for drug discovery.
- Regulatory, restrictive and punitive powers for violations of the norms vis a vis drugs rest with Drug Controller General India;
- Medical negligence is punishable at Consumer Courts, at District, State and National levels; It is also punishable both under Civil

and Criminal Acts.

The present status of Stem Cell Therapeutic Applications in India

While ICMR guidelines -2013 are conducive to research; the bottom line is: **Stem Cell is labeled as a Drug.** This could mean almost a death knoll of stem cell therapy: *The Hindu* cautioned the medical doctors; "be prepared to go to jail!"

With great merit, DCGI invited a nation wide debate. There was a cascade of objections, led by Stem Cell Society of India.

Fortunately national elections ensued and the draft could not be implemented. Yet, the label of being a drug is stuck on the cell therapy.

Special Need for Regulations for Stem Cell Therapy

Labeling Stem cell and cellular therapy as drug therapy means that these products that are being accepted as beneficial in several conditions, will need to follow a drug discovery process. A single drug discovery is estimated to cost INR 1.8 billion as of to day.

Why and how do we change Regulations

Prof. Hongyun Huang from China was asked by us as to how China has overtaken the world in stem cell therapeutics. His reply was that China has interpreted ethics as per their own traditions. They have clearly understood the difference between those stem cells that can cause tumors and others, which provide means to the beneficial effect.

Axiomatically, our laws should be derived from Ethics that are basic to Indian culture and civilization. More over, a law that cannot be implemented is not a good law. A law has to be in consonance with the *largest good of the largest number of people: bahujana hitah:*

bahujana sukhah.

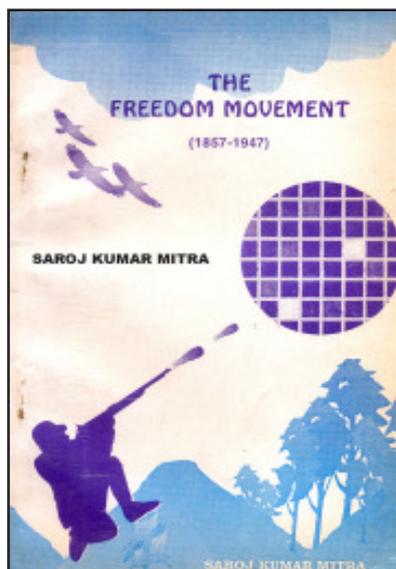
Instead of "copy –paste" FDA, let us follow China. We need not repeat what is already proven and published in prestigious journals. Let us rely on the ample number of regulations that already binds research and therapy in India. If we like to change, let us change the Drugs and Cosmetics Act 1945, formulated by British, all to-gather. Let us have faith that our doctors have a conscience; and of course, they are already under the purview of malpractice laws. Let us have the interest of those patients in mind who is suffering from incurable conditions, living without any national health support and whose only hope is stem cell therapy.

We need to amend the decision that labels stem cell as a drug since it is a decision "that should not have been taken".

Stem cell and Cell based therapy should be put into an altogether category of therapeutic agents. We have already accepted the proven effects of haemopoetic stem cells and therapy is allowed; in the same vain, let us allow therapy for cells other than embryonic and pluripotent stem cells. The later category may be reserved for research only; but at the risk of repetition, we assert there is no ethical or scientific justification for enforcing expensive and tardy clinical trials. What is proven in China, Japan, Poland or Jordan, regardless of lack of evidence from USA who has lost the leadership position at least in this field, should be accepted. The medical doctors and patients with their informed consent should be free to opt for the therapy.

China is the leader in Stem Cell Therapy! Follow the Leader!! □□

(Authors are specialized medical doctors and stem cell researchers)



First Muslim League Conference

Being encouraged by Minto, Muslims organised Muslim League which held its first conference at Karachi in 1907 and demanded for separate electorate.

Deportation of Leaders -1908

The Moderates debarred Extremists to attend its sessions and reaffirmed its faith in constitutional means.

Thus the Extremists faced the wrath of the Govt. and deportation orders against following persons were issued under Regulation III of 1818 of Third Marhatta War.

