

# Economic & Political WEEKLY

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**New Land Relations**

This is in response to “Landlessness and Agrarian Inequality without Landlordism” by Gaurang R Sahay (EPW, 22 August 2020). It made for an interesting read. The work is full of grassroots insights on agricultural inequality within caste and class. While the author amply delves upon the landlessness, agricultural inequality and vanished landlordism in the studied villages, he misses an important point that is not just true for Bihar but is valid for the entire Indian context—the shrinking agricultural land due to commercialisation and rise of non-agricultural activities like housing, other construction and developmental projects, and railway projects that are fast eating away at agricultural land. Also, the rising rural population and shrinking residential space are further reducing the cultivable land into residential land. Therefore, studies like these cannot ignore the dynamics of land use in rural India in present times.

There has been an increase in landlessness not just among particular castes but at the country level. The fact remains that agricultural land has shrunk drastically due to commercialisation. It is a fact that now, housing and residential crises are not just an urban but a rural issue as well. Further, the unplanned, haphazard, and anti-environmental and anti-agricultural expansion of residential areas in rural belts have created what may conveniently be called a “rural sprawl” that has taken the rich agricultural land and thus made it a pure commercial item in market for sale. Also, due to developmental projects, construction of wide, long roads and railways, land value has increased and compensation amount by governments has been fairly increased that has affected the price and shaped up a new rural agricultural ethos, even in remote rural areas.

Such a situation has created the factor of affordability and lack of affordability irrespective of caste that has further complicated the problem. Now, the land-owning class does not bother much about a particular crop or sharecropping or for that matter landlordism, but treats

their land as a status symbol and commercial asset that can fetch a good price anytime. The top salaried class in rural belts and top business persons in urban areas buy such a land for investment purposes at exorbitant prices. The land-owning class is enjoying this commercial shift and unprecedented dynamics, as selling small patches of land helps them manage their lifestyle effortlessly. They even arrange marriages of their sons and daughters, buy gold and jewellery for their children and fulfil their responsibilities by only selling land. Therefore, those who have more land use it as a comfortable cushion. This shift especially in north India is interesting.

There is another reality as well: in villages, a majority still owns land but not enough for agriculture as it is only enough for their housing and in some cases for their children in the future. Also, sharecropping is a declining phenomenon because of two reasons. First, it does not fetch much to the tiller now, given the rising prices and crises in agriculture. Second, the owner has apprehensions that their land may be grabbed by the tiller.

Now the villages share different agricultural relations, and one more class has emerged in rural agricultural relations—the land brokers—the super-rich intermediaries, who altogether are changing the world of Indian agriculture for the worse. Therefore, it is now not a caste or class issue or relation but a perilous bonding. It is more of an economic and triangular relation between the seller, broker and the buyer. The prices are rising unpredictably, and therefore land is less seen in terms of its

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produce or output but purely on its commercial market value. Also, people sell land to move to non-agricultural jobs, and the advent of modernity has also made that shift fast and drastic. The author should have brought the new land relations and commercialisation into discussion as every society changes with time.

**Adfer Rashid Shah**

NEW DELHI

## Is Period Leave Inclusive?

**I** don't let my maid work in the house on days when she is menstruating." This is an obnoxiously common view we have heard from many household employers in India. Of course, this means that domestic workers have to notify employers on the days they menstruate. On such days, the house help is either not allowed entry into the house (mandatory leave, perhaps without pay!), or her movement is restricted—with the kitchen, *pooja* room, utensils, and cooking being out of bounds. This Brahminical patriarchal norm has long governed employer–employee relations in the domestic sphere in India, often in hushed tones and behind closed doors.

In contrast, “period leave” that has emerged in the organised sector in the last few years is discretionary, inclusive, and upholds foundational values of gender equity, that is, all genders are equal, not identical. It acknowledges that women are biologically different from men, and require affirmative action to accommodate a practical need during menstruation. It is a concession for days when women on their periods find it difficult to sit through eight-hour shifts at the workplace due to cramps, bleeding, and other associated uneasiness. Simply put, period leave is comparable to maternity benefits for women, and if implemented well, this progressive policy can make the workplace gender-friendly.

But the question remains: Will domestic workers ever be able to avail menstrual leave as a right? The discrimination around menses in homes, while being immersed in misogynistic ideas of impurity and pollution, also cuts across class and caste hierarchies. Women from lower castes and classes remain outside the purview of

labour laws and gender-responsive policies. One of the most gruesome examples of this intersectionality is that of sugar cane cutters in Beed, Maharashtra. Women working in the field were forced to undergo hysterectomies as the work and living conditions were poor, with inadequate sanitation facilities. While this story received traction owing to media attention, many women employed in the informal sector continue to suffer severely from the lack of or unhygienic sanitation facilities at the workplace. Domestic workers, even those from plush urban neighbourhoods, complain of the lack of access to toilets while working for long hours in houses.

Zomato is the latest company in India to adopt a period leave policy, and of course, there are voices of dissent. Women worry about being relabelled the “weaker sex” and undoing years of work towards an equal footing in the formal labour force, while men wonder whether these 10 days will mean “undue benefits” for female colleagues. But even as we wage war on Twitter, it is important we acknowledge the privileges of being upper class and of turning a basic need into yet another clash of intellectuals.

**Chandrika Singh, Shoumeli Das**

MUMBAI

## Revisiting Gandhi's Ram Rajya

“My Hinduism teaches me to respect all religions. In this lies the secret of Ram Rajya.”

—Mahatma Gandhi

**G**andhi dreamt of seeing post-independence India as Ram Rajya. As we accept Gandhi as the father of our nation, it is important to understand his idea of Ram Rajya and to introspect if we have been able to implement it holistically, even after 73 years of independence. This act of introspection is essential in the present context when the essence of Ram Rajya is very much diluted, but highly discussed in the public domain. According to Gandhi, Ram Rajya is the kingdom of god on earth. This god is an abstract form, and he is both Rama as well as Rahim. Gandhi firmly believed that this ideal state is possible not just in our imaginary paradise, but also in the

contemporary world of injustice and inequality. This state of Ram Rajya is timeless.

To start with, the fundamental principles of Gandhi's Ram Rajya are truth, non-violence, virtue and equality. Justice is fair and quick with simplified procedures. Quite philosophically, the foundation of all relationships is self-reflection. To elaborate further, a person has to be a severe critic of one's faults, but then, be much considerate of others' mistakes.

Significantly, Gandhi was a strong proponent of decentralisation of power and self-reliance of villages. Furthermore, Gandhi criticised excessive industrialisation. So, Gandhi stated that centralisation of power is not only a threat to democracy, but it also destroys the basic values of a civic society. The lifeline of this Ram Rajya is secularism and there is no scope for any religious politics.

Here, it is important to know why Gandhi chose the concept of “Ram” Rajya as the guiding vision for independent India. Rama is a great and flawless ruler from Hindu mythology whom many Indians hold close to their hearts. It was the only unanimous image available to connect with the masses for an ideal state where people of different heritage felt safe, and also for the existence of a symbiotic bond between humans and nature.

Sadly, we have neither internalised Rama's idealism nor the holistic vision of Gandhi. Instead, we choose only a few aspects of Ram Rajya according to our convenience and political demands. Both Rama and Gandhi are embodiments of selfless public service. Rama went into exile without clinging to the throne, but ruled impeccably when in power. Similarly, Gandhi traversed his whole life in the service of the country and his life remained a message for others to follow. Hence, those who claim to be the followers of Rama or Gandhi, must live a highly transparent life by internalising their ideals holistically. As William Faulkner said, “The past is not dead. It's not even past.” Gandhi and his idea of Ram Rajya is always contemporary and introspectively relevant.

**Jyothi**

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## Women's Right to Property Ownership

*Women's right to property ownership becomes right when it yields concrete results in women's favour.*

In acknowledging the right of Hindu daughters to their fathers' properties, the Supreme Court in *Vineeta Sharma v Rakesh Sharma* (2020) has restored the original intent of the Hindu Succession (Amendment) Act, 2005. The interpretation of this important social reform law was marred by conflicting and contradictory judgments by two-judge benches of the Supreme Court, and the three-judge bench in *Vineeta Sharma* case has cleared the confusion.

The 2005 amendment attempts to undo the discriminatory nature of the Hindu joint family towards the daughter in property matters—the culmination of a legal reform effort that dates back to B R Ambedkar's initial draft of the Hindu Code Bill. Even as the Hindu code, in a diluted and piecemeal form, was passed between 1955 and 1956, state governments took the initiative to reform Hindu law to make it gender-just. Starting with Kerala, states such as Tamil Nadu, Andhra Pradesh, Karnataka and Maharashtra passed their own amendments to Hindu law, ensuring equality to daughters in inheritance of property.

Research has revealed that property ownership gives women not just economic freedom and security, but also protection from marital violence and an enhanced social standing. Scholars' work has shown how property ownership, even more than employment and education, seemed to correlate with a reduced incidence of domestic violence, especially marital violence in Kerala. Further studies have shown that there have been significant improvements in the educational attainment of girls and employment opportunities for women following the passage of the 2005 amendment. The second-order effects of property ownership, for women, are therefore quite significant.

However, while the 2005 amendment guaranteed the rights of women to property on paper, its implementation on the ground, as reflected in property ownership by women, remains ineffective.

Drawing upon data from the 2011 census and the 2015–16 National Family Health Survey, the Centre for Land Governance

has shown that there are vast disparities between India's states when it comes to ownership of land. Among the states, Meghalaya had the highest landholding by women (26%), while Punjab had the least (0.8%). States in the south and the north-east of India do much better than northern and western states on this front. States with large agricultural populations, such as Bihar and Rajasthan, also fared poorly on this index.

The data also shows that states that have given daughters coparcenary rights over their fathers' property (including all the southern states) have among the best rates of property ownership among women across the country.

One of the difficulties in effectively implementing the 2005 amendment is due to the chaotic and inconsistent manner in which landholdings are recorded across the country. While some states (such as Karnataka) have digitised rural landholdings, others still rely on paper documents, which are not always reliably maintained or updated. This means that women's rights to property are not always properly recorded, depriving them of their rights over it. This problem is most acutely felt by women farmers who, despite working on the land that they think they own, are unable to provide documentary evidence of the same when needed. This makes them vulnerable to land-grabs by their own relatives and others.

While a private member's bill was moved by M S Swaminathan to solidify the rights of women farmers over their own property (the Women Farmers' Entitlements Bill, 2011), it did not get much traction. However, given that agriculture and agricultural property is a state subject, it is debatable if this bill would have been constitutionally valid even if it was passed. Nevertheless, with implementation ultimately in the hands of the state, this is one area where state governments will have to take the lead.

Similar problems persist in urban areas. In the absence of a clear title, women are forced to undertake long and expensive litigation and to claim what is rightfully theirs. This is only if they resist the pressure from the rest of the family to give up

their rights in favour of their brothers “in the interests of family.” Even though the law may attempt to accommodate women’s rights in the Hindu joint family as far as property rights are concerned, it cannot make the structure itself less oppressive barring wider social changes.

The Supreme Court’s judgment in the Vineeta Sharma case, while it theoretically benefits every Hindu woman whose father may have ancestral property, is unlikely to benefit all of

them. It will bring certainty to those currently in litigation, and it may even encourage those with the resources to litigate for their rights if they are willing to hazard their rights in India’s broken judicial system, but it is unlikely to bring about a radical transformation in the status of women. Much greater efforts are needed on the part of the government and the judiciary to make sure that women’s right to property is meaningfully protected.

## Tragedy on Trial

*The outcome of procedural justice involves both cost for some and benefits for others.*

The news of a young film actor’s death by suicide on 14 June 2020 was expectedly met with disbelieving horror. But what followed after the first few days has taken on ugly and controversial twists that have completely buried the tragedy of the young actor’s death. Television news channels, various lobbies in “Bollywood,” and politicians have all, under the guise of demanding justice, used it to push their own agendas. The manner in which the events following his death have played out brings to mind the phenomenon of “grave robbers” who profited from the plundering of graves, in the process, however, ensuring that history and archaeology were robbed of major sources of study. This tragedy has been “plundered” by various sections for their own benefit.

The coverage of the Aarushi Talwar murder case in 2008 by a large section of Indian mainstream media led to massive criticism. But instead of introspection and course correction we now have television news channels treating the young actor’s death as a spectacle with more and more shrill treatment. At first, the media unleashed the usual sermons on how mental health issues, particularly during the lockdown period, must be attended to. However, that was soon abandoned in favour of conjecture, speculation, and opinions, which stripped bare not only the actor’s life and actions but also those of the others involved. In fact, the media has been treating whosoever it wishes as the “accused” and the “victim” in the case insensitively.

For their part, politicians from the actor’s native state of Bihar began issuing statements that gave the impression that this was the most burning issue facing the people in the midst of the spike in COVID-19 cases, a health system in a shambles, and the dismal employment prospects of the reverse migrants. In Maharashtra, the ruling dispensation took umbrage at demands for the case to be handed over to the Bihar police and to the Central Bureau of Investigation (CBI). There were also efforts by the opposition to malign the reputation of a young minister in Maharashtra, and two mainstream television channels played the lead role in doing so. The general opinion was that the actor belonged to a dominant caste in Bihar and was popular among the youth in that state, and with assembly elections round

the corner, it was considered strategically opportune to harp on the issue.

There was another thread that was unspooled in this controversy. Supporters of the government in Maharashtra pointed out that whilst he was alive, there was hardly any mention of the actor’s natal origins and that, like most migrants, it was Mumbai that had given him the success and stardom he aspired to.

Meanwhile, the “insiders” versus “outsiders” in Bollywood controversy took centre stage. As observers pointed out, the harangue by the so-called outsiders was not on behalf of the deprived or the dead actor as much as on behalf of themselves. This section hails from pockets of the aspiring elite who are up against the conventional elite in the film industry.

Much has been written about the CBI, the Enforcement Directorate and other central agencies that have been used by successive governments to decimate opponents and opposition. In this case too, allegations to this effect have been flowing thick and fast. It is hardly a well-kept secret that many agencies are used to put pressure on opponents rather than to obtain justice for victims of crimes. As one minister from Maharashtra asked: How many suicides have been handed over to the CBI for investigation in the past?

Ultimately, instead of the actor’s death being on trial, it is the various actors in this drama who are on trial. And the questions that need to be asked of all of them—individuals, agencies and parties—are many. Why did the Supreme Court hand over the case to the CBI? How did the prominent television channels get the various call records, contracts, bank details and photographs? How are these channels—as we noted above—treating anyone they wish as the accused with no fear of legal action?

The larger public must also bear the blame for the manner in which the death has been treated. It is the unhealthy and near prurient curiosity for details of celebrity lives (and deaths) and unquestioning hero worship that leads to the media and politicians taking advantage of such tragedies.

Instead of teaching lessons, the treatment of this particular tragedy has exposed the rot that seems to infect the society and its agencies.



## Do Rights Have Limits?

The recent judgment of the Supreme Court with regard to Hindu daughters' right to property ownership underscores the importance of rights. This has been aptly brought out in the first editorial of this issue of *EPW*. The editorial under reference, while appreciating the positive aspect of the judgment, also expresses its resolute scepticism about the actual enforcement of such rights. The editorial aptly suggests that rights are a necessary device but not the sufficient condition to achieve human purpose in general and empowerment of the disempowered and disposed in particular. Put differently, rights tend to be plagued with contradictions between what they propose and promise and what they actually achieve. This, however, does not mean that we should throw the baby out with the bathwater.

Rights, when viewed from a liberal point of view, are considered as positive intervention into property relations. Rights begin to override the social authority, howsoever benign that authority may appear to be. For example, in the present context, women as holders of such rights feel encouraged to override such "benign" authority of patriarchy. Rights are aimed at intervening with human purpose to free deprived individuals particularly from the politics of patronage, which necessarily undermines the self-respect or self-worth of such individuals. Rights are the guarantee for self-respect. And yet, rights from the point of view of different kinds of marginalised individuals can be ineffective in actual terms.

In the general sense, rights become rights under two conditions in which they become not only exercisable but also are actually exercised. Exercisability depends on the social and economic conditions that are favourable and appropriate. Arguably, one finds it difficult to exercise rights in the moral condition that tends to constrain the very exercise of rights. Rights holders tend to refrain from exercising their rights as they may or, in fact, feel morally compelled not to press for the enforcement of their individual rights. Let us take two examples in order to elucidate the point. First, women holding rights may find it quite difficult to push for the exercise of these rights when they are part of a family without material and intellectual assets or family which has scanty resources.

It is the moral economy and its language of moral responsibility towards the well-being of the family that imposes limits on the exercise of rights. Morality, thus, becomes a hurdle in exercising one's right to individual autonomy to choose their own notion of

good. For example, it is more likely the case that patriarchy would play this moral card to force women to give up their share in the property. Morality, in the ultimate sense, tends to favour the male members of the society. Women who have got the right to property ownership are likely to be torn between morality and rights. Similar is the case with factory workers who, for the sake of the survival of the factory, abstain from exercising their right to their various entitlements. Sugar workers in Maharashtra did accept cuts in their benefits. Rights in such situations have to take a back seat. Rights are not the same moral category that can account for the practice of virtue. Factory employers or patriarchy may be generous to workers or women, respectively, but it is less likely that both the factory owner and the patriarch would fight for the rights of workers or women, respectively.

The rights can be exercised in the conditions where a rights holder is able to give it concrete expression through the demonstration of freedom to take an independent decision. For example, a woman who has the right to ownership to land should also be able to decide cropping patterns as well as control the process of marketing the agricultural output. Similarly, a landless woman should be able to collect her wages without the interference of her husband.

Economic institutions such as the market at the abstract level acknowledge equal rights to participate in the market transaction. A market organised on a rational basis is not supposed to practise discrimination on the basis of caste, religion and region. But in actual practice, it is often the case that a person from a lower caste or with a minority background and with a non-vegetarian food preference, finds it difficult to either buy a house in the desired location or rent a house where they can satisfy their preference for non-vegetarian food. In a similar vein, why should a vegetable vendor from the minority community be asked for identity proof? They have an equal right to sell vegetables or fruits. The economic institution, such as the market, which is replete with prejudice, impose severe limits on the exercise of rights. This only means that rights cannot empower one to bypass caste-based or majority-based prejudice. Economic institutions, such as the market, are not sufficient to guarantee the rights of individuals. For a right to be a reality, it has to be disentangled from the constraining circles of social relationship.

*Upal Kumar*

FROM 50 YEARS AGO

**ECONOMIC AND POLITICAL WEEKLY**

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### Imperial Preference and Golden Nationalism

*Ottuketkal writes:*

The hazard to health associated with cigarette smoking is one that cigarette manufacturers in the United States are required by law to indicate

on every packet of cigarettes marketed in that country. They are also subject to restraints on the claims they can make for competing brands. This is true of a number of European countries as well. The Indian cigarette manufacturer, however, has no inhibitions, voluntary or enforced, about hammering the point home that cigarette-smoking tea desirable consumption goal.

But some cracks have appeared in the propaganda edifice built up by cigarette manufacturers. Some advertising agencies have reportedly lent their expertise to particular cigarette manufacturers to run down rival brands. Nothing has appeared in print (though there have been charges of press

campaigns in Assam). The word just spreads that a certain brand of cigarettes causes cancer. The technique is not really new. About two decades ago, Calcuttans had learnt in similar fashion that a particular brand of cigarettes caused tuberculosis. The opinion was attributed to a famous doctor-politician of West Bengal! That cigarette is today a non-seller.

Retaliatory propaganda by makers of the affected brands has had to take the line that not a particular brand of cigarettes, but cigarette-smoking in "excess" is bad for health. However unsatisfactory this admission — "excess" is undefined, and the hazard hinted at is much less than the dreaded cancer.

# Why India Did Not Go to War with China

ALI AHMED

India had the military ability to evict the intrusions in Ladakh or carry out a quick grab action of its own in the early stages of the crisis. Yet, it did not exercise the offensive military options. The explanation for such strategic reticence lies at the political level.

The Prime Minister speaking at an all-party meeting on 19 June said, "Neither have they [China] intruded into our border, nor has any post been taken over by them"? (*Wire* 2020). Following from this claim, a flip-pant answer to the question implicit in the title could be that India did not go for a military option in Ladakh because there were no intrusions. Similarly, a superficial answer to the question is that the army was caught unawares by the intrusions and could neither evict the Chinese from the Indian side of the line of actual control (LAC) or make a counter grab across it.

Evidently, the army, taking COVID-19 precautions rather seriously, had deferred the usual spring manoeuvres in Ladakh. However, privileging the threat from the novel coronavirus over the Chinese propensity for periodic transgressions was owed in part to a discounting of the China threat at the strategic level. After all, not only had the Prime Minister, in early December last year, hosted the second informal summit in Mamallapuram with his Chinese counterpart, Xi Jinping, but the two special representatives, Ajit Doval and Wang Yi, had met at the 22nd meeting of special representatives later in the month. Therefore, for the army to have let down its guard is explicable, but subsequent relative inaction calls for an explanation.

Not having registered any strategic warning, operational-level early warning indicators were not given due significance. An extensive Chinese troop exercise reported in late May in Korla in Xinjiang Uyghur Autonomous Region, close to Aksai Chin, failed to trigger an alarm. Besides, the pattern of Chinese transgressions over the past decade, such as at Depsang in April 2013 and Chumar in September 2014, has seen an eventual

falling back by them. At last, 73-day long crisis, at Doklam, India had shown its resolve, leading to a belief that this would deter China.

In the present crisis, India preferred not to follow the Kargil model of evicting intrusions. India maintains force levels in Ladakh sufficient to react to contingencies such as small-scale intrusions if launched timely, before the Chinese firmed in or built up reserves. If the opportune time is lost for early eviction or a counter grab (taking over a sliver of territory elsewhere), then additional troops would be required and as would the time for acclimatisation and familiarisation. By then, it would be too late as the Chinese, taking advantage of their better lines of communication and having seized the initiative, would have firmed in. Thus, India lamely settled for mirror deployment, or a troop build-up intended to deter further intrusions. Even as the developments in Ladakh were playing out, China had prudently taken care to beef up other sectors, evidenced by the 9 May face-off at Naku La in north Sikkim, to deter the option of horizontal expansion of the crisis by India.

It is apparent that the Chinese accurately assessed a timid Indian military response and were prepared to handle it militarily. Even so, they must have been surprised at India's resort to military and diplomatic talks, with an expansive aim to restore status quo ante, a reversion to their side of the LAC. Five rounds of talks between corps commanders and three days of talks at divisional commander level at the military level, interspersed with four rounds of the Working Mechanism for Consultation & Coordination on India-China Border Affairs, buttressed by telephone conversations between the two foreign ministers on 17 June and the two special representatives on 5 July, have not unseated the Chinese from the areas of intrusion at Pangong Tso, Gogra and at Depsang. The three locations found mention in the report that was pulled down without explanation from the website of the Ministry of Defence (*Hindu* 2020). Despite diminishing returns, India is

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readying to keep troops deployed for the long haul over the winter.

### Explaining the Riddle

India's operational formations have their primary operational task cut out—of defending national territory—and have the requisite resources either under command or on call. In Ladakh, not only have armoured elements been pre-positioned but air force capabilities have been enhanced by advance landing grounds. Forward basing of squadrons with advanced jet fighters, as the Su-30, has been done in the North East. Two divisions were raised over a decade back for boosting defences in Arunachal Pradesh. A mountain strike corps was partially raised for counter offensives (*Economic Times* 2020). Therefore, not only did India have the in-theatre resources to take on the Chinese, but also the capability to deter escalation.

Doctrinally, India has been long prepared. India's "pivot" towards China preceded the American one under Barack Obama. Over the 2000s, having catered for the Western front by drawing lessons from the Operation Parakram in a changed doctrine, colloquially called "cold start," the Indian army came up with the "transformation" study that built up the China threat (Gokhale 2011). This eventuated into a new army doctrine that played up a collusive "two front" threat (*Hindustan Times* 2017). Extensive preparation followed the doctrinal turn, including being among the top importers of arms worldwide, for most of these years, with much of the equipment, such as howitzers from the United States (us), headed for the China front (*Economic Times* 2019).

