

A nation is a society united by delusions about its ancestry and by common hatred of its neighbors
William Ralph Inge

Prospects for the New Year

The Centre is painting a rosy picture of the economy in the coming financial year beginning March, 2018. Before taking a glimpse into the future, it is relevant to recall that the Government's much-touted decision to change the financial year (April to March) to the calendar year (January to December) and to introduce this change right from this year, has been given a decent burial. Nobody is talking about it anymore. The annual budget that will be presented in February this year will be for the period April, 2018 to March, 2019. As 2019 will be the year of the general election, the proposed changing of the financial year may again be given a quiet go-by.

The hard economic reality does not conform to the rosy picture that the Government, especially the Finance Minister, is projecting. Hard facts given by the Government itself fly in the face of any contrived optimism. For example, the difference between expenditure and revenue of the Union Government in the period April to November, 2017, had reached Rs. 6.12 lakh crore. Collection from the Goods and Services Tax (GST) was the lowest in November, 2017, which means the Government will have to resort to a fresh market borrowing of at least Rs. 50,000 crore which the Finance Minister had assured the country he would never do. Turning to revenue deficit, the grim picture is that in the nine month period from April to November, 2017, it stood at 152.5 per cent of the budget amount, with four more months to go in the current fiscal. The situation is equally dismal on the fiscal deficit front. At the beginning of the current fiscal, it was decided to keep the fiscal deficit at 3.5 per cent. By November it had exceeded that. The index of industrial production also has shown sign of a vigorous growth.

As the people feel the increasing privation in their daily life, with the Government reducing interest on fixed deposits and small savings schemes, while the Damocles' sword of Financial Resolution and Deposit Insurance Bill hangs on them, threatening to take away a part of their hard-earned money deposited in banks. The Government has still not been much troubled by the sense of disillusionment of the people, mainly because the Opposition is disunited and has failed to come up with an alternative agenda of development. But this may change, posing a fresh challenge to the ruling party in the election year. Personal charisma of the leader may not be enough to ride the electoral storm.

Criminalising Triple Talaq Bill passed hurriedly

REFLEX ACTION

Amritananda Chakravorty and Mihir Samson

In a sudden move, the Central Government introduced a bill criminalising the practice of unilateral instantaneous divorce by Muslim men, commonly known as triple talaq, vide, the Muslim Women (Protection of Rights on Marriage) Bill, 2017 in the Lok Sabha on 29.12.2017. The Bill was passed, amidst lots of opposition, especially amongst Muslim women's groups and organisations.

The Bill essentially declares the pronouncement of talaq, which is defined as triple talaq, to be illegal and void, and makes it a punishable offence, i.e., any Muslim man who divorces his wife, vide triple talaq, would be liable for punishment up to three years and fine. The Bill further makes this a cognizable offence (the accused can be arrested without a warrant) and non-bailable, thereby bringing it within the ambit of 'serious offences', which has furthered angered many individuals. The Bill also provides that 'subsistence allowance' would be provided by the husband to those Muslim women and their dependent children who are victims of triple talaq and she also would be entitled for the custody of her dependent children. These provisions are of little assistance to Muslim women who do not want their husbands to be treated as criminals and sent to jail, especially in light of the current atmosphere of fever growing right-wing violence against the Muslim community.

Though the Government is trying to use the mandate of the Supreme Court decision in Shayara Bano v Union of India (Writ Petition No. 118 of 2016, dated 22.08.2017) to justify bringing this ill-thought out law, in reality, it was the minority view of Supreme Court that asked the Government to legislate on this issue. The majority view, authored by Justice Kurien Joseph, Justice Rohinton Nariman and Justice U.U. Lalit in two separate opinions, the practice of triple talaq was not part of Islam, which does not sanction the practice of instantaneous talaq without providing any chance for reconciliation. Further, Justices Nariman and Lalit held that the practice of triple talaq was arbitrary and

discriminatory and was thus unconstitutional. Nowhere in the majority opinion a reference was made to the need to bring a legislation in this regard. While the government tried to paint it as a legislation aimed at gender justice, criticisms have poured in from all corners of the society.

The Law Minister claimed that the jail term intended to serve as a deterrent, as cases were being reported even after the Supreme Court verdict, rather the number had spiked, but this provision has become the focal point of the criticism. The All India Muslim Personal Law Board and even the Bebaak Collective, a group of autonomous women's organisations that played an important role in Shayara Bano case, have denounced the Bill for not taking into account the concerns of Muslim women and that of the larger Muslim community. In fact, no consultations with the groups or civil society happened. The Government did not bother to organise one meeting or consultations with the affected community to elicit their response to the Bill. The Collective further warned that such a move would alienate the Muslim men more and that criminalising them would not serve the ends of gender justice.

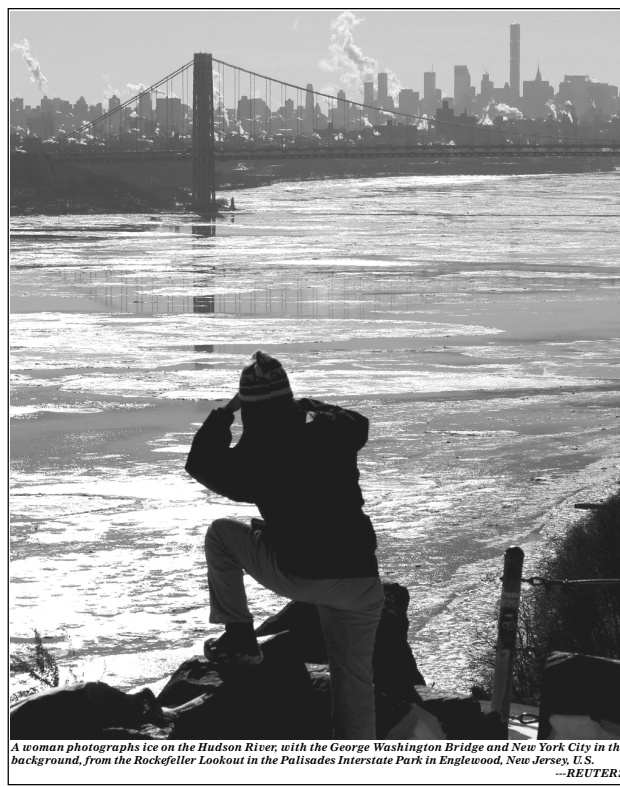
When a woman complains against triple talaq, she does so because she wants to stay in the marital home and continue drawing financial support from her husband for herself and for her children. This objective would get defeated if the husband is penalised for pronouncing talaq.

e-biddat. They have further pointed out that the legislation has a very narrow scope and is only aimed at the very practice of triple talaq and not the allied practices like that of halala that further propagate gender discrimination in the Muslim society.

Thus, it is very clear that the Bill was not brought in to fulfill the mandate of the Supreme Court judgment, since there was no such mandate given, but to advance the dangerous sectarian agenda of this government to further alienate the Muslim community, to criminalise their men and to use the discredited practice of triple talaq as a stick to further penalise the already beleaguered community. The lofty claims of the Ministers in Parliament about fighting for the rights of Muslim women sound hollow in light of their perpetuation of anti-women policies and attitudes throughout. The fact that there was no demand from the Muslim women themselves to criminalise triple talaq speaks volume about the motivation behind the current Bill. Whatever it is, it is not the best interest and welfare of Muslim women for sure.

Major decisions -

1. **Notice issued in challenge to I&B Code** - The Gujarat High Court has issued notice on a petition challenging the validity of the recent Insolvency and Bankruptcy Code Ordinance, which bars promoters from participating in asset sale. The petition argues that the ordinance does not distinguish between wilful defaulters and those who are actually interested in retrieving their company. It further argues that the rules place the management of affairs of the corporate debtor in the hands of a resolution professional, who may or may not have experience in the specific area of business of the corporate debtor, thereby risking the entire business. [Accord Industries Limited v Union of India, Special Civil Application No. 22616 of 2017, date of order: 18.12.2017] (IPA/To be continued)



A woman photographs ice on the Hudson River, with the George Washington Bridge and New York City in the background, from the Rockefeller Lookout in the Palisades Interstate Park in Englewood, New Jersey, U.S. --REUTERS

Corbyn and detractors

FOCUS

Arun Srivastava

With British Prime Minister Theresa May unable to handle effectively the Brexit issue and the Labour Party leader Jeremy Corbyn emerging as the most favoured candidate for the top job, a section of the Labour leaders opposed to Corbyn's entry into the office of the prime minister have launched a sinister campaign against him.

They have been creating the impression that the core support group of the party and its voters have been opposed to the party's current stance on Brexit. They are, in fact, in league with the Tories to stop the ascendance of Corbyn. They also supported a survey which interestingly found 32 percent of Labour 'remain' voters believe Labour is 'completely against Brexit' and a further 31 percent of Labour 'leave' voters believe Labour is 'completely in favour of Brexit'. No doubt major differences had

surfaced inside Labour in 2016 when the referendum was held to assess the mood of Britons on the Brexit. But even at that stage one possible alienation of cadres, according to Mark Malloch Brown, a cross-bench peer and chair of Best for Britain. "This data shows, clearly, that many more remainers are likely to abandon Labour over its Brexit line than leavers. Labour did so well in the election off the back of pro-European voters tactically voting for them. All that could be at risk if this policy, a calculated policy of ambiguity, continues." He is a bundle of

confusion. While he appreciates the voters' response, he expresses apprehensions. He did not spell out the reasons for his trepidation. In the backdrop of this bogey, at least seventy Labour councillors from south London have called on Jeremy Corbyn to be open to giving voters another say on Brexit. In an open letter, the councillors from Lewisham, Southwark and Lambeth wrote: "The contradictions inherent in the Brexit project itself should concern the Labour party far more than has been the case up to now. Labour should be open on the mechanism by which voters have their say but the party must be

clear that the electorate's role in this process did not end on 23 June 2016". Yes, political actions and lines always need corrections. The developments of past one year make it abundantly clear that Britons have begun the process of giving second thought to their Brexit stand. A demand has also been made to rescind the verdict. In fact, from the very beginning the party's official position has been that Britain should stay in the single market during transition out of the EU, but it has left most of the issues about the terms of UK's future trading relationship with the EU 'on the table' for negotiation. Little doubt Labour

should provide the opportunity to the people to change their mind. This would be perceived as an act of maturity and principled leadership the country so desperately needs. Labour needs to move from ambiguity in 2017 over Brexit to clarity in 2018. One thing Labour must do, come out with a clear political and ideological line. There is no denying that in the present situation the party is also in a state of confusion. If Labour does not act fast it will inflict damage to its political credibility. The Labour leadership cannot deny that on issues of contemporary politics, different sections of people are receiving different messages from the leadership. If people come to believe that there has been a deliberate ambiguity in the approach of the leadership that would prove to be counterproductive. (IPA/To be continued)

Conventional Crossword

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9						10	
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24	25	26			27	28	
29			30				
31				32			

- ACROSS**
- 1 Edible rootstock
 - 9 Keen insight
 - 11 Make over by treaty
 - 12 Kins for drying hops
 - 14 Register
 - 16 Frank
 - 19 Season
 - 21 Tree
 - 24 Trembling poplar
 - 27 Season's yield
 - 29 Hawaiian dish
 - 30 Monarch's seat
 - 31 Face
 - 32 Female sheep
- DOWN**
- 1 Diplomacy
 - 3 Most ill-mannered
 - 5 Inadequate
 - 6 Augury
 - 5 Priod
 - 6 Donkey
 - 8 Fastener
 - 8 Irritable
 - 13 Beverage
 - 15 Gnawing animals
 - 17 Limited in scope
 - 18 Breaks suddenly
 - 20 Frozen treat
 - 22 Land measure
 - 23 Cakes
 - 25 Drunkard
 - 26 Beer pastry
 - 28 United

SUDOKU: 2080

1			6	9	8			
7	9							3
			8					
		2	4					
7	3				2	5		
			3	9				
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6					8		5	
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Yesterday's Solution 2079

6	1	9	5	4	8	7	2	3
5	8	2	3	7	1	9	6	4
3	4	7	2	9	6	1	8	5
8	6	1	9	5	2	4	3	7
7	3	5	1	6	4	8	9	2
2	9	4	8	3	7	6	5	1
9	2	8	4	1	3	5	7	6
1	7	3	6	8	5	2	4	9
4	5	6	7	2	9	3	1	8

Yesterday's Cross Word Solution 088

O	R	D	E	R	S	C	O	W
P	V	T	H	E	M	E		
E	N	T	I	C	E	D	E	N
N	E	E	D	M	I	E	N	
S	T	E	E	L				
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I	D	E	A	L	S			U
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