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Crowning glory: Gukesh with his prized possession. FIDE

All hail the new king Gukesh!

The Indian GM receives the World championship trophy at a glittering ceremony; lavishes praise on the vanquished rival Ding again



P.K. Aith Kumar
SINGAPORE

The Indian flag wrapped over his shoulders, D. Gukesh walked up to the stage. It was set up just a few yards away from where he had been sitting on a big gaming chair, behind a glass wall, for the past three weeks, fighting the battle of his life.

He was presented with the medal and was also garlanded.

Then that moment arrived.

FIDE president Arkady Dvorkovich handed over to Gukesh the World championship trophy. He took a close look at it – he had to; he had been dreaming of it every day – he smiled at the cheering audience, and posed for the cameras.

Then came his acceptance speech.

After thanking the organisers and the Singaporeans, he looked at Ding Liren, his opponent and the World chess champion till a day ago, and said, "I admire you, and thank you for this amazing fight."

All grace

Grace in the moment of triumph is an enviable quality.

A couple of days ago at the press conference, shortly after missing a winning move in Game 13, and thus potentially weakening his chances of becoming the champion, it was evident that he was having a tough time. When there was a question on Viswanathan Anand, India's first World champion, Gukesh smiled, and wished happy birthday to his mentor, who had turned 55 on that day.

Grace under pressure is an enviable quality.

And he is just 18.

He may be a gentle soul off the board, well-mannered, soft-spoken, sporting a friendly smile on his bearded face, but on the chessboard, he has an uncompromising style. As Ding often found out, he is not the one who would take the easy out for a draw and preserve the energy for the following game.

Shades of Carlsen

He would, like the World No. 1 Magnus Carlsen, grind, trying to build on the slightest of advantages. He would grind even if there is no advantage and the game had reached a drawn position for all practical purposes.

That quality of Gukesh came to the fore right through the match. It helped him win the final

game, too, and thus the World title without having to play the tie-breakers. Many, including Ding in all likelihood, had felt that Gukesh had probably lesser chances in the tie-breaker of shorter time controls. But they weren't aware of the countless blitz games he had played during his preparation.

His strong preparation, especially in the opening, was apparent in the match. He had a clear edge in the opening, during which he usually made his moves at frenetic speed, giving him an advantage on the clock. Ding himself admitted that he was often surprised by Gukesh's openings.

His biggest strength is his ability to calculate his moves accurately. Daniil Dubov, who worked as a second for Carlsen for two World championships, told this correspondent recently that Gukesh at his best was like a chess engine (computer).

Gukesh may not have been at his very best here, perhaps. He still was good enough to win the World championship.

And he is young enough that he could be several years from his peak. That may not be a pleasant thought for all those top Grandmasters eyeing the crown that is sitting pretty on his head.



The artist and his canvas: Gukesh at his workstation. FIDE

Trump's return and the South Asia outlook

In January 2025, Donald Trump will be sworn-in as the 47th President of the United States of America. Mr. Trump's re-election, and subsequent return to office, have triggered curiosity and "nervousness" in many countries. However, in South Asia, he is likely to offer a distinct continuity. His ideology and foreign policy goals will continue to push for increased cooperation, collaboration, and consultation with India in South Asia even as his leadership style, decision-making nature, and management of great power politics will provide new opportunities and challenges.

Factors in U.S.-India ties

India and the United States have enjoyed an upward trajectory in their relationship since the beginning of the millennium. Acknowledging its leadership in the region, the U.S. even labelled India as a net-security provider in 2009. The Biden administration (2021-24) has emulated a similar outlook. With China's increasing aggressiveness and assertiveness, India and the U.S. have strengthened their engagements and cooperation in South Asia. Through its Indo-Pacific strategy, the U.S. wants to supplement India's regional leadership to counter China and maintain the values-based order. Its cooperation with India on the Millennium Challenge Corporation (MCC) projects in Nepal and helping Sri Lanka out of its economic crisis, indicate this growing cooperation. Besides, Mr. Biden's passive relations with Pakistan after withdrawing from Afghanistan helped India and the U.S. foster a mutual vision for the region.

The relationship has not been free of dissonance and divergences. New Delhi's primary objective of cooperating with the U.S. is to push back against China and offer alternative development partnerships. However, the Biden administration has selectively scrutinised some



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How South Asian countries will cope with the Trump administration, even as they balance China and India, is yet to be seen

countries on democracy and human rights under the pretext of upholding a values-based order and pushing back China. While India supported the Sheikh Hasina government in Bangladesh and pragmatically engaged with Myanmar's junta, the U.S. pressured both regimes, including imposing targeted sanctions. This pressure nudged them closer to China. Similarly, sanctioning Indian firms for collaborating with Russia and accusations of corruption against the Adani Group has altered two Indian projects in Sri Lanka, leaving India to face the brunt and consequences of the decisions.