The answer for a lack of robust military response, despite the preparedness, can be looked for using the levels of war framework that includes five levels, namely political, grand strategic, strategic, operational and tactical. At the tactical level, the sacrifice of Colonel Santosh Babu and his men on 15 June in a fierce hand-to-hand encounter with the Chinese, equipped with improvised but lethal weapons, has shown that the rank and file were game for the battle. At the operational-level, the military has a measure

of the Chinese and feasible operational-level options have found discussion during the crisis (Panag 2020). The culmination of India's preparedness was witnessed in autumn last year when integrated battle groups (IBGs) of the reformed mountain strike corps were put through their paces (*Business Standard* 2020).

At the strategic level, it cannot be that India was awaiting the five Rafale fighters that landed in Ambala amidst much fanfare to even the balance in the power asymmetry with China. As a former military adviser in the national Security Council secretariat writes, "Power is a relational variable and therefore the context in which power is compared is certainly closer to the truth than absolute power calculations" (Menon 2018). India has a chief of defence staff, which, though a nascent appointment, could have orchestrated a joint response. Counter grab possibilities in other theatres went a-begging for want of strategic resilience. Strategic inaction can partially be attributed to not receiving a nod at the grand strategic level.

A seemingly plausible rationale for this inaction exists at the grand strategic level. The economic rationale is most compelling since India has had an economic downturn that preceded the COVID-19 outbreak. The defence budget had been attenuated over the past few years to compensate. Over the short term, the crisis has led to fast-forwarding of arms acquisitions, with attendant opportunity costs for economic recovery (Shukla 2020). Over the long term, an increasingly closer resemblance in terms of deployment density may be envisaged along the LAC, which will prove costly in terms of infrastructure costs and number of troops to be maintained. The ongoing preparation for keeping some 30,000 troops in Ladakh through the winter is a curtain raiser (Bedi 2020). Next, the efficacy of other instruments to take on China is questionable. It is a truism that diplomacy without military backing lacks credibility. Economic retaliation against China can only have an economic backlash in light of the asymmetric interdependence.

At the political level, there are reputational costs for a rising power such as

India for not using the military instrument at a juncture at which states normally resort to it; for territorial defence. Emboldened by India's discomfiture, Nepal and Pakistan have respectively taken out new political maps claiming Indian territory. While the opportunity has been used to deepen the quadrilateral of democracies, an irresolute India can hardly be appraised as a reliable partner. In any case, the phrase deployed by Prime Minister Narendra Modi, *atmanirbharta* (self-reliance) to generate economic self-sufficiency, if interpreted broadly as strategic autonomy, can be expected to take a blow.

### Limited War Option

The preceding consideration suggests that a war may not necessarily have proven prohibitive in comparison with the costs of military reticence. Given this, did the fear of escalation stay India's hand? Escalation is a possibility, but being known, it can be catered for. A prominent concept in strategic studies, limited war, provides some reassurance.

Limited war is the only form of war that two nuclear weapons—possessing adversaries can reasonably indulge in. The concept has been around since the Korean War (Osgood 1957). It is one in which aims are kept limited and consequently so are resources for its prosecution. Limitation can manifest in the scope of geographical spread, choice of targets, use of weapons, etc. "Deliberate hobbling" (Brodie 1959: 311) of power is resorted to by nuclear adversaries. Thus, there is nothing inevitable about escalation, particularly where military doctrine is informed by the limited war concept.

Perhaps India, going by comprehensive power indices, was deterred by the power asymmetry. The fear of escalation dominance—the capability to prevail at the next higher level of the escalation ladder—being with China may have proved dissuasive. Keeping with limited war tenets would have helped stave off the possibility of chancing up the ladder, thus neutering any escalation dominance capability with China. In a limited conflict, only usable power at the point of decision matters, which for China is at the end of a long line of

communications over the Tibetan plateau in the inhospitable terrain of distant Ladakh (Menon 2018).

Even so, by this yardstick, in the similarly skewed India–Pakistan dyad, Pakistan should not have countered the Balakot aerial surgical strike with its daylight air raid on the line of control (LoC). Likewise, early this year, the Iranians should have been deterred from launching missile strikes on two US military targets in Iraq in retaliation to the US targeting an Iranian general, Qasem Soleimani. Consequently, there is no compelling case for strategic prudence for a weaker side.

### Political Rationale

At the political level, the Clausewitzian logic that the “war is nothing but the continuation of policy with other means,” is the most significant (Clausewitz 2008: 34). That no military option has been exercised by India suggests that there were other superseding political-level considerations. The recent observance on 5 August, the first anniversary of the reduction of Jammu and Kashmir to the union territory status, provides a clue. The consecration of the Ram temple at Ayodhya was supervised by the Prime Minister on this very day. Had military options been exercised against China, the more significant political preoccupation of the Modi regime—that of transitioning the secular Indian state into a majoritarian Hindu republic—would have been interrupted and its timeline disrupted. The outcome of military conflict being unpredictable, Modi could not have chanced reputational damage since it would have set back the wider political agenda. If Modi’s image and power became collateral damage from a war with China, it could potentially unravel the advance of Hindutva across the national polity and social spaces.

At the political level, there is also a non-trivial, less remarked consideration. The march of majoritarianism has been such that, arguably, most institutions have been felled by it. The military has been relatively unscathed so far. From a civil–military relations perspective, a regime with an expansive domestic agenda, which some fear includes reshaping the

Constitution in its own image at some point in an indeterminate future, can be expected to exert to neutralise the military. The crisis provides an opportunity for this in some measure. Being caught off guard and subsequent inaction detracts from the military’s image of professionalism. Also, the military’s staying put indefinitely, which amounts to an LoC-isation of the LoC, will keep it to the professional till.

Thus, the answer to the question of why India did not exercise a military option is easier seen at the political level. Internal political compulsions stemming from the present government’s need to stay in power and give it a rightist orientation takes precedence. Whereas, limited surgical strikes against a weaker neighbour, have utility in terms of societal polarisation for the right-wing political enterprise, and taking on a stronger and well-prepared foe—China—can upset their political project. That is the more plausible reason why India held off from exercising the military option in the face of a compelling *casus belli*.

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# Higher Disease Burden in India's Elderly

ALOK RANJAN, MURALEEDHARAN V R

The disease burden among the elderly population is significantly higher compared to the younger population, according to the data from the 75th round National Sample Survey, 2017–18, which increases their vulnerability during the COVID-19 pandemic. The footprint of elderly population in public facilities for inpatient and outpatient care has increased over the years. Financially, the elderly face far less burden in public facilities than in private facilities.

After its emergence in December 2019 from Wuhan, China, severe acute respiratory syndrome coronavirus-2 (SARS-CoV-2), also called coronavirus disease 2019 (COVID-19), has infected 22.2 million individuals, with a mortality of 7.8 lakh across 216 nations as of 20 August 2020 (WHO 2020). In India also, more than 50,000 people have died due to COVID-19 in the same period. As the pandemic is unfolding, it is becoming evident that the elderly population is at higher risk of fatality due to comorbid conditions (Rothan and Byrareddy 2020). The health status of India's elderly population is explored using data from the nationwide 75th round National Sample Survey (NSS), 2017–18, which was released in November 2019 (Government of India 2019). This is one of the latest available data on elderly health in the country at the moment. The aim of this exercise is to draw evidence-based understanding about the elderly population's health that could help in providing some insights that would be useful for handling the current pandemic.

## Data and Methods

The data was collected from the National Sample Survey Office (NSSO), Government of India, from July 2017 to June 2018. A total of 5,55,115 individuals (rural: 3,25,883; urban: 2,29,232) from 1,13,823 households (rural: 64,552; urban: 49,271), across all states and union territories, participated in the survey. The survey also collected data from 42,762 elderly (60 years or above) individuals. The 75th round NSS, 2017–18, collected comprehensive data related to health that included household and individual characteristics, demographic details, hospitalisation in last 365 days, chronic and acute ailments in the last 15 days, health insurance coverage, nature of the ailment,

type of service provider, child immunisation, maternal health, and health of the elderly people.

All individuals in the survey were asked if they were hospitalised in the last 365 days, which was used for calculating the hospitalisation rate. Similarly, individuals were asked if they were suffering from any chronic condition (suffering from more than one month) or acute ailments in the last 15 days, and it was used for calculating the proportion of the ailing population (PAP) in the last 15 days. Questions about the nature of ailment and choice of service provider during hospitalisation and outpatient care were asked and this was used for calculating disease burden and healthcare utilisation. The individuals self-reported the nature of ailment across 63 categories that was further categorised under 15 major categories, which included infectious diseases, cancer, blood diseases, endocrine conditions, including diabetes, psychiatric and neurological conditions, genito-urinary, obstetrics, eye, ear, cardiovascular as well as hypertension, respiratory, gastrointestinal, skin, musculoskeletal, injuries and others. Child-birth was excluded from hospitalisation.

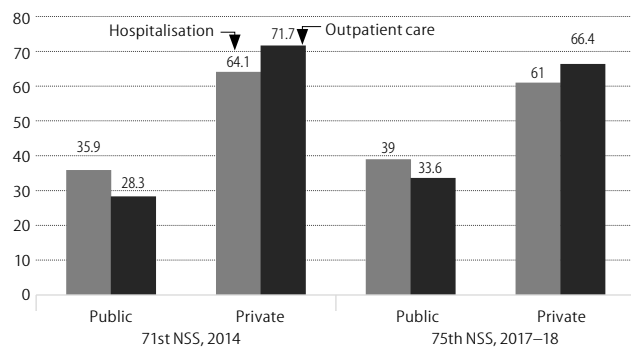
The out-of-pocket expenditure (OOPE) was calculated by adding total medical expenditure and transportation cost, followed by deducting reimbursement from insurance companies. The disease burden on the elderly and non-elderly population was estimated for the age group 15–59 years, and 60 years and above, separately. Healthcare providers were categorised under the public and private sectors. For understanding change in healthcare utilisation and OOPE, a comparison from 71st round NSS, 2014, was made.

## Results

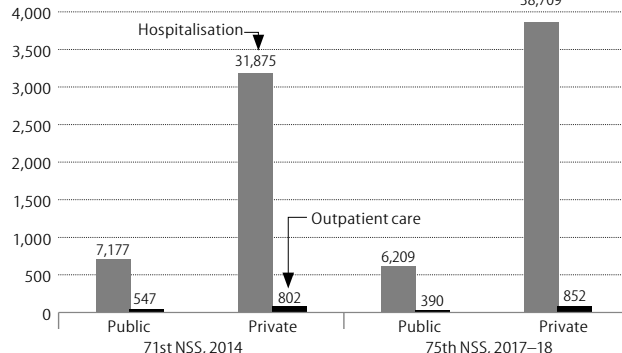
The disease burden in the elderly population (60 years and above) was significantly higher compared to the non-elderly (15–59 years) population in India (Table 1, p 14). The hospitalisation rate was 8.5% in the elderly as against 2.6% in the non-elderly population. The proportion of the elderly population suffering

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**Figure 1: Share of Public and Private Healthcare Facilities during Hospitalisation and Outpatient Care in the Elderly Population**

Source: Authors' computation from unit records of NSSO 75th round 2017-18.

**Figure 2: Average Out-of-pocket Expenditure per Hospitalisation Episode and Outpatient Visit in the Elderly Population**

Source: Authors' computation from unit records of NSSO 75th round 2017-18.

from the chronic condition was 22.4%, whereas it was 3.0% in the non-elderly population. About 5.7% of the elderly population were reported to be suffering from an acute ailment in the last 15 days, whereas it was 3.1% in the non-elderly population. The proportion of ailing person in the last 15 days, both acute and chronic condition, was 27.7% in elderly, whereas it was 6.0% in the non-elderly population. The hospitalisation rate and

PAP was higher in urban areas compared to rural areas, which could be due to better access to healthcare in the urban populace than their rural counterparts. The hospitalisation rate was higher in male (9.5%) compared to female (7.5%), whereas for the PAP, it was almost the same (Table 1).

Cardiovascular conditions (including hypertension, 18.1%) were the major cause of hospitalisation followed by

infectious diseases (16.6%). Cardiovascular conditions (18.1%), psychiatric and neurological conditions (8.2%), respiratory conditions (7.8%), injuries (including fall, 7.9%), diabetes (5.3%) and eye (8.4%) constituted more than half of the causes for hospitalisation. It is important to note that in non-elderly population infectious diseases (29.9%), injuries (13.1%) and gastrointestinal conditions (11.7%) constituted more than half of the causes for the hospitalisation (Table 2).

Endocrine ailments, including diabetes (22.5%), cardiovascular diseases, such as hypertension (32.0%), and musculoskeletal conditions (13.9%) constituted around 70% of the outpatient visit in the elderly population. In the non-elderly population, infectious diseases (30.0%) were the major causes for outpatient visits (Table 2).

In utilisation of healthcare facilities, the public share has increased (from 35.9% in 2014 to 39% in 2017-18) for hospitalisation, and (from 28.3% in 2014 to 33.6% in 2017-18) for the outpatient visit. The share of private healthcare facilities reduced for hospitalisation (from 64.1% in 2014, to 61% in 2017-18) and for outpatient care (from 71.7% in 2014 to 66.4%, in 2017-18), respectively (Figure 1).

Average OoPE per hospitalisation episode dropped from ₹7,177 in 2014 to ₹6,209 in 2017-18 under the public sector. On the other hand, under the private sector, it increased from ₹31,875 in 2014 to ₹38,709 in 2017-18. Outpatient visits also became cheaper in the public sector (₹547 in 2014 to ₹390 in 2017-18) and costlier in the private sector (₹802 in 2014 to ₹852 in 2017-18) in recent years (Figure 2).

**Table 1: Hospitalisation Rate and PAP in the Elderly and Non-elderly Population**

	Hospitalisation Rate in the Last 365 Days (per 100)		Chronic Ailment (Ailment Persists from More Than One Month, per 100)		Acute Ailment in the Last 15 Days (per 100)		PAP in the Last 15 Days (per 100)	
	15-59 Years	60 Years and Above	15-59 Years	60 Years and Above	15-59 Years	60 Years and Above	15-59 Years	60 Years and Above
Total	2.6	8.5	3.0	22.4	3.1	5.7	6.0	27.7
Place of residence								
Rural	2.5	7.7	2.6	19.0	3.0	6.0	5.6	24.6
Urban	3.0	10.1	4.0	29.5	3.2	5.2	7.1	34.0
Gender								
Male	2.3	9.5	2.5	22.2	2.4	5.8	4.9	27.5
Female	2.8	7.5	3.6	22.6	3.8	5.7	7.3	27.9

Source: Authors' computation from unit records of NSSO 75th round 2017-18.

**Table 2: Disease Burden during Hospitalisation and Outpatient Visit in the Elderly Population**

	Hospitalisation		Outpatient Care	
	15-59 Years	60 Years and Above	15-59 Years	60 Years and Above
Infectious diseases	29.9	16.6	30.0	10.0
Cancers	2.4	4.6	0.4	0.5
Blood diseases	2.2	0.9	0.9	0.9
Endocrine, metabolic, nutritional (includes diabetes)	2.3	5.3	16.3	22.5
Psychiatric and neurological	5.2	8.2	5.3	4.4
Genito-urinary	7.0	5.3	1.7	1.0
Obstetric	4.8	0.0	0.4	0.0
Eye	2.7	8.4	1.0	1.5
Ear	0.5	0.2	0.3	0.4
Cardiovascular (includes hypertension)	7.9	18.1	14.8	32.0
Respiratory	2.8	7.8	8.6	7.3
Gastrointestinal	11.7	7.5	5.9	2.6
Skin	0.9	0.7	2.7	0.9
Musculoskeletal	4.6	6.2	8.8	13.9
Injuries	13.1	7.9	1.5	0.7
Others	2.2	2.4	1.2	1.6
Total	100	100.0	100	100.0

Source: Authors' computation from unit records of NSSO 75th round 2017-18.

## Discussion

The 75th round NSS, 2017–18 shows that there is a considerably high disease burden among the elderly population compared to non-elderly population, which makes elderly people more vulnerable in the COVID-19 pandemic. Chronic non-communicable diseases share three-fourths of total outpatient visits for the elderly population in India. Diabetes and hypertension alone constitute half of the outpatient visits in the last 15 days for the elderly people. These chronic conditions require lifelong management that includes lifelong medication and doctor's consultation and diagnostics at regular intervals. In many situations, the elderly population also requires rehabilitative and palliative care apart from medicine. Most of the time, the elderly requires a caregiver or companion while visiting the healthcare facilities.

In the present scenario, wherein the entire focus of public healthcare system has shifted towards handling the COVID-19 and a larger proportion of private sector has closed their clinics and hospitals, the regular service provisioning has come to a halt amid the nationwide lockdown in India (Chetterje 2020). Many news reports have mentioned the lack of medicines and other healthcare services in government health facilities. In March 2020, data from India's National Health Mission showed that there was a 69% fall in vaccination-related to measles, mumps and rubella in children, 21% reduction in institutional delivery, and 50% reduction in clinic attendance for acute cardiac events (Cash and Patel 2020). Since the usual healthcare needs of the elderly population are higher, they face the brunt of it. This might further complicate their existing health conditions and increase unmet healthcare needs considerably. It also increases the risk of fatality due to COVID-19 in elderly people.

Since the vaccine is not yet available, across the world social/physical distancing has been proposed as the most potent strategy to handle this virus (WHO 2020). Even the Government of India (2020) issued a health advisory for the elderly population, which emphasises hand-washing and social/physical distancing.

However, in the current situation of infectious and rampant fake news, the elderly population might feel anxious and stressed. Generally, the burden of mental illness that is higher in the elderly population might get aggravated in the current scenario (Santini et al 2020). Similar findings have been reported across the world (Wang et al 2020).

The recent trends show that public healthcare utilisation in the elderly have increased by 8.6% during hospitalisation and 18.7% in outpatient care in the period from 2014 to 2017–18. At the same time, the OOPe under public healthcare facilities has dropped considerably during hospitalisation and outpatient care. It is encouraging since it provides greater financial protection to a socio-economically disadvantaged population. The deeper analysis also shows that the increase in the utilisation of public facilities was higher in wealthier income quintiles compared to the more deprived quintiles (Muraleedharan et al 2020). This is encouraging and provide evidence to say that investment in public health is more prudent. However, it is essential to note that almost 70% of the elderly people are financially dependent, partially or entirely, on others (Kumar and Kumar 2019). In the current COVID-19 crisis, where household income has shrunk considerably, the health of the elderly people might not find priority in the households. Most of the time, the elderly population in rural areas are supported by their children who work as migrant workers in other parts of the country. In the current situation, facing job losses, they might not be able to send money back home (Economist 2020). All this will ultimately increase the unmet healthcare needs of the elderly population.

History shows that the pandemic does not affect evenly, and the role of social determinants becomes crucial. The impact of the 14th century bubonic plague and the 1918s, Spanish flu was higher in the socio-economically disadvantaged population (Duncan and Scott 2005; Mamelund 2018). The impact of COVID-19 will be higher in lower socio-economic community. It is important to note that 68% of India's elderly population live in rural areas, 58% are illiterate, and 70%

(male: 55%, female: 88%) are financially dependent on others (Kumar and Kumar 2019). At the same time, familial relations and kinship are changing in India and instances of younger children abandoning their elderly parents is increasing in rural and urban India (Varma and Babu 2010). These scenarios increase the vulnerability of the elderly people even more with the onset of the COVID-19 pandemic.

## Conclusions

To handle the COVID-19 pandemic, especially for elderly population, strategies are needed at three levels—individual, community and systems.

**Individual preparedness:** As physical/social distancing is being recommended across the world, personal preparation in terms of having adequate nutrition, exercises, and good sleep is essential. Being connected with others through various communication channels (phone call, video chat, and so on) will help in reducing the stress and anxiety in the elderly population and prevent social isolation. Health literacy about COVID-19 is vital in the current situation where fake news is so rampant in society (Pakkari and Okan 2020).

**Community preparedness:** The role of the community in handling the current crisis is inevitable. As testing, tracing, and isolation is the primary strategy against COVID-19, elderly people might feel more isolated and anxious. Recent trends have also shown that there has been a growing stigma against individuals infected by the novel coronavirus. Community solidarity in terms of helping each other, mainly elderly, in this moment of the current crisis is crucial.

**Systemic preparedness:** There is a greater need for health system preparedness in terms of provisioning of regular services to the elderly population, which includes regular check-ups and dispensing of medications at health facilities. This will significantly reduce deaths related to comorbid conditions in the elderly population. It is also high time to realise the importance of increasing investment in comprehensive primary

healthcare. In this regard, the proposed Health and Wellness Centre (HWC) is a welcome and much-needed step but needs to be implemented on the ground as envisioned in the policy document. For instance, a well-functioning HWC means community member will receive their diabetes and hypertension drugs from their nearest primary health centre uninterruptedly. The pandemic has also shown us our weak spots in secondary and tertiary care, which are community health centres (CHCs) and district and sub-district hospitals. It is important to note that they are the backbone of service provisioning in rural parts of India, where the private sector invests the least. There is a need to equip CHCs and district hospitals with functional bed capacities and ICU wards as envisaged under the Indian Public Health Standards (IPHS) guidelines. If CHCs and district hospitals are functioning with their full capacity, they will be able to provide critical care to severely ill COVID patients, mostly elderly, in the coming days. The concept of excess capacity (planned redundancy), which was envisioned in making large public hospitals, has become so relevant in the current pandemic (Yelin et al 2020). All these points draw our attention towards greater investment

in public healthcare infrastructure, human resources, adequate supply of drugs, and skill-building in the public health system.

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## WORK at EPW

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# COVID-19 and Women Informal Sector Workers in India

SHINEY CHAKRABORTY

The precarious nature of employment of women informal workers is examined using data from the Periodic Labour Force Survey (2018–19). To capture the gendered experiences of informal workers during the lockdown period, data from a series of rapid assessment studies is used. It was found that the unequal gendered division of domestic chores existed even before the onset of the pandemic, but the COVID-19-induced lockdowns have further worsened the situation. In terms of paid employment, women tend to work in risky, hazardous and stigmatised jobs as front-line health workers, waste-pickers, domestic workers, but do not receive the minimum wages as specified by the government.

The sudden decision of the Government of India to impose a nationwide lockdown on 24 March 2020, with just a four-hour notice followed by a near complete shutdown of all economic activities imparted a devastating impact on the labour market. As a result, the unemployment rate had increased manifold. According to the Centre for Monitoring Indian Economy's (CMIE) Consumer Pyramids Household Survey (CPHS), unemployment rates in April and May were over 23% in India, which was three times higher from the value last year (Vyas 2020). The cessation of all economic activities would result in a prolonged dip in informal sector workers.

The International Labour Organization (ILO 2020) report has indicated that as a result of COVID-19, an estimated 400 million informal sector workers are at risk of abject poverty in India. Women are likely to bear the brunt of job losses the most because much of their work is invisible, and they are more likely to work in informal work arrangements.<sup>1</sup> Moreover, the significant and widening gender gaps in workforce participation rates, employment and wages that existed before the lockdown were expected to intensify during the post-lockdown period. Additionally, India has recorded one of the most unequal gender division of household work, and according to the first (and only) national Time Use Survey (TUS) (1998–99), women spend around 4.47 hours per week on direct care work (that is, looking after children, elderly, sick and disabled), while men spent only 0.88 hours per week. Along with the gross imbalances in gender distribution of unpaid care work, the COVID-19 pandemic might worsen the situation by increasing women's burden of domestic chores, unduly cuts and lay-offs in employment.