1. Aswini Kumar Dutt
2. Krishna Kumar Mitra
3. Satish Chatterjee.
4. Subodh Mallik
5. Manoranjan Guha Thakurta
6. Syamsunder Chakravarty (Dr. Hedgewar was intimately connected with this man)
7. Poolin Behari Das.
8. Bhupesh Chandra Nag
9. Sachindra Prasad Basu.

Tilak was sent to Mandalay for undergoing imprisonment for six years. Gokhale informed the

The Freedom Movement (Untold stories)

Secretary of state in London that Tilak had great connection with Bapat and Savarkar. Somehow the revolutionaries got the copy of the Telegram sent by Gokhale and resolved to kill him which was averted but for the persuasion of others.

Revolutionary Activities

Anusilan Samity spread its branches throughout Bengal. P. Mitra initiated Poolin Behari Das into Anusilan Samity by reciting stanzas from Chandogya Upanishad in 1905. Poolin was in charge of Dacca Anusilan Samity. Barindra Ghosh sent his men to Bihar, Orissa and Madras. To co-ordinate the activities of revolutionaries the first conference was held in Calcutta at Subodh Mallik's residence in 1906.

Aurobindo's "Bhavani Mandir, "Abinash Bhattacharya's "Vartaman RanaNiti" along with the series of articles published in the language daily Yugantar titled as "Mukti Kon Pathe" (in which path the freedom) taught the revolutionaries to adopt guerrilla warfare against the govt. The Bomb Manual written by Barindra was later recovered from Bhai Parmananda by Police.

The first attempt to kill Governor Fuller was made by Prafulla Chaki a boy of 17 years in 1907 by throwing a bomb at the train in which Fuller was travelling. Though

the train was derailed Fuller was safe. Hemchandra Das who went to Paris by selling his property to learn bomb-making returned to Bengal in 1908 and joined the group led by Barindra. Another expert in 'bomb making' named as Ulaskar Dutt also joined the group. The next attempt to kill Kingsford the Presidency Magistrate by Khudiram Bose and Prafulla Chaki at Muzafarpur ended in killing Kennedy's wife and daughter, Chaki shot himself dead while Khudiram was hanged on 30 April 1908. The large funeral procession carrying the dead body of Khudiram Bose when published in Newspapers created a sensation in India.

Again at Muraripukur garden in Calcutta, Police unearthed a bomb-manufacturing centre and arrested 34 persons including Aurobindo, Barindra etc. This case was famous as Alipore or Maniktala bomb case in which Chittaranjan Das defended the accused. One Narendra Gosain, the son of a rich Zamindar became the approver whom Kanailal Dutt and Satyen Bose, the two co-prisoners shot dead inside the Jail. (Some revolutionary leaders accuse Barindra of disclosing the name of Naren Gosain to Police) Kanailal Dutt gained weight before his hanging and Calcutta witnessed the largest ever funeral procession

for Kanailal Dutt when tears of weeping women rolled on along with fasting youths marching in thousands. Shyamji Krishna Verma sent one bust sized statue of Kanailal Dutt from London for its installation at Chandan Nagaore. Govt. became nervous. Barindra told Alam, the Dy. S.P. in the Court. “...three bombs have brought Morley-Minto Reform dash (–) would be coming, Beware !” Allam was murdered later. Barindra faced transportation and Aurobindo was released. Later Aurobindo left for Pandicherry in his spiritual mission in 1910 after delivering a public speech, the last one in his life at Utarpara. Anusilan Samity had 600 branches in India and only in East-Bengal it had 30,000 members.

Sporadic killing of Police Officers, Police Informers and political decoities continued in different parts of India, from 1907 to 1914. The D.M. of Nasik was shot dead by Anant Laxman Kanhare in 1909.

