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Founder Editor-in-Chief : COMRADE SHIBDAS GHOSH

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Aadhaar project

Does it solve any problem created by capitalism or create dangerous surveillance to protect the system?

Hardly any recapitulation is necessary. People face it every day, every moment. Yet when any significant event in the country, like the Aadhaar project, needs any attention from thinking people, it requires that we call back in what kind of situation are we living, under what circumstances the said event is taking place, and for what purpose and in whose interest.

Oppressive capitalism reigns supreme and aggressive

In brief, undeniably the country is in a strangulating grip of ruthless capitalist exploitation. Right now, a 'paltry' excise cut on fuel price, is counter-balanced immediately by an assertion of the finance minister that deregulated regime of fuel prices is not going to be withdrawn. Close – on- the heels, there is further steep rise in petro-products. The fuel price and with that, price of all essential commodities have thus shot up sky-high. With shutters downed in almost all sectors of industry, and institutions of all kinds downsizing or leaving posts vacant, unemployment tends to reach a piercing peak,

throwing the youth of the country to a dark, dismal future. The yawning gap goes on widening between a handful of millionaire to multi-billionaire rich on one hand and overwhelmingly vast poor and middle class being pushed to the brink of survival on the other. Hard-earned trade union and democratic rights of working people are being snatched away. Farmers commit suicide under pressure of ferociously increasing debt-trap or face batons and bullets of government and police when they protest. Each day countless women are trafficked, brutally raped and then murdered. Child trafficking too has become a roaring trade. Child abuse is on a menacing rise. And what is the general social ambience? Mass-mind is being vitiated with distorted version of history and spreading of obscurantist, superstitious ideas and practices, wiping out the minimum scientific, secular and democratic education that the country had established and boasted of. Thousands and one divisive measures are driven into the masses to bring disunity, enmity and mutual

hatred. Rabid anti-minority communalism, anti-dalit casteist hate campaign, even racist and linguistic enmity are being fanned up. And how are these affecting toiling people? All these sum up to erect strong impediment to development of any effective united democratic movement of all sections of affected people against exploitation and injustice, the only means they have to survive.

The Aadhaar judgement of the Supreme Court

At such a juncture of history of this land, the Supreme Court of the country has issued its verdict on the 'Unique Identity' or 'Aadhaar' scheme. After a prolonged hearing dragged over months on about 27 writ petitions, the Court could pass a fractured verdict on 26 September 2018, in which four judges held that the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016, was constitutionally valid, while Justice DY Chandrachud, a member of the bench questioned that very constitutional validity. He opined that

the Aadhaar Act was liable to be struck down as being violative of Article 110 of the Constitution.

The verdict kept Aadhaar mandatory to avail benefits of welfare schemes and to file Income Tax returns. It is also mandatory to link Aadhaar with PAN cards. However, it exempted opening bank accounts, getting SIM cards for mobile phones, or for services from private companies, school admissions or NEET, UGC and CBSE examinations etc. from being mandatory under the Aadhaar. A section of the media hailed it. To them it appeared a masterful two-in-one stroke: 'upholding a modern view of governance' and silencing critics or shrewdly offering 'a lollipop to the noisy few'. Let people judge it!

Does even the constitutionally valid Aadhaar solve any problem of people created by capitalism?

Be that as it may, the first question that should strike us, how does Aadhaar constitutionally valid

Contd. on page 2

HECI, IOE and Higher Education

Blatant crackdown on autonomy and shameless capitulation to the corporate sector by the BJP-led Union government

Attack on education from the ruling RSS- BJP combine goes on unabated and unabashed. Each day, as it appears it takes newer and newer forms swinging about the main plank of giving shape to Hindutvawadi agenda unchallenged, unopposed and unhindered. As a part of this process, the RSS- BJP steered Union government, came out with two moves within not even a fortnight which are sure to have serious, severe and long- lasting implications for higher education of the country.

Through a press release on 27 June 2018 the Union HRD Ministry (MHRD) introduced a Higher Education Commission of India (Repeal of UGC Act 1956) Bill 2018 to repeal the more than six-decade old UGC and set up a powerful Higher Education Commission of India (HECI) in

its place. The Ministry claimed it as a 'landmark decision', with focus on 'improving academic standards and the quality of Higher Education'. Whether a mere structural change could ensure quality or not, remained an unanswered question. Also questionable was whether or not the decision was really a landmark, if at all, of either ignorance or fraudulence!

Leaving aside the earlier reports from various committees at various times, the IRAHE (Independent Regulatory Authority for Higher Education) recommended by the National Knowledge Commission in 2006 or the NCHER (National Council for Higher Education and Research) from the Yashpal Committee in 2009, were similar kind of all-gripping centres of power,

subsuming existing statutory bodies like the UGC and others. Those were vehemently criticized and rejected outright by the academic community of the country. HECI was thus no novel an idea, nor a landmark !

Close on the heels, another press release from the HRDM on 9 July 2018 claimed that the EEC (Empowered Expert Committee) formed by it had "recommended" in its report "selection of only 6 institutions (3 from public sector and 3 from private sector) as IoEs (Institutions of Eminence)". Of these six, the Jio Institute was singular, in being only a proposal, as yet, from the Reliance Foundation of the BJP-friendly Ambani-group. Neither did it exist nor had it any

Contd. on page 5

Aadhaar project**Aadhaar was a brainchild of the erstwhile Congress-led UPA government, now operationalized by BJP government in full swing***Contd. from page 1*

or not, help an unemployed youth to eke out his living in any way? How does it help a debt-stricken farmer to get out of his miserable condition to lead a life of worth? Obviously, many more such questions may be posed, as to how far this 'master-stroke' of holding high constitutional validity of the Aadhaar, is going to help people come out of the strangulations they face, as listed above.