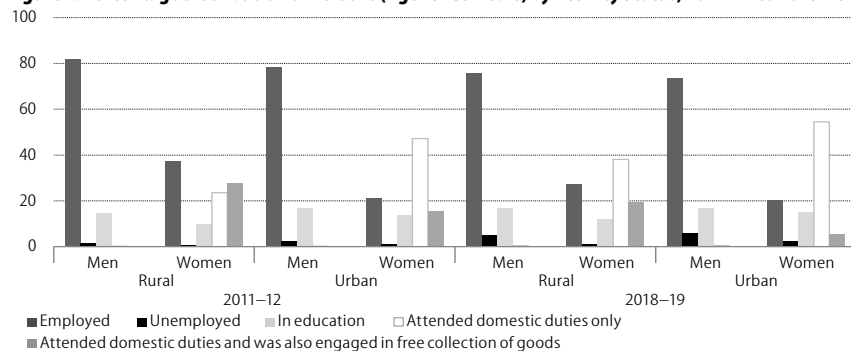
The existing literature has empirically examined the first effects of the lockdown

on overall employment in India and not considered gender particularly (APU 2020; NDIC 2020; Kapoor 2020). Only Deshpande (2020) investigates the immediate impact of the COVID-19-induced lockdown on all women workers. This article provides an overview of the employment and conditions of employment of women informal workers under which India imposed the lockdown, using the recently released Periodic Labour Force Survey (PLFS) (2018–19). It also compares it with the last available quinquennial Employment and Unemployment Survey (EUS) of the National Sample Survey (NSS) (68th round) to highlight the overtime change and pattern in women's paid and unpaid work in India. While pre-lockdown employment is the strongest predictor of post-lockdown employment, its effect is different for men and women and for those who are largely involved in informal work and not equipped to cope with this unprecedented shock. To capture the gendered experiences of informal workers during the lockdown period, the study also uses data from a series of rapid assessment studies conducted by the Institute of Social Studies Trust (ISST) on women informal workers in five different sectors (domestic work, street vending, waste picking, home-based work and construction work) in Delhi.<sup>2</sup>

## Trends in Women's Work

India has recorded one of the lowest women workforce participation rates (WFRs) in the world, and the PLFS (2018–19) highlighted a further decline from this low value.<sup>3</sup> The existing literature has proposed different hypotheses for the decline in women's WFR up to 2011–12, such as the issue of mismeasurement related to women's work (Ghosh 2016; Hirway 2012), lack of demand for jobs in occupations and industries suitable for women (Chatterjee et al 2015; Kingdon and Unni 2001) and the supply-side effect, which depicts that with an increase in household income, women, especially in poorer families, withdraw from arduous work (Himanshu 2011; Srivastava and Srivastava 2010; Thomas 2012). However, from 2011–12 onwards, there were attempts to explain it in

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**Figure 1: Percentage Distribution of Persons (Age 15–59 Years) by Activity Status, 2011–12 to 2018–19**

Activity Status UPSS is considered, which includes the principal activity (on which the person spent a relatively long time) and the subsidiary activity (on which the person spent a relatively short time but at least 30 days) during 365 days preceding the date of the survey. Figures will not add to 100, as rentiers, pensioners, remittance recipients, disabled and others are excluded. Source: Computed from NSS 68th round and PLFS (2018–19) unit-level data on employment and unemployment.

terms of the shift to more women engaging in unpaid household work, which includes household chores, such as cooking, cleaning, washing, shopping, caring for the elderly and children (Chakraborty 2019). Surprisingly, during the same period (2011–12 to 2018–19), women experienced a decline in the domestic and allied activity,<sup>4</sup> which may be a welcome sign if there is any improvement in infrastructural facilities like increasing access to drinking water and fuel for which they need not spend a long time like before. But, it could be a misclassification by investigators because of the corresponding shift to only domestic chores, or it may be the result of more education, as suggested by the increase in open unemployment of women (Chandrasekhar and Ghosh 2020).

In India, because of women's unacknowledged and unpaid contribution towards many economic activities and also due to social reproduction, men have a hidden advantage in the labour market as they do not have to share the burden of domestic chores. Figure 1 clearly shows that the share of women engaged in only domestic activity and domestic and allied activity together was 57.4% and 60% compared to just 0.5% and 0.6% for men in rural and urban areas, respectively, in 2018–19. There is also evidence that women's WPR is negatively associated with the presence of young children in the household, and that, over time, the burden of child-rearing has increased in India. During 2011–12, only 33% of married women (aged 25–55 years) with young children participated in the job market, while in

2018–19, it reduced to only 24%. With the gross imbalances in the gender distribution of unpaid care work, the COVID-19 outbreak is expected to further increase the demand for childcare needs.

Among the employed, self-employment is the predominant source of employment for women, but almost 31% of them were largely employed as unpaid family helpers in 2018–19 (Table 1). Further, among the self-employed women, many of them worked from within the household premises, without having any fixed workplace and with less than six workers. Among the women regular wage employees, there were several who had no written job contracts, were not eligible for any paid leave and were not entitled to any social security benefits. On the other hand, in 2018–19, 24% women worked as casual wage labourers and received wages according to the job contract. Given this precarity and the ab-

sence of any standard employer–employee relationship, it is not surprising that women suffered the highest decline in employment. Four out of every 10 women who were working during the last year lost their jobs amidst the lockdown, while rural women were hit the hardest of all (Deshpande 2020). According to the APU (2020) survey, the share of women reporting job losses was higher relative to men in India during the lockdown.

The COVID-19 crisis had occurred when there was already high and increasing open unemployment, and a large population of the Indian workforce was employed in the informal sector. In India, 87% of the workforce was in informal employment, and even among the regular wage employees, 62% were employed in informal sector in 2018–19. Women working in the informal sector are known to face different structural constraints. Further, women in poor households are more likely to work in the informal sector and in more vulnerable categories of work, such as paid domestic work or self-employed home-based work (Chen 2016; Raveendran 2017). Table 2 presents women's employment distribution across industries along with a sectoral break-up. It shows that agriculture remained the largest provider of employment for women in both the periods. Although the ILO has considered it as a low- to medium-risk category, in India, the agricultural sector is mostly informal, and women workers in this industry

**Table 1: Percentage Distribution of Workers by Employment Status, 2011–12 to 2018–19 (Age 15–59 Years)**

Usual Status Approach	2011–12			2018–19		
	Men	Women	Total	Men	Women	Total
Own account workers	34.7	20.6	30.4	38.7	21.5	34.5
Employers	1.6	0.3	1.2	2.6	0.6	2.1
Unpaid family workers	11.2	36.8	19.1	8.1	30.8	13.7
Total self-employed (SE)	47.5	57.7	50.6	49.3	52.9	50.2
SE workers operating from own-dwelling unit	22.63	82.2	40.85	17.0	69.6	27.9
SE workers with less than six workers	90.1	95.9	92.1	89.1	95.9	90.7
Regular wage (RW)/salaried employee	18.9	10.4	16.3	26.1	22.9	25.3
RW workers without any written job contract	65.4	65.1	65.3	70.5	67.0	69.7
RW workers not eligible for paid leave	51.0	48.7	50.5	54.8	50.8	53.9
RW workers not eligible for any social security benefit	55.0	58.7	55.7	51.2	54.8	52.0
Casual public works	0.8	3.2	1.6	0.2	2.3	0.7
Casual other works	32.8	28.6	31.5	24.4	21.9	23.8
Total casual workers	33.6	31.9	33.1	24.6	24.2	24.5
Casual workers receive regular weekly payment	22.1	28.3	23.0	NA	NA	NA
Casual workers receive daily payment	61.5	43.9	58.9	NA	NA	NA

Activity Status UPSS is considered.

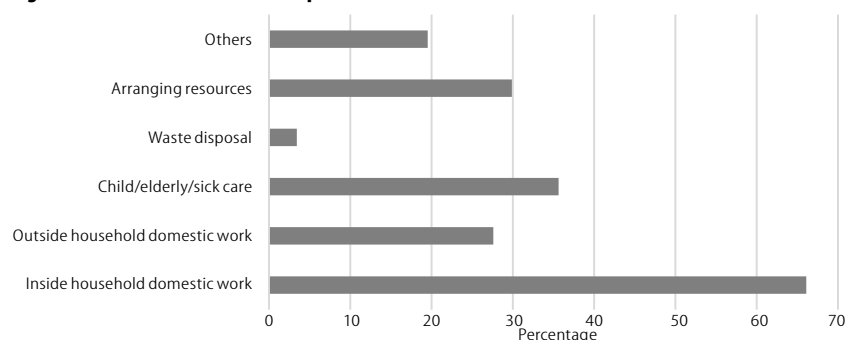
Source: Same as Figure 1.



comprise the largest group of landless labourers. About 14% of women were involved in the manufacturing industry in 2018–19 and the sector has been hit hard. The sector is labour-intensive and often employs low-paid, low-skilled women workers. The drop in effective demand, particularly for non-essential goods, makes those employed in the sector susceptible to lay-offs. The trade, hotel and restaurant industry employs 7% of women workers in India in 2018–19, but 95% of women are involved in informal work arrangements. Though the ILO has put the construction sector in the medium-risk category in terms of job loss, in India, almost all women in this sector are informal workers working as daily wage labourers, and they have been affected most as all the construction activities completely ceased during the lockdown period.

In contrast to the above sectors, public administration, health and education industry is at relatively low risk in terms of job loss, but many of these front-line health workers are employed as voluntary workers in public employment, like accredited social health activist (ASHA) and anganwadi workers. They are recruited on a contractual basis and are not even paid wages but only an “honorarium,” significantly lower than the minimum wage. Similarly, there are 10.6 million domestic workers in India, and 82% of them are employed in urban households, with wages lower than the national minimum wage in 2018–19.<sup>5</sup> But owing to not registering with the unorganised sector social security board, they are not entitled to get any government relief under the same, and so they

**Figure 2: Reasons for Increase in Unpaid Burden of Women Informal Workers in Delhi**



Total sample size 176, values are based on multiple response.  
Source: ISST Survey (2020).

have been the most vulnerable to the first-wave effects. In a nutshell, the gendered impact of COVID-19 is profound, and women are impacted differently because patriarchy and sociocultural norms play a critical role and push women into precarious informal employment with no job security (Sili 2020; UN 2020).

### Lockdown and Women Informal Workers

The ISST adopted a mixed methodology and interviewed 176 women informal workers in Delhi between 23 and 30 April 2020 to capture the nature of their employment and daily life challenges amidst the lockdown. Figure 2 shows that of those surveyed, 66% reported an increase in inside-household domestic chores, and 36% stated an increased burden of child and elderly care work during this period. Closure of schools and day-care centres have put additional burden on women, and because of the lockdown, all the household members are staying at home, which led to an increase in their volume of work. But interestingly, around 30% women highlighted the responsibility of arranging

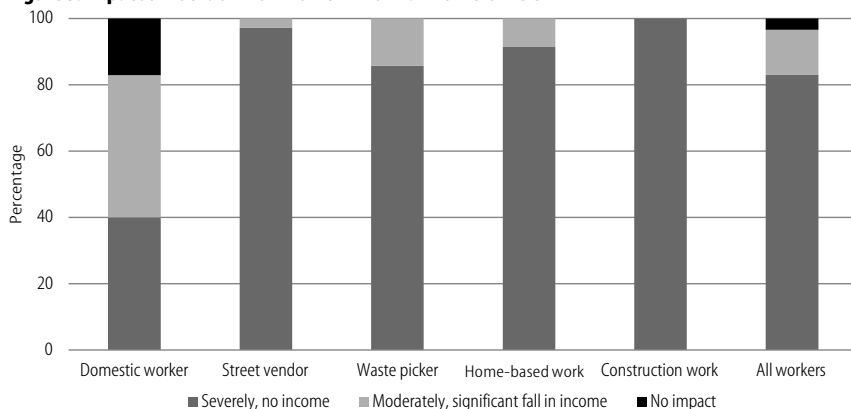
food and other essential items as an added burden during this period because of the stringent implementation of the lockdown and the increased instances of police harassment of men. More than half of the women respondents indicated the problem of unequal division of the domestic responsibilities and stated that no one helped them with household chores. However, surprisingly, 26% received help from their spouses. Deshpande (2020) also found an increase in hours spent on household chores for both men and women, though the increase was higher for women relative to men during lockdown.

The ISST survey also pointed to the major impact of the lockdown on the earnings of women informal workers. Around 83% of women respondents witnessed a severe income drop, while the sector-specific results indicate some interesting patterns (Figure 3). All the construction workers reported a loss of paid work, while 97% of the street vendors opined that they had no source of income during the lockdown. During the personal interviews, women home-based workers mentioned that owing to the closure of factories, interruptions in supply chain, restrictions on transports carrying raw materials and payments withheld by subcontractors/employers even for the work that was already completed, they have not had any income in their household since mid-March. Women waste pickers stated the difficulties not only in collecting waste, owing to restrictions on movement, but also while segregating and selling the same as all shops were closed, and they were forced to sell the waste at significantly reduced prices.

**Table 2: Women's Employment Distribution (in percentage) by Broad Industry Division, 2011–12 to 2018–19**

ILO Classification of Current Impact of Crisis on Economic Output	Industry	Share of Employment in Total Employment		2011–12		2018–19	
		2011–12	2018–19	Informal Sector	Formal Sector	Informal Sector	Formal Sector
Low-medium	Agriculture and allied	68.2	59.5	97.4	2.6	99.4	0.6
Medium	Mining and quarrying	0.3	0.2	85.5	14.5	90.9	9.1
High	Manufacturing	14.1	13.8	95.4	4.6	88.4	11.6
Low	Electricity, water, etc	0.2	0.3	57.7	42.3	90.4	9.6
Medium	Construction	6.3	5.9	44.8	55.2	97.6	2.4
High	Trade, hotel and restaurant	4.7	7.2	96.5	3.6	94.5	5.5
Medium-high	Transport, storage, etc	0.5	1.1	36.4	63.6	29.2	70.9
Low	Public administration, health, education	5.7	12.0	35.4	64.6	61.0	39.0
	Total	100	100	94.9	5.1	87.3	12.7

Activity Status UPSS is considered. ILO Report (2020), Table 2: Workers at risk: Sectoral perspective, pp 4–5.  
Source: Same as Figure 1.

**Figure 3: Impact of Lockdown on Women Informal Workers in Delhi**

Total Sample Size 176.

Source: ISST Survey (2020).

The impact of the pandemic-induced lockdown on domestic workers' income or wages appeared less as most of them reported that their employers had paid them salaries for March. However, they anticipated a cut in salaries for April and May if the lockdown continued. During the personal interview, one women domestic worker commented on the informal nature of the employer-employee relationship and shared her grief, which was also resonated by others:

Didi, I have been working in these houses for last 12–15 years, but since the lockdown not a single employer has called me to know about my well-being ... usually they call me beta, but in reality, I am not their beta. (As shared by Anushikha, Chetanalaya, April 2020)

The ISST survey also probed the reasons for their drop in income, and several respondents have opted for more than one reason, and among them, 68% respondents stated the inability to go out due to lockdown and police patrolling, while 55% reported the fear of contracting the disease and the unavailability of protective equipment as the main reasons for their drop in income (Chakraborty 2020).

## Conclusions

Before the COVID-19 crisis, India was grappling with a low and declining women's WPR along with a high, precarious informal employment. So, some sort of minimum employment guarantee scheme by the government is likely to help women informal workers as a stop-gap solution in the case of no available work. Some employment guarantee programmes are also required for urban informal poor in the absence of any safety nets. Further, with reservation for women

in such schemes, a considerable percentage of urban women informal workers would be benefited.

Informal sector workers who survive on meagre wages are in desperate need for food, and universalising the public distribution system with a higher quantity of foodgrain allotment for at least the next few months will help them fight hunger and abject poverty. The impact of this pandemic on informal workers' wages/income is already devastating, and there is a dire need to provide some cash transfer to every household to those known to be more vulnerable. Following the recommendations of the National Commission for Enterprises in the Unorganised Sector (NCEUS 2006), extending social security to informal workers is the need of the hour. Finally, the increasing reliance of the government on underpaid women workers in implementing major public schemes like health, nutrition and education without even recognising them as workers needs to be rectified.

## NOTES

- 1 Globally, informal employment is a greater source of employment for men (63%) than for women (58.1%), but in India, a higher proportion (90%) of women are in informal employment than men (87.7%) in 2012 (ILO 2018).
- 2 <https://www.isstindia.org/publications/>.
- 3 According to the official Employment and Unemployment Survey of National Sample Survey Office (NSSO), WPR for women of the productive age group (15–59 years) was 32% in 2011–12, which declined to 25% in 2018–19.
- 4 Domestic and allied activity includes domestic duties plus extended SNA activities like free collection of goods like vegetables, firewood, cattle feed, etc, water collection, sewing, tailoring, weaving, etc, for household use.
- 5 The Expert Committee fixed the single value of the National Minimum Wage (NMW) for India at ₹375 per day (or ₹9,750 per month) as of July 2018, irrespective of sectors, skills, occupations and rural–urban locations, and introduced an

additional house rent allowance (city compensatory allowance), averaging up to ₹55 per day, that is, ₹1,430 per month for urban workers over and above the NMW (see: [https://labour.gov.in/sites/default/files/Committee\\_on\\_Determination\\_of\\_Methodology.pdf](https://labour.gov.in/sites/default/files/Committee_on_Determination_of_Methodology.pdf)).

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# Atmanirbhar Bharat Abhiyan and Agriculture

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In this short note, we critically examine two proposals specific to agriculture announced as part of Atmanirbhar Bharat Abhiyan and the subsequent ordinances. We argue that while the investment in infrastructure is a welcome step, market reforms proposed are inadequate to improve the prospects of smallholder farmers. An enabling ecosystem that enhances the market power of farmers must be created for smallholders to take advantage of the reform measures.

**A**tmanirbhar Bharat Abhiyan (ABA), India's ₹20 lakh crore package for economic revival announced in the context of COVID-19 pandemic, has its third tranche exclusively dedicated to agriculture and allied activities. A set of measures are proposed in the package, with the overarching objectives of facilitating better and predictable prices for farmers. The proposed measures include working capital facilities for farmers; enhanced procurement activities; measures to strengthen infrastructure, logistics, and capacity building; governance and administrative reforms such as amendments to Essential Commodities Act, agriculture marketing reforms, and quality standardisation and price assurance; and additional support to allied activities. The proposals seem to be congruent with the broad consensus among various stakeholders, including policy-makers, scholars, farmer representatives and activists. Subsequent to ABA proposals, the central government promulgated three ordinances. Yet, the oft-repeated questions pop up: Are they sufficient to ensure remunerative prices for smallholder farmers who constitute more than four-fifths of Indian farming community? What additional safeguards are to be taken to make them really farmer-centric?

The purpose of this note is to critically examine two proposed measures: Agri-Infrastructure Fund and Agriculture

market reforms. We argue that while the investment in infrastructure is a welcome step, market reforms need more care. For, an enabling ecosystem that enhances the market power of farmers is a prerequisite for ensuring their market access and participation. The present state of the ecosystem is not adequate for farmers to benefit from agriculture market reforms. Also, the sequence of implementation of reforms is critical for their success.

## Farmers and Markets

Agriculture markets and marketing can directly impact price realisation and livelihood conditions of farmers (World Bank 2008). But the extent of market access and participation significantly vary across farmer categories. For smallholder farmers, impediments to market access and participation are enormous.

Based on evidences from Eastern and Southern Africa, Barret (2008) identifies two classes of entry barriers to market participation of smallholders: (i) poor endowment and (ii) high transaction cost, which hold true for Indian situation as well. Endowments include private access to productive assets such as landholding and education, access to financing and access to improved technologies. Insufficient access to any or all of these endowments negatively affects production of marketable surplus and market participation. High transaction costs limit household-level market access, market-level spatial transmission and trader competition (Barret 2008). Besides entry barriers, weak marketing infrastructure that comprises of both institutional (for example, information, standards and grades, etc) and physical (for

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example, roads, storage, assaying and weighing facilities, etc) elements limit the market access and participation of farmers, especially of the smallholders.

In India too, the small and marginal farmers who constitute more than 86% of the farming community and account for 51.2% of the crop output face myriad challenges to access markets (Dev 2012). Among them, we focus our attention on two aspects, namely, agri-marketing infrastructure and prolonged agriculture market reforms against the backdrop of ABA proposals.

### Agri-marketing Infrastructure

Despite huge public investments in agriculture-specific market infrastructure and broader development infrastructure, such as rural roads and electricity, following the green revolution, there was a decline in the importance attached to infrastructure in agriculture sector (Chand 2004). Gradual state withdrawal from investment in marketing infrastructure in the post-liberalisation period was also evident (Chatterjee and Kapur 2016). National Agriculture Policy in 2000 attempted to correct this course to a certain extent. Yet, the availability of infrastructure remained poor.

Take the case of agriculture storage and warehousing. Recent empirical evidence suggests that access to storage facilities has a positive effect on the commercialisation of agriculture in India (Kumar and Das 2020) which is an important determinant of farm income and livelihood conditions of farmers. Currently access of farmers to warehouse facilities in India is limited. A study by the National Institute of Public Finance and Policy found that traders were the main users of warehouses (NIPFP 2015). A very small proportion of farmers used warehouses; and all of them were large farmers. Access to warehouses largely depends on availability, location, quality, and storage capacity. However, comprehensive reliable database on nationwide capacity and accessibility of warehouses is not available. According to the latest estimates, organised warehousing capacity in the country is 155.42 million tonnes. Close to 50% of the warehousing capacity is in the private sector (Table 1). This is plausibly

the result of various schemes initiated by the state to attract private investment. Notwithstanding the policy- and market-driven approaches, there still exists a wide gap between the availability and requirement for warehouses. The warehousing requirement, by 2020–21, is projected as 196 million tonnes (about 70% of production).

**Table 1: Storage Capacity in India**

Sl No	Name of the Organisation/Sector	Storage Capacity (million tonnes)
1	Food Corporation of India (FCI)	
	Covered (owned)	12.78
	CAP (owned and hired)	2.61
2	Central Warehousing Corporation (CWC)	10.10
3	State Warehousing Corporations (SWCs) and state agencies	35.74
4	Cooperative sector	16.51
5	Private sector	77.68
	Total	155.42

Source: FCI capacity as on April 2020, <http://fci.gov.in/storages.php?view=286>. Other organisations' capacity from WDRA Annual Report 2018–19.

Similarly, there is a huge gap in the availability of cold-chain infrastructure (NCCD 2015), particularly pack-houses, reefer vehicles and ripening chambers (Table 2).

Besides the inadequate availability, distribution of warehouse capacity is highly skewed with excess or unutilised capacity in many states (Chatterjee and Kapur 2016; GoI 2017). It is noted that more than 68% of the capacity with Food Corporation of India is in the north zone. Within that around 90% (and around 61% of overall capacity) is in just three states—Punjab, Haryana, and Uttar Pradesh. Poor adoption of modern technology (for both storage and handling), poor availability of quality assessment facilities and lack of trained manpower are some of the other prominent challenges in agri-warehousing sector.

Whether stored or not, farmers need access to physical markets to dispose of their agriculture produces. There are more than 6,600 regulated wholesale markets

(mandis) and 22,000 rural periodical markets in the country (GoI 2017). These do not seem to be adequate to meet the requirements. Average area served by mandis in the country is 434.48 sq km as against the recommendation of one mandi per 80 sq km made by National Commission for Farmers in 2004. There is a huge variation in area served by mandis across states; it varies from 118 sq km in Punjab to 11,214 sq km in Meghalaya (GoI 2017). There is an urgent need to create more marketplaces. A step in the right direction is already taken with the introduction of warehouse-based sales,<sup>1</sup> which will encourage scientific management of warehouses and facilitate remote purchase of produces. However, the current state of warehouse-based sales is extremely poor on account of the inadequate availability of warehouses and poor quality of the available ones.

An effective way to overcome the constraints posed by limited physical markets is to create complementing virtual markets. Good internet infrastructure in rural areas can help farmers/farmer organisations reach retail chains, and facilitate direct sales, particularly for fruits and vegetables and small volume commodities. It can also mitigate information asymmetry to a great extent and can help farmers provide with expert advisory. Availability and quality of rural internet and telecom connectivity assume great importance with the growth of e-commerce and state-driven electronic trade platforms for agriculture commodities. However, the present status is not encouraging. According to the latest available estimates, rural teledensity (per 100 inhabitants) in India is as low as 57.50 (GoI 2019). Bharatnet (previously, National Optical Fibre Network), the project that planned to connect 2.5 lakh gram panchayats in the country in a span of two years is lagging in its implementation. As of January 2020, only 1,25,886 gram panchayats had the

**Table 2: Gap in Cold-chain Infrastructure**

Type of Infrastructure	Infrastructure Requirement (A)	Infrastructure Created (B)	All India Gap (A-B) (%)
Pack-house (nos)	70,080	249	69,831 (99.65)
Cold storage (bulk) (million tonnes)	34.16	31.82	3.28 (9.3)
Cold storage (hub) (million tonnes)	0.94		
Reefer vehicles (nos)	61,826	9,000	52,826 (85.4)
Ripening chamber (nos)	9,131	812	8,319 (91.12)

Figures in parenthesis are gaps as percentage of the requirements. Source: NCCD (2015).

fibres laid, equipment installed but proper services are not available to people.