The most organised was the Dacca Anusilan Samity under Poolin Behari Das who initiated Dr. Keshava Rao Baliram Hedgewar, then a student of Medical College Calcutta into Anusilan Samity and was given a secret name as “Coacaine.” Hedgewar was selected by the revolutionaries at Nagpur to maintain contact with their counterparts in Bengal who arrived in Calcutta in 1910. During his stay in Calcutta Dr. Hedgewar along with his inmates of Maharashtra Lodge went with Shyamsundar Chakravorty to a village at night to conduct the funeral rites of a Maharashtra revolutionary called Phadke of Ratnagiri engaged in



Poolin Behari Das
(24 January 1877 - 17 August 1949)

Poolin Behari Das initiated Dr. Keshava Rao Baliram Hedgewar, then a student of Medical College Calcutta into Anusilan Samity.

bomb making there and expired in 1914. In Bihar Prabhudayal started work while Sachindra Sanjal of Dacca Anusilan Samity started work at Varanasi. J.M. Chatterjee, Hardayal, Ajit Singh and Sufi Ambaprasad started revolutionary activities at Sharanpur in 1904 and then at Roorkee to organise students of Roorkee Engineering College. Dinnath, Amirchand, Balmukund, Avad behari with Rash Behari Ghosh started activities in Delhi. Amba Prasad became Editor of “Swaraj” of Allahabad and “Jhang Siyal” of Jhang.

Though Arya Samaj disowned its connection with political activity, majority of Hindus convicted for political offences between 1907 to 1925 belonged to Arya samaj. The only Instance of political dacoity conducted at

Chhanipur under Jaipur, Orissa was associated with Laxmidhar and Basu Barik. Arjun Lal Sethi, Bharat Kesari Singh and Rao Gopal singh started revolutionary activities in Rajasthan. Bishnu Dutt was maintaining link between Rajasthan and Delhi.

Chidambaram Pillai and Subramania Siva encouraged destruction of Govt. properties at Tinnelvely in 1908. Nilakantha Brahmachari with Vanchi Aiyar started Bharat Mata Association at Tuticorin. Vanchi with V.V.S. Aiyar, an associate of Savarkar in London plotted to kill, D.M. of Tinnelvely. Ajit Singh and Hardayal left for Persia and London when police ran after them. Similarly J.M. Chatterjee left for London introducing Dinanath to Rash Behari Ghosh. The group led by Rash Behari Ghosh threw a bomb at Lord Hardinge in Delhi in 1912 and caused a bomb-blast at Lawrence Gardens in 1913. Pratap Singh played a key role in such conspiracies.

In 1909, the Jat Regiment in Calcutta plotted to kill the Governor, Commander in Chief and others being encouraged by the revolutionaries which leaked out and failed.

On 17 June, 1911, Vanchi Aiyar shot dead the Collect of Tinnelvely Mr. Ashe and wrote on the dead body in Tamil, “Three thousand Madrasis have taken the vow to kill George V when he lands in the country and to make known their intentions I, Vanchi, the least in the company have done the deed.”

The network of revolutionaries spread throughout India in 1908. □

[To be Conitnued]

■ Jaitley asks CAG not to sensationalise its report ■

The Government auditor Comptroller and Auditor General (CAG) which in the past had grabbed headlines by revealing reports on 2G and coal allocation scams has been warned by the finance minister 'not to sensationalise its findings'.

"Auditor should be conscious of the fact that he is reviewing a decision that has already been taken. Have the fair procedures been followed? "He doesn't have to sensationalise. He doesn't have to get into the headlines," Arun Jaitley, finance minister said at annual conference of the Comptroller and Auditor General (CAG). He said an auditor has to be "an active auditor but activism and restraint are always the two sides of the same coin."

He further added that an auditor must be able to distinguish between a wrong decision and a corrupt one. Referring to 2G spectrum and coal block allocation, he said, the country has paid a very "heavy price" as contracts were cancelled and power sector is even suffering today. Highlighting the importance of audit, he said it was essential for accountability and transparency. It helps in good governance. Parliament's Public Accounts Committee Chairman and senior Congress leader KV Thomas also said in the conference that the auditor should restrict audits to financial impropriety and not come out with "astronomical" figures of notional losses. Jaitley also said that an auditor must be able to distinguish between a wrong decision and a corrupt one. □

Charges framed against Raja, Kanimozhi, Dayalu Ammal

A special court framed charges against former telecom minister A Raja, DMK MP Kanimozhi, Karunanidhi's wife Dayalu Ammal and others in a 2G spectrum allocation scam-related money laundering case. The Enforcement Directorate has filed a chargesheet against 19 accused, including 10 individuals and nine companies. The ED, in its chargesheet, had alleged that the accused were involved in the Rs 200-crore money transaction which was not "bonafide" and "genuine" and it was a "bribe for grant of telecom licences to DB Group companies" by Raja.