But before entering into those, let us recall that on the pages of *Proletarian Era* (1 April, 2013) we delved fairly deep into the different aspects of Aadhaar. Many more issues have added up since then. So, we may need some reiteration and a fresh look. The Aadhaar, a brainchild of the erstwhile Congress-led UPA government, was conceived by the Planning Commission with a declared intention of ensuring delivery of welfare services, smoothly and directly to the needy. But why were not the needy receiving welfare services smoothly: was it because they did not have Aadhaar or was it because the administrative machinery supposed to deliver those services and benefits was really a long string of a nexus of corrupt constituents which wielded power and the magic wand to make the 'delivery' vanish midway? Could or has, simple introduction of Aadhaar, put a leash on that nexus at one stroke? Next, was the Planning Commission set up and maintained to prescribe doles for welfare services to the needy or was it supposed to plan how people can lead a respectable life with a decent means to earn their livelihood? Was the Commission meant to make the nation a bunch of beggars with a card in hand, which again was at the mercy of a downright corrupt administration, about which the Commission must have been aware and so proposed Aadhaar? In any case, Aadhaar was introduced. The then Congress government, a trusted subservient agent of the Indian monopolists, formed the Unique Identification Authority of India (UIDAI) to implement the Aadhaar project and put N Nilekani, a leading corporate bureaucrat, a chosen representative of the ruling Indian monopolists and reportedly a member of the Congress, as the first chairman of the UIDAI. Keen to install it, the Congress government tried to introduce a National Identification

Authority of India Bill (NIDAI) in December 2010. But unfortunately for them, the Standing Committee of the Parliament called it conceived "with no clarity of purpose" and "directionless" leading to "a lot of confusion". So, they opined the continuance of the project was "unethical and violation of Parliament's prerogatives". Extraparliamentary protests and criticisms on various grounds were also galore.

This is how Aadhaar was let loose on the Indian people circumventing legislative checks in a technically unconstitutional and illegal way in absence of a constitutional provision or legal framework. But the Congress government bungled with it to keep it going that way for years affecting the entire population from such an illegal project. Of course, it was the prerogative of the Congress. The ruling Indian monopolists, even their counterparts in the USA were keen to see materialization of the Aadhaar scheme. The Congress being a bourgeois party could not disobey its masters, the ruling monopolists. Nor could the BJP, so critical of the Congress, after it rose to power replacing the Congress. So, as if to amend the irregularity of the Congress-led UPA regime and adding transparency of government decisions or expenditure, the BJP-led Narendra Modi government passed the Aadhaar Bill in 2016. After all, the BJP is of the same flock of bourgeois parties as the Congress belongs to. The BJP government termed the Aadhaar Act, 2016 a Money Bill and had it passed in Lok Sabha riding on its majority in the House. It avoided Rajya Sabha where it did not have majority thus denuding its legitimate legislative right to vote and make amendments.

This is what Justice Chandrachud pointed out in his dissent, maintaining that 'Passing of the bill as Money bill when it does not qualify as a Money bill is a fraud on Constitution and violates its basic structure'. Besides, he said, Rajya Sabha should not have been bypassed.

Thorny course of Aadhaar

Journey was never smooth for Aadhaar. One after another writ petitions were filed in the Supreme Court challenging its constitutional validity. Now, even in bourgeois jurisprudence, it is held that 'justice

delayed is justice denied'. On such an issue stated to be pivotal to the future of the nation, the court was far too slow in its deliberation. In May 2018, the Court reserved its judgment on a string of writ petitions challenging the constitutionality of the Aadhaar Act, pending since 2012. Naturally, the government did not sit idle. It went on expanding the scope of Aadhaar coverage by all means, fair or foul, soft or hard.

All through this course of Aadhaar hearings, the Court had time and again passed interim orders which directed the government not to make the Aadhaar mandatory for availing benefits till it reached its final verdict. The BJP-led Modi government, in its turn, flagrantly violated such directives to make Aadhaar all-pervasive. The Court never rebuked the government for not enforcing its orders. Rather in the final verdict, it lauded the efforts of the government and the bureaucracy, in promoting Aadhaar. Did the government then assume that the interim orders were only meant for stemming the tide of bunches of writ petitions?

Ultimately in late September 2018, the Supreme Court passed the fractured final verdict. The verdict stated that Aadhaar has empowered the marginalised sections of society and given them an identity to wade through all their wails and woes. But before finding out how far Aadhaar helps the poor with identity, we need a digression.

Corporate representatives in designing and in rescue of the Aadhaar

Once Mr. Nilekani introduced Aadhaar and was on the verge of giving final shape to Aadhaar as a plan of the ruling monopolists. He was asked in 2009 (vide *The Hindu*) how would Aadhaar details be used for better targeting the BPL and other backward segments of the populace for reaching out intended benefits to them, Nilekani had dodged the issue adding "these are legitimate concerns and I think we have to address them in the public as well as in the laws". So, there were concerns even at that time, that remain still unresolved.

Almost a decade later, the Microsoft founder Bill Gates in an interview (News 18 of 10 August 2018) refuted that the Aadhaar created a 'privacy' problem. Without proper acquaintance with the condition of another country, India in

this case, and without going into real problems, Gates simply brushed aside the issues of regular leaks of Aadhaar details by private or government agencies, as issues 'about the application', as if a method can be separated from its application in the prevailing space-time context, while judging its efficacy. However, on this much – debated question of data leakage through private or even government sources, the Supreme Court in its final verdict admitted, there was no effective Data Protection Act and the government must introduce a robust data protection system as early as possible.

The Aadhaar project then comes out to be a pet project mooted, elaborated, implemented and hastily clamped upon people by combined efforts and ideas of the ruling capitalists of the country and abroad, along with their chosen representatives and subservient political bourgeois parties of India who happen to come to power. The question is where is the common point that interests merge. Obviously in serving and strengthening the Indian capitalist system, so vital for the world capitalist system.

Privacy: "intrinsic part of life and personal liberty" upheld by the Constitution and Apex Court

Repeated reports of Aadhaar data leakage prove privacy is at stake with it. It may be recalled here that the individual's right to privacy is constitutionally protected from arbitrary or unlawful interference by the state. The Supreme Court had held the right to privacy to be implicit under article 21 of the Indian Constitution (Rajagopal v. State of Tamil Nadu, 1994 and PUC v. Union of India, 1996). And this was reiterated in the ruling of a nine-judge bench of the Apex Court in August last year that the right to privacy is a fundamental right, an "intrinsic part of life and personal liberty", guaranteed by Article 21 of the Constitution.

Now, with linking of bank accounts, PAN cards and such others with the biometric data of Aadhaar, the entire gamut of personal data, physical, financial etc., are stored in the Aadhaar file. Guard of privacy will only depend on putting in place a full-proof data protection system to prevent any leakage or pilferage. Faced with the charge of

Contd. on page 3

Aadhaar project

Justice DY Chandrachud, a member of the judgment-pronouncing bench, opined that the Aadhaar Act is violative of Article 110 of the Constitution

Contd. from page 2

leakage, the government or the UIADI have constantly reaffirmed that the system is unquestionably safe. Now the Supreme Court itself admits that 'the constitutionally valid' Aadhaar has no 'robust' data protection system. Bank accounts and mobiles practising online banking are presently made non-mandatory. But what about the data already collected? Who will be accountable if the data is found to have already been leaked, misused or erased without any back-up? Reportedly the finance minister already desired for a legislation to undo the Supreme Court verdict on making bank account and mobile non-mandatory. Justice DY Chandrachud said that allowing private players to use Aadhaar would lead to profiling, which could be used in ascertaining political views etc. of the citizens. Perhaps in recognition of that, the Supreme Court has struck down Section 57 of the Aadhaar Act, which permits private entities to avail of Aadhaar data. Why only private player? From the way the union government arrested several aged human rights activist frantically trying to paint them with the misnomer 'urban naxals', the way the police in the BJP-led Yogi government of UP are reportedly carrying out shoot-at-sight in the name of encounter, the latest ending in the killing of a business executive, it is clear that even the governments and their agencies, the CID, CBI, police, cannot be excluded from the list of being involved in misuse of Aadhaar to come down upon any opposition. In November 2017, 210 government websites and those of educational institutions displayed personal information along with UID numbers. The UIDAI admitted this had happened, but said "that was not us", the database is safe. Then they began to threaten those who exposed the leaks with criminal action. In December 2017, it was discovered that Airtel had opened bank accounts in a payments bank that they had launched; and it had seemingly done that by fudging consent, procured while verifying sim cards. When people began complaining that they were not receiving their subsidies, the latter were traced to an Airtel account that customers did not even know had

been opened for them. The fishy unconstitutional mode in which the Bill was passed point to recurrence of the same probability or even of something of higher proportion.

Reality in Indian condition: 'application' and 'applicants'

India is a country where a project of the sort of the Aadhaar will depend on an endless combinations of "ifs". If you are able to meet the enrolment conditions, if your fingerprints and iris scans are captured, if your enrolment centre has electricity, if the enroller does not make any errors in entering your data particularly when you are an illiterate, if your address on the required documents matches, if the spelling of your name matches, if if if...etc., you will then get an Aadhaar card. Bill Gates said that Aadhaar only prevents "somebody else to be a fake someone on government payroll." We hope he is aware of the old village lady who has her family members working elsewhere and is left to live alone on pension or a migrant worker who takes up any manual work he finds to sustain himself and his family anywhere in the country! They are here in millions! When the lady after walking for kilometres reaches the fair price shop to collect her ration on the BPL card and is refused by the ration shop owner on the ground that her thumb impression or iris do not match the card, or the worker is refused a job on similar grounds, how would they be identified as a 'fake claimant of a welfare scheme' or 'a dubious job seeker with an ulterior terrorist motive'? It is very natural that with age over 60 or for children under 12 years or with sustained hard manual work, the thumb impression may change. So even if it is assumed that the ration shop owner or the employer is honest, there is every possibility that there will be problem of authentication. Or else, if the validity of the BPL card is not disputed, the cardholders may be unable to get their quota of foodgrains as the ration shop owners force them with impunity to take less than their due. Similarly, children from distressed *dalit* families entitled for scholarships may be cheated by the corrupt nexus in disbursement mechanism which

pockets the money after forcing the parents to sign on false receipts. Workers, more so women workers in NREGS are paid much less than their due – not because they cannot prove that they have put in the full quota of work, but because the unscrupulous supervisors and paymasters in connivance with corrupt administration misappropriate the balance. How would the UID number and the sanctified identity, free the system from these aberrations and pilferage? And these are representative examples of mainly illiterate persons. Thousands of pensioners, literate or not, are being refused pension on the same ground. Not to speak of others, the mother of Justice D Y Chandrachud of the Apex Court (herself an Alzheimer's patient and her husband, late Justice Y V Chandrachud, had also been a former Chief Justice of India) had to give thumb impression. Every month, the bank manager or his representative would come home and affix her thumbprint on certain documents and only then Mrs Chandrachud could get the family pension she was entitled to. It was possible for her being the wife or mother of Apex Court judges, to get the service of the bank manager at her doorstep. But will the case be so with such thousands of aging and sick pensioners, not placed in such a socially enviable position? The menacing spate of unemployment is chasing the youth of the country unrelentingly. In hundreds of thousands, if not in millions, they run across the country in search of jobs. What address would they as also millions of homeless people provide for authentication? The UID can do without the address, but it is necessary for ensuring easy access to services like banking. Besides verifiable birth record, spelling differences in names and even multiple names particularly outside the literate population, all may pose real problems in India. Moreover, there are marginal groups of people in the country who survive by being invisible to the state – like urban slum dwellers who live in constant fear of demolition and displacement, or the impoverished people belonging to tribal and such other destitute sections living in a reserve forest. Such people who are also very much *bona fide* citizens of

India might remain out of radar with the possibility for the state to disown responsibility towards them at any suitable juncture of time. It means people are once more divided by a project supposed to be inclusive. It creates two sections, exclusively including privileged Aadhaar holders and unprivileged ones without any address excluded for no fault of their own.