In both physical and virtual markets, lack of credible assaying facilities and market infrastructure deter fair price discovery. Where assaying is implemented, neither traders nor farmers trust quality based on assaying; while traders feel that current assaying methods do not capture all aspects of quality, farmers feel that assaying can reduce their price realisation (NABARD 2018). Clarity on grades, standards and transparency in assaying are critical for objective price discovery that benefits both parties. Similarly, an efficient system of logistics is essential to enable farmers to take their produce to alternate markets or directly to consumers, to facilitate remote purchase and to reduce post-harvest wastage.

In sum, there is a dire need to create accessible, scientific, and quality warehouses with modern facilities, spatially distributed across the country. Along with that, various other agri-logistics elements, including marketplaces, market-level infrastructure, quality assessment facilities and transport, need to be strengthened. The liability of inadequacies of agri-infrastructure falls more severely on smallholder farmers. In this context, financing facility of ₹1 lakh crore announced as part of ABA for developing farm-gate level infrastructure is a welcome step.<sup>2</sup> The specific areas of investment and modalities of the fund utilisation are yet to be spelt out. A careful and comprehensive approach is needed to make sure that the benefits reach all categories of farmers.

### Agriculture Market Reforms

The ABA proposes to reform the agriculture markets by formulating a central law to provide (i) adequate choices to farmer to sell produce at attractive price, (ii) barrier-free interstate trade, and (iii) framework for e-trading of agriculture produce. Three ordinances<sup>3</sup> are promulgated to make the proposals a reality.

Currently, agriculture markets in India are regulated through the legal framework of Agricultural Produce Market Regulation Act (APMRA). One of the stated objectives of regulated wholesale markets (mandis) is to protect farmers, through a

mechanism for fair price discovery, from exploitation from intermediaries. Sale of produces happens through auction (either a public outcry or a tender system) under the supervision of Agriculture Produce Market Committee (APMC). The act mandates sale/purchase of agricultural commodities notified under it to be carried out on specified market areas, yards or sub-yards. The APMC system is criticised for its inability to deliver on the objectives of controlling prices (Lele 1968) or addressing market imperfections (Harriss 1980) as they do not have transparency in price formation process (Palaskas and Harriss-White 1993) and create virtual monopsonies (Chatterjee and Kapur 2016). The mandis are largely controlled by commission agents (Minten et al 2012) and have instances of collusion among large buyers (Banerji and Meenakshi 2004) to artificially depress prices. APMC mandis are also criticised for rampant corruption. There is wide variation in the effectiveness with which regulated markets perform in the country (Purohit 2016). Part of the inefficiencies of mandis originate from the fact that they are highly fragmented and put restriction on free movement of produces.

In view of the inefficiencies of mandis,<sup>4</sup> several free market proponents argued for structural and legislative changes to promote private investment and participation in agriculture (Debroy and Khan 2003) to enable better engagement of farmers with markets. A landmark policy in this direction was the Model APMC Act, 2003 which liberalised agricultural marketing in the country by providing more opportunities for the farmers to sell their produces. Except three<sup>5</sup>, all the major states adopted Model Act 2003, though there were variations in the extent of adoption. The Model Act legalised new marketing channels such as direct sales, private markets, and contract farming. Further, great impetus was given to promoting farmer producer organisations (FPOs), which were believed to reduce transaction costs for small and marginal farmers. FPOs were also perceived to have the potential to compensate, to a great extent, for the poor endowments of smallholder farmers by providing economies of scale. Later, electronic National

Agriculture Market (e-NAM) was launched by creating a nationwide, unified market to mitigate information asymmetry in traditional markets. These policies, except FPOs, are re-emphasised in the reform proposals in ABA. The restrictive nature of mandis that hinder remunerative price realisation for farmers is highlighted.

Alternate marketing channels, FPOs and e-NAM, which together expected to change the face of agricultural marketing in the country and help farmers earn better prices for their produces, have not delivered anywhere close to what was anticipated of them. Barring a few successes such as ITC's e-Choupal, there are not many reported instances of well performing private markets. Many commentators have deemed contract farming as a failure. There is a general tendency to exclude small and marginal farmers from contract farming (Singh 2012) as the contractors prefer large tracts of land to achieve scale economies. The awful performance of alternate marketing channels may partly be attributed to the failure of states to properly adopt provisions of Model Act 2003. However, the effect of weak marketing infrastructure cannot be ignored. The much-hyped e-NAM is criticised for its high technology orientation, cumbersome process, and imperfections in implementation (Aggarwal et al 2017). It is also noted that the success of e-NAM depends on better assaying facilities and produce handling at mandis (Chand 2016). Despite active state support, successful FPOs are few and far in between. They suffer from poor management capabilities and financial health. Till date, around 4.3 million producers, cumulatively, have contributed an amount of ₹8.6 billion towards share capital in 7,374 producer companies, yet, at individual level majority of them remain undercapitalised (Neti et al 2019).

Doubtlessly, agriculture marketing in the country needs reforms. But the question is: What should be the nature of reforms? The dominant view is to deregulate agricultural markets. The arguments in favour of this view are that mandis constrain choices for farmers to choose sale outlet, deregulation would give them "freedom" to sell wherever they want



and farmers would end up with higher prices determined by market forces. The deregulation argument is often packaged as a solution for farmers to earn higher prices for their produces. The key underlying assumption of this argument is that a fair deal may be negotiated outside mandis, regardless of the crop and farmer characteristics. The truth is far from that.

The experience of Bihar is a case in point. The state of Bihar repealed APMC Act in 2006. Field studies find that the regulatory change hardly made any difference to the way farmers sold their produce; both before and after the abolition of the act, the farmers continued to sell their surplus wheat and rice to local traders (Kapur and Krishnamurthy 2014). This persisted even in the absence of any interlinked transactions and despite availability of transportation facilities. In several other states, mandis continue to exist as the predominant outlet for sales of agricultural output, including for government procurement of foodgrains.

The persistence of mandis, despite them being highly exclusive<sup>6</sup> and inefficient, indicates that they indeed perform important marketing functions. It is argued that mandis have facilitated, to some extent, a fairer deal to the farmers and reduced exploitation by traders (Acharya 2004). However, the mandis have benefited only a small proportion of farmers; large majority of smallholder farmers sell their produce to local traders, at terms favouring the latter.

More recent empirical evidence shows that farmers who sell in informal markets receive significantly lower prices compared to those who sell in mandis (Negi et al 2018). This may be an artifact of the systematic difference between those who choose to sell in mandis and those who do not. Nonetheless, mandis do provide a platform for the farmers to sell their produces under a defined legal framework and to aggregate demand and supply. They provide opportunity for price discovery, though with distortions, and price information. In the absence of them, getting a reference price will be difficult. This gives credence to the argument that well-regulated agriculture markets are important to address market failures (Purohit et al 2017). Yet, the

present status and organisation of agriculture markets demand drastic reforms to make them inclusive and efficient. And these reforms are long overdue.

### Way Forward

Quite appropriately, the ABA proposals have acknowledged some of the most urgent concerns of agriculture sector and they have come at an opportune time. The ordinances that followed ABA proposals have several steps in the right direction—amendments to Essential Commodities Act, reforms to ease the sale and movement of agriculture produce and measures to reduce price and quality uncertainties in contract farming. Trade and Commerce ordinance has provisions for greater flexibility in establishing trade areas for sale and purchase of agricultural produces, removing barriers to interstate and intrastate trade, and doing away with cess/levy for farmers and licences for traders aimed to benefit both farmers and traders.

Dispute settlement mechanism included in the ordinances will certainly help in encouraging interstate trading and contract farming. The fact that the three ordinances are promulgated together signals the right intent for reforms and is indeed reassuring.

Unfortunately, in the current form, the reform measures are inadequate to improve the prospects of smallholder farmers as the basic issues remain unresolved. They do not address the poor capability and lack of endowments of smallholder farmers which are at the root of the market participation constraints. Instead, the reforms rest on the implicit assumption that all categories of farmers will be able to take advantage of the new “free” opportunities. The evidences before us clearly show that even with regulations in place, smallholders largely operate in a “deregulated” environment.

The current ordinances will legitimatise what is already being practised. Formal deregulation is unlikely to bring about any drastic changes. Partial and insufficient reforms without adequate supporting infrastructure have not benefited most smallholder farmers, as evidenced in their persistently poor living conditions.

Therefore, a prerequisite for farmers to better engage with market forces is to create an enabling ecosystem that enhances their market power. Such a strategy requires a more strengthened role for the state in its multiple capacities as provider, facilitator, and regulator.

For the reform measures not to end up as old wine in new bottle, further policy directions that supplement the ordinances are needed. Much higher emphasis is required on farmer collectives and various elements of agri-logistics, including physical and virtual marketplaces, storage and warehousing, standards and grades, assaying facilities, and transport to overcome constraints of smallholder farmers. Warehouse-based sales on electronically traded platform need to be facilitated to make interstate trading easier. Rural internet infrastructure and cold-chain transport need greater impetus to help farmers better connect with market. FPOs can play a definite role as aggregators of produces and farm services to facilitate contract farming at a larger scale. Added to this is the sequencing challenge. While the investment in infrastructure will address some of the pressing, unmet needs, it is a time-taking process. From a roll-out point of view, much easier exercise will be to undertake agriculture market reforms. In the absence of supporting and enabling ecosystem, market reforms may prove to be counterproductive for most smallholder farmers who are already in a vulnerable state. Therefore, getting the right sequence of cart and horse is critical.

### NOTES

- 1 Agricultural Produce and Livestock Marketing (Promotion and Facilitation) Act, 2017 provided for declaring warehouse, silos, and cold storage or other such structure or places as market sub-yard.
- 2 The amount is inadequate to meet all the infrastructure requirements of agriculture sector. Expert Committee on Marketing Infrastructure and Agricultural Marketing Reforms in 2003 estimated the investment requirement for strengthening agricultural marketing infrastructure as ₹2,68,742 crore.
- 3 The Essential Commodities (Amendment) Ordinance, 2020; The Farmers' Produce Trade and Commerce (Promotion and Facilitation) Ordinance, 2020; and The Farmers (Empowerment and Protection) Agreement on Price Assurance and Farm Services Ordinance, 2020.
- 4 Chand (2012) lamented that “the APMC Act, which was enacted to protect farmers' interests and increase market efficiency and transparency, is now being used to deny them opportunities

to get better prices, to prevent competition, and to guard the interests of middle-men.”

5 Kerala, Jammu and Kashmir, and Manipur did not adopt; Bihar adopted but later repealed in 2006.

6 Major share of sales at mandis are made by large farmers (Chatterjee and Kapur 2016), which means smallholder farmers in general are left out of the mandis and sales to private traders is a common practice.

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Applications are invited for participation in a **Media Workshop** on the theme of “**Epidemic, Migrants and the Media**”. The workshop will be organized by the Calcutta Research Group (CRG) in collaboration with the Institute for Human Sciences (IWM), Vienna, and will be held on **11–12 December, 2020**, at Kolkata. The workshop will seek to understand how the precarious existence of migrant workers in the time of an epidemic has been viewed and covered by the media, especially during the lockdown period, and how far the State has been able to address the problems related to their life and livelihood. The workshop is a part of CRG’s annual research programme on migration and forced migration studies conducted in collaboration with the Rosa Luxemburg Stiftung, IWM, Vienna, and several universities in India.

Workshop applicants are expected to share their experiences in covering issues related to migrant workers with investigative reports, analytic write-ups, photos and/or short videos. Those engaged in the pedagogy of media practices and media studies may also apply.

Applications (with CV and biographical details) may be sent to **Piya Srinivasan** or **Kusumika Ghosh** by email at [forcedmigrationdesk@mcrgrg.ac.in](mailto:forcedmigrationdesk@mcrgrg.ac.in) with a copy to [subhashree@mcrgrg.ac.in](mailto:subhashree@mcrgrg.ac.in). Applications may also be sent by post to MCRG, IA-48, Ground Floor, Sector-III, Salt Lake, Kolkata 700097 (Tel. 91+33 23350409). Applicants may seek clarifications, if any, by sending emails to the above-mentioned persons. The last date of submission of applications is **September 30, 2020**.

# Pioneering Psephologist and Scholar Extraordinaire

AJIT KUMAR JHA

Ramashray Roy (1927–2020) was an eminent political scientist who had served as director of the Indian Council of Social Science Research, New Delhi. Among his well-remembered works are the studies on the 1998, 1999, 2004 and 2009 parliamentary elections. He was also intensely interested in Mithila culture and had set up an intellectual centre in Ranti village in Madhubani district of Bihar.

I first met professor Ramashray Roy in 1985 at the Centre for the Study of Developing Societies (CSDS). As an Oxford University graduate student, during my field trip in Delhi, I was researching the excesses committed during the emergency of 1975–77 from a sociological and class perspective. Having read Roy's book on the 1969 assembly elections in the four key states of Bihar, Uttar Pradesh, West Bengal and Punjab, *The Uncertain Verdict*, I was full of questions. If *Politics in India* by Roy's colleague, Rajni Kothari, was a theoretical explanation of the one-party dominance of the Congress, Roy's book was a careful examination of the unravelling of that dominance and the beginning of the end of Congress hegemony, especially after the organisational split of the Congress party under Indira Gandhi's leadership. Roy had already hinted in the book about how such an organisational split would be likely to lead to the onset of authoritarian tendencies. My insistent questions, instead of annoying Roy, seemed to make him happy. He confessed to me with glee that I was the first person who had come to meet him simply because I had questions about his book.

Tall, handsome, articulate and charming, Roy looked more like a Bollywood star rather than the popular stereotype of a professor. Roy's kindness and generosity matched his rigorous and rich intellectual insights. During successive meetings, he gently nudged me towards a more empirically grounded quantitative approach, which analysed the links between democracy and development by situating elections and the party system at the centre of the analysis. He wanted me to examine the roots of the emergency from the angle of organisational atrophy and decline of the Congress electorally. "Look for political explanations of the structural and systemic crisis of the state and government, instead of rushing to economic

explanations," Roy cautioned me. He did not agree with the Marxists, that in the ultimate analysis it was the economic factors that provided the best explanations. For Roy, political and cultural factors were primary in social explanations.

## Creator of Excellence

Years before I met him, Roy was the director of the Indian Council of Social Science Research (from 1972 to 1976) and director of the CSDS from 1976 to 1981. Yet, neither did he maintain any social distance from students, nor was there any hint of hierarchy. The only privilege he had was a room with a movable air cooler during the summer scorchers of Delhi. His disarming smile and his witty touches of sarcasm made the atmosphere relaxed and informal. Roy introduced me to the other intellectual luminaries at CSDS, including Ashish Nandy, D L Sheth, Sudhir Kakar, the late Giri Deshingkar and the late Rajni Kothari, with whom Roy had established the centre in 1963. I found the "simple living, high thinking" environment at CSDS very appealing and endearing. The small library used to be open for students as much as its home-cooked lunch seminars. In the days when the Indian media and Indian universities had not discovered election surveys, the CSDS was the only institution other than the Indian Institute of Public Opinion that had begun carrying out large pre-election data surveys. The CSDS, in collaboration with the University of Michigan, Ann Arbor and University of California, Los Angeles, had begun pioneering pre-election survey research on consecutive Indian elections right from 1967. This was the first "critical election," when the Congress votes dipped substantially in the Lok Sabha for the first time and the dominant party lost eight states out of 16 in the assembly elections held simultaneously with elections to the Lok Sabha.

Later, Roy encouraged me to move to the United States (US), to the University of California, Los Angeles (UCLA), where his classmate and intellectual associate, Richard Sisson, had become the vice chancellor and established another extraordinary centre for election analysis. Roy and Sisson had done their doctorates together at the University of California,

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Berkeley, where Roy, born and brought up in Darbhanga district, wrote a dissertation on Congress politics in Bihar, while Sisson wrote on the Congress party in Rajasthan. Together, Sisson and Roy edited two volumes of *Diversity and Dominance in Indian Politics* (1990). The late professor Paul Wallace, who passed away in February of this year, was the third colleague at Berkeley, who studied and wrote on Punjab politics and together with Roy wrote several books on Indian elections, including those of 2004 and 2009. Wallace wrote on the rise of the Hindutva wave in 2014 and 2019. What united all three Berkeley scholars, other than their serious analysis of Indian elections, was their generosity and impeccable manners.

Trained in classical political theory by the famous Sheldon Wolin in Berkeley, Roy dexterously combined the insights of democratic theory with the tools of empirical and quantitative research. His numerous books on Indian elections were filled with deep theoretical insights often from the intellectual legacy of political culture and modernisation theory, which was popular in the us during the 1960s and 1970s. It was such an intensive training in political theory and

sociology that led Roy to move during his post-retirement years into philosophy, especially Indian philosophy and political ideas of M K Gandhi and other leaders of the national movement.

Roy's commitment to Indian intellectual traditions was so deep that he learnt Sanskrit at Varanasi after his retirement and did a stint with the Indian Institute of Advanced Studies in Shimla. Despite teaching in various universities all over the world, including several in the us, Japan and Europe, his rootedness to his native state of Bihar and his passion for Mithila culture led him to start an intellectual centre in Ranti village, of Madhubani district, along with the noted anthropologist and sociologist, the late Hetukar Jha, where they researched the Mithila *panjika* (marriage registrar) records by computerising them from the *tamrapatras* (palm leaf) in which marriage registrations were originally recorded. When I asked him what were they aiming at, Roy explained that the marriage records provided insights into property transfers, especially land transfers (via dowry records), and revealed the rich genealogical, anthropological and social history of the region.

### Adversity as a Teacher

Like an intellectual colossus, Roy straddled several disciplines from political science, election studies to anthropology, sociology, history and philosophy. He was comfortable both in English and Hindi and wrote with equal ease in both the languages, a rare quality. Unlike some political scientists who are prone to using jargons unnecessarily, Roy wrote in a literary style full of metaphors and tropes. When I once asked him how he managed to have such an extraordinary facility with the English language when he studied in vernacular schools in Bihar, he told me that it was because of "extreme adversity that I faced as a young man." He told me that after his graduation in India, he began as a headmaster of a school in the village. Later, he sold some of his inherited lands and went to Berkeley to study for a doctorate in political science. At Berkeley, he washed dishes and did other kinds of odd jobs to survive as a student. If Roy's self-taught intellectual pursuits teach us one lesson, then indeed as the adage goes, "discipline is learnt in the school of adversity."

Roy is survived by his daughter-in-law and grandson and granddaughter.

## A Passionate Teacher and Activist Ilina Sen (1951–2020)

GABRIELE DIETRICH

Ilina Sen, teacher, author and activist has left behind a rich legacy of work and warmth that will continue to inspire women's and human rights activists and students.

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On 9 August 2020, Ilina Sen, former professor and head of Advanced Women's Studies at the Tata Institute of Social Sciences (TISS), Mumbai and a former president of the Indian Association of Women's Studies (IAWS), died at the age of 69, after a decade of struggle with cancer, at her home in Kolkata. She was surrounded by her family, husband Binayak Sen, daughters Pranhita and Aparajita, her mother and a cousin. She is mourned intensely by a wide constituency of people, not only in the women's movement and in the IAWS, but by many activists in human rights movements, trade unions in the unorganised

sector and public intellectuals. She did not struggle "against" her illness, she lived with it. She frequently said: "I just want to...live!" And live she did, with enormous energy and serenity and a very gentle sense of humour.

I had known Ilina since the 1984 conference of IAWS in Trivandrum (now Thiruvananthapuram) and had visited the Sens in Dalli Rajhara, Chhattisgarh, where they worked since 1981 with the mine workers' union, Chhattisgarh Mines Shramik Sangh (CMSS), founded by Shankar Guha Niyogi. Ilina worked with the women's wing of the union and Binayak belonged to the group of doctors who helped to build up the Shahid Hospital together with the workers.

The Sens had a connection with South India, as Binayak had studied medicine at the Christian Medical College, Vellore, while Ilina was teaching in a school. In 1988, there was a small meeting in Thiruvananthapuram of people working

with different unions and organisations, like Nalini Nayak, working with fish-workers, Dileep Kamat from Belgaum, working with weavers, and the Sens, Ilina, Binayak and Pranhita, then three years old and very active and adventurous. My own children, who were a bit older, upheld Ilina to me as a model of patient and risk-friendly mothering, who remained smiling and unexcited in view of any escapades.

The meeting tried to understand the commonalities in different organisations and their relevance in transforming the society. Ilina, who was working with the women in the CMSS, raised the question of women's representation in "mixed" organisations, which were unavoidably male-dominated. This was later presented in depth in her book *A Space within the Struggle: Women's Participation in People's Movements* (Kali for Women, 1994). She was researching this problem in a wide range of organisations and later wanted to update it, because so many new organisations had come into being. This is now left to the youngsters.

Ilina had been alerted to such problems already during the time she worked on her PhD. A trained demographer, her dissertation had been on the skewed sex ratio in Indian births. She was one of the first researchers to highlight this problem. She also researched the problems of women migrant labourers in Chhattisgarh, and published a book titled *Sukhvasin: The Migrant Women of Chhattisgarh*.

The Sens had come to Chhattisgarh in 1981 to work with Niyogi. They left Dalli Rajhara before Niyogi was murdered in 1991. Ilina had a deep interest in the biodiversity of the state, which had earlier been documented by Richharia, who had collected many rice varieties. Unfortunately, this collection was tampered with and landed up in the International Rice Research Institute in Manila. There were activists from the state and also from Kerala, who were trying to restore this knowledge.

Details of this history can be found in Ilina's most recent book *Inside Chhattisgarh* (2018), which is a must read for anybody interested in the recent history of the state. It was written when she followed the invitation of Indian friends in the United States to take a break for

writing about the state and its people and history.

The Sens moved to Tilda, in 1988, where Binayak worked at a hospital. This was the time when Aparajita, their second daughter, entered their life. After about two years they moved to Raipur, where they bought a piece of land and started to gather experience in ecological agriculture. Ilina did groundwork for building a non-governmental organisation called Rupantar to pursue cultivation of local seeds and Binayak wanted to create public consciousness in preventive healthcare, which he had done all along. It looked like a good perspective for constructive work.

But the times were not conducive for peaceful work. Binayak became active in the People's Union for Civil Liberties. Before long, he became the general secretary for the state and started visiting political prisoners in the jail, as was his duty. This, in turn, was held against him and he was accused of sedition. He was arrested and was in jail from May 2007 to April 2009. The family had to withstand political pressure, visit him in jail and be in touch with massive support work. I sometimes visited and went with Ilina. It was disconcerting when sometimes the visit was suddenly cancelled, despite written permission. The support to the Sens from friends and civil society was overwhelming. Binayak was convicted on 24 December 2010, but later got bail from the Supreme Court. It must be noted that Ilina's illness first appeared in 2010.

Ilina decided to take the opportunity to work as head of the Women's Studies Department of the Mahatma Gandhi Antarrashtriya Hindi Vishwavidyalaya in Wardha, which helped to give the family a new lease of life. Her students loved her, as she opened up new perspectives for them. She took responsibility for organising the national conference of IAWS in Wardha in 2009, while Binayak was still in jail. She was targeted by the police who alleged that she had permitted participation of foreigners from neighbouring countries without informing the police of their presence. This was a blatant lie, because they all had proper visas and their presence had been duly reported. This was probably retaliation for

a small spontaneous procession on campus with the slogan "Free Binayak Sen." We spent a tense night imagining what would happen if Ilina was also arrested. But on the next day everything got clarified. It was a great conference, despite all the impediments.

A little later, Ilina was elected president of IAWS. She also got the opportunity to become the head of the Advanced Women's Studies Department at TISS in Mumbai. Ilina invited some of her well-known feminist friends for special lectures and it was a time of creative discussions. The campus gave some sense of security. Ilina headed the next national conference in Guwahati as president of the association. She was already visibly ill at that time, but discharged all her duties gracefully and with amazing energy. She was an energetic participant at the conference in Chennai in 2017.