Government Austerity Drive

Unveiling an austerity drive to cut non-plan expenditure by 10 per cent, government has barred bureaucrats from travelling First Class on overseas visits and have asked them to use video conferencing as much as possible. With an aim to restrict fiscal deficit to 4.1 per cent of GDP in 2014-15, the Finance Ministry has barred officials from holding meetings in 5-star hotels and put a freeze on fresh appointments and filling up posts lying vacant for over one year.

"While officers are entitled to various classes of air travel depending on seniority, utmost economy would need to be observed while exercising the choice keeping the limitations of budget in mind. However, there would be no bookings in the First Class," said the office memorandum. The facility of Video Conferencing, it said, "may be used effectively".

The Finance Ministry said purchase of new vehicles to meet operational requirement of defence forces, Paramilitary forces and security organisations are permitted but ban on purchase of any other vehicles would continue. The government proposes to lower the fiscal deficit to 3 per cent of GDP by 2016-17. The deficit which had touched a high of 5.7 per cent in 2011-12, was brought down to 4.8 per cent in 2012-13 and further to 4.5 per cent in 2013-14 by way of austerity measures.

Identify 'Adarsh Gram' by Nov. 11

With an aim to develop three Adarsh Grams by March 2019, the Centre has set November 11 deadline for the Members of Parliament (MPs) to choose one village which they will develop as part of Prime Minister Narendra Modi's ambitious Saansad Adarsh Gram Yojana (SAGY). Rural Development Minister Nitin Gadkari in his presentation before the MPs recently said, "at this juncture, we need to immediately identify the gram panchayat to be taken up for transformation into 'Adarsh Gram'. The identification of one gram panchayat to be developed into a model gram panchayat by 2016 may be done at the earliest.

The idea is to develop three Adarsh Grams by March 2019, of which one would be achieved by 2016. Thereafter, 5 such Adarsh Grams (one per year) will be selected and developed by 2024. "The MP will not identify a Panchayat to which he/she or his/her spouse belongs," the Minister said. He added that a Lok Sabha MP has to choose a gram panchayat from within his/her constituency while a Rajya Sabha

Why 'Bilateralism' on Intellectual Property?

Several organisations and individuals from across India have collectively sent a letter to the Prime Minister, Shri Narendra Modi, expressing their concerns on the Joint Working Group on Intellectual Property (IP) set up between India and the United States of America. The announcement for this bilateral arrangement had come during the Prime Minister's maiden official visit to USA. The letter expresses their anguish on the decision to establish the Working Group. The letter urges the Prime Minister to approach the IP issue with a "holistic perspective that it warrants, rather than the official approach being subsumed by the relatively narrow confines of trade and economic policy". The letter also requests the Prime Minister "to take a personal interest in this important matter", as IP affects basic needs such as food, medicine and education, etc. which are not trade issues.

Further, the letter cautions that "bilateralism in the area of IP must be approached with an extremely high degree of caution", particularly when it comes to USA. The US administration and its trade negotiators are notorious for demanding IP standards that go well beyond WTO's IP agreement, namely TRIPS. □

MP may pick one in the rural area of a district of his/her choice in the State from which he/she is elected. Nominated MPs can choose a gram panchayat from the rural area of any district in the country.

For urban constituencies having no gram panchayats, the MP can choose a gram panchayat from a nearby rural constituency, he said. The gram panchayat thus identified should have a population of 3,000-5,000 in the plains and 1,000-3,000 in the hilly, tribal and difficult areas. In districts where such unit sizes are not available, gram panchayats approximating to the desired population level may be chosen.