There could be less irritants

However, Mr. Trump's return is likely to assuage these irritants. As in his first term, Mr. Trump has continued to hint at burden sharing, reciprocity, nationalism, and competing against China in his foreign policy. If Mr. Trump walks the talk, he will prioritise pushing back against China while giving less importance to human rights, democracy, and nation-building. He would also want India to take the lead in the region while the U.S. would supplement the same. This would leave less space for divergences and enhance collaborative policies between both countries. Another potential irritant between both countries was concerning their policies on Afghanistan and Pakistan. During his first term, Mr. Trump punished and cooperated with Pakistan and urged India to take an active role in finding a sustainable solution in Afghanistan. With the U.S.'s withdrawal from Afghanistan and Pakistan's little strategic importance, this issue is of little dissonance now.

During his first term, Mr. Trump promoted capacity building, development assistance, defence agreements, and cooperation with the South Asian countries. This nature of assistance would continue, given his ambitions to counter

China and supplement India. Mr. Trump's little focus on democracy, nation-building, and human rights (like in his first term) would also benefit Sri Lanka, where a new government is still looking for economic assistance and exploring a lasting solution to the Tamil issue.

This approach could benefit Myanmar and the Taliban too, although it is unclear to what extent Washington would like to engage them. However, Bangladesh, which is undergoing a political transition under the new regime, will face challenges and a potential reduction in assistance.

China and the region

Mr. Trump's confrontational approach to China will also put South Asian countries under more pressure. Given his erratic decisions, Washington will likely be less tolerant of South Asian countries' agency and consistent playing of one great power against the other. Besides, the region's consistent politicisation and ambiguity over investments, defence cooperation, and agreements will likely invite more pressure from the U.S. to seek reciprocity. However, his promise of bringing peace between Russia and Ukraine and resolving the crisis in West Asia (if successful) will help weakened South Asian economies to overcome their food and fuel inflationary pressures.

As the world braces for Trump 2.0, South Asia will not be immune to the broader structural shifts. Yet, the region is likely to see more continuity. With India and the U.S. likely to increase their cooperation in South Asia and bridge their divergences, Mr. Trump's ideology, leadership style, and management of great power politics will have opportunities and challenges for the region. How South Asian countries will cope with the new administration, even as they balance China and India, is yet to be seen.



Ties with neighbours sustained by trade, projects: Jaishankar

External Affairs Minister defends Centre's neighbourhood policy, says government needs to be mature and avoid 'punch scoring' in relations

Kallol Bhattacharjee
NEW DELHI

External Affairs Minister S. Jaishankar on Friday defended the neighbourhood policy of the Indian government and said it was necessary to avoid "punch scoring" in relations with neighbours.

Mr. Jaishankar said the government had promoted development projects and trade that have helped sustain ties with neighbours.

His remarks came in response to a question from the Congress's Chandigarh MP, Manish Tewari, who said the current status of India's relationship with the Maldives, Bangladesh, and Nepal presented a challenging scenario.

"Our neighbours also have their politics. There are ups and downs in their countries, it will have implication for us. It is important that we are mature and we do not get into punch scoring," the Minister said.

"India was the eighth country that the new President of the Maldives visited after being elected on an oust-India campaign and that too under very severe economic compulsions. China was the first country that the new Prime Minister of Nepal visited and signed off on the belt and road initiative," said Mr. Tewari, stating that China had an upper hand in relation with India's neigh-



External Affairs Minister S. Jaishankar during the Winter Session of Parliament in New Delhi on Friday. ANI

bours. He further said, "Bangladesh continues to be in turmoil. My question, therefore is that while India may have a neighbourhood-first policy, is there any neighbour of India's that has India-first policy?"

In response, Mr. Jaishankar said, "I would like to remind that the very Maldives he is talking about is also the country from which Indian companies were driven out for an important project in 2012. The same Sri Lanka was the place where the Hambantota port was built by the Chinese in 2008, and the same Bangladesh was giving support to terrorism till 2014."

While it is well known that Indian companies like GMR faced strong backlash in Maldives in 2012, and Chinese construction of Hambantota took place in the early 2000s, the government of Sheikh Hasina, which came to power in 2009, undertook several landmark anti-terror steps

that addressed India's security concerns.

"Sir, I am very glad, that the honourable member referred to timing of visits (of leaders of the neighbouring countries). Before PM Narendra Modi went to Nepal, for 17 years there was no visits to Nepal. Does that mean nobody in India cared for Nepal... Visits are important, I accept it. Visits are also subject of timing, of convenience of agenda," he said.

"The honourable member asked, we give them priority, do they give us priority. The answer is yes - that if one looks at what we do with each of these countries," said Mr. Jaishankar, informing Parliament that under the Mohamed Muizzu government in Maldives, India has inaugurated the Aduo link road and reclamation project, and that President Muizzu was present at the oath-taking ceremony of Prime Minister Narendra Modi on June 9.