After retirement from TISS, the family moved to Kolkata, except the younger daughter, who was then a lawyer in Mumbai. In 2019, Ilina's cancer appeared in her brain, and this led to her feeling disoriented, but still aware of her condition. The family agreed to have the tumour removed in Vellore, CMC. The surgeon, Ari Chacko, made it clear that taking the tumour out could only give temporary relief. But Ilina was determined to protect her mental faculties as long as she could. She was successfully operated and insisted on getting up the very same day and walking in the corridor. We could not believe our eyes when she did so. Not only that, she visited another patient whom she knew on the same floor. She lived! She will be alive in our memories and future generations will learn about her from her books. The IAWS is planning to establish a memorial lecture series in her memory. She has left with us one task, about which she was passionate and which may be very difficult to achieve: To do away with the sedition law.

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# Decoding the Grammar of Constitutionalism

SUHAS PALSHIKAR

Even decades after it commenced, the Constitution continues to attract scholarship. This is not surprising given the long deliberations, longer historic context that preceded the making of the Constitution and the deep political engagement of the members of the founding assembly. Even after the first rush of descriptive narratives of “making of the constitution,” scholars find it necessary to go back to the text and engage with the more theoretical questions that can help us reconstruct the challenging process of writing the Constitution. These reconstructions are not merely scholarly adventures; they are also bearers of new explanatory frameworks to understand the meaning of the Constitution, to develop critical political spaces for interpreting the Constitution and to expand a more nuanced public reason for approaching contemporary issues of public significance. The volume under review, Madhav Khosla’s *India’s Founding Moment*, is one such finely written and important contribution to this second moment of constitutional scholarship.

The book under review picks up three specific questions about the Constitution and then goes on to answer those questions by combining history with ideas but basically by situating the Constitution in debates on questions of political theory. Khosla argues that behind the pragmatic decisions that were rooted in the temporal moment in which the Constitution was framed, there existed a robust engagement with questions of theory.

The three questions which this work chooses for detailed discussion are: What was the thinking behind an elaborate codification of many details in the Constitution? What was the justification for creating a strongly centralised state apparatus? How does one understand the

## BOOK REVIEWS

**India’s Founding Moment: The Constitution of a Most Surprising Democracy** by Madhav Khosla, Cambridge, Mass., Harvard University Press, 2020, pp 219, ₹599.

handling of identity-based representation and the choice of an individuality based representation? In three lucid chapters, the author discusses these three issues. Khosla’s argument is that the choices were not out of exasperation but emerged from a far-sighted wisdom—and very clearly, though plural voices dominated, the voice of Babasaheb Ambedkar resonates in the intellectual history of the founding of the democratic republic.

### Question of Codification

On the general question of the broad scope of the Constitution, Khosla argues, “Ambedkar feared that the perversion of a constitutional order could occur even without the overturning of formal constitutional principles” (p 43). Codification (of even many minor matters) could be one way to avoid such a coup; Constitution necessarily had to create legislatures and executives and vest powers in them and yet, it was not always wise to trust the institutions to behave in a democratic manner. The larger goal behind codification according to Khosla is twofold. One, it ensures and strengthens what Ambedkar famously described as constitutional morality and two, codification sets in motion the grammar of constitutionalism.

Khosla picks up two instances of “codification” that generated considerable debate both within the assembly and later on, outside it too—the listing of “non-justiciable” Directive Principles and the clauses pertaining to the limitations

on fundamental rights. For long, India’s freedom struggle had believed in the link between political freedom and socio-economic liberty. The Constitution therefore wanted to build upon that link and at the same time avoid actual programmatic prescriptions. This was sought to be done through the listing of Directive Principles which were not justiciable and yet were declared as “fundamental in the governance of the country.” Was this an inadequate codification? Was this also a compromise for Ambedkar since he had earlier put forth social and economic rights as a necessary component of the Constitution? Khosla prefers to argue that there is a continuity and consistency between Ambedkar’s 1947 proposal and his defence of unenforceable rights in the draft constitution (pp 50–55). His argument sums up the challenge which “codification” seeks to address: democracy means that legislatures will draw power from the fact of being elected and yet, specific provisions listing welfare policies will mean that “whoever captures power will not be free to do what he likes with it” (Ambedkar quoted: 54).

This same approach helps us understand the controversial inclusion of limits on fundamental rights. Much criticism has been levelled at the provisions on rights for the explicit and rather elaborate limitations imposed on rights. But the argument presented here suggests that such codification of limits on rights actually limits what the limitations can be. Legislatures are not free to impose limitations nor are executives free to expand the scope of limitations.

### Centralised State

Chapter two of the book takes a detour of the “bottom-up” impulse during the freedom struggle and shows that the choice of a centralised state emerged not merely because of the exigencies of contemporary situation caused by partition. It was a choice born out of founding members’ understanding of the relation between state and society. While Ambedkar was the most systematic and eloquent spokesperson of this choice it

also had widespread support in the assembly. As Khosla argues, both Jawaharlal Nehru and Ambedkar “shared” the idea that power was not merely a legal-formal phenomenon, it had a strong sociological dimension (p 97). Thus, the concern was to create a state that would have power to withstand (and overcome) the power of the social order.

This concern has already been pointed out in previous works and as such, this chapter is not really very novel in its interpretation of the constitutional choices. It is true that Khosla brings the theoretical concerns of “state/society” dichotomy to the forefront. Yet, this chapter poses two problems. One is the long discussion of anti-centralisation argument. This chapter details the Gandhian and other arguments about situating state power in local units instead of a distant (and artificial) centre. Somehow, one is left wondering what this long discussion really tells us, since, notwithstanding the nature of the argument, the polity around 1940s was never much persuaded by those arguments. In other words, neither Gandhi’s nor Radhakamal Mukherjee’s entreaties had any political traction. (Parenthetically, it is also a worthwhile question to ask if Gandhi would have actually opposed the new state that the assembly sought to create.) Another problem pertains to the question of “sociology of power” as Khosla calls it. What was the theoretical basis in devising a state somewhat insulated from societal power? Founders of India’s Constitution did not have a clear precedence in this regard. Historically, modern states emerged within the confines of societal powers and then a struggle between the rival powers ensued. In India, the founders could not risk that for fear that such a state would easily be swayed by societal power. But what persuaded them to imagine that a state artificially set apart from the societal power could take on that social power?

Besides these larger issues a minor quibble with Khosla could also be the question about the emergency provisions and the way they were framed. In fact, he offers no explanation for inclusion of the extraordinary powers called emergency provisions (pp 100–03) beyond

a summary of the arguments in favour and opposed to the provisions.

### Representation

The third chapter grapples with tough questions and presents by far the most complex arguments that can have a deep bearing on some of our historical and contemporary debates. It deals with the question of linkage between identity and representation and the choice of avoiding/rupturing that linkage in framing the system of representation for free India. As the author himself admits, there are two parts to this problem and the response of the constitution is also two-fold. Within the broader rubric of representation, the Constituent Assembly was faced with addressing the twin questions of Muslims’ separate representation and representation of the Scheduled Castes and Scheduled Tribes. The former was simply abolished while the latter was framed within the framework of “reservations.”

Was this an inconsistent choice? And, in accepting this arrangement, did Ambedkar have to make a compromise? Khosla argues that the Constitution firmly wanted to move in the direction of representation of individuals and for this to be possible, it first wanted to make sure that individuals are released from the grip of their “given” identities. Only then agency could be invested in citizens. This was not an easy choice because it required a reconciliation between difference, inequality and democracy (p 112). It was a difficult task also because as Khosla argues, during the colonial period, political leadership (except Muhammad Jinnah) often skipped a serious consideration of the question of representation. In its absence, the idea of community-based representation went on to dominate. The founding members realised that this complication (about choosing the basis of representation) arose primarily because of the different nature of legislatures in pre- and post-independence period. The former operated in a non-democratic set-up where citizens were not supposed to be participants in decision-making. With freedom, voters were expected to be participants and as such needed to be individuals in the true

sense. The predetermined identity was an incongruity vis-à-vis democratic idea of representation (p 138). While Jinnah was acutely aware of the issue of representation, he refused to believe that minorities can be represented without themselves becoming a majority.

The issue of “reserved seats” was a more complicated challenge. Khosla’s nuanced engagement with the question of caste in the context of his theoretical commitment to the idea of individual-based representation is worth reading in the original (pp 141–50). In those 10-odd pages, he traverses multiple fields—Ambedkar’s understanding of caste, the dimensions of Gandhi–Ambedkar debate on the question of electorate and the constitutional basis that informs the idea of reservations for “backward classes.” He argues that (i) caste is an unnatural social phenomenon; (ii) unlike in the case of religion where difference/identity was to be protected, in the case of caste, it was to be *dismantled*; and (iii) as such, the Constitution could not be silent to the existence of caste. At the bottom of his argument is the maxim that individuals cannot be agents unless their political identity was self-created (p 137).

### The Constitution’s Purpose

This book has a larger argument. Democracy in India was a tough—almost an impossible project. Tough, because received wisdom did not admit of democratic possibility in India; impossible because imperial ideology and traditional social structures enslaved both democratic imagination and democratic practice. This is what the Constitution wanted to confront. It wanted to explore democratic impulse that received wisdom about democracy was unable to locate. In this sense, as the author argues in the Introduction, the constitution is a “self-conscious creation of democracy”. This project sought to ensure political education and hence Khosla calls the Constitution a public pedagogic tool (p 22). This way of looking at it is at once freshly radical and deeply rooted in the idea of constitutional morality. My only complaint is that the concluding chapter does not adequately connect to the idea of Constitution as a pedagogic tool. More



importantly, it only makes a passing reference to the universal character of the Indian constitutional project (pp 154–56).

But that does not take away the core value of the book. Khosla's work forms an important basis of the second moment of Constitutional scholarship which seeks to connect to the idea of constitution as a manifesto of social transformation. This set of scholarship deserves to be grouped as the second moment<sup>1</sup> because these works seek to move beyond the historical-descriptive narrative characterising the constitutional scholarship.

One cannot but wonder about the timing of this second moment of constitutional scholarship. It has emerged precisely at a time when even the mundane aspects of constitutional democracy appear to be tenuous. Khosla's work

perhaps holds a clue: since the Constitution was not treated as a pedagogic tool, it remained merely a statute book formally celebrated by everyone, tossed around by the governments and cavalierly treated by the judiciary. It did not become a public document that enlightened the dark recesses of democracy. The Constitution was also not employed for evolving constitutional morality that Ambedkar talked about. So, it is ironical but not surprising that the import and innovativeness of the document is coming to light when the minimal adherence to the document is already eroding.

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## NOTES

- 1 This includes post-constitution interpretations such as Rohit De (2018), Gautam Bhatia (2019) and Abhinav Chandrachud (2017) to name a few. See also, a detailed study of Ambedkar's imprint on the preamble by Akash Singh Rathore (2020) besides the comprehensive "Handbook" on which Khosla has worked (along with other scholars, Chowdhry, Khosla, Mehta 2016).

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# The Making of the Mridangam

SUNDAR SARUKKAI

**T**M Krishna has written an important book. It offers a detailed description on the making of the mridangam while explicitly foregrounding the question of caste in Carnatic music. Although it does not follow the usual academic protocols of writing, it is a book that contributes to academic knowledge. While it is also not an ethnographic account in the strict sense of what anthropologists would do when they study communities, it is nevertheless important for such studies. And through it all, it evokes a sense of how caste is practised in the everyday and how it gets sustained in the world of classical music.

## Mridangam Makers vs Performers

The book is not an easy read, not because it is academically dense but because it is dense in the elaborate descriptions related to the making of the instrument. It is a relentless tracking down of mridangam makers in the lanes of Thanjavur, Madurai, Chennai, Palghat, Rajahmundry, Vijayawada, and other places in southern India. It gives us a glimpse into the professional lives

**Sebastian & Sons: A Brief History of Mridangam Makers** by T M Krishna, Chennai: Context, 2020; pp 366, ₹799.

of great mridangam makers such as Sevittian, Ratnam, Parlandu, Selvaraj, Rajamanickam, Arulraj, Anthony, and many others. In the first part of the book, we have accounts of their relationship with mridangam artists such as Palghat Mani Iyer. This part of the book also contains observations about the hierarchies that operate between the instrument makers and performers.

The caste issue is dominant in these narratives. The chapter on the women makers of the instrument is an important addition to this history. All through the narrative, the tension is between the status of the maker and that of the performer. While this may be universally true, the explicit connection to caste as the cause of this tension adds a unique dimension in this case. The mridangam is an important part of Carnatic music and the famous mridangam players, valued highly among musicians as also larger society, have been predominantly Brahmins, although

there are important exceptions such as Palani Subramania Pillai.

The mridangam is a hollow wooden drum with a complex layering of skins on the two sides. The skins that are used are those of the cow, goat, and the buffalo, and it is a specialised skill to layer these skins as well as braid them to form the two surfaces at the two ends of the drum. The detailed description of the making of the instrument illustrates the kind of skill and knowledge that is needed to make a good instrument.

Many of the makers of the instrument discussed here are Dalits, particularly Dalit Christians. While the hierarchy between the maker and the performer may generally be true of any musical instrument, there are two major distinctions in the case of the mridangam. One is the knowledge required to create the special sound that characterises the quality of the mridangam. Krishna argues that this is a special kind of knowledge found only among the makers, involving knowledge of both the material as well as the aesthetic, which the instrument's performers do not seem to acknowledge. Krishna sees this rejection of the contribution of the maker as a reflection of caste prejudices. The other unique problem arises from the use of animal hides in the mridangam. The makers of the mridangam belong to the

community that skins animals and deals with these skins. Krishna foregrounds this aspect and articulates an underlying ethical dilemma posed to Brahmin performers: Given their commitment to vegetarianism, how is it that they play an instrument whose essential component consists of the skins of animals, particularly cows?

Apart from the skins, there are other elements in a mridangam. One is the wood from which the drum is made. For the mridangam, it is typically the jackfruit tree that is used. In one chapter, Krishna describes the making of the drum in nuanced detail and shows how the special knowledge of the maker is essential in producing the quality of the instrument, but the same tension as with those who work with the skin is also reproduced here. In both these cases, the makers themselves internalise the view that it is the artist who is the ultimate master of the sound and they are just “instruments” producing the mridangam. The other important component of the instrument is the black patch on one side of the drum. This patch is made with the help of a special stone using ingredients, such as cooked rice, and its production is also a matter of great skill. Krishna

goes into intricate details of how this is created and the importance it plays in the production of the sound.

The crucial point made through these elaborate descriptions of the production process of the mridangam is that all the components involve specialised knowledge of the makers, without which it is impossible to create the sounds that are an integral part of the instrument. Krishna’s complaint is that in spite of this, the work done by the makers is often equated to that of manual labour. We can use Krishna’s description to address a larger theme: How do caste practices inhibit the addition of value such that some types of labour remain manual labour and are not elevated to creative and intellectual labour? Since all these forms of labour are socially produced and legitimised, accounts such as the ones in this book must remind us that we are all part of this machine that reproduces these obstacles.

### Three Questions

The distinct approach of this book has its strengths in that it personalises many of these examples. However, what is needed to complement these stories is analysis and arguments for some of the

claims. There are three major questions that readers of this book will have. One is whether this hierarchy in social prestige, between the maker and the performer, is universal and reflective of class bias, and not necessarily of caste bias. Second, the real distinction between the maker and the performer may lie in the training and skill of the performer. The book is surprisingly completely silent about the process of becoming a musician—the years of training, the practical and theoretical aspects of knowledge needed to play an instrument, and so on. This is important since the hierarchy of values may actually reflect a society’s valuation of its notions of knowledge and skill, and these are the core attributes of a musician. Third, is the explicit caste question and, related to it, a deeply troubling question of agency. In many places in the narrative of the makers, Krishna gives us examples of how some of the prominent makers did not see their relationship to the performers in terms of caste hierarchies and exclusion. In all these instances, Krishna says that caste oppression is so deep that the makers do not seem to recognise what is being done to them. This is an important point but it needs an

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argument to sustain it. Otherwise, this claim can not only be countered but it might end up looking like Krishna is able to see the truth of their experience better than the person who is experiencing the discrimination. Although this is the operational principle of “false consciousness,” one has to be careful in saying that on behalf of those who are at the receiving end of any injustice.

Consider the relation between the maker and the performer. Every instrument, be it the mridangam, violin, piano, or the guitar, needs competent makers. We know well that there is a class issue involved in production and consumption, and the makers of a product and those who use the product may often have different social status. The more “classical” an instrument, the greater this distance. This is true not just for musical instruments but for every product that circulates in a society. The very idea of production involves the binary of raw material and the produced object. The value of production lies in using the raw material in ways that create value within a social economy.

The strength of Krishna’s narrative is to recognise the possibility that in the case of the mridangam this argument does not hold because the real value of the mridangam is the “original sound.” The sound is not created simply by the physical assembling of the skins and the drum. It is a specialised, artistic process that only certain makers have the capacity to produce. Thus, the most important function of the maker is not just to duplicate the material instrument but to create the “sound.” Krishna’s claim would be that unless this correct sound is produced by the mridangam makers, there is little musicality to the sound emanating from it. He gives many examples of how performers like Mani Iyer were in constant search for this sound from their preferred makers.

However, since Krishna does not discuss anything about the artistic skill needed to play the mridangam or the theory of sound that is so central to Indian music, we are not able to appreciate the importance of his observation. Learning to play a mridangam, especially at a professional level, is not easy and

needs years of training and an enormous amount of hard work. But this part of the picture is missing in the book, for when Krishna calls for a level playing field between the makers and the performers, he ignores the hierarchy that arises due to skill and effort. This is not just a consequence of the caste system but of knowledge in particular.

The emphasis on intellectual labour (including thinking and aesthetics) has been privileged for too long now in our societies. Starting with school education, we inculcate these prejudices in our children, which is then duplicated across all domains. So why should we be surprised that it operates in the domain of music too? Even in science, there has been a long-standing hierarchy between theoreticians and experimenters. The most famous names in science are almost all theoreticians. The historian of science, Peter Galison, argued that scientific practice needs three types of agents: theoreticians, experimenters, and instrumentalists, those who do the nitty-gritty job of building the experimental apparatus. These instrument makers do not share any value that accrues to the experimenter. Krishna is not able to foreground his case study within this larger social practice and there is a good reason why. His focus, unremittingly, is on showing how caste operates in the domain of Carnatic music. However, we can see how this prejudice is duplicated in the casteism present in Indian science and academics, in general.

The other factor that differentiates the case of the mridangam from other similar questions about the maker and the performer is the ethics of consistency. Here, the question is whether a Brahmin mridangam player can find it morally acceptable to play an instrument which is made from the skin of dead animals. Consistency is always one of the most important and difficult tests of ethical action. Should people, who are vegetarians, be consistent in their rejection of all animal products? There are many vegetarians who do that and many who do not follow such a demarcation. Many vegetarians do not wear silk or use leather and follow a lifestyle which is consistent with their eating habits.

Similarly, in the case of mridangam players, should the vegetarian Brahmins stop playing the instrument?

There is an analogy from medical practice that may be instructive. When animal activists fought against the practice of dissection of creatures such as frogs, other ways of teaching dissection, without having to kill living creatures, were found. There are no easy answers perhaps to this dilemma of a vegetarian mridangam performer but it is clear from this book that this is not even seen as an ethical problem by the Brahmin, vegetarian musicians. Although I believe that Krishna is not much concerned about the consistency of their action, the spectre of this inconsistency is very much a hidden voice throughout the book.

The last chapter is about Parlandu, the master maker, and his ambiguous relationship with Mani Iyer. From the accounts in the book, Mani Iyer had a special relationship with Parlandu but Krishna’s interpretations of it are coloured by caste. He also points out that the only matter that brought these two together was work and there was little by way of a personal relationship between them. This book too is limited by just this one frame—that of caste—in looking at the lives of the makers as well as that of the performers. Every little action is reduced to the logic of caste and that may be a difficult position for Krishna to defend. To have more complete narratives of this fascinating story, one needs to complement it with more detailed accounts of the everyday social that goes beyond the work relationship. This is the challenge that this book poses to social scientists in India. For social scientists, the challenge is to use material such as those produced in this book to seriously analyse how caste operates, whether caste is as deterministic as Krishna suggests, and to produce more complex, layered stories of the lives of the makers, not restricted only to their profession. Maybe through this collective work, we might be able to make a dent in these entrenched binaries related to knowledge and its essential relationship to caste.

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# End of Mugabe's Regime and the Beginning of a New Mugabean Regime

ASWATHI A NAIR

The army ousted Robert Mugabe, President of Zimbabwe, on 14 November 2017, and installed his erstwhile associate Emmerson Mnangagwa as the new President. The prime movers of the new regime argued that Mugabe's exit would guarantee economic recovery and restoration of democratic norms in the country. However, the new government is a populist paradox. It is opposed to imperialism as much as it is an antithesis to the concepts of democracy and human rights.

On 19 November 2017, Robert Mugabe, the only President Zimbabweans had known since independence in 1980, wrote a poignant open letter to the "Black Zimbabwean citizens" of his country. It reminded the "fellow Black Zimbabweans" of how he has always been the front runner of the social and economic empowerment of blacks in Zimbabwe by making them the real owners of their land and companies. Mugabe exhorted them to not consign to oblivion his lessons on "the true meaning of independence: both political and economic." He sounded disheartened at how the very Black population that he set out to empower continued to "take him for granted," despite his unwillingness to succumb to the compulsions whipped up by apparent renegades, like Mandela in the neighbourhood, who astutely compromised with the white settlers amidst mounting international sanctions. The letter, touted to be the beginning of the end of the Mugabe regime in Zimbabwe, cautioned the Blacks that they would appreciate him more when he was gone (Ndaba 2017).

## Mugabe's Road to Ruin

The Mugabean dream of rule until death was shattered not by a scheming opposition but by his own cronies who rose to prominence over time in the corridors of power. Mugabe and his coterie had come to power in 1980 promising indigent Zimbabweans real independence, genuine democracy and a socialist revolutionary transformation of society. Instead, they crippled the economy, pushed citizens into abject poverty, stifled political freedom and launched an era of servitude and terror. After the hard-fought independence, the country and its resources

became the exclusive property of President Mugabe and of the advisers who influenced his economic and political decisions. They accumulated untold wealth while suppressing dissent, suspending rule of law and discrediting the Western notions of human rights at home (Ogenga 2011).

The efforts to silence or co-opt the opposition culminated in the establishment of a "formal one-party presidentialist state" in Zimbabwe (Raftopoulos 1992). Mugabe had assumed the role of the "Father of the Nation" in Zimbabwe. That along with the de-facto one-party rule led to lawlessness. The socialist ideals of the pre-independence era were compromised at the altar of neo-liberal propagandas like the Economic Structural Adjustment Programme (ESAP) and it led to a complete economic breakdown in the country. Those who dared to stand up against the might of Mugabe and his party, the Zimbabwe African National Union–Patriotic Front (ZANU–PF), were subject to human rights abuses. The elections in 2000 and 2002 were rigged. The oppression and brutality manifested in political conflicts and violent operations. The Mugabe regime launched a drive in 2005 to "restore order" in cities, towns and farms occupied after land invasions and created an internal refugee crisis. Operation Murambatsvina (Move the Rubbish) which displaced thousands of families from their informal settlements was the most infamous.

All this lawlessness led to discontentment in society—among peasants, workers, students, and the petite bourgeoisie—and within the ruling party. Mugabe has no one but himself to blame for building a dystopic picture of Zimbabwe among Zimbabweans and worldwide, who were relieved at his ouster. Mugabe's rhetoric of political freedom was hollow and much abused. The elections were faulty and the erroneous land resettlement programmes and the superfluous co-option of neo-liberal policies ruined the economy. The regime's post-colonial commitment to socialist principles had broken down, as had the guarantees of political stability and economic development. People had lost the trust and

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faith that state-sponsored institutions would act fairly (Kibble 2004). The Mugabe regime's legitimacy had crumbled. The inevitable social stirring and clamour for the expulsion of President Mugabe became a resolute demand amongst the opposition and an aspiration amongst the common Zimbabweans (Ogenga 2011).

The coup d'état of 14 November 2017 was thus preceded by several crises. The ruling government lost the constitutional referendum of February 2000, and the ZANU–PF launched a strategy of repression to control dissenters (Kibble 2004). The changing nature and dynamics of Mugabe's coterie and the internal power tussle amongst the new and old guards of ZANU–PF had blurred the lines of constraint, however; elimination and purging were no longer only for the “others”—the opposition and other dissenters—but also for protesters in the party. The freedom to be heard was no longer the appeal of just the opposition; it was as much the plea of the minority within the ruling dispensation too.