Maruti looks to create land bank

The country's largest car maker Maruti Suzuki has set its eyes on the real estate sector. Flush with over Rs 9,000 crore fund, the company is planning to create a huge real estate bank by buying land across towns and cities that it aims to develop and lease out for dealerships. Ajay Seth, Maruti's chief financial officer, said the company has mega expansion plans to double its outlets over the next five years as it aims to increase annual sales to 2 million units against the 1.15 million vehicles sold in 2013-14. At present, Maruti has 1,300 sales outlets across the country — by far the biggest amongst all the car makers. Seth said a big portion of this network expansion will be through Maruti's own land bank which will be spread across the country. "It will be in Tier 1, Tier 2 and Tier 3 cities. A white paper is being prepared on this initiative and actual work will begin soon." He added that "substantial" investments will be required for the real estate push and these are being firmed up now. "We are working on a comprehensive plan."

The trigger for the land purchase is increasing prices across the country, especially in high-potential belts, which impacted profitability of dealerships.

Fiscal deficit touches 83% target

The fiscal deficit touched nearly 83% of the full-year target at the end of the first half of the current financial year, raising some worries, but the government is confident of keeping it within the target of 4.1% of GDP. Government data released showed the deficit at the end of September at Rs 4.39 lakh crore, which is 82.6% of the full-year target. The deficit was at 76% of GDP during the corresponding period last year.

Sluggish tax revenues and higher tax refunds contributed significantly to the April-September deficit number. Net tax receipts were at Rs 3.23 lakh crore at the end of September or 33.1% of the full year-target compared to 35% in April-September 2013. Cooling global crude prices and tumbling commodities have had a sobering impact on the country's public finances and reduced the pressure of oil subsidies.

Core growth slows to 1.9%

Due to fall in output of crude oil, natural gas, refinery products and fertiliser, the growth of eight core industries in September plummeted to 1.9 per cent, the slowest pace in eight months, against 9 per cent in the same month last year.

Crude oil, natural gas, refinery products and fertiliser output have registered a drop of 1.1 per cent, 6.2 per cent, 2.5 per cent and 11.6 per cent respectively in the month under review, according to the data released by Commerce and Industry Ministry.

Expansion in other four sectors - coal, cement, steel and electricity - too slowed down to 7.2 per cent, 3.2 per cent, 4 per cent and 3.8 per cent respectively in September this year against 13.6 per cent, 12.1 per cent, 10.7 per cent and 12.9 per cent rise in September 2013 respectively. In January 2014, the eight core industry index registered an overall growth of 1.6 per cent. □□

China has no military presence in Sri Lanka, India assured

Sri Lanka has assured India that China has no military presence in the country and it will never compromise on India's national security. Sri Lanka's Commander of Navy, Vice Admiral Jayantha Perera has allayed India's fears on increasing Chinese military presence in the island nation. Sri Lanka Navy Chief has also tried to lessen India's concerns downplaying China making any strategic inroads into the region. He said the Chinese are coming to the island normally for "operational goodwill visits". "For your information there is no Chinese military presence.... the interest is very commercial," he said. Perera thanked India for lending its support to end the ethnic conflict in the island nation, which he said is now marching towards economic revival.

Perera also ruled out any Chinese nuclear submarine docked in Sri Lanka stating that they are all conventional submarines. "It is a conventional submarine, not a nuclear submarine," Perera said. Vice Admiral Jayantha Perera, who is on a five-day official visit to India at the invitation of his Indian counterpart Admiral R.K. Dhowan, earlier inspected a guard of honor on Monday at the South Block. Perera's visit to India is taking place soon after the visit of Sri Lankan Defense Secretary Gotabhaya Rajapaksa's meeting with the Indian Defense Minister Arun Jaitley on October 20 in New Delhi. India is reportedly planning to supply two naval offshore patrol vessels and other military equipment to Sri Lanka. □

Switzerland reminds terms for sharing bank information

In a fresh threat to the flow of information about Indians holding accounts in foreign banks, Switzerland has said that information exchanged with India under its tax treaty can't be disclosed "in principle" to a court or any other body outside the proceedings of a "specific and relevant" case. This Swiss clarification came a day after the government was ordered by the Supreme Court to hand over all the 627 names of Indian account holders in HSBC Bank, Geneva, forcing the government to opt out from the signing of an international treaty on exchange of financial information.

India's last minute withdrawal from the Multilateral Competent Authority Agreement — which provides for automatic information exchange, starting 2017 — is bound to choke the flow of vital data to tax authorities and hinder attempts to act against unaccounted funds parked in overseas accounts. India can still sign the pact. Currently, it is awaiting clarity from the court.

EU, Russia, Ukraine sign gas supply deal

Ukraine, Russia and the European Union have signed a deal on the resumption of Russian natural gas supplies to Ukraine for winter after several months of delay during the conflict in Ukraine. European Commission president Jose Manuel Barroso, who witnessed the three-way signing ceremony in Brussels, said: "There is now no reason for people in Europe to stay cold this winter."

Talks had been broken off in the early hours as Moscow sought more guarantees from the EU that

it would help Ukraine pay for its natural gas. EU officials said both Russia and Ukraine had bargained hard for commitments from the Western bloc, with Moscow looking for EU cash to help Ukraine pay off debts to Gazprom and the Kiev authorities anxious to get a deal that they could present to domestic voters as not overpaying for vital Russian supplies.

Ukrainian Prime Minister Arseny Yatseniuk said in Kiev that the EU had agreed to serve as guarantor for Kiev in holding Russia to an agreement, notably on the price Ukraine would pay.

Yatseniuk, in figures later confirmed by Moscow, said Ukraine would pay \$378 per 1,000 cubic metres to the end of 2014 and \$365 in the first quarter of 2015. He said Kiev was ready to pay off debts for gas immediately after any deal was signed. A total of \$1.45 billion would be paid immediately and a further \$1.65 billion paid by the end of the year, he said.

Israel recalls envoy from Sweden

Israel recalled its ambassador to Sweden for "consultations", hours after Stockholm officially recognised the state of Palestine, the foreign ministry spokesman said. "This indeed reflects our irritation and annoyance at this unhelpful decision, which does not contribute to a return to (peace) negotiations," Emmanuel Nachshon said. He said the recall of ambassador Isaac Bachman was for an unspecified length of time.

Swedish foreign minister Margot Wallstroem announced her country's recognition of Palestine, making it the first major European country to do so. Palestinian president Mahmud Abbas immediately hailed the decision as "brave and historic" and called for others to follow suit but it was denounced by Israeli

Bilawal booed at rally on Kashmir

A protest march by a UK-based pro-Pakistan group on the Kashmir issue in the heart of London fizzled out as barely a few hundred protesters gathered to wave placards and flags. The so-called 'Million March' from Trafalgar Square to Downing Street descended into chaos as Pakistan Peoples Party (PPP) chairperson Bilawal Bhutto Zardari stepped on to the makeshift stage to speak.

The crowd began booing and throwing empty plastic bottles and refused to let Bilawal Bhutto speak. He was later led away under protection. The police stepped in and ended the rally. "This march was to be about Kashmir and for the welfare of Kashmiris. Bilawal has no business being here," said a group of angry protesters who had travelled from Derby in the East Midlands region of England.

The march was led by Barrister Sultan Mahmood Chaudhry, referred to as a former prime minister of Pakistan-occupied Kashmir (PoK), and was supported by Mirpuri-origin British parliamentarian Lord Nazir Ahmed of Rotherham. While the group had claimed overwhelming support from various communities for the march, others had dismissed it as against the "national interest of the people of J&K". □

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Sanctions against Fiji dropped

The US and Australia have removed sanctions against Fiji following democratic elections last month in the South Pacific nation. Australian foreign minister Julie Bishop began a two-day visit to Fiji and announced that Australia had lifted all remaining sanctions, including the sale of weapons.

US ambassador to Fiji Frankie Reed said her gov-

ernment was lifting restrictions on financial assistance to the Fijian government. Reed said in a statement it was also exploring opportunities to resume engaging with Fiji's military, including in training exercises and in cooperating on issues of global concern. Fiji's election last month was the first since military ruler Voreqe Bainimarama seized control of the island nation of 900,000 during a 2006 coup. Bainimarama's Fiji First party won a decisive victory at the polls. The actions by Australia and the US follow moves by other international groups to normalize their relations with Fiji.

US lawmakers send Diwali greetings

Cutting across party lines, top US lawmakers have greeted the influential Indian American community on Diwali and wished them an auspicious and successful year ahead. The festival of lights would be celebrated at the Capitol Hill on November 19 when the lawmakers who are currently busy in campaigning for the mid-term elections on November 4 return to the city.

"Diwali's message of tolerance and compassion is one that all Americans can appreciate. As our friends in the Indian community here in Texas and around the world come together to mark the Festival of Lights, Sandy and I send our sincere wishes for a joyous and prosperous new year," said senator John Cornyn, co-chair of the Senate India Caucus.

"This meaningful festival is about the pursuit of light over darkness, good over evil. It is a time for reflection and renewal, and it is a time for peace," said Congressman Joe Crowley, vice-chair of the House Democratic Caucus.

"As people from many backgrounds come together to celebrate Diwali, let us all be reminded of the important message of compassion and community. Happy Diwali!" he said. □□

Bali impasse paralyzing WTO work

WTO Director-General Roberto Azevêdo, as chair, reported to the Trade Negotiations Committee on 16 October that despite intensive consultations “we have not found a solution to the impasse” more than two months after the deadline on the Trade Facilitation Agreement had passed. “This could be the most serious situation that this organization has ever faced,” he said, and while members should keep working for a solution to the current impasse, “we should also think about our next steps”.

India loses case against US

India lost a case in the WTO against the US on restrictions it had imposed on poultry imports from America. Giving its ruling on a case filed by the US, the World Trade Organization’s dispute panel said that restrictions imposed by India on imports of poultry from America were “inconsistent” with the international norms. In March 2012, the US had dragged India to the WTO against India’s ban on imports of certain American farm products, including poultry meat and eggs.

India had banned imports of various agricultural products from the US in 2007, as a precautionary measure to prevent outbreaks of avian influenza in the country. “India’s Avian Influenza (AI) measures are inconsistent with (several articles)...of the SPS (sanitary and phyto-sanitary) Agreement because they are not based on the relevant international standard,” the ruling said.

India’s measures, it added, are “arbitrarily and unjustifiably discriminate between Members where identical or similar conditions prevail and are applied in a manner which constitutes a disguised restriction on international trade.”

It also said that the measures are “significantly more trade-restrictive” than required to achieve India’s appropriate level of protection with respect to the products and “therefore are also applied beyond the extent necessary to protect human and animal life or health”.

Civil society groups support India

Indian stand against WTO at food security meet in Rome has begun to garner support in its favour. India presented its case on potential damage posed by WTO’s trade facilitation agreement in an effec-

tive manner that resulted in civil society groups supporting India

India, it may be recalled, had refused to endorse WTO’s Trade Facilitation Agreement in August this year, saying it would hamper food stockpiling for its food security programme to feed 800 million people. India made a strong pitch for food stockpiling for public food security at the 41st session of the Committee on World Food Security (CFS) earlier this month at the FAO headquarters in Rome.

The meeting of the intergovernmental body, attended by representatives of governments, UN food agencies, civil society and private sector, was meant to chalk out a common strategy to fight global hunger. Trade-related matters were not on the meeting agenda. Nonetheless, India used the platform to raise the issue of trade affecting food security and to tell the world how the skewed policy of the World Trade Organization (WTO) will affect the food security of India.

Two other countries, El Salvador and Jordan, also spoke in a similar vein about the unjust WTO trade agreement. India had refused to endorse the Trade Facilitation Agreement (TFA) of WTO in August this year since there had been no progress made on food-related issues.

Permanent food security solution must

India has told the UN General Assembly that developing countries must have the freedom to use food reserves to feed the poor “without the threat of sanctions” and a permanent solution on food security with necessary changes in WTO rules is a must.

“The issue of food security is central to the pursuit of poverty eradication and sustainable development in developing countries and must be treated with the same urgency as other issues, if not more,” Counsellor in the Indian Mission to the UN Amit Narang said in a UN General Assembly session on ‘Macroeconomic Policy Questions: International Trade and Development’. He termed as “paradoxical” that just as the international community is assigning a high priority to food security as part of the Post-2015 Development Agenda there seems reluctance in addressing the important issue as part of global trade rules.

“A permanent solution on food security with necessary changes in WTO rules, if required, is a must and cannot be kicked down the road,” Narang said. □□