Hence all talks of the Aadhaar ensuring unique identity boils down to a mere farce in this country where there is a gulf between legality and reality. Bill Gates refers to application being the problem, not the system. Does he not know that this gulf between legality and reality in India is further thoroughly infested with a nexus of heartless, cruel, utterly corrupt sharks of administration including the forces meant for maintaining law and order, dishonest businessmen, self-seeking even criminal politicians, plus local village heads or musclemen and such others. They are simply finding newer and newer means of exploiting people with the help of this tech-savvy project of Aadhaar. It is well nigh impossible for the old-age card holders to avail of the facility as bank branches may be located 8-15 km from their villages. It would also be equally impracticable to think that the impoverished villagers would bear additional transport cost of commuting to banking facilities located miles away by foregoing their daily wages. So between the bank where the accounts of the beneficiaries are maintained and the beneficiaries themselves, there has arisen a new band of middlemen, called banking correspondents (BC) agents, who are supposed to make the process easier for the illiterate beneficiaries by collecting their dues from the banks. Most of these BC agents often turn out to be parasites, which the very capitalist system of the country breeds as the cog and screw of the exploitative system. The beneficiaries are left completely at the mercy of those BC agents, making direct transfer a far cry. As media reports go (say *Economic Times*), 75 per cent of such BC agents, for example, are village sarpanchs (headmen) or their kin in Punjab, thus keeping the rein in their hands, as they are used to do. Thus,

Contd. on page 4

Aadhaar project

With a legal sanction of constitutional validity to Aadhaar, a craftily woven design of the ruling bourgeoisie, who knows what it storse for future

Contd. from page 3

the announced goal of benefits directly reaching the needy remains a hoax.

Also, there are agencies which reportedly sub-contract to others without government approval the task of Aadhaar registration. Some of them even collect additional information without indicating which questions are mandatory and which are voluntary. These are piled in data fields of a record without the knowledge of the record-holder, particularly for people not conversant with computers. It cannot be ruled out that some such agencies may be aligned to communal and fundamentalist groups with ulterior motive in collecting non-mandatory information.

Technology and Aadhaar

The honourable prime minister of the country who regularly speaks out to open his mind on the small screen but avoids traditional Press meets, has naturally defended Aadhaar saying it represented the march of technology. He banter at the opponents to "have lagged behind in technology"; "either they cannot understand or are purposely spreading lies". He can boast of having two stalwart digital experts, Nilekani and Gates, as pillars in his support. Unfortunately, as the dissenting judge of the Supreme Court verdict, Justice DY Chandrachud rightly identifies: 'Technology confronts the future of freedom itself'. Digital India must recognize the digital divide where illiteracy and 'fake' literacy make a bitter problem yet reigning supreme. Besides a digital nation must not submerge the identities of a digitised citizen, Justice Chandrachud specifically added that the "Aadhaar project has failed to account for and remedy the flaws in its framework and design", leading to "serious instances of exclusion of eligible beneficiaries". "Dignity and the rights of individuals," he contends, "cannot be made to depend on algorithms or probabilities." Would PM Modi term these words 'lies' or backwardness? Anybody conversant with digitalization and digital world would agree that without proper safeguards through design ethics, or ultimately legal regulation, technology can be easily made an instrument of oppression. And

Aadhaar has not even a Data Protection System, leave aside more sophisticated safeguards!

Aadhaar combating 'terrorism' and financial irregularities

There is another important point. In the Aadhaar scheme, each individual is allotted a specific identification number. But that apart, it captures all necessary details of the beneficiaries, demographic as well as biometric. Directly or indirectly, these include, name, address, age, sex, ethnicity, religion, academic qualification, marital status, profession etc. On the other hand, biometric details would include prints of all 10 fingers, retina scan (iris) and photograph of the face. Thus, the system and method, the protagonists say, are so devised as to uniquely identify and track biological humans. Proponents of the Aadhaar claim that it will be easier and sufficient to track down any wrongdoer and thus prevent unlawful activities be it so-called 'terror' acts or financial irregularities. One cannot buy the argument as anything other than being ridiculous and misleading. The state is provided with enough safety-security measures in the form of 'white' or black acts and empowered agencies like the Enforcement Directorate (ED), Economic Offence wings, CBI, CID, IB, or military intelligence to nab the offenders, be it a money-lauderer or so-called terrorist. Yet everything goes on as usual. Illegally or legally, Aadhaar has been operating for nearly a decade. How many cases are recorded to establish that Aadhaar has proved effective in tracking the wrongdoers? Is it not a fact that during this period money laundering industrial or business tycoons like Vijaya Mallya, Nirav Modi or Mehul Choksi or their ilk, have simply walked away from this country after having laundered several thousand crores of public money from banks etc. despite Aadhaar being very much in place? Now when the rubble is thinner, it is being found that some of them had talked with the Finance Minister inside the so-called sacred premise of the Parliament before taking off from the country or the close lawyer relatives of the central ministers shoulder the job of pleading the cases of these fugitives in the court. So, the point is that the

capitalist system itself fosters crime and criminals. And clearly the government too refrains from identifying and curbing them. There are laws, and there may be more laws. But without the real intent can those be used in the way desired? Then what is this Aadhaar for?

Aadhaar is an outright conspiracy against Indian people

The Aadhaar project being all-encompassing, its unique number, 'seeded' (added as a new data field) with every possible database, public or private, in the country will be liable to contain information, on which the bourgeois government might build up an extensive and comprehensive 'profile' of the persons concerned. Besides, since digital and legal literacy is poor as yet in the country, a new form of corruption will develop monetising information about people's personal life by any private or government source.

People must not lose sight of the fact that they are living in a decadent capitalist system ridden with all-out crisis. Intrinsically, the society is divided into an exploiting class of the rulers and their henchmen and an exploited class of the rest of people, endless multitudes of common toiling people. The capitalist state is precisely the coercive machinery which helps run the system smoothly without hindrance. The governments come and go to act as the political manager for the system, chosen at any moment as the most efficient, subservient agent of the ruling class. On the other side are the toiling people, exploited, oppressed, greeted with batons and bullets when they audaciously dare to raise voice on even a legitimate demand on their life and livelihood. But they have no choice. Their only chance of survival, of leading a decent life with even the minimum basic amenities hinge upon their united conscious struggle against exploitation and oppression, against injustice and corruption. No right-thinking person can think of or endorse any move which would create hindrance in the way of these legitimate movements from growing. Expecting a government wedded to the task of serving the class interest of the ruling oppressive bourgeoisie to *suo moto* bring in a scheme for genuine

welfare of the people is akin to building castles in the air. Any relief or benefit has to be wrested by asserting people's power through organized movements.

The Indian capitalist state presently runs with the facade of parliamentary democracy under which at regular intervals this or that chosen subservient agent of the ruling monopolists are raised to the seat of power using immense amount of people's money, all means of propaganda media at hand, all kinds of administration tools that can be used for the purpose. All these together create the symphony of vote machine to keep the parliamentary illusion alive in people, to make them believe that a change in government would change their condition. Shortly after the vote is over, people find, they stand in the same dungeon, if not worse. Aadhaar is but another means being eulogized to create a new illusion that it will solve their problem, it will erase terror from the country, corruption from life. Bunkum, as it is discussed above. Now, with a legal sanction of constitutional validity to such a move which gives the design of the ruling class, who knows what would be the future. Wasting huge amount of people's money, it would give birth to newer and newer systems of corruption, newer middlemen, corrupt agents for registration etc. It is highly doubtful how far the sops offered at present would last. Rather, over and above everything, Aadhaar in the last analysis, is bound to develop into a venomous surveillance weapon in the hand of the ruling capitalists to put people on a leash, to keep them terrorized under all circumstances in the name of fighting terror and corruption. It will become a dangerous surveillance system which will stand as a rock-solid impediment to development of democratic movement of people. Any individual or collective group might be held under constant scanner for meting out any kind of treatment the ruling class and its government would like. People of India need to see through this conspiracy and close their ranks to foil the attempt to make Aadhaar permanent through a movement involving all sections of right-thinking democratic-minded people, the sooner the better.

HECI Bill a fresh attack on autonomy in higher education

Contd. from page 1

dedicated website or a page. Once there were a few Centres of Excellence for the country sanctioned by the UGC during the rule of the Congress-led government at the Centre. Despite their existence, education is in doldrums in the country. Now there is going to be six, to start with, Institutions of Eminence under the BJP-led rule, including one which is yet to be born. Even the start is dubious.

The route to the Higher Education Commission of India (Repeal of UGC Act 1956) Bill

Anyway, were the two apparently different issues just coincidentally linked or had they a deeper linkage? Let us check. First, both the issues, the HECI and the Jio Institute as an IoE, expose circuitous, rather dubious routes to give shape to government policies and measures. The course in which the HECI was mooted was as follows.

In June 2017, the MHRD proposed a body called the Higher Education Empowerment Regulatory Authority (HEERA) that would replace the UGC and the AICTE. While no documents relating to this proposal are available, the Ministry quickly dropped the idea within two months, in August 2017, and the Union HRD

Minister was quoted as saying: "It is better to reinvent the current system [the UGC] which is in place than wait for a new law to come in." Yet in less than a year a new move was initiated to disband the existing structure, the UGC, and establish a new entity, the HECI, through legislation.

To this end the Rajya Sabha Secretary gave an insertion in the leading dailies on 10 June last on behalf of the Parliamentary Standing Committee on HRD inviting suggestions on the subject 'issues relating to functioning of UGC' which were supposed to reach the Standing Committee by 25 June 2018. The Press release of 27 June 2018 announced that the Draft Act was prepared and was open to the public domain for suggestions. Does it mean that two days were sufficient for the HRDM to scan through the suggestions and prepare the Draft? Or, were there no suggestions? Or, was the Draft already prepared, inviting suggestions was a mere eye-wash? The choice is readers'! The Draft was made open to people on 27 June and suggestions were invited from the entire country to reach by 7 July 2018, under protest extended to 20 July. E-mails may take a few minutes to reach. But can opinions on an important subject of repealing the UGC and forming a new

Commission be reached at the stroke of a magic wand, here in about three weeks time, without meaningful exchanges, interactions and idea-forming among the educationists, teachers, students and common people, the guardians? Was it not then a move to claim: Well, we invited suggestions, so and so number of suggestions were received (who knows who had sent those) and this proved our decisions were democratic and inclusive? Is it not a doublespeak, a trickery, a betrayal to people on an issue like education that involves generations?

In any case, as mentioned above highly centralized powerful regulatory bodies were conceived earlier in the IRAHE or NCHER, on the same plea of promoting autonomy for the 'free pursuit of knowledge and innovation'. How could centralized regulatory body promote autonomy at the same time, is an enigma for the policymakers to explain to people. But it was clear that such centralization of power was designed for smoothening the path for so-called reforms, following the prescriptions of the GATS which sought to incorporate 'service sectors' like education etc., into the global market. It simply meant making education a global-market commodity, leading to its increased privatization and commercialization. The academic community of the

country rejected the idea outright and the moves were thwarted.

The present HRD Ministry of the BJP-led Union government now dishes out the same menu on a different platter, claiming it as a landmark. One of the main plank of this Draft Bill is that the HECI will only look after 'promoting research' and 'coordinate with the government' for funding; the real power for granting funds would lie with the MHRD and in cases of any dispute, whatsoever, the government decision would be final. The UGC Act explicitly lays down the condition that the Chairman of the Commission "shall be chosen from among persons who are not officers of the government or any State government". But the HECI draft Bill drops this condition and the proposed HECI is heavily packed with bureaucrats and government officials, leaving space for only two academics. For the HECI, the Chairperson, the Vice Chairperson and twelve members will be appointed by the Union government and the Chairperson will be selected by the Cabinet Secretary, Secretary Higher education and 3 academicians co-opted as members. Taken together, both in function and composition, the Commission will be completely under bureaucratic-cum-government grip and control, with

Continue on page 6

Gujarat SUCI(C) writes letter to the chief minister expressing concern over rising attack on migrant labourers

To
The Chief Minister of Gujarat
Gandhinagar

Sir,

We have sent you a Memorandum expressing deep concern about the attacks on inter-state migrant labourers. But, instead of being contained, the attacks on them are rather on the rise. Up till now, there have been 42 attacks on migrant labourers in 9 districts of the state. These attacks have caused exodus of almost 1 lakh migrant labourers already. About 50 lakh migrant labourers in the state are under fear of attack and concerned about their safety and security.

Under the circumstances, Socialist Unity Centre of India (Communist) [SUCI (C)], Gujarat State Organizing Committee, demands :

- Check Mobocracy in the state immediately.

- Arrest and punish the culprits spreading rumours on social media.
- Give full protection and security to the inter-state migrant workers.
- Activate State Labour Department immediately and entrust them with the responsibility of providing Safety and Security to these migrant labourers.
- Involve the owners of the factories, shops, etc. where the migrant workers are employed, to create a congenial atmosphere among the local people and migrant labourers.

Over and above the said memorandum to the Chief Minister, the State Party leaders also gave deputation to the Police Commissioner, Ahmedabad and the Collector, Ahmedabad as well as Residential Commissioner of Surat and District Collector of Vadodara.

SPECTACULAR VICTORY OF AIDS IN ASSAM

AIDSO has scored a thumping victory in the KRB Girls' College students union in Guwahati, Assam by squarely defeating ABVP. AIDSIO candidates have won in all the 10



posts. Comrades Risha Rajak has been elected the President and Smita Pegu the General Secretary. This spectacular victory is a reflection of spontaneous support of the students to the movements conducted by the AIDS in the campus on various educational and cultural issues and demands.

In the recently held election at Central College, North Lakhimpur, Comrade Birason Chirag, an AIDSIO activist, won the post of General Secretary by defeating the ABVP candidate by a huge margin.



Observance of birth anniversary of Utkalmani Gopabandhu Das in Bhubaneswar

Jio Institute a shameful instance of capitulation to corporate interest

Contd. from page 5

only academic matters to focus upon. Where will autonomy exist? Rather, this will wipe out the minimum relative independence which the UGC still enjoys in matters concerning higher education and research despite all extraneous interventions and with academicians still playing some role in it.

Here certain bitter truths need be admitted. Created 62 years back in 1956 the UGC was conceived as an autonomous body to grant approval for central and state universities and extend financial support to them to ensure quality education for all. However, all through its history it has been miserably misused by whichever party had been in power, that is the Union government, to turn it into a convenient pliant tool for controlling higher education. For instance, the BJP government has made the UGC introduce astrology, study of Indianism, study of Sanskrit and ancient Indian spiritualist philosophy instead of modern scientific studies, the scheme of graded autonomy that robs autonomy itself and most recently even to ask universities to observe anniversary of 'surgical strike' on 29 September last. All these and many such others have made it necessary to amend the UGC Act to ensure that it can act without intervention and address more effectively and autonomously, the challenges of increased access to higher education, promote research and give an impetus to the growth of public-funded or state-run higher education institutes. Instead the government has stepped out to repeal it lock-stock-and-barrel.

Besides, the move to replace the UGC with the HECI with power centralized with the Union government automatically restricts the role of the States in matters relating to education, still a subject of the Concurrent List. The verbose claim of the government for "Less Government and more Governance: Downsizing the scope of the Regulation. No more interference in the management issues of the educational institutions", thus, appears an absurdity and ridiculous, again a double-speak.

The HECI will be given the power to order closure of 'sub-standard' and 'bogus' institutions. Non-compliance could even invite fines or jail sentence. A cunning move indeed! In reality, this will

give rise to frantic attempts by institutions to remain 'standard' to avoid punishment. With the finance-strings lying with the government, the educational institutions will have to find out their own means for survival. In concrete terms, those will have to take to exorbitant fee hike, to introduction of self-financing courses that too on Public-Private-Partnership mode. The net effect will be aggravation of privatization-commercialization of education, making the latter even more expensive and prohibitive for students of poorer families. And quality, the pet slogan for the government, will be the other sad victim. Rampant commercialization will only lead to mushrooming of profit-seeking institutions without any real contribution to the cause of education. This is pathetically evident already in case of miserable fall in standard particularly in engineering and medical colleges. It has come out that the high-priced 'self-financing' route in private medical colleges has led to students with negative marks in science subject entering medical education plainly by dint of their money. In reverse, after obtaining engineering or glamorous MBA degrees from private colleges by paying hefty sums, the students are now applying for peon's post. The BJP with its HECI will only add fuel to fire, posing advocacy for quality.

The strings will be with the government. So, it is very likely that even in academic affairs the HECI would not have the free access. The ruling RSS-BJP combine is relentlessly trying to carry through their agenda of saffronizing education, of rewriting history in the saffron line, of loading textbooks with ideas and beliefs of a particular community, that is the Hindus, going even to the extent of obscurantist, superstitious, even communal or absurd, illogical lines. Unbridled government control would only enhance these trends.

Autonomy must be guaranteed to improve quality and standard of education

In this regard it cannot be ignored that the government policies themselves are causing decline of quality education and the government then shouts loud for quality. These policies have led the country to rank a lowly 121 in the world in terms of the percentage of the budget earmarked for education (only 3.8%). And of meagre amount of

allotment, Higher Education gets a small share. And then again, most of that share is earmarked for only a few elite institutions. The rest, the majority, of higher education institutions are thus left starved of money. On the other hand, the infamous CBCS or the cumbrous semester system have already been introduced and being pushed through which merely tell adversely upon catering a comprehensive man-making character-building scientific, secular education. The CBCS provides the students with the free choice to select subjects available and helpful for them to score high, with or without any link among those, for example physics with fashion design. This can lead them more and more to immediate result-oriented studies without development of any comprehensive idea on any subject, along with a drop in quality and standard. Then again, with the present infrastructure, dearth of teachers with teaching and other posts lying vacant for years, lack of adequate library-laboratory facilities and last but not the least, relentless intervention of political parties, who thrive upon vote-based politics trying to rope in students-teachers and employees by any means, fair or foul, the desired effect of semester system remains a myth, engaging students only in examinations at short intervals without adequate scope for proper studies and teacher-examiners lacking adequate time or scope for proper unbiased checking. So, with such systems existing, a powerful centralized regulatory body can never bring about any change in quality of teaching-learning in higher education. Rather with its mandate of improving academic standards the HECI is likely to intervene even into day-to-day administration and academic affairs of the institutions. It can at best act as an instrument for the government to carry on with their policies with a carrot and stick method.

If the government really means improvement in quality and standard, it must guarantee unstinted academic autonomy. And such autonomy must filter down. The institutions must have autonomy from external pressures and the department must have relative independence vis-a-vis the head of the institution. On the contrary, the latest move to provide graded autonomy, conceived and implemented by the Union MHRD is really designed to curtail the autonomy of academics in

educational institutions, surely at the cost of quality and standard. In sum and substance, from behind all moves, cunningly and surreptitiously or even openly, education is being deared everyday and prohibitive and curtailed for students of poor and even middle-class families. HECI will add to the process.

In fact, the ongoing systematic onslaughts on higher education appear to be culminating in the present attempt to form the HECI. However, on improving quality and standard of education, the avowed premise for the HECI, we may once more recall the Yashpal Committee recommendations. In course of its recommendations matching precisely with the propositions associated with the NPE'86, that education is a unique investment and the government must come out from bearing the responsibility, the Yashpal Committee advocated considerable tapping of private resources for the growth of a "knowledge economy" with enormous expansion in the field of higher education. The highly centralized apex body was supposed to act as a regulatory organ for helping this privatization. Now the catch-phrase of making the institutions globally competitive is added to it.

Dubious route to yet-to-be-born Jio Institute as an Institution of Eminence (IoE)

Here comes the second issue referred above, that of the IoEs and of the non-existent Jio Institute as one of them. It naturally gave birth to strong countrywide criticisms and resentments. This compelled the Union HRDM to dish out justifications which exposed the skeleton. A brief account is given below.

The script was written with the government's commitment in the 2016 budget speech of Union Finance Minister Arun Jaitley, towards promoting 'ten public and ten private institutions' empowering them with 'an enabling regulatory architecture' to 'emerge as world-class Teaching and Research Institutions' and thus 'enhance affordable access to high quality education for ordinary Indians'. Accordingly, a scheme was framed by the Union MHRD to appoint an

Continue on page 7

Powerful people's movement need of the hour to save higher education from impending peril

Contd. from page 6
Empowered Experts Committee to select the Institutions of Eminence. Also it was proposed to set up a Higher Education Financing Agency (HEFA) with an initial capital base of Rs.1,000 crore that would "leverage funds from the market and supplement them with donations and CSR [corporate social responsibility] funds" to finance infrastructure development in higher education institutions. Obviously it was a clear sign of the Union government being keen on pushing the agenda of privatisation and commercialisation of higher education.

The next step the Union government followed was to write or change policies or rules to fit the needs of a beneficiary. The Gazette notification of 29 August 2017 listed several requirements including high quality multi-disciplinary or interdisciplinary teaching and research collaborating with top-ranking global universities, as also relevant to development concerns of the country, a good proportion of foreign/ foreign qualified faculty and a good mix of Indian and foreign students. There were still others like regular research publications by the faculty, transparent merit-based admission system not debarring a meritorious student for lack of financial ability, faculty student ratio not less than 1:20, excellent laboratory- library facilities and student amenities all of global standard etc. Obviously these can only be met by institutions which are already existing, and not by any which has been only proposed and is even far from having started its initial steps.

To do away with these requirements, exacting even for the best existing institutions, clauses were included in the notification for "yet to be established institution" as a separate category (Clauses 4.2.11(i)(b), 6.1 (iii), 6.1 (iv)) to accommodate some applicant with big money and a statement of intent and a bunch of promises to fulfil the requirements. The Ministry of Information and Broadcasting justified that the purpose was lofty, "to allow responsible private investment to come into building global class educational infrastructure". In any case, the experts of EEC found the Jio Institute met the criteria stipulated, in so far as availability of land and funds, recruiting a core team with very high qualification and a strategic vision plan were concerned.

But they plainly ignore a bunch of serious points. First, will it not be desirable that setting up of world class institutions emulating those of advanced countries and requiring foreign faculty and other amenities, should be planned in a way that the effort do not cause any problem like, say fund crunch or such others, to other educational institutions in the country? Second, would better facilities in these former, that is world class institutions, mean a more socially committed faculty? Third, would a faculty engaged for their survival, in continuous research publications and association with institutions abroad, retain the commitment to generating socially and culturally relevant knowledge for the country? Who should answer these vital and relevant questions?

However, the drama was on. Mukesh Ambani himself and his Advisor Vinay Sheel Oberoi, a close confidant of the BJP-led government who enjoyed top-rank posts like that of a former Secretary in the MHRD and several such others in the recent few years of his career, presented the case for the Reliance Foundation's Jio Institute. The MHRD had to provide a statement to suggest that there was no impropriety or conflict of interest in Mr Oberoi's involvement in framing of the regulation or implementation of the scheme; but facts contradicted the statement. The Indian Express reported also that the Chancellor of the proposed Jio Institute was also a scientist R A Mashelkar, with the BJP-hand on his head. So the core nexus was complete and clear.

There were other questions. In a scathing report on 31 May 2018 the Times Higher Education (THE), among the 3 top global university index makers, made it clear that the UGC had invited a select number of leading universities to submit their applications by 12 December. But a few weeks later, the UGC extended the deadline to 22 February. It doggedly refused to name the universities that had applied after December 2017. In answer to The Statesman, the Secretary, MHRD told on 12 July that the extension was granted at the request of some persons.

Then came the 9 July press release reporting recommendation of the EEC for the six IoEs, including the Jio Institute. But that report of the EEC on the selection of six IoEs, as also the UGC resolution on that report, uploaded in the UGC website apparently on 11 July, were curiously

removed soon from the website though it displayed other reports going back to 1975. On the other hand, as the said report and inclusion of the yet-to-be-born Jio Institute among the six IoEs, evoked strong criticisms, Mr. Javadekar, the Minister HRD informed the Parliament on 30 July: "Letter of Intent has been issued to *only* one institution, namely Jio Institute, under greenfield category for setting up 'Institution of Eminence Deemed to be University' in the next three years." This was again a lie. The scheme as gazetted provides that all selected institutions – and not just a greenfield institution – would be (a) given Letters of Intent and (b) begin to function as projected in their presentations to the EEC within three years.

The course through which the Jio Institute was awarded the *eminence* status was thus shrouded with half-truths, untruths, manipulations and corrupt nepotism. And all this not just to earn eminence, but also to form an institute, which, as the MHRD said, "It is expected will come up.... in top 100 of the world ranking eventually overtime. To achieve... these Institutions shall be provided with greater autonomy to admit foreign students up to 30% of admitted students; to recruit foreign faculty upto 25% of faculty strength; to offer online courses upto 20% of its programmes; to enter into academic collaboration with top 500 in the world ranking Institutions without permission of UGC; free to fix and charge fees from foreign students without restriction; flexibility of course structure" etc. These will fit precisely to the provisions of the GATS propounded by the WTO, which makes the service sectors, including education a saleable and exchangeable commodity in the global market. The institute of the richest monopolist of Asia would thus provide him with a smooth road to rise further to world-tops, though at the cost of many existing deserving institutions which could have found place among the IoEs.

Let us place a few other interesting examples. Among 23 Indian Institutes of Technology (IITs), all directly under the MHRD and avowedly autonomous, at least six of them—at Tirupati, Palakkad, Dharwad, Bhilai, Goa and Jammu—were set up during the last phase in 2015-16. All these are listed as Institutes of National Importance or Institutes of Excellence. Two of

them, IIT Bombay and IIT Delhi, have been included in the proposed IoEs, obviously to win a hefty financial assistance package: But even in more than two years since established, the said six IITs have only the directors, with no the Board of Governors yet appointed by the government.

In general, barring expenditure on salaries and building infrastructure, IITs are expected to meet their budget through internal resource generation (now sanctified by the General Finance Rules of 2017) by charging arbitrary high fees for specialized professional courses or by utilising alumni fund pool or by taking out loans from the newly established Higher Education Financing Agency (HEFA), a joint venture between the MHRD and Canara Bank. Again it is commercialization that wins the race!. Interestingly, as insiders indicate, while the Centre for Rural Development and Technology (CRDT) at IIT Delhi, which is spearheading the national programme on *panchagavya* (cow science) research, seems to get funds for its dubious research activities, other departments have to face the crunch or seek HEFA loans.

In summary, with neither of the two recent moves, HECI and IoEs, touching the basic problems of country's education, the HECI set up with dissolution of the UGC, would only curb autonomy, promote commercialization further, bring education into the tighter grip of the BJP government to smoothly carry through the agenda of saffronization as well as privatization – commercialization without protest and resistance. In its turn, the IoEs would add to elitism usurping the lion's share of education budget and thus bringing in impoverishment to the existing education system. It is well known that the power of the rulers lies in the ignorance of people. So education is always made the soft target by rulers. But the present instance of inclusion of the yet-to-be-born Jio Institute into the IoEs stands out as glaring instance of shameless total capitulation to the interest of a favoured corporate bringing about culmination of trends of privatization-commercialization, going bluntly against the cause of education, even minimum civility. Education-loving people, not just the academic community, need to thwart the moves towards dissolving UGC and including Jio Institute as IoEs, at all costs through powerful education movements.

State Conferences before ensuing 3rd Party Congress Assam

With Comrade Saumen Basu, Member, Central Committee and Comrade Rabin Samajpati Jharkhand State Secretary present as CC-appointed observers, the Assam State Conference held on 18-19 September in Guwahati elected a 25-member strong new State Committee with Comrade Chandralekha Das as the Secretary. Names of the delegates from Assam for the 3rd Party Congress were also announced.

Madhya Pradesh

MP State conference was held on 22-23 September in Bhopal with delegates from 10 districts in attendance. Comrades Sankar Saha, Member, Central Committee, Dhurjati Das, Odisha State Secretary and Swapan Chatterjee, Member, UP State Committee were present as CC-appointed observers. A 12-member strong State Committee with Comrade Pratap Samal as Secretary was unanimously elected.

Karnataka

Karnataka State conference was organized in Gulbarga from 21 to 24 September 2018 in the presence of Comrades K. Radhakrishna and Saumen Basu, both Central Committee Members, V Venugopal, Kerala State Secretariat Member and Subhas Dasgupta, West Bengal State Secretariat Member. A 12-member strong new State Committee with Comrade K Uma as the Secretary was unanimously elected from the conference.

Bihar

Bihar State Conference was held at Jamalpur (Munger) on 7 and 8 October 2018 in the presence of Comrades Satyawar, Member, Central Committee, Rabin Samajpati, Jharkhand State Secretary, Shankar Dasgupta, Odisha State Secretariat member and Swapan Chatterjee, UP State Secretariat member. A 15-member strong State Committee with Comrade Arun Kumar Singh was unanimously elected.

Delhi

The state convention of the Delhi State Organising Committee was held on 30 September, 2018 in the presence of Comrades Shankar Saha, Member, Central Committee and Pratap Samal, MP State Secretary. After discussions on the drafts of the theses on International Situation and National Situation and unanimous adoption of the State Secretary's Political and Organisational report, a 7-member State Organising Committee was elected with Comrade Pran Sharma as the Secretary.



Make 3rd Party Congress of SUCI (Communist) a grand success

Delegate Session :

21-25 November, 2018

Ghatsila, Jharkhand

Open Session :

26 November, 2018

Tatanagar, 12 noon

Main Speaker :

Comrade Provash Ghosh,

General Secretary

Speakers :

Comrade Satyawar,

Member, Central Committee

Comrade K Radhakrishna,

Member, Central Committee

AIKKMS strongly protests ghatly baton charge on agitating peasants in the outskirts of Delhi

In a statement issued on 3 October 2018, Comrade Satyawar, President AIKKMS, strongly protested the most sudden and brutal attack on the suffering peasants by the UP police at UP-Delhi border on 2 October causing grievous injuries to many mostly the aged. After walking for several days from various parts of the country, the peasants had reached the border to voice some of the burning demands of their life most of which, the BJP leaders had supported before ascending to power. But this very ghatly attack indicated that neither the central nor the UP government run by the BJP has any concern for the suffering peasants. Similar coercive attacks on the peasants had also taken place in the BJP-ruled states like Madhya Pradesh, Chhattisgarh etc. But now the peasants have been making efforts to launch united movement against the misrule and anti-peasant policies of the BJP governments. AIKKMS fully supports their movement and express solidarity with them. AIKKMS demands immediate acceptance of their demands like waiver of loans, remunerative prices in crop procurement, immediate payment of pending price to the sugarcane producing peasants, cut in power tariff, increasing subsidy on agricultural inputs etc. AIKKMS also demands free proper medical treatment to the injured and proper probe into the police atrocities. AIKKMS calls upon the peasants to develop united powerful movement throughout the country on their legitimate demands, the statement added.

EDITOR-IN-CHIEF : PROVASH GHOSH