In a letter to Bishop Mandell Creighton in 1887, the British politician Lord Acton wrote, “Power corrupts; absolute power corrupts absolutely. Great men are almost always bad men.” Mugabe's fall from grace is intrinsically linked to the concept that power, unchecked and unlimited, corrupts the minds of those who possess it. The concept of power in itself goads one to see it not as an attribute of an individual in command but as a relational property of that individual, as having “power” over someone. Most often, this potential power is realised through dominating or controlling the politics, actions, and decisions of those at the command of the one exerting that power. Most demagogues fail to remember, however, that as times and people change, what gave them legitimate power once might not continue to do so in the future.

In Mugabe's case, too, the structural sources of power—control over resources and over the allocation of those resources, and over punishment, reward, and information—remained intact or, rather, were coerced into submission. The personal sources of power for which Mugabe was once avowed—his charisma, ability to manage conflict, sensitivity,

and flexibility—and which made him one of the longest-serving presidents in the world had long outlived its legitimacy, though. Mugabe's use—or rather abuse—of power had no goal compatibility with the larger aspirations of Zimbabweans; it was rather a system of dependency ingeniously designed to maintain and advance his power at the expense of the citizens he had assured of an egalitarian society after independence. Mugabe's 35-year rule over Zimbabwe could be best described as a strategy that he astutely concocted to sustain his authority, which is the fundamental institutional code that both organises as well as legitimises the use of any kind of power (Parsons 1963). Instead of seeking to improve the economic and social lot of the populace after independence, Mugabe, a Machivellian power broker, sought to cover up the material–political ripples of the long-standing class contradictions between Zimbabwe's bourgeoisie and the proletariat with mere rhetoric and a politics of opportunism. At the end, Mugabe and his associates were compelled to confront the historic class compromises they had made in their years of misrule.

The desire to take one's destiny into one's own hands served as the impetus for the anti-colonial alliance that won independence for Zimbabwe. After independence, the hunger for imperialist capital enticed the petite bourgeoisie to betray the anti-imperialist goals of the independence struggle. Similarly, after years of togetherness in being oppressive and self-indulgent, political infighting within the rank and file of the ruling party led to cracks. The infighting centred largely on personality cults and the consolidation of one's own constituencies around ethnic markers and machinations—interestingly, all these were the long-standing attributes of Zimbabwean politics carefully built and preserved by the ruling elites (Saul and Sanders 2005).

### The Take Over by the Army

The militarised wings of the nationalist movement ultimately played a decisive role in the transition to majority rule in Zimbabwe after the declaration of independence in 1980. Similarly, during the coup, the dissenters took refuge in the

military nerve centres to put an end to the purges in the ruling party which, according to the then Army Chief Constantino Chiwenga, was “causing instability and anxiety in the country” (Nyakanyanga 2017). Hence, during the coup d'état of 14 November 2017—which the army refused to acknowledge as one—Chiwenga made clear that the Zimbabwean defence forces continue to be major stakeholders with respect to the achievements of the liberation struggle, and that they are obligated to take corrective measures when those gains are jeopardised by policies of self-aggrandisement. Chiwenga justified the takeover and the consequent house arrest of Mugabe by linking the anxiety of the common Zimbabwean to instability within the political party that commoners had long been reconciled to as the only choice.

However, equating the purging and “cleansing process” within the ZANU–PF—which effectively led to the expulsion of Emmerson Mnangagwa and other liberation leaders from the party in the months leading up to the coup—to the obfuscation of the liberation history makes one wonder if the army's real concern was the political and economic impasse in Zimbabwe. The orchestrators of the new regime held the squabbles within the ruling ZANU–PF responsible for the country's political and economic failures (Nyakanyanga 2017). However, the military and civilian regimes have always had a complicated relationship (Niyathi and Mazwi 2017). Hence, while the military did enjoy popular support—in the form of solidarity rallies in Harare and Bulawayo during the insurgency, it is imperative also to assess the motivations of the army's decision to intervene in the political process. The decision to betray the leader, their primary benefactor for many decades, was made when Mugabe was preparing to step down and make way for his wife, Grace Mugabe. The army ring-leaders were well aware of the potential loss of their patronage, and they wanted to make sure that the successor to Mugabe was one of their own and not necessarily Mugabe's choice. Niyathi and Mazwi (2017) talk of Zimbabwe moving towards a new, though uncertain, future, and describe the change of leadership in

Zimbabwe as “historic,” but how Mnangagwa’s politics and praxis would differ from his mentor’s would have been a fundamental, relevant question. The difference, as Niyathi and Mazwi (2017) point out, would have had to be tested against Mnangagwa’s eagerness in embracing the neo-liberal development model and turning Zimbabwe into an investment haven. However, that would neither revive the economy nor socio-politically emancipate the native Zimbabweans.

The military’s idea of making Mugabe pay for his “sins” by putting him on trial for crimes against humanity, and their apparent intention to serve justice to Zimbabweans by punishing him suitably, seems questionable—Mnangagwa, the person they chose to replace Mugabe with was one of Mugabe’s henchmen. Equally baffling is that the then army chief Chiwenga attributed the instability and anxiety in the country only to Mugabe’s purging of ruling party members with a liberation background, and not to the helplessness of the common people who struggled daily to make ends meet because of bad governance and wanton corruption. A month after helping Mnangagwa oust Mugabe, Chiwenga retired from military services and took a vice-presidential post in the new cabinet; other senior military officials too were appointed to cabinet posts. The replacement of Mugabe by Mnangagwa, thus, has to be seen as less to take charge of the wave of despondency that had long crippled Zimbabwe and counter it and more as an effort towards self-preservation by the political and military elites who felt threatened over political incapacitation. The need to honour the sanctity and respectability of the glorious liberation struggle and its stalwarts merely served as convenient excuses in the process.

“Both Mugabe and Mnangagwa are two sides of the proverbial coin; there was no Mugabe without Mnangagwa” (Mighti 2017). Mnangagwa, commonly referred to as the “crocodile”—an animal famous in Zimbabwean lore for its stealth and savagery—is also detested by many for the bloodsheds he supervised under Mugabe (Brock 2018). Witnesses to his brutality say that Mnangagwa intimidated voters in rural Zimbabwe and rigged the

1980 elections. As chairperson of the Joint Command, Mnangagwa supervised the massacre of over 20,000 innocent civilians of the minority Ndebele community at Gukurahundi (1983–87) by the North Korean 5th Brigade, according to the International Association of Genocide Scholars (Allison 2017). Journalists also claim that Mnangagwa was the mastermind behind the assassination of Josiah Tongogara, guerrilla commander of the Zimbabwe African National Liberation Army. Tongogara was to be the first President of Zimbabwe after independence and, consequently, was a political rival of Mugabe.

Mnangagwa’s rise in party circles and in the power corridors of Zimbabwean polity represents an extension of Mugabe’s dynasty—the prodigal son taking over the reins of Mugabe-ism from his political father who he always emulated. Mnangagwa, like Mugabe, has to be held accountable for ethnic cleansing, electoral malpractices, corruption, and suppression of people’s rights. Mugabe’s acting independently was not the sole cause of political instability and economic underdevelopment in Zimbabwe. The coterie that advised and assisted him in political and administrative matters also contributed to the downfall of a country that had the potential to transform itself into a self-sustained nation wherein the native Black population could have lived a life of dignity and affluence. The likes of Mnangagwa and Chiwenga made up this coterie, and the regime change signalled the end only of Mugabe’s regime and not necessarily of the Mugabean regime. The ZANU–PF is neither changing nor restoring its structures or approaches under the new regime; it is only relinquishing its “bloody” past to embrace a new era of

military dictatorship. The appointment of senior military officials to cabinet posts by Mnangagwa right after the swearing-in was the first of his “pay-backs” to the army that helped him topple Mugabe.

Mnangagwa, a veteran ZANU–PF hardliner, supervised most of the agricultural policies of the Mugabe regime. Nevertheless, the white farmers evicted through violent means or by disputable legal rulings feel that the new regime may give them their farms back, because they perceive Mnangagwa to be a “practical businessman committed to prioritising agriculture to revive the moribund economy” (New Age 2017). White settlers do not consider that Mnangagwa is ideologically opposed to them in matters of a sustainable economic recovery of the country and welcomed his decision to permit qualified farmers to work in the seized farms to improve production and bring down severe food shortages. In his inaugural address, President Mnangagwa said that while it would be impossible to reverse the land seizures, the evicted white farmers would be compensated adequately and extensive tracts of idle land would be put into production. The new President’s “cautious optimism,” and his emphasis on agriculture as being central to the stability of the country, suggests to white farmers that they have a real chance to quietly return to their farms, over time. Mnangagwa—now an ardent advocate of increased production—may soon transform himself into a champion of the white settler farmers (New Age 2017).

### After Mugabe

Eight months into the coup, on 30 July 2018, the first general elections were held in Zimbabwe. Mnangagwa termed

### EPW Index

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the elections fair and peaceful, won 50.8% of the vote share, and declared a “democratic victory.” However, the elections were held as having failed by United States (us) Assistant Secretary of State for Africa Affairs, Johnnie Carson, and many others. By the end of 2019, two years after the coup, Zimbabwe had experienced a phase of indecisive, experimental policies under Mnangagwa and the death of its senescent statesman Mugabe. But Mugabe’s ouster and demise never made him obsolete or redundant in Zimbabwean politics—Mnangagwa restored the unbearable living conditions under the previous regime. Inflation peaked at 175%, crop failures led to food shortages and price rises, and fuel prices rose by 130%. International currencies, including the us dollar, were banned in an arbitrary, ill-thought move. Neighbouring South Africa and Mozambique suspended the export of power to Zimbabwe, which led to the worst energy crisis in decades. The World Bank too predicted the worst ever economic slump in southern Africa with a growth rate of –3% (Musvanhiri 2019). All together, Zimbabwe returned to its dark days.

Under Mnangagwa, Zimbabwe has not exhibited the will to engineer a policy of social cohesion. Even when Mnangagwa commits to working towards institutional overhauls, he does not inspire confidence or acceptance domestically or worldwide (Musvanhiri 2019). The new President talks often about being a clean break from his predecessor, but most political opponents and human rights defenders find his regime to be far more threatening and precarious than that of Mugabe. Mnangagwa has charged critics of the government with treason and accused dissenting voices of rebelling against a constitutional government. Military officials have abducted human rights activists and incarcerated and tortured them for longer periods. The military continues to play a pivotal role in the political and administrative set-up. All of these have curtailed the jubilation that erupted after Mugabe’s ouster. Ordinary Zimbabweans now wonder if Mugabe was the better despot and if the coup was the

precursor to a disaster (Kingsley and Moyo 2019).

Mnangagwa knows that initiating political reforms and restraining the military from being the benefactors and guardians of the regime would at least partly help him win international and domestic support, but he fears that such decisions might cost him his power and life. The military leaders held a press conference recently to assure the public that no coup was in the offing. However, academicians and analysts widely perceived that conference as the military’s way of staking claim to the political and economic authority of the country. Thus even when Mnangagwa consistently blames political detractors—former First Lady Grace Mugabe, evangelical preachers, and elite opportunists—of sabotaging the country’s economy from outside and within, his decision to deploy military on Zimbabwean streets even amidst a pandemic-induced lockdown only bears testimony to the unrest boiling in the country (Sguazzin et al 2020).

In a recent televised address, Mnangagwa warned “the end of those bent on pulling Zimbabwe’s economy down” and held political opponents and self-aggrandising private sector players responsible for the currency and fuel crisis. However, he cannot escape the responsibility of bringing forth a new wave of inflation, price rise, food shortage, and public discontentment in the country or of offsetting the exigencies associated with a pandemic and a surge in the incidence of malaria (Mbewa 2020). After the 2018 general elections—riddled with allegations of irregularities and rigging—the police fired on people and killed at least six. Mnangagwa has thus been stepping on the same stones that Mugabe stood firm on before his inglorious exit. Hence, any effort on his part to stay clean of the burden of his past has to begin with an acknowledgment of the need for a true democratic transition to independent governance in Zimbabwe. A clear break from the Mugabe era will not emanate from quashing dissent or by constantly falling back on a romanticised patriotic history. Rather, the need of the hour is to inspire the common

people to unite under a democratically elected government by creating ownership and making them feel adequately represented so that they are stimulated to work together for a common future (Melber 2019).

## Conclusions

It is natural for elected autocrats to have an esoteric control over the uprisings against them by virtue of being in absolute control over a state and its human and material resources. More than half the voters in Zimbabwe are from semi-literate rural backgrounds, and they were acquainted with only a single ruling dispensation since independence. It was thus not difficult for the Mugabe regime to overcome the hurdles of anti-incumbency or prominent opposition movements by intimidating voters, rigging elections and stifling dissent. Mugabe led the country out of white supremacist rule, but his invincibility was eroded by his self-aggrandisement policies and by Grace Mugabe’s meddling in crucial policy decisions and controlling state affairs without a mandate. Mugabe’s friends in Zimbabwe and the world over who condemned his ouster had facilitated his unchecked growth and cannot escape that responsibility (Rotberg 2000).

Mugabe’s exit was largely a product of the unabashedly authoritarian policies of the ZANU–PF—a single, gargantuan, and imposing political party that favoured a few close to the higher echelons of power—coupled with rampant corruption, a biased judiciary, and the unrestrained violence unleashed on white settler farmers and their families (Vasudevan 2017). Mugabe mercilessly suppressed dissent, and his thirst for unbridled power quashed any meaningful process of democratisation in Zimbabwe. However, there is scope in Vasudevan (2017) for deliberations on how Mnangagwa, even with the blood of massacres on his hands, could prove to be a better administrator than Mugabe by prioritising democracy and good governance over nepotism and self-aggrandisement.

Mugabe had to step down without honour after ruling for more than three decades, but he will continue to be a significant part of Black history in spirit



and practice, as it will be difficult for anyone—least of all Mnangagwa—to overshadow his legacy. The new President, a product of Mugabe-ism, can prove to be of a different mould by taking up the challenge of restoring order and prosperity in a multi-ethnic, multiracial society like Zimbabwe that emerged out of a protracted armed struggle against racially defined colonial tyranny (Dashwood 2002). Almost all of Mugabe's policies were approved and promoted by members of the new dispensation, and the structural contradictions and policy crises that plagued Mugabe's ZANU-PF government will at least for a while bedevil Mnangagwa's ZANU-PF too. The new leadership should not reduce all of Zimbabwe's problems to Mugabe's rule and the decisions he made. The people of Zimbabwe had always been unsure of the consequences of a change of leadership even when they wanted Mugabe to step down gracefully. When they welcomed their new leader in 2017, they proved their eagerness to think of a new Zimbabwe, beyond Mugabe's grip. Hence, the new leadership's ability to combine

traditional values with the democratic aspirations of the masses will determine Zimbabwe's future.

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# Too Much Care

## Private Healthcare Sector and Caesarean Sections in India

MITUL SURANA, AMBRISH DONGRE

In the context of India where public expenditure on healthcare is low, the private sector plays an important role in delivering healthcare during childbirth. An analysis of the latest round of National Family Health Survey data to estimate the differential probability of caesarean sections in private medical facilities relative to government facilities, and focusing on unplanned C-sections, reveals that the probability of an unplanned C-section is 13.5–14 percentage points higher in the private sector. These results call for a critical assessment of the role of private sector in healthcare in the context of inadequate public provision, expanding private provision and weak governance structures.

The private sector plays a major role in healthcare provisioning in India. It provides nearly 70% of outpatient and 60% of inpatient care in the country (NSSO 2016). High absenteeism, inadequate infrastructure, unavailability of medicines, overcrowding, long waiting times and lack of respectful behaviour, combined with little effort on the part of doctors in the public sector have made private providers a preferred option, despite them charging (higher) fees for their services as compared to the public sector (Banerjee et al 2004; Gill 2009; GoI 2011; NSSO 2016). Even though private providers might be more responsive to patients and exert more effort, they are also more likely to provide over-intensive treatments either as a response to demand from patients (Das and Hammer 2007; Das et al 2008) or due to financial incentives (Arrieta 2011; Papanicolas and McGuire 2015; Johnson and Rehavi 2016; Chalkley and Listl 2018).

Private healthcare providers are set to play an even greater role in India with the National Health Policy, 2017 envisioning a tax-financed healthcare system with “strategic purchasing” from the private sector (GoI 2017), and the announcement of Pradhan Mantri Jan Arogya Yojana (loosely translated as Prime Minister’s scheme towards health for all), which provides a cover of ₹5 lakh for poor households to seek secondary or tertiary care in any government or empanelled private hospital. The scheme aims to cover 40% of India’s population (roughly 50 crore), and is touted as the world’s largest health programme. Therefore, it is important to evaluate whether the private sector can be an effective partner in this endeavour.

This paper evaluates the role of the private sector in India in providing delivery care. More specifically, we investigate the role of private sector providers in the probability of caesarean section (c-section) births in India. A c-section is an important surgical intervention during childbirth, and when medically justified, can prevent maternal and perinatal mortality and morbidity (Jensen and Wüst 2015). But if performed when “not needed,” they impose a huge burden on the mother and the child that go beyond large out-of-pocket expenses (Hyde et al 2012; Gregory et al 2012; WHO 2015). Calculations using the latest round of National Family Health Survey (NFHS-4) data (IIPS 2017) suggest that c-section deliveries are associated with longer hospital stays (Figure 1, p 40), delayed initiation of breastfeeding (Figure 2, p 40) and higher out-of-pocket expenses (Table 1).

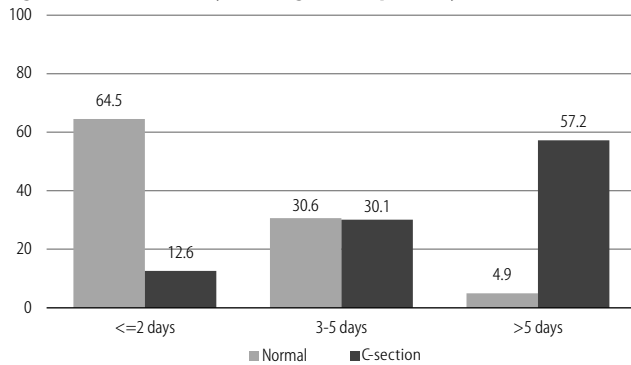
**Table 1: Mode of Delivery and Average Out-of-Pocket Expenses (₹)**

	Normal	C-section
Public	2,614	7,036
Private	10,814	23,978
Total	4,786	17,960

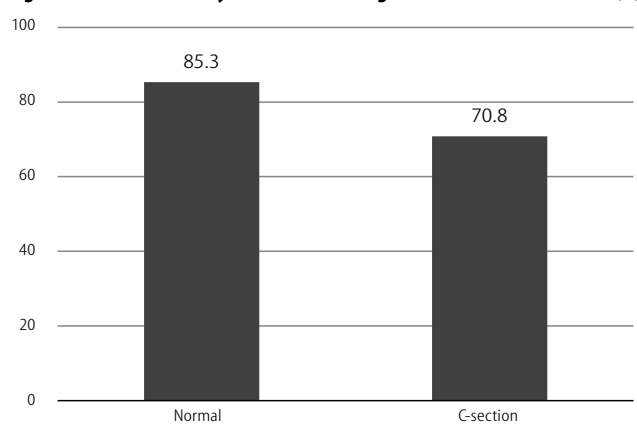
Source: Authors’ calculations using NFHS-4.

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**Figure 1: Mode of Delivery and Length of Hospital Stay**

Source: Authors' calculations using NFHS-4 data.

**Figure 2: Mode of Delivery and Breastfeeding**

Source: Authors' calculations using NFHS-4 data.

Moreover, an “unnecessary” c-section can lead to higher morbidity among mothers and newborns, lower birth weight and lower Apgar scores—all of which could have adverse short- and long-term consequences on the mother, including increased chance of c-section for subsequent births (Pai 2000; Jachetta 2016; Lobel and DeLuca 2007; Clark and Silver 2011; Schulkind and Shapiro 2014; Johnson and Rehavi 2016).

As per the NFHS-4, which was carried out in 2015–16, 40.9% of births in private facilities in India were through c-section, as against 11.9% in public facilities (Singh et al 2018). Thus, the gap in c-section rates between private and public sector is 29 percentage points. However, it would be incorrect to entirely attribute this difference to the private sector, since the decision about location of delivery is endogenous. Women who opt for private facilities are different in various observable and unobservable dimensions from women who opt for public facilities. Observable dimensions can be controlled but unobservable factors, such as preference for c-section and pregnancy-specific (risk) factors that are not captured in the data are difficult to control for. More importantly, such unobservable factors are likely to be correlated with the location of delivery. As a consequence, the extent of difference (if any) in c-section rates due to location of delivery will yield a biased estimate.

This paper therefore uses two approaches to control for unobservables—household fixed effects (HFE) estimation and coarsened exact matching (CEM). An important contribution of the paper is that it uses a question introduced for the first

time in NFHS which allows the identification of planned (and unplanned) c-sections. Under the assumption that planned c-sections largely reflect the demand for c-section from women (or from their families), or certain medical risks that necessitated c-section, keeping these observations in the analysis will contribute to the increased bias of the estimate. Hence, we drop these observations and re-estimate the model (similar to Halla et al [2016] and Costa-Ramón et al [2018]).

We find that a woman opting for private facility is 13.5–14 percentage points more likely to undergo an unplanned c-section. This estimate provides a lower bound for the difference in the probability of c-section between the public and private sectors. We also perform meaningful subsample analysis to rule out alternative explanations for the differential probability of c-section between public and private sectors, such as the private sector might be catering to riskier pregnancies or the public facilities might be ill-equipped to carry out c-sections. The results from our subsample analysis are consistent with our main results.

## Data

As mentioned, the paper utilises raw data from the fourth wave of the NFHS which was carried out during 2015–16. Funded by the Ministry of Health and Family Welfare and other international organisations, NFHS-4 covered all states in India, and was designed to provide estimates of key demographic and health indicators for India, each of her states and 640 districts within these states. The survey sample is a stratified two-stage sample. The latest census carried out in 2011 served as the sampling frame for the selection of primary sampling units (PSU). These PSUs were sampled from strata with probability proportional to size. Sampling of PSUs was followed by sampling of households in the PSU in a pre-specified manner.

Four survey questionnaires were canvassed to each sampled household—household questionnaire, woman's questionnaire, man's questionnaire and biomarker questionnaire. For this study, we use data collected through the household and woman's questionnaires. The household questionnaire collected information on the socio-economic and demographic characteristics of the household. The woman's questionnaire was canvassed to all women in the reproductive age group of 15–49 years and provides detailed information on prenatal, delivery and postnatal care for all births between January 2010 and the date of the survey.

The sample of women in NFHS-4 gave birth to 2,59,627 children in the reference period, that is, between January 2010 and the date of survey. To construct our analytic sample, we first drop the births which did not take place in an institutional facility (that is, home deliveries), which leaves us with 1,93,610 unique institutional births. Further, questions related to utilisation of antenatal care, problems experienced during pregnancy (difficulty with vision during daylight, convulsions not from fever, swelling of the legs, body or face) and complications during delivery (breech presentation, prolonged labour, excessive bleeding) were asked only for the 1,48,185 most recent births. Additionally, information on whether the previous

delivery was through c-section—which is an important determinant of whether the current delivery will be through c-section—is available only for those births (out of 1,48,185) where the previous birth was also within the reference period. Hence, restricting the sample to the most recent births, for which we know whether the previous delivery was through c-section, yields a sample of 92,780 births. This is the final sample of births that we analyse in this paper.

## Methodology

Consider the following regression model:

$$CS_{is} = \alpha + \beta Private_{is} + \gamma X_{is} + \mu_s + \kappa_y + \epsilon_{is} \quad \dots (1)$$

In the above model, the dependent variable,  $CS_{is}$  is whether the birth  $i$  in state  $s$  was delivered through c-section. The key explanatory variable of interest is whether the delivery was in a private facility.  $X$  is a vector of other explanatory variables, which include household-level factors (rural/urban residence, religion, caste, and wealth), mother-level factors (maternal education and her height), and birth-level variables, such as maternal age at birth, birth order (parity), size of the newborn, whether it was a multiple birth situation, prior termination of pregnancy, whether the previous birth was through c-section, complications during pregnancy, utilisation of antenatal care services and complications during delivery. Literature suggests that these variables are strongly correlated with probability of c-section delivery (Padmadas et al 2000; Mishra and Ramanathan 2002; Leone 2014; Neuman et al 2014).