Patiala House Courts in New Delhi. SHINJI ALUMI/REUTERS

The knotty promise of SECTION 69

As India enforces the Bharatiya Nyaya Sanhita, the new set of criminal laws that replace the Indian Penal Code, Section 69 faces questioning from legal eyes for its gender bias, potential misuse, and implications on modern relationships, finds **Soibam Rocky Singh**

Ron July 31, a 25-year-old woman from Ramgarh, Jharkhand, filed an FIR accusing a man of engaging in a sexual relationship with her under the pretence of marriage. The woman claimed in her FIR that the man, 36, who she had known from college, had come home on multiple occasions and expressed the wish to marry her. In one instance, he allegedly told her mother explicitly not to consider any marriage proposals for her, as he intended to marry her himself.

The woman stated in her first information report (FIR) that she was introduced to his mother, who allegedly supported their union, she claimed that the man and his mother "backtracked on their commitments". She was therefore filing a case under Section 69 of the Bharatiya Nyaya Sanhita (BNS), the new set of criminal laws that replaces the colonial-era Indian Penal Code (IPC). While the trial is still pending, the man was granted bail by a local court in October.

Section 69 of the BNS, criminalises "sexual intercourse by employing deceitful means" and cites the "promise to marry...a woman without any intention of fulfilling the same", as grounds for imprisonment up to 10 years and the possibility of a fine. While it is not treated as rape, it is considered "inducement" and also applies to "false promise of employment or promotion, or marrying by suppressing identity".

There are several cases in court that use Section 69 in their FIRs, opening the doors to public and legal discourse around it. Before the BNS came into being, up to 40% of all rape case allegations pertained to 'friend', 'live in partners on pretext of marriage', and 'separated husband', going by National Crime Records Bureau (NCRB) data between 2016 and 2022.

On December 5, the Gauhati High Court granted bail to a man after he was arrested when a woman claimed that she and the man had been in a relationship for nine years, during which period, they engaged in physical relationship regularly. The man also allegedly promised her to marry. However, she found out that he had become engaged to another woman. When she asked for an explanation, the man allegedly cited parental pressure to marry the woman.

"It is a settled position of law that a simple promise to marry without anything more does not give rise to the concept of misconception of fact. Therefore, under the given circumstances, the petitioner does not deserve to be detained in custody," the High Court said.

Based on the past Prior to the enactment of the BNS, such cases were

registered under Section 376(2)(b) (commits rape repeatedly on the same woman) along with Section 90 (consent known to be given under fear or misconception), says Advocate K.S. Nanda, who represented the accused man in Jharkhand. Effectively, the two IPC Sections now form the base of Section 69.

Ravi Kant, advocate and country head of the Access to Justice Project, an international non-profit offering pro bono services, explains the difference between the previous law under IPC and the new provision in the BNS. "This is a new offence because they have used words such as 'deceitful means', 'inducement', 'false promise'. This is not rape," he clarifies.

Section 69 comes within Chapter 5 of the BNS, 'Of Offences Against Woman and Child', under "sexual offences". The need for this Section, says Kant, was "because such cases were reported a lot in the courts during the IPC time".

Another difference is that earlier, if a relationship lasted several years, and the woman claimed she was cheated on the pretext of marriage, the court typically dismissed such cases, he says. "It was reasoned that a long-term relationship implied mutual consent and understanding, making fraud difficult to substantiate." Now, even if the relationship is consensual, it is treated as an offence because it is taken as a false promise or a deception.

Gender biased Deepika Narayan Bhardwaj, a journalist, filmmaker, and activist, calls the new law "inherently gender biased and discriminative" with the law suggesting that women do not have agency in decisions around sexual matters. On January 10 this year, she had started an online petition on Change.org to repeal Section 69 of the BNS, which has since garnered over 60,000 signatures.

Her contention in the petition is that "a consensual sexual relationship made on promise of marriage will be a crime only if a man reneges from it and not a woman".

"The petition also talks about the power equation, where 'the law presumes a woman cannot be in position of power to induce a man into sex by false promise of job or promotion' and also said it "completely discards the concept of will and consent" around sexual matters.

Since Section 69 is a recent addition, Bhardwaj uses past data recorded under Section 376 (rape) for context and comparison. Until 2015, the NCRB that compiles a yearly compendium of crimes across India in 'Offenders Relation to Victims

of Rape' category under the 'Crime Against Women' chapter, the relationship between the accused and the survivor in rape cases was broadly categorised as a 'family member', 'neighbour', or 'stranger'. However, the growing number of cases involving 'false promises of marriage' led the NCRB to refine its classifications.

In 2016, specific subcategories were introduced under the 'Offenders Relation to Victims of Rape', including 'friend', 'live in partners on pretext of marriage', and 'separated husband'.

NCRB data further reveals that the average conviction rate for all rape cases between 2016 and 2022 stood at 29.7%. However, the data does not include a sub-classification of conviction rates under the 'Offenders Relation to Victims of Rape' category. This makes it challenging to determine conviction trends specific to cases involving false promises of marriage or similar allegations.

Parliamentary report

The report no. 246 of the Rajya Sabha on the BNS, released by the Department-related Parliamentary Standing Committee on Home Affairs on November 12 last year, six months before the BNS came into force, had cautioned against reinforcing gender stereotypes. According to the report, it was difficult to prove whether a promise to marry had actually been made. It also said "intentions can change over time", alluding to the very nature of relationships.

The report stated that "criminalising a promise to marry" can intrude into an individual's right to privacy and autonomy. It said that "defining what constitutes a legally binding promise to marry can be vague and open to interpretation", which could lead to "inconsistencies in enforcement and judgments". Also, a verbal intention to marry could be a challenge when it came to evidence collection.

Differing court views

On November 26, the Supreme Court flagged a "worrying trend" of criminalising long-term consensual relationships after they turn sour. "If criminality is to be attached to such prolonged physical relationship at a very belated stage, it can lead to serious consequences," the Bench of Justices B.V. Nagarathna and N. Kottiswar Singh said, while quashing an FIR against a man accused of rape by a woman who was in a relationship with him for over nine years, by her own account.

In another judgment, the Gujarat High Court on September 19 commented: "In every case where a man fails to marry a woman despite a promise made to her, [he] cannot be held guilty for committing the offence of rape."

The High Court's ruling came while quashing a February 2019 FIR for rape filed against a man, who had entered into a physical relationship with

a woman on the promise of marriage. Cases registered before the BNS came into force are being tried on the old IPC. The woman in her FIR complaint alleged that she got pregnant and when she informed the man, he reneged on his promise.

During the pendency of the trial, a baby boy was born. However, when the DNA samples of the accused and the child were tested, it was proven that the accused was not the biological father. Meanwhile, the woman got married to another person and didn't show up for the court proceeding again.

"He can only be held guilty if it is proved that the promise to marry was given with no intention to honour it and also that was the only reason due to which the woman agreed to have a sexual relationship," the High Court said, adding that "cases of consensual sexual relationship being later converted into allegations of rape are rapidly increasing".

On the other hand, in a separate case, the Kerala High Court in October declined to quash the criminal proceedings against a priest accused of raping a woman after promising to marry her. Dismissing the plea of the priest, the High Court observed that prima facie, the allegations warranted a trial, and that there was no reason to close the proceedings earlier.

Supporting the new law, advocate Gaurav Duda, Partner at law firm Phoenix Legal, in Delhi, says, "Section 69 of the BNS addresses the gaps and ambiguities in the previous law concerning sexual intercourse obtained under false pretences such as promises of marriage or other deceitful means".

"The definition of rape revolves around the 'consent' of the woman, and courts have consistently held that sexual intercourse based on a false promise of marriage, where there was no genuine intent from the outset, falls within the scope of rape. By introducing Section 69, the BNS explicitly criminalises such acts and provides clear punishment for them," he explains.

"The law is protective to women who operate in a male-dominated, patriarchal society, where marriage for women is often seen as a way of attaining personhood. Many women are consistently told in their childhood years that they belong in another home - that of their husband's and in laws".

Duda says the law broadens the legal framework by introducing the concept of sexual intercourse through deceitful means. "Moreover, it acknowledges that coercion is not limited to physical force, but can also be psychological or emotional - an aspect not explicitly addressed under the earlier law," he says.

PHL in Kerala HC

In September, a public interest litigation (PIL) was filed before the Kerala High Court challenging the constitutional validity of Section 69 of the BNS. The plea by a lawyer practising in the courts of Kerala contended that "the Section is derogatory and misogynistic to the extent that it views women as naive, gullible and incapable of making decisions pertaining to their life". The plea also contends that the Section would lead to "serious issues for people who are in live-in relationships and people in relationships in the nature of inner marriage".

"By omitting to include the LGBTQ+ community, it is violative of the equal protection clause. Further, it penalises a very basic human emotion, the right to have sexual union, a facet protected Under Article 21 of the Constitution," the plea stated. The High Court sought a response from the Central government on the issue.



The law presumes a woman cannot be in position of power to induce a man into sex by false promise of job or promotion

DEEPIKA NARAYAN BHARDWAJ Journalist, filmmaker, and activist

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RAVI KANT Advocate and country head, Access to Justice Project





A bust of Sheikh Mujibur Rahman, the first Prime Minister of Bangladesh, stands near a bust of Mahatma Gandhi near Sealdah railway station in Kolkata. The marble busts were installed in 2023. This is one of the few sculptures of Rahman that has not been removed. SEAGRAM/ISTOCK

Fractured bonds along the border

As attacks on minorities continue in Bangladesh, the movement of people and goods into West Bengal has been impacted. Strained bilateral ties and protests by religious organisations, monks, and Hindutva groups are affecting the tourism and medical tourism industries and cultural sector in the State. **Shrabana Chatterjee** and **Shiv Sahay Singh** report on how the ripples of the crisis are spreading to bordering West Bengal

A peek into Bangladesh through the integrated check post in West Bengal at the Petrapole-Benapole border shows that a mural of Sheikh Mujibur Rahman, which was visible from the Indian side before August 5, has been whitewashed. The flag of Bangladesh unfurls where the mural of Rahman, the founding leader of Bangladesh who has now fallen out of favour, used to be.

Change is visible not only in Bangladesh, but also in India. It is early December. Trucks pass by as usual and people can be heard bargaining with transporters, but the buzz is drowned by slogans of 'Bharat Mata Ki Jai' and 'Jai Shri Ram'.

Anjana Begum, a Bangladeshi national, is trying to cross the border. Many of her relatives married Indians and stay in West Bengal, so she often visits India. "I heard rumours that the border may be sealed. But our lives cut across the border," Begum says, as she checks her belongings.

As hundreds of people cross over, thousands of saffron-clad men gather at the spot in Petrapole to protest against the attack on Hindus in Bangladesh and demand the release of Chinmoy Krishna Das, a monk from ISKCON (International Society for Krishna Consciousness), who was arrested in Bangladesh in November.

By afternoon, the Leader of the Opposition in the West Bengal Assembly, Suvedu Adhikari, arrives and releases saffron balloons in the air. In his speech, the Bharatiya Janata Party (BJP) leader threatens to stop all trade between India and Bangladesh through Petrapole if the ISKCON monk is not released.

Just five weeks earlier, Adhikari had visited Petrapole with Union Home Minister Amit Shah, who inaugurated a new passenger terminal and Maitri Dwar (friendship gate). Shah had said that trade between India and Bangladesh had increased by 64% between 2016-17 and 2022-24. He had also pointed out that 70% of India's total trade (\$30,000 crore) with Bangladesh through land is via Petrapole and stressed that the new infrastructure will increase the passenger capacity to 25,000 daily.

When Adhikari threatened an economic blockade of Bangladesh at Petrapole, Chief Minister Mamata Banerjee urged the Union government to take up the matter of attacks on minorities in Bangladesh with the United Nations, so that peacekeeping missions may be deployed. Ever since the West Bengal unit of the BJP and Hindutva groups began protesting against the treatment of Hindus in Bangladesh, Banerjee has been claiming that this is a bilateral issue that should be dealt with by the Union government.

Tourists go back home

Among the most popular spots for Bangladeshi tourists in Kolkata is located in the centre of the city, just a couple of kilometres from the State Assembly. Every morning, air-conditioned buses with 'Destination Dhaka' written on them line up at Sudder Street, Free School Street, Colm Street,

and Marquis Street in central Kolkata, to take tourists back home across the border.

By the end of November and early December, as reports of violence against minorities in Bangladesh piled up, and protests erupted in West Bengal, frightened Bangladeshi nationals started leaving the area, popularly called 'mini-Bangladesh' by the locals. Many of them were receiving frantic calls from home, given the now-strained ties between India and Bangladesh.

On December 21, in response to a Lok Sabha question by BJP MP Jagannath Sarkar, the Ministry of Tourism informed Parliament that the number of foreign tourists from Bangladesh in 2023 was 21.19 lakh and 12.85 lakh until August 2024. The drop in the number of Bangladeshi tourists was 20.26% in July and 38.08% in August compared to the same month of the last year, the Ministry said.

Montosh Sarkar, who runs several hotels and travel firms on Marquis Street, is worried. "About 90% of our hotels are generally occupied by people from Bangladesh; now it is down to 5%," he says. Sarkar adds that there are about 150 registered hotels in the area which are dependent on Bangladeshi nationals. The situation is likely to worsen if political tensions do not ease and the Indian government does not grant visas to Bangladeshi nationals, he says.

Md Alaaddin, 38, who runs the Marquis Calcutta Guest House on Marquis Street, is keen to show how he has transformed an old dilapidated building into a guest house. "There are 13 rooms and only three are occupied by Bangladeshi nationals now. In August, the business was affected, but now the impact is even worse. The move-

ment of people should not stop," he says.

Alaaddin emphasises that hotel operators go the extra mile in ensuring the safety and security of people from neighbouring countries, such as by installing CCTV cameras. He then barges into the room of Sadiqueulqah Mirsalim, a resident of Dhaka, without knocking. "He is like my brother and will not mind," Alaaddin says, smiling, as he introduces his guest from Dhaka.

Mirsalim is on a medical visa and plans to stay for a month at the guest house. "We don't consider India as a foreign country," he says. "We get everything here. If there is a marriage in the family, people come to shop here."

Asked about the political rhetoric, Mirsalim says, "How can we dislike India? This country helps us in so many ways."

Thousands of shops in the area and in the adjoining British-era New Market complex primarily cater to Bangladeshis. Travel agents, garment sellers, traders dealing in spices, and restaurant owners are all counting their losses and hoping that the situation will change.

The ripple effect

The impact is not limited to trade in central Kolkata. It cuts across sectors, including health. For decades, patients from Bangladesh have come to hospitals in Kolkata for treatment. Tour operators say the number of visas granted to Bangladeshi citizens by the Indian High Commission has dropped, affecting medical tourism.

The fast-deteriorating ties between the two countries has clearly aggravated the situation. A little-known 130-bed hospital in Kolkata, the J.N. Ray Hospital, said that it would not treat patients from Bangladesh. "Though it is well known that a prominent BJP leader in Kolkata owns a stake in the private hospital, the remarks created panic for Bangladeshi patients visiting Kolkata."

However, other private hospitals in Kolkata say they have not changed their policy. "Every patient deserves equal care, regardless of nationality or background," says Rupak Barua, Managing Director and CEO, Woodlands Multispecialty Hospital. He adds that the number of outpatient department patients from Bangladesh has fallen by 60% in the last four months at Woodlands.

Sudipta Mitra, CEO of Peerless Hospitals, says on a regular day, the hospital receives around 150 outpatients from Bangladesh and 25 admissions. "The number of Bangladeshi patients has now reduced due to visa issues, but when they come back, we will treat them just as we treat other patients," he says.

With Bangladeshi patients in Kolkata's private hospitals dropping by 60% to 80%, several hos-



Protesters including Radharaman Das, vice president of the ISKCON Kolkata Centre demand the release of Chinmoy Krishna Das in Bangladesh. SEAGRAM/ISTOCK

We don't consider India as a foreign country. We get everything here. If there is a marriage in the family, people come to shop here

SADIQUEULQAQH MIRSALIM
Resident of Dhaka

tals in Kolkata are rescheduling the dates for surgery and other procedures for patients from the neighbouring country.

An eye for eye

The political developments have also brought religious organisations, monks, and Hindutva organisations into the limelight.

Journalists would visit the ISKCON Centre, located in the posh neighbourhood of south Kolkata, only during the annual Rath Yatra festival. But since November 25, when a monk of the order was arrested in Bangladesh, Radharaman Das, the vice president of the Kolkata Centre, has been giving interviews regularly to the media.

Seated in his office on the second floor, Das explains before TV cameras why he has advised ISKCON monks in Bangladesh not to wear saffron or tilaks. "We have hundreds of centres and thousands of monks in Bangladesh. ISKCON has been a target ever since the Sheikh Hasina regime fell," he says. But Das admits that he is receiving second-hand information and that telephone networks don't work most of the time in Bangladesh.

Monks from other orders, and Hindutva organisations, have also been organising protests across West Bengal. Karik Maharaj, of the Bharat Sevashram order from Belalanga, has been seen with Adhikari at several protests. The Akhil Bharat Hindu Mahasabha, led by Chandrachud Goswami, has been going to hotels and shops in Kolkata asking them to boycott products and people from Bangladesh. Three or four people of the group burned products from Bangladesh, especially potato chips, which are quite the rage in markets in Kolkata.

The Bangladesh Deputy High Commission has become a popular protest spot. A mural of Sheikh Mujibur Rahman on the outer wall of the Deputy High Commission has been covered by cloth. Security has been stepped up at the venue after protests by Hindutva groups on November 28 turned violent – protesters broke barricades and burnt an effigy of Mohammad Yunus, the Chief Advisor to the Government of Bangladesh.

By the second week of December, the Trinamool leadership started reacting to reports. Every remark made by politicians in Bangladesh found a reaction from politicians in West Bengal. Both Banerjee and Adhikari demanded that the Indian government intervene in Bangladesh even as India's Foreign Secretary, Vikram Mirri, visited the country on December 9 for the first time after the fall of the Sheikh Hasina regime.

Days after Bangladesh National Party leader Ruhul Kabir Rizvi said in Dhaka that if India claims Chittagong, Bangladesh will occupy Bengal, Bihar, and Odisha, Banerjee said, "You will take all this and we will sit and eat lollipop." When Rizvi burnt sares from India in Bangladesh, Hindutva organisations set Dhakal sares from Bangladesh on fire in Kolkata and Durgapur.

Lives comes to a halt

Along the border with Bangladesh, the Border Security Force has been pushed to the zero line in at least three battalions of Murshidabad. Of the 4,096 kilometre-long border with Bangladesh, West Bengal shares 2,246 km.

The heightened activity at the border, the war of words, threats of economic blockade, and the burning of imported goods makes Pabitra Sarkar, 87, sad. "Both Bengalis (West Bengal and Bangladesh) were inheritors of the composite culture legacy of undivided Bengal. Everything about our culture – our language and all the songs of Rabindranath Tagore and Kazi Nazrul Islam – are part of our shared history," says the former Vice-Chancellor of Rabindra Bharati University.

The academic, who was born in Dhaka, says he was in that city when the Sheikh Hasina regime fell in August this year. "My friends there I kept me protected in August 2024. I have been to Bangladesh 100-150 times. Bangladeshis are such welcoming people," he says. Sarkar is concerned that extremists are gaining ground in Bangladesh.

Academics, artists, publishers, and filmmakers are also upset. Bangladeshi publishers have not confirmed whether they will come to the Kolkata International Book Fair in January 2025. There are hardly any Bangladeshi filmmakers participating at the Kolkata International Film Festival. Clubs at Kolkata Maidan, such as the East Bengal club, have issued statements against the "systemic targeting of minorities" in Bangladesh. Many supporters of the East Bengal Club trace their ancestry to the country.

While the strain in relations peaked in the last week of November, disruptions in the movement of people and goods began in July, when the bus and railway services were suspended. The two trains running between West Bengal and Bangladesh were halted on July 19. The trains are run by the Sealdah Division of the Eastern Railway.

An official of the Railway Division says, "The names of the two trains – Bandhan Express and Maitree Express – are synonyms of our bonds and friendship [bandhan means bond and 'Maitree' means friendship], whereas the train between India and Pakistan was called the Samjhauta Express ('samjhauta' means compromise)."

Just outside the Sealdah Railway Station, one of the largest in the State, stands a 20-foot bust of Sheikh Mujibur Rahman alongside one of Mahatma Gandhi. This is probably the only sculpture of his which has not been covered, whitewashed or removed. The marble busts were erected only a year ago by a local Trinamool MLA, to celebrate the ties between the two countries and particularly between Bangladesh and West Bengal.

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Wounding the spirit of the Constitution of India

We, the people of India, having solemnly resolved to constitute India into a sovereign, socialist, secular, democratic, republic, and to secure to all its citizens justice, liberty, and equality and promote fraternity among all, have been witness to a mockery being made of our constitutional compact, in full public view, at an event organised within the precincts of a constitutional court, the Allahabad High Court.

Distancing ourselves would be a disservice

We have witnessed a sitting judge brazenly challenge the spirit and letter of the Constitution of India, in a speech that is nothing but a dog whistle that guarantees impunity to the mobs that will act on his words and views – and have been acting on words such as his emanating from the seats of power. The venom that Justice Shekhar Kumar Yadav, judge of the Allahabad High Court, spewed on the precincts of the court, has been widely reported in the media. Members of Parliament in the Opposition have initiated an impeachment motion against the judge, the Supreme Court of India has called for a report, and concerned citizens have written to the Chief Justice of India.

None of this, however, captures the sense of collective shock, dismay and grief that it is even possible for this level of public humiliation, violent, incendiary, genocidal street-talk to emerge from a seat of justice under the Constitution. For that is what it is. And it is really time to seek remedies against an incitement to violence of this nature as a part of our solemn affirmation as citizens who gave to ourselves this Constitution. The 'sludge' that was passed as learned judicial speech is an assault on the citizens of India and not an attack on Muslims or minorities or urban naxals or protesters or just any particular group that has become the latest target of mob violence/public incitement. This is not Justice Yadav's views on Muslims, nor is this a case of just one rotten apple. In distancing ourselves from his comments, we do profound disservice to our autonomous and independent determination of the terms on which the collective 'we' is constituted in this country called India that is Bharat.

Justice Yadav's speech is an act of wounding. It is a speech that inflicts deep harms on all of us: in terms of how we experience the life of the mind, knowledge, convivial living and spiritual



Kalpana Kannabiran

a sociologist based in Hyderabad

'We' the people of India must not read down Justice S.K. Yadav's speech and allow it to pass as something that is inconsequential

fulfilment in a shared space, the boundaries of which are not determined by narrow walls and fences of bigotry, and in terms of the injuries that religious bigotry inflicts on shifting targets – on people, our lived lives, our dwellings, our worksites, our neighbourhoods and our places of worship. We have also seen the disastrous effects of soft bigotry as a trigger to mob/state violence, especially in the case of places of worship.

Let us not read down Justice Yadav's speech and allow it to pass as something that is inconsequential. It is not something that can be adequately answered by the High Court that offered the space and the possibility for this – a High Court that did not rise in one voice to condemn and censure a member of the Bench for speaking genocide and atrocity. This is a court that ought to have written to the Chief Justice of India condemning Justice Yadav's speech long before the Supreme Court demanded a report in response to the petitioning and the protests by citizens who took note of the speech and mobilised action given the exceedingly slow wheel of the law.

It calls for a different order of collective judicial accountability. Nor can this act be adequately redressed by subjecting it to the low, anodyne chiding that is whispered by the judicial fraternity alone within court halls that allow restricted entry. We have seen the consequences of dog whistles of this kind over the past decade and the irreparable harms they bring in their wake. We also know that mobilising around the Constitution and its core values together as ordinary citizens, elected citizens and judicial citizens, speaking a shared language across vernaculars and faiths, is the only way of effectively affirming our collective and individual human dignity and the unity and integrity of this country – India that is Bharat.

A commons

This writer has long argued that the Constitution of India, and our rights and responsibilities as citizens, take shape through a deep connection between the intellectual history of constitutionalism and a grounding of that history in our evolving present-futures. Neither constitutional interpretation nor the delineation of our rights need be shackled by narrow reference to precedents and prior judicial wisdom alone, since the spirit of the Constitution (and indeed the Constitution itself) is not judicial

property, but is a commons. It is urgent that we think of the Constitution-as-commons – that a shared ownership and shared understanding govern its use to further the common good which is set out in the Preamble and in the philosophy of civil disobedience of various hues. Satyagraha is our collective inheritance – Gandhi, B.R. Ambedkar, Maulana Azad, Jaipal Munda, Dakshayani Velayudhan, Anis Kidwai, A.K. Gopalan....

It is not just rulers but when people who sit on judicial seats speak the undisguised tongue of rulers and the mobs, disobedience is the constitutional route to recuperation. If norms of 'judicial propriety' have come undone, Justice S.K. Yadav of the Allahabad High Court has scripted its ruination. In the resulting crisis that 'judicial propriety' finds itself in, the only resurrection is through the grammar of civil disobedience. Inquiries, explanations, reports, and measured censure will amount to nothing. Impeachment is a good move, but is only symbolic; it is destined to fail when Justice Yadav's political masters have a brute majority in Parliament, unless of course we have an unprecedented and unlikely action by members of the ruling alliance standing with the Constitution.

The outlines of a response

It is of course a sad comment that S.K. Yadav, as a judge, has political masters. This alone should trigger some deep reflection and public discussion by citizen judges, since the barrier between judicial and political speech (and space) has been breached. Taking this further, in reinstating the dignity compass and rejecting public humiliation in judicial conduct and speech, we need to think through public and judicial action that will draw on the wellsprings of our inheritance of civil disobedience and *satyagraha*. We must craft tactical resistance by refusing to allow a person who speaks this language to judge our cases or judge with us. The 'We' that opens the Preamble to the Indian Constitution is not a 'we' that is a motley group of people identified randomly (with or without their consent) as Hindu.

The 'We' is a constitutionally constituted people. A non-denominational, plural, dizzyingly heterogeneous, and diverse beyond measure people who believe in the spirit of the Constitution and its core values.



Maha Kumbh 2025 is 'maha yagya of unity', says PM in Prayagraj

The Hindu Bureau

LUCKNOW

The organisation of Maha Kumbh 2025 in Prayagraj will take India's spiritual and cultural identity to new horizons, Prime Minister Narendra Modi said on Friday, describing the event as a "maha yagya of unity".

Mr. Modi inaugurated and launched 167 development projects worth about ₹5,500 crore in Prayagraj, ahead of the mega event. He highlighted the event's role in promoting social cohesion as well as the economic empowerment of communities, noting that differences among castes and sects disappear during the Maha Kumbh.

"If I had to describe the Maha Kumbh in one line, I would say that it's a *maha yagya* of unity which will be discussed around the world. It will be one of the largest gatherings in the world where millions of devotees are welcomed daily, with a new chapter of history being written on the land of Prayagraj," Mr. Modi said.

He hailed the contribution of sanitation workers, noting that they play a pivotal role in conducting such a large event. "More than 15,000 sanitation



Narendra Modi

workers will ensure cleanliness during the 2025 Kumbh," he said, recalling his personal experience of washing the feet of sanitation workers in 2019.

Chatbot launched

Mr. Modi launched the multilingual Sah'AI'yak' Chatbot, an artificial intelligence-based platform to streamline communication for devotees attending the Maha Kumbh, in 11 Indian languages. The Prime Minister alleged that previous governments had neglected the Kumbh, forcing devotees to suffer difficulties.

"The way different government departments are engaged in the preparations for Maha Kumbh is commendable. Special focus has been given on connectivity here so that there is no problem in reaching Kumbh from any corner of the country or the world," the PM added.