Since health is a state subject in India and health-related policies are formulated and implemented at the state level, we add state fixed effects ( $sFE$ ) ( $\mu_s$ ) to control for any state-specific factors that may drive the difference in the probability of c-section between private and public facilities. We also include year of birth fixed effects ( $\kappa_y$ ) to control for time trend. Since the choice of location of delivery is endogenous, the above specification yields a biased estimate of  $\beta$ . For example, it could be that women (or families) who prefer c-section (due to say fear of pain or the flexibility it gives to schedule a birth) might opt for private facilities. If that is the case, the above model will overestimate the difference in c-section rates between public and private sector. An unbiased estimate can be obtained only through controlling for such unobservable variables. First, we adopt the HFE approach to control for unobservable factors which vary across households. The specification is as follows:

$$CS_{ih} = \tilde{\alpha} + \tilde{\beta} Private_{ih} + \tilde{\gamma} X_{ih} + \pi_h + \tilde{\kappa}_y + \tilde{\epsilon}_{ih} \quad \dots (2)$$

where  $h$  refers to household and  $\pi_h$  are HFE. This approach takes advantage of the fact that there are some households that would have experienced more than one birth during the reference period, and there is likely to be variation in the location of delivery across these births. Thus, the HFE approach utilises variation in the location of delivery within the same household to assess its correlation with the mode of delivery (vaginal or c-section). As a result, unobservable factors across households (such as lifestyle, risk aversion or household-specific

preference for c-section) that might affect the location and mode of delivery are automatically accounted for. As a result, an HFE approach yields, at least conceptually, a less biased estimate compared to an estimation without HFE, if the source of unobservables is at the household level. However, not all households have more than one birth during the reference period. Characteristics of these households might differ from the households that had only one birth, which have implications for the generalisability of the results.

The second approach we adopt to obtain a less biased estimate is CEM. It consists of temporarily coarsening (or grouping) determinants of treatment (in this case, birth in a private facility) by recoding so that substantively indistinguishable values are grouped and assigned the same numerical value. To give an example, years of education can be grouped into groups such as no schooling, below elementary (Class 8), elementary completed but below higher secondary (Class 12), and finally, higher secondary and above. Through an “exact matching” algorithm, observations with the same values for all the

**Table 2: Summary Statistics**

	Mean	Standard Deviation
C-section delivery	0.24	0.43
Delivery in private institution	0.35	0.48
Household specific variables		
Urban	0.32	0.47
Hindu	0.81	0.39
Muslim	0.14	0.34
Christian	0.02	0.14
Other Backward Classes	0.44	0.50
Scheduled Castes	0.21	0.41
Scheduled Tribes	0.09	0.29
Woman specific variables		
Mother's height above 150 centimetres	0.63	0.48
No education or incomplete primary	0.24	0.43
Completed primary but incomplete secondary	0.49	0.50
Completed secondary	0.12	0.32
Higher	0.16	0.37
Birth specific variables		
Prior termination <sup>a</sup>	0.10	0.29
Age at birth <20 years	0.16	0.37
Age at birth 20–24 years	0.51	0.50
Age at birth 25–29 years	0.25	0.43
Age at birth ≥30 years	0.08	0.27
Birth order = 1	0.57	0.50
Birth order = 2	0.25	0.43
Birth order ≥3	0.18	0.38
Size of child at birth—small	0.12	0.32
Size of child at birth—average	0.67	0.47
Size of child at birth—large	0.21	0.41
Experienced pregnancy problems <sup>b</sup>	0.43	0.50
Experienced delivery complications <sup>c</sup>	0.56	0.50
No of antenatal care visits >4	0.47	0.50
Previous C-section	0.06	0.24
Observations	92,780	

a: Mother had prior pregnancy that terminated in miscarriage, abortion or still birth.

b: 1 if during pregnancy had difficulty with daylight vision or had convulsions not from fever or had swelling of the legs, body or face.

c: 1 if during delivery experienced a breech presentation or experienced prolonged labour or experienced excessive bleeding.

Weighted by NFHS sampling weights.

Source: Same as Table 1.

coarsened variables form a stratum. Observations in strata that contain at least one treatment and one control observation are retained, while observations in the remaining strata are dropped for further analysis (Iacus et al 2011). CEM has been shown to be superior to other popular matching methods, including propensity score matching (Iacus et al 2011; King and Nielsen 2016).

## Results

Table 2 (p 41) presents the descriptive statistics for all variables used in this study. Overall, 24% of the deliveries in our sample were through c-section. Table 3 shows characteristics of births in public and private facilities separately. Forty-four percent of births in private sector are through c-section while the corresponding fraction is 14% in the public sector. The difference

**Table 3: Household, Woman and Birth Level Characteristics for Deliveries in Public vs Private Sector**

	Public	Private	Difference in Means	t-statistic for Difference in Means
C-section delivery	0.14	0.44	0.30	110.0***
Household characteristics				
Urban	0.25	0.44	0.20	62.6***
Other Backward Classes	0.42	0.48	0.06	17.8***
Scheduled Castes	0.25	0.14	-0.11	-37.8***
Scheduled Tribes	0.11	0.05	-0.07	-33.8***
Bottom wealth quintile	0.23	0.07	-0.16	-63.7***
Second wealth quintile	0.25	0.11	-0.14	-50.8***
Third wealth quintile	0.23	0.19	-0.04	-13.1***
Fourth wealth quintile	0.18	0.27	0.09	33.2***
Top wealth quintile	0.10	0.35	0.25	95.8***
Woman characteristics				
Mother's height above 150 centimetres	0.60	0.68	0.08	23.7***
No education or incomplete primary	0.29	0.14	-0.16	-54.2***
Completed primary but incomplete secondary	0.52	0.42	-0.10	-28.1***
Completed secondary	0.10	0.15	0.05	24.4***
Higher	0.09	0.29	0.20	82.2***
Birth characteristics				
Prior termination	0.09	0.11	0.02	9.8***
Age at birth <20 years	0.18	0.13	-0.04	-16.9***
Age at birth 20–24 years	0.51	0.50	-0.02	-4.4***
Age at birth 25–29 years	0.23	0.28	0.05	16.8***
Age at birth ≥30 years	0.08	0.08	0.01	4.2***
Experienced pregnancy problems	0.43	0.44	0.01	3.1***
Experienced delivery complications	0.57	0.55	-0.02	-5.7***
Previous C-section	0.04	0.10	0.06	37.6***
Observations	66,318	26,462		

Weighted by NFHS sampling weights. \*\*\* significance level at 0.001.

Source: Same as Table 1.

**Table 4: Delivery in a Private Medical Facility and Probability of C-section (State Fixed Effects)**

	1	2	3	4	5
Delivery in private institution	0.287*** (0.022)	0.224*** (0.021)	0.183*** (0.017)	0.194*** (0.015)	0.194*** (0.015)
N	92,780	92,780	92,780	92,780	92,780
R-squared	0.10	0.16	0.30	0.31	0.31
Household, woman and birth level controls	N	Y	Y	Y	Y
Previous C-section	N	N	Y	Y	Y
State FE	N	N	N	Y	Y
Birth year FE	N	N	N	N	Y

Standard errors in parentheses. \*\*\* significance level at 0.001.

FE stands for fixed effects and Y and N stand for yes and no respectively.

Source: Same as Table 1.

of 30 percentage points is large and statistically significant. The table clearly shows that the background characteristics of births in the public sector are different from the births in the private sector. Women who deliver at private facilities or households that they belong to are more likely to be from urban areas and more likely to be socio-economically and educationally advantaged (as reflected in caste, wealth quintiles, education and age profiles). Since these characteristics also affect the probability of c-section, a simple comparison of c-section rates between public and private providers will be biased.

**Fixed effect estimation results:** Table 4 shows results from estimating specification (1)—a linear probability model with robust standard errors clustered at the state level. Column 1 has no controls other than the location of delivery. It indicates that a woman delivering in a private medical facility is 28.7 percentage points more likely to deliver through c-section compared to delivering in a public medical facility. Once household, woman and birth-level controls are added, the coefficient drops to 22.4 percentage points (column 2). As we add previous c-section in column 3, the coefficient drops to 18.3 percentage points. Adding previous c-section increases the explanatory power of the regression considerably. When we add state dummies (column 4) and year dummies (column 5), the estimated coefficient increases marginally from 18.3 percentage points to 19.4 percentage points. In other words, variations across states and over time do not explain much of the public–private differential once other factors have been accounted for. Thus, baseline specification suggests that delivery in a private facility increases the probability of a c-section by 19.4 percentage points, controlling for observable factors. We run exactly the same specification with district fixed effects and PSU fixed effects instead of SFE, and the results remain unchanged (Table A3 in the appendix, p 47).

Table A1 (p 47) (in the appendix) shows estimated coefficients on other variables. Whether the previous delivery was through c-section is the strongest determinant of the current c-section. A woman who delivered through a c-section is 68.8 percentage points more likely to give current birth through c-section. Birth order and maternal age at birth are other important determinants—higher the birth order and lower the maternal age at birth, lower is the probability of a c-section. Problems during pregnancy, even if statistically significant, have relatively less impact on the probability of c-section. The variable indicating complications during delivery is not even statistically significant. The religion of the household is also not an important determinant of c-section, while the social group of the household matters. Table A2 (p 47) (in the appendix) shows

**Table 5: Delivery in a Private Medical Facility and Probability of C-section (Household Fixed Effects)**

	1
Delivery in private institution	0.203*** (0.022)
N	7,811
No of households	3,824
R-squared	0.20
Woman and birth level controls	Y
Previous C-section	Y
Household FE	Y
Birth Year FE	Y

Standard errors in parentheses.

\*\*\* significance level at 0.001.

FE stands for fixed effects and Y for yes.

Source: Same as Table 1.

odds ratios from logistic regression. Consistent with the linear probability model results, women have significantly higher odds of a c-section birth when they deliver in a private facility. Table 5 (p 42) shows results from HFE, that is, specification (2). The estimated coefficient, at 20.3 percentage points, is not very different from what we obtained through baseline specification.

**CEM results:** The first step in CEM is to match the treatment observations (births in private facilities) to the control observations (those in public facilities) based on the following variables: social group, religion, wealth quintile, rural/urban residence, and state of residence of the household, mother's education and age at birth, prior experience of pregnancy termination, complications during pregnancy and previous c-section. We select these variables since they are determinants of location of delivery. Tables 6 and 7 show the outcome of matching procedure. The original sample contains 66,318 untreated (that is, births in public facilities) and 26,462 treated (that is, births in private facilities) observations with an overall imbalance score (as measured by L1 statistic) of 0.629 (Table 6). The matched sample consists of 58,633 births (out of 92,780 births), of which 18,290 are in the treatment group, and 40,343 are in the control

**Table 6: Coarsened Exact Matching: Matched and Unmatched Sample**

	Public	Private
Matched	40,343	18,290
Unmatched	25,975	8,172
All sample#	66,318	26,462

# Overall Multivariate L1 Statistic (pre-matching) = 0.629.

Source: Same as Table 1.

**Table 7: Summary Results for Coarsened Exact Matching for Private and Public**

	L1 Statistic	Mean Difference
Mother's education	9.2e-15	2.2e-15
Mother's age at birth	8.0e-15	2.1e-14
Experienced pregnancy problems	6.9e-15	-8.0e-15
Prior termination experience	2.8e-15	-1.9e-15
Previous C-section	2.5e-15	-9.5e-16
Wealth	1.4e-14	-1.6e-14
Social group	1.2e-14	6.9e-15
Religion	1.2e-14	-4.7e-14
Sector	1.3e-14	-1.0e-14
State	1.8e-14	-7.3e-13
Overall multivariate L1 Statistic	1.7e-14	

Also matched on the quantiles of the distribution for each variable.

Source: Same as Table 1.

**Table 8: Delivery in a Private Medical Facility and Probability of C-section (Matched Sample)**

	1
Delivery in private institution	0.186*** (0.013)
N	58,633
R-squared	0.23
Household, woman and birth level controls	Y
Previous C-section	Y
State FE	Y
Birth year FE	Y

Standard errors in parentheses. \*\*\* significance level at 0.001.

FE stands for fixed effects and Y for yes.

Source: Same as Table 1.

is also close to zero, suggesting balance in the treatment and control groups with respect to the full joint distribution of the covariates. We estimate specification (1) using this matched sample and the generated CEM weights. The results are shown in Table 8. We obtain an estimate of 18.6 percentage points which is marginally lower in magnitude than our earlier estimates. To summarise, a woman who delivers in a private facility is 18.6–20.3 percentage points more likely to deliver through c-section.

### Planned and Unplanned C-sections

NFHS-4 added a question that was not asked in previous waves: When was the decision made to have a c-section—before or after the onset of labour? This question allows us to identify planned and unplanned (or scheduled and non-scheduled) c-sections. Planned c-sections constitute 53.6% of all c-sections in our sample, and this percentage is similar in both public and private sectors. Planned c-sections can be driven by medical reasons. For example, the American College of Obstetricians and Gynaecologists (2014, 2018) recommends a c-section before the onset of labour in first births for: breech or transverse lie, placenta previa, triplets and higher order multiples, uterine rupture, certain rare maternal cardiac or neurologic conditions, or a history of certain uterine surgeries. Planned c-sections may also reflect a demand for c-sections, that is, women who prefer c-sections due to fear of pain in natural births, or preference for the birth of the child on a specific day or time driven by cultural or religious beliefs, or monetary incentives would lead to planned c-sections (Lo 2003; Gans and Leigh 2009; Schulkind and Shapiro 2014; Wang 2017). Hence, we drop the observations with planned c-sections and re-estimate the model. Halla et al (2016) also follow a similar approach.

But dropping planned c-sections also implies losing observations where the medical professional might have misled a woman to go for a scheduled c-section when not justified, due to financial incentives or convenience (Gans et al 2007; Halla et al 2016). Further, in the Indian context, private facilities that provide maternal care predominantly consist of small hospitals

**Table 9: Delivery in a Private Medical Facility and Probability of C-section after Excluding Planned C-sections**

	1 State FE	2 Household FE	3 Matched Sample + State FE
Delivery in private institution	0.141*** (0.012)	0.139*** (0.018)	0.135*** (0.011)
N	82,910	6,420	53,581
No of households	—	3,141	—
R-squared	0.21	0.14	0.14
Household level controls	Y	N	Y
Woman and birth level controls	Y	Y	Y
Previous C-section	Y	Y	Y
State FE	Y	N	Y
Household FE	N	Y	N
Birth Year FE	Y	Y	Y
Exclude planned C-sections	Y	Y	Y

Standard errors in parentheses. \*\*\* significance level at 0.001.

FE stands for fixed effects and Y and N stand for yes and no respectively.

Source: Same as Table 1.

or nursing homes, typically owned by a single doctor or a family. These are characterised by limited assistance from other doctors, difficulties in maintaining round the clock monitoring or obtaining a second opinion, inadequate facilities, and lack of skilled human power—including nurses. In these conditions, planned c-sections might be preferred by the provider (Pai 2000). Thus, the estimate we derive is probably a lower bound for the difference in probability of c-sections in public and private sectors. Table 9 (p 43) shows the results from SFE, HFE and CEM when we drop the planned c-sections. The results suggest that opting for the private sector increases the probability of an unplanned c-section by 13.5–14 percentage points.

### Subsample Analysis

Now we turn to subsample analysis and address some of the concerns with the estimates obtained above. Results from this analysis are shown in Table 10. Panel A presents results without excluding planned c-sections, while panel B presents results after excluding planned c-sections.

**Private providers catering to riskier pregnancies:** One concern could be that private providers handle riskier pregnancies which then lead to higher c-sections. We have controlled for risk factors during pregnancy and delivery. We have also eliminated planned c-sections as discussed above. Here, we take an even stricter approach. We attempt to address this concern by analysing two separate subsamples. In the first case, we create a subsample of low-risk women, that is, women

**Table 10: Delivery in a Private Medical Facility and Probability of C-section: Sub-sample Analysis**

	(1) Low Risk Pregnancies	(2) Include only Those Public Sector Births Which were in Govt/Municipal Hospital#	(3) Urban	(4) First Order Births
Panel A: Without excluding planned C-sections				
Delivery in private institution	0.179*** (0.0165)	0.154*** (0.0136)	0.166*** (0.0150)	0.230*** (0.0158)
N	16,503	35,093	13,670	34,124
R-squared	0.17	0.21	0.20	0.14
Household, woman and birth level controls	Y	Y	Y	Y
Previous C-section	Y	Y	Y	N
State FE	Y	Y	Y	Y
Birth year FE	Y	Y	Y	Y
Panel B: Excluding planned C-sections				
Delivery in private institution	0.124*** (0.0122)	0.112*** (0.0112)	0.116*** (0.0115)	0.175*** (0.0133)
N	15,502	30,574	11,659	30,078
R-squared	0.12	0.14	0.14	0.09
Household, woman and birth level controls	Y	Y	Y	Y
Previous C-section	Y	Y	Y	N
State FE	Y	Y	Y	Y
Birth year FE	Y	Y	Y	Y

Standard errors in parentheses. \*\*\* significance level at 0.001.

# exclude public sector births in lower level public facilities - primary health centre/additional primary health centre/community health centre/rural hospital/block primary health centre/urban health centre/urban health post/urban family welfare centre/government dispensary. FE stands for fixed effects and Y and N stand for yes and no respectively.

Source: Same as Table 1.

who were between 20 years and 24 years of age when they gave birth and who did not experience foetal mal-representation, complications during pregnancy and prior c-section delivery (Kozhimannil et al 2014). Thus, medical risk factors that might necessitate a c-section are very low in this group and it is less likely that women going to public and private facilities would differ along unobservable medical risk factors within this subsample.

In the second case, we drop the deliveries in lower-level public facilities (dispensary, sub-centres, primary health centres or community health centres, etc) and compare deliveries in government hospitals and municipal hospitals to that of private facilities. Government and municipal hospitals function as secondary referral units for the lower level public health institutions and thus receive more serious and riskier cases. Therefore, using the births in government and municipal hospitals as the reference group, in addition to controlling for complications and eliminating planned c-sections, helps in ruling out case-mix differences as a potential explanation for our estimate of the effect of private sector on c-section births. The results for these subsamples are shown in columns 1 and 2 of Table 10. Though the magnitude of the estimate drops marginally, the effect of the private sector on unplanned c-sections within these subsamples is still considerably large, that is, between 11.2 percentage points and 12.4 percentage points.

**Low C-section rate in public sector due to lower level health facilities:** Government facilities at lower levels often lack equipment and expertise to carry out procedures such as c-sections (Vora et al 2009; GoI 2015). It is not a surprise then that a higher fraction of deliveries in lower level government facilities, such as primary health centres or community health centres, are vaginal deliveries and not c-sections. Hence, to ensure that supply-side constraints in the public sector are not driving our results, we estimate the model for two separate subsamples where such constraints are less binding—(i) births to women who reside in urban areas (Table 10 column 3), and (ii) public sector births restricted to those that take place in government and municipal hospitals (Table 10 column 2). We find that our results are robust within these subsamples.

**First order births:** The profile and pattern of risks in higher order pregnancies are likely to be governed by what happened during the first pregnancy and childbirth. Hence, we also obtain estimates only for the first order births as indicated in Table 10 (column 3). D Card et al (2018) and E M Johnson and M M Rehavi (2016) follow a similar approach. We find that the estimates are even higher for primary births (Table 10; column 4).

### Discussion

The objective of this study was to investigate the role of private sector providers on the probability of c-section births in India. This research uses HFE and CEM techniques to account for the selection of women into private facilities, and finds that the probability of c-sections is 18.6–20 percentage points higher in private facilities. Further, we distinguish between planned



and unplanned c-sections to ensure that our estimates are not biased by demand for c-sections or pregnancies characterised by certain medical risks. After excluding planned c-sections, we find that the likelihood of an unplanned c-section birth is 13.5–14 percentage points higher in a private facility. Even though this is a very conservative estimate, because some of the planned c-sections could be a result of supplier-induced demand, this effect is quite large. With around 70 lakh births (of the 260 lakh births in India in 2016) in private facilities, even a conservative estimate of 13.5 percentage points for the effect of private sector implies that there were potentially nine lakh preventable c-sections in the private sector. We also perform additional tests to rule out alternative explanations such as the private sector might be catering to riskier pregnancies or the public facilities might be ill-equipped to carry out c-sections.

Overall, our results indicate that the probability of c-sections in private medical facilities remains significantly higher than the public sector after controlling for various background characteristics, risk factors and demand factors. What could explain higher c-sections in the private sector when the characteristics of pregnancies are not very different? The medical providers' concern about malpractice liability or fear of legal consequences is unlikely to be an important factor in the Indian context (Pai 2000; Fuglenes et al 2009; Litorp et al 2015). The supplier-induced demand driven by financial incentives—especially when the patient has limited information—is probably an important explanation. As per NFHS-4, a natural birth in private facility costs on an average ₹10,814, while a c-section costs ₹23,978, more than twice the cost of a natural birth (Table 1).

In addition to economic incentives, convenience can be another important factor as the duration of labour is uncertain in case of a vaginal delivery. While we have accounted for scheduling convenience by excluding planned c-sections, it is possible that private maternal care facilities, which are typically owned by a single doctor or a family in the Indian context, perform unplanned c-sections in the absence of medical indications to avoid attending to lengthy labour at night. Prior studies in different contexts have presented evidence on the role played by the provider's demand for leisure in determining the mode of delivery (Fraser et al 1987; Brown 1996; Arrieta and Prado 2016; Costa-Ramón et al 2018).

What is the way forward? Before we discuss how to deal with rising (medically unjustified) c-sections, it might be pertinent to point out the paucity of relevant data in India. There has been a gap of almost a decade between two rounds of the NFHS, the only representative survey carried out in India. In

the absence of such data, underlying trends and determinants of these trends remain unknown. In addition, the absence of facility-level data in the public domain on the type of delivery and the background characteristics of patients prevents a robust analysis of facility-level determinants of the type of delivery. Thus, the need to augment data from multiple sources cannot be overemphasised.

Coming back to the ways to counter rising c-section rates in the private sector, one strategy advocated is to reduce the difference in fees between vaginal and caesarean deliveries. However, if the time costs of waiting for labour to progress in a vaginal delivery are higher (lost leisure or lost time to attend to other patients), then the provider will prefer to deliver via a c-section even if the payment is the same for both. It is not a surprise then that such policy interventions have met with limited success (Walker et al 2002). Another strategy is to have certain guidelines that define the conditions under which the decision for a caesarean surgery can be taken. As of now, no such guidelines exist in India. However, some indications such as dystocia are subjective and therefore allow for diagnostic discretion (Barber et al 2011). Hence, guidelines are less likely to be effective in practice as providers can always use discretionary interpretation to justify an unnecessary c-section.

An online petition in India has urged the health ministry to make it mandatory for all hospitals to publicly display data on vaginal and c-section deliveries.<sup>1</sup> Public dissemination of c-section rates could help in reducing the information asymmetry between the provider and the patient and therefore could be an interesting policy intervention. Further, strengthening of public sector facilities, not just in terms of equipment and staffing, but also in terms of facility timings, absenteeism and attitudes of service providers can provide an alternative to the private sector and help bringing down c-sections that are not needed (Banerjee et al 2004; Besley and Malcomson 2018). A lot more thought, context-specific understanding of reasons for increase in c-sections, and dialogue that takes into account views and experiences of all stakeholders and a combination of strategies might be required to guide the eventual policy response.

Our findings, more generally, call for a critical assessment of the role of the private sector in delivering the optimal intensity of care during childbirth. This is particularly important in the context of India (and other developing countries) where public health spending is low (1.3% of the gross domestic product in India in 2015–16) and the private sector plays an important and ever-expanding role in healthcare provisions (NSSO 2016; GoI 2016).

#### NOTE

- 1 The petition has been started by Subarna Ghosh and can be found on Change.org on the following link: <https://www.change.org/p/make-it-mandatory-for-all-hospitals-to-declare-number-of-caesarean-deliveries-safebirth>.

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## Appendix

Table A1: Delivery in a Private Medical Facility and Probability of C-section (State FE): Complete Results

	Coefficient	Standard Error		Coefficient	Standard Error
Delivery in private institution	0.194***	(0.015)	Birth-specific variables		
Household-specific variables			Prior termination	0.042***	(0.006)
Rural	-0.019***	(0.005)	Age at birth 20–24 years	0.044***	(0.005)
Religion–Muslim	-0.008	(0.009)	Age at birth 25–29 years	0.090***	(0.008)
Religion–Christian	-0.020	(0.014)	Age at birth ≥30 years	0.134***	(0.014)
Religion–Other	0.005	(0.011)	Birth Order = 2	-0.166***	(0.014)
Social group–Other Backward Classes	-0.023***	(0.004)	Birth Order ≥3	-0.175***	(0.014)
Social group–Scheduled Castes	-0.014*	(0.006)	Size of child at birth–average	0.001	(0.003)
Social group–Scheduled Tribes	-0.039***	(0.009)	Size of child at birth–large	0.026***	(0.005)
Wealth quintile 2	0.003	(0.004)	Experienced pregnancy problems	0.026***	(0.003)
Wealth quintile 3	0.026**	(0.007)	Experienced delivery complications	0.003	(0.011)
Wealth quintile 4	0.046***	(0.010)	No of antenatal care visits >4	0.027***	(0.005)
Wealth quintile 5	0.059***	(0.010)	Previous CS	0.688***	(0.015)
Woman specific variables			Constant	0.109***	(0.015)
Education–Completed primary but incomplete secondary	0.006	(0.003)	N	92,780	
Education–Completed secondary	0.018**	(0.005)	R-squared	0.31	
Education–Higher	0.034***	(0.007)			
Mother's height above 150 cm	-0.032***	(0.003)			

The regression includes state and birth year fixed effects. \*\*\* significance level at 0.001

Omitted category for religion—Hindu; Social group—General; Education—no education or incomplete primary; Age at birth—less than 20 years; Size of child at birth—small

Source: Authors' calculations using NFHS-4 data.

Table A2: Delivery in a Private Medical Facility and Probability of C-section (State FE): Odds Ratios from Logistic Regression

	1	2	3	4	5
Delivery in private institution	4.995*** (0.726)	3.681*** (0.465)	3.504*** (0.378)	4.037*** (0.407)	4.047*** (0.408)
N	92,780	92,780	92,780	92,780	92,780
Household, woman and birth level controls	N	Y	Y	Y	Y
Previous C-section	N	N	Y	Y	Y
State FE	N	N	N	Y	Y
Birth year FE	N	N	N	N	Y

Standard errors in parentheses. \*\*\* significance level at 0.001. FE stands for fixed effects and Y and N stand for yes and no respectively.

Source: Same as Table 1.

Table A3: Delivery in a Private Medical Facility and Probability of C-section (District and PSU FEs)

	1	2	3	4
Delivery in private institution	0.196*** (0.014)	0.144*** (0.012)	0.199*** (0.015)	0.147*** (0.013)
N	92,780	82,910	92,780	82,910
R-squared	0.26	0.18	0.23	0.17
Household, woman and birth level controls	Y	Y	Y	Y
Previous C-section	Y	Y	Y	Y
District FE	Y	Y	N	N
PSU FE	N	N	Y	Y
Birth Year FE	Y	Y	Y	Y
Exclude planned C-sections	N	Y	N	Y

Standard errors in parentheses. \*\*\* significance level at 0.001. FE stands for fixed effects and Y and N stand for yes and no respectively.

Source: Same as Table 1.

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# Birth Pangs

## Universal Maternity Entitlements in India

AARUSHI KALRA, ADITI PRIYA

In June 2018, a small survey of the Pradhan Mantri Matru Vandana Yojana in two blocks of Jharkhand—Manika in Latehar district and Khunti in Khunti district—examined the status of the scheme and the problems faced by women at the time of pregnancy and delivery, such as health expenditure, inadequate nutrition, and loss of income. The findings call for better implementation of the scheme, as well as make a case for maternity benefits to be raised to a minimum of ₹6,000 per child for all pregnancies and not just for the first living child.

On 28 July 1928, B R Ambedkar, arguing in favour of the Maternity Benefit Bill when it was introduced for the first time in the Bombay Legislative Assembly, stated:

I believe that it is in the interests of the nation that the mother ought to get a certain amount of rest during the pre-natal period and also subsequently ... the benefits contemplated by this bill ought to be given by this Legislature to the poor women who toil in our factories in this Presidency.

Maternity entitlements, in the form of paid leave for women working in the formal sector, are recognised in most countries, including India. This is an important acknowledgement of the distinct needs of women workers, who may require rest before and after pregnancy and incur additional expenses while making decisions that have long-term consequences for the health of the mother and child. However, only 6.5% of the Indian workforce is employed in the formal sector, with only 5.9% of the female workforce engaged in this sector (ILO 2018). Women in the informal sector as well as those doing unpaid work at home are not covered by formal-sector benefits.

Maternity entitlements are particularly important for Dalit and Adivasi women. Sabharwal and Sonalkar (2015), using National Sample Survey (NSS) data for 2009–10, find that in rural areas, only 9.8% of working Dalit women were employed as regular salaried workers. About 52% of Dalit women in the labour force worked as agricultural wage labourers.

The financial burden imposed upon families at the time of pregnancy is remarkably underappreciated in the literature. Large out-of-pocket (oof) health expenditures incurred on medicines, tests, hospital stay, and transportation at the time of pregnancy and delivery is a major source of monetary losses (Mohanty and Kastor 2017; Mohanty and Srivastava 2013). Issac et al (2016) in their cross-sectional analysis of 558 lactating women in Uttar Pradesh showed that despite free public health system, women had to incur high oof expenditure, and one of the several significant predictors of this high expenditure was caste.

As 53% of Indian women are anaemic, there is also a pressing need to promote women's health and nutrition. According to Coffey and Hathi (2016), the cash entitlement for mothers is converted into more food of better quality, and increased rest. This has a positive impact on the birthweight of Indian children. Amarente et al (2011) find that a cash assistance programme in Uruguay, for women from low income groups, reduced the incidence of low birthweight.

In 2017, the Government of India introduced a national maternity entitlements scheme called the Pradhan Mantri

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Matru Vandana Yojana (PMVVY) under the National Food Security Act (NFSA), 2013. The stated objective of the scheme is to provide partial wage compensation to women and improve the state of health and nutrition among women and children (GoI 2017). Previously, the Indira Gandhi Matritva Sahyog Yojana (IGMSY) was launched in 2011 as a pilot scheme in 53 districts with the objective of providing partial wage compensation for pregnant and lactating women. The IGMSY initially provided a cash benefit of ₹4,000, which was revised to ₹6,000 in 2013. The Janani Suraksha Yojana (JSY), launched in 2005, is a scheme under the National Health Mission that provides ₹1,400 to women who have an institutional delivery.

In this paper, we analyse how well the PMMVY scheme is working in two districts of Jharkhand nearly a year after it was launched. We also examine the nutritional status of the mother and child, health expenditures, the state of public health services, and women's paid and unpaid work. We argue not only for better implementation of the scheme, but also for compliance with the NFSA, which requires that maternity benefits be raised to ₹6,000 per child at least for all pregnancies and not just for the first living child. The NFSA also entitles all pregnant and lactating women to meals having nutritive value of 600 calories and containing 18–20 grams of protein.

### Pradhan Mantri Matru Vandana Yojana

In recognition of the importance of better nutrition and health for pregnant women and lactating mothers, the NFSA included a universal entitlement of no less than ₹6,000 for every pregnant woman. The NFSA directs the central government to formulate and notify a scheme for this purpose.

In December 2016, Prime Minister Narendra Modi announced “a nation-wide scheme for financial assistance to pregnant women” (*Financial Express* 2017). In pursuance of this announcement, the PMMVY was approved by the cabinet in May 2017. It provides cash benefits of ₹5,000 to women who were pregnant on or after 1 January 2017, for the first living child. This money is supposed to be disbursed in three instalments via the Ministry of Women and Child Development: ₹1,000 at the time of registration of pregnancy at the anganwadi centre (AWC), ₹2,000 at the time of antenatal check-up when the foetus is six months old, and ₹2,000 after the delivery and vaccination of the child.

The provisions of the PMMVY violate the NFSA, which entitles every pregnant woman to ₹6,000,<sup>1</sup> the benefits have been reduced to ₹5,000 and restricted to the first living child. No justification has been given for the restriction to one living child. The rationale given by the government for reducing the PMMVY benefits to ₹5,000 is that pregnant women will be receiving ₹6,000 “on average,” taking into account related schemes such as the JSY that provides ₹1,400 to women who have institutional deliveries (GoI 2017). This does not make sense for two reasons. First, no scheme can reduce the entitled amount below ₹6,000 because the NFSA entitles “every” woman to ₹6,000. Second, other schemes have their own purposes, for example, to encourage institutional deliveries in the case of the JSY. Besides, none of these other schemes can be regarded

as substitutes for maternity entitlements in cash. In addition to the amount being less than promised, ₹6,000, the amount itself fails to meet the standard of minimum wage. Sinha et al (2016), using the IGMSY design, argue that ₹6,000 is a wage compensation for only 29 days when the minimum pay was ₹204 per day. And hence, the amount was too little to have any impact on the work decision of the women.

Dipa Sinha (2015), analysing the Rapid Survey on Children 2013–14 by the Ministry of Women and Child Development, found that 93% of births from the highest wealth quintile took place in an institution, and only 61% of births from lower wealth quintiles were in an institution. In our survey, among the respondents who already had a delivery in our sample (77 out of 98), only 44% had applied for JSY benefits at the time of the last delivery, while 59% were unable to apply because they had been taken to a private hospital for delivery.

### Methodology

In June 2018, we conducted a survey in two blocks of Jharkhand (Manika in Latehar district and Khunti in Khunti district) to assess the status of the PMMVY. Latehar and Khunti districts were chosen because we had access to a local organisation that helped conduct the survey (NREGA Sahayata Kendra, help centres for workers employed under the National Rural Employment Guarantee Act), and also because a large part of the rural population consists of underprivileged communities, Adivasis (mainly Mundas) in Khunti, and a range of such communities (Adivasi, Dalit and Muslim, among others) in Manika. This association also helped in getting interviews with women belonging to particularly vulnerable tribal group (PVTG) communities, which otherwise would have been very difficult.<sup>2</sup>

Khunti, unlike Manika, is a “sadar” block that includes the district headquarters as well as the district hospital. Health facilities therefore, are somewhat better and more accessible in Khunti than in Manika. In Manika, there is a primary health centre (PHC) that is currently in the process of being upgraded to a community health centre (CHC).

In each block, we selected 12 villages informally, in consultation with our local hosts. At each sample AWC, we asked the anganwadi sevika (AWS) to give us a list of women who were either pregnant at the time of the survey or had delivered a child after 1 January 2018. Then, we tried to interview all the women on the list and we were able to meet most of them. Our sample consists of 98 respondents for the two blocks combined. About half (51%) of the sample women were eligible under the PMMVY.

### Profile of the Respondents

The average age at marriage was close to 23 years, although we can expect some over-reporting here. The literacy and education profile of the respondents is presented in Table 1. The most educated family member, on an average, had 10 years of schooling, with education ranging from 0–15 years. The average family size in our sample is 6.3, with size ranging from 2–18, which is reflective of the responsibilities of family members that the women in our sample have to bear. More

than 69% of respondents in our sample belonged to the Scheduled Caste (sc) and Scheduled Tribe (st) category (Table 2).

**Table 1: Percentage Distribution of Respondents by Education Level**

Education	Frequency	Percent
Illiterate	16	16.33
Below Primary	10	10.20
Primary	10	10.20
Middle	19	19.39
High	21	21.43
Senior	17	17.35
College	5	5.10
Total	98	100.00

Source: Authors' survey on maternity entitlements.

**Table 2: Social Background of the Respondents**

Category	Frequency	%
Other	4	4.08
Scheduled Caste	24	24.49
Scheduled Tribe	45	45.92
OBC	25	25.51
Total	98	100.00

OBC: Other Backward Classes.

Source: Same as Table 1.

All except two women in our sample were married at the time of the interview, where one had a child out of wedlock and one was a widow. The unmarried mother was excluded from the PMMVY because it requires the documents of the husband as well, and exclusion from the scheme puts double burden on such women. Although more than 80% of the women in our sample had a bank account, around 50% of them had never withdrawn money from their bank account, and around 19% of them find the process of withdrawing money from the bank difficult.

Homemaking was reported as their primary occupation by 53% of the women, and 65% of them also identified "agriculture self-employed" as their secondary occupation. At the same time, where 32% of women identified "agriculture self-employed" as their primary occupation, 55% of these women considered "homemaking" as their secondary occupation, while 45% reported this to be "agricultural labour."

We also asked women which of the following items they had at their house: toilet, fan, television, electricity, handpump, cooking gas, car, motorcycle, and cooler. We created an index using the simple count of number of items possessed. The average ownership in our sample is of 2.6 out of the 9 indicators mentioned above, with more than 80% without a handpump, 65% not owning a toilet, and around 45% without a fan.

### Women's Health and Nutrition

Basanti Devi lives in a very remote village of Manika block and belongs to the Parhaiya tribe, which is categorised as a PVTG. When she was in labour with her first child, the midwife told her family that the foetus had died inside her womb. They took her to the district hospital in Latehar, where the doctors confirmed this and referred her to Rajendra Institute of Medical Sciences (RIMS). They spent ₹3,000 and brought her to RIMS, 143 kilometre away. During Basanti's second pregnancy, she suffered a miscarriage in her fifth month. Her body could not bear the pregnancy, and she was again admitted and treated for weakness. She is trying to give birth for the third time, but is

**Table 3: Maternal and Child Health Indicators, Rural Jharkhand, 2015–16 (%)**

Health Indicators	Latehar	Khunti
Children under five years who are stunted (height-for-age)	44.9	40.8
Children under five years who are wasted (weight-for-height)	29.5	43.8
Women whose body mass index is below normal (18.5)	31.0	26.0
Children (age 6–59 months) who are anaemic	49.0	66.0
Pregnant women (age 15–49 years) who are anaemic	63.8	60.3

Source: National Family Health Survey 4 (NFHS 4 and ICF 2017).

still weak, and has to be taken to the hospital periodically. Her mother-in-law said, "I don't know if she is weak or if she is cursed."

There are many such "cursed" women in Jharkhand, where the state of women's health and nutrition is extremely poor. Such conditions put both the mother and child at severe risk during and after the pregnancy. To illustrate this point, Table 3 presents maternal and child health indicators for the sample districts from the National Family Health Survey 4 (NFHS 4). In both districts, more than 60% of pregnant women are anaemic and around 30% women have a body mass index (BMI) that is less than normal.

Sunita Devi is Basanti's sister-in-law and is physically even weaker. She has three children, and also delivered a stillborn baby three years ago. All these pregnancies have had a debilitating impact on her health. In our sample, the proportion of women who said that they had daylight-vision problems, convulsions or swollen feet at the time of pregnancy was above 60% for each symptom (Table 4). All these are symptoms of severe weakness and undernourishment.

Most of the respondents suffered from anaemia and/or weakness and felt that they were unable to get adequate nutrition during pregnancy. Undernourishment in mothers is one of the major causes of low birthweight among children. The problem faced by Kavita Devi of Lanka village in Latehar, who did not have money to eat properly when she was pregnant with her second child, is a significant one. In fact, 63% of women said they did not get to eat better quality food during pregnancy. Fifty-three out of 98 women (54%) responded that they would have liked to spend more money to buy more nutritional food during pregnancy.

### Health Expenditures

The hardships faced by women persist even after the delivery of their children. Poor delivery of health services and lack of access to better nutrition cause weakness and pain in lactating mothers. Meena Devi from Khunti is one such example. Since the birth of her second child, she has spent more than ₹1,000 in tests and check-ups. She reported that if she received the maternity benefits, she would have spent it in ensuring better nutrition for herself.

Anita Devi, a mother of three children, gave birth to twin boys at home. Their birthweight was 1.7 kilogram (kg) and 1.3 kg, respectively. Immediately after their birth, they were taken to Daltonganj hospital and kept under care for eight days at a cost of ₹3,000 per day. By the end of the eighth day, they ran out of ₹50,000, which they had borrowed from friends and relatives. The doctor referred the children to a private hospital where the estimated cost of treatment, they were told, was ₹5–₹6 lakh. They could not afford such massive expenses and decided to bring the children home. The children have been losing weight ever since (100 grams in 15 days). Now the household

**Table 4: Health and Nutrition during Pregnancy**

Symptoms of Weakness	Respondents Reporting the Symptoms (%)
Problems in daylight vision	61.5
Convulsions	65.6
Swelling of feet	61.5

Source: Same as Table 1.

cannot afford to take them to any private hospital, and the facilities at public hospitals are poor, according to them.

Anita's story is by no means an exception. We encountered many cases in our survey where poor maternal health caused child malnourishment and pushed families into debt, preventing mother and child from recovering in the post-delivery period. This becomes a vicious cycle.

On an average, respondents spent ₹8,272 on their deliveries. The bulk of this was accounted for by hospital stay (average of ₹3,750) and medicines (average of ₹2,206). Table 5 provides a detailed breakdown on delivery expenditures. Half of the respondents

**Table 5: Average Health Expenditures on Account of Child Delivery** (₹)

Description	Average Expenditure
Hospital stay	3,750
Tests	777
Medicines	2,206
Transport	831
Other	564
Total expenditure	8,272

Source: Same as Table 1.

who had spent money during the delivery or pregnancy said that they had to borrow to meet the expenses.

A pregnancy can easily push a household into a cycle of debt due to large oop expenditures. Many respondents were forced to sell assets, or family members had to migrate for work ahead of

the delivery. The PMMVY funds could be of great help in providing at least partial protection from these precarious situations. These expenses could also be kept in check with better public health facilities as well as better nutrition services for the mother and child at the anganwadis.

### Health and Nutrition Services

Among those respondents who had already delivered a child, 44.3% had their last delivery at a government facility and 17.7% at a private facility (Table 6). Yashoda Devi was in the fifth month of her pregnancy at the time of her interview. However, just as with her previous pregnancy, she was unable to take care of her health and could not afford treatment for the severe pain she had to endure. During her previous pregnancy, she went into labour at 1 am and was taken to the primary health centre in Manika where the staff was rude and sent her away. Then, she was rushed to the private hospital in

**Table 6: Access to Healthcare** (%)

Type of Facility Where Child was Delivered	Proportion of Respondents, among Those Who Had Delivered a Child
Government	44.3
Private	17.7
Home	38.0

Source: Same as Table 1.

Manika where the entire process cost her more than ₹12,000. This cost was met by borrowing. As Table 6 indicates, 38% of the women in our sample delivered their last baby at home. Almost

half (48%) of those who had not had an institutional delivery said that it was because the hospital was too far or inaccessible.

The network of anganwadis seemed to be functioning better than expected, with respondents reporting regular meetings with the anganwadi workers during pregnancy. On an average, our respondents had met the auxiliary nurse midwife (ANM) about three times during pregnancy, the accredited social health activist three times, and the AWS four times (Table 7). A large majority (77%) of the respondents got iron tablets during their pregnancy (although data on whether these tablets were consumed was not collected), and 81% got

these tablets at the anganwadi. The Integrated Child Development Services (ICDS), delivered through anganwadis, seem to have much potential as the existing infrastructure is in place and largely functional.

**Table 7: Supply of Services during Pregnancy**

Health Workers Met during Pregnancy	Average Number of Meetings (Sample Mean, Rounded)
Auxiliary nurse midwife (ANM)	3
Accredited social health activist (ASHA)	3
Anganwadi sevika (AWS)	4
Services Received at AWC	Proportion of Respondents Who Received the Service (%)
Medicines/injections	79.2
Supplementary food	88.5
Information about postnatal care	32.6
Information about family planning	33.3
Information about menstrual hygiene	27.4
Nutritional education	47.9

Source: Same as Table 1.

### Paid and Unpaid Work

Munni Devi is a Dalit woman hailing from Dumbi village in Manika. She works 10 hours a day, but her family does not own any land. She earned ₹100 per day as an agricultural worker, and continued to work for 10 hours a day even during her pregnancy. Her husband works as a casual labourer, and had migrated at the time of the interview. However, Munni Devi could not afford to forego her income from agricultural work, and her health was deteriorating due to the amount of work she had, both at home and in the fields, and her inability to get adequate rest.

Only 33.7% of the women reported that they were working for wages before their last pregnancy, earning an average of ₹126 per day. In this sub-sample, 42.4% of the respondents did not work during their pregnancy and earned zero wages. We compare the time spent in agricultural work—both as a casual labourer or as a self-employed worker—before and during the last pregnancy—and find that women spend less time on the fields during pregnancy.

**Table 8: Time Spent in Agricultural Work**

Description	Sample Mean <sup>a</sup> (in hours)
Average time spent before pregnancy	6.27 (0.31)
Average time spent during pregnancy	3.20 (0.37)
Average difference in time spent before and during pregnancy	3.07* (0.36)

<sup>a</sup> Standard errors in parentheses.

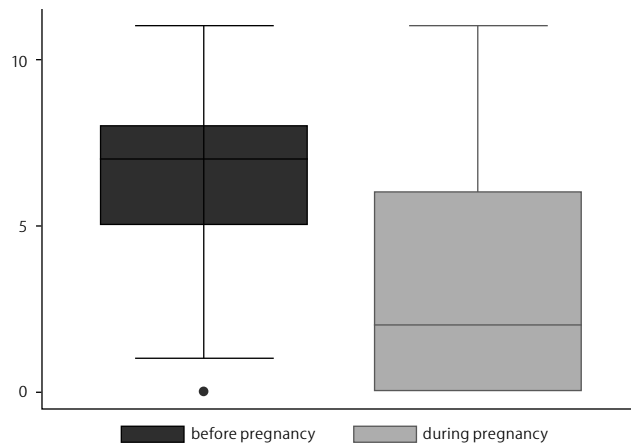
\* Denotes statistical significance at the 5% level. Source: Same as Table 1.

While women spent close to six hours working in the fields (either their own or their employer's) before pregnancy, this number comes down to about three hours per day during pregnancy, on an average (Table 8). This strengthens the argument for unconditional cash transfers as a form of partial wage compensation. Figure 1 compares the average time spent in agricultural work before and after pregnancy using a box plot.

It is also imperative to account for unpaid work done by women in the household. The drudgery of this work is not fully acknowledged, nor is the contribution of mothers towards the building of a healthy workforce. Women are expected to do this work even when they are expecting a child, and their bodies



**Figure 1: Box Plots Comparing Average Time Spent by Women on Agriculture before and during Pregnancy (Hours per Day).**



Source: Authors' survey on maternity entitlements.

have a greater requirement for rest. On an average, in our sample, women spend a major part of their day (six hours) on care work, including looking after children and elderly persons.<sup>3</sup> It is worth noting that 56% of the respondents said that they did not get sufficient rest during pregnancy.

Maternity benefits would enable women to get more rest in two ways. First, it would reduce the compulsion to work for wages during pregnancy. Second, it would make it easier to arrange help for farm work or domestic work if need be. While it may seem far-fetched that women in rural India would be able to hire helpers, cash benefits would, at least, ease the burden of hosting a female relative at home to help with domestic work.

### Implementation of the PMMVY

Nearly 70% of the sample women said that they had faced severe financial problems on account of their pregnancy. In places where private treatment had to be sought in the absence of government facilities, this problem was particularly serious. Specific kinds of financial problems that often came up include the inability to improve the intake of nutritious food (28%), buy prescribed medicines (17%), eat properly (20%) and get required health check-ups (18%). About 12% of the respondents said that they had spent beyond their means for delivery at a private hospital.

One hurdle witnessed is that the PMMVY application process is anything but applicant-friendly. The pregnant woman has to get herself registered at the AWC, where she is supposed to receive a mother-child protection card (MCP, known locally as *jachabacha card*) where the details of pregnancy registration, antenatal check-ups and vaccinations are recorded. A separate form has to be filled, signed and submitted for each of the three instalments. The application process compulsorily requires the applicant's Aadhaar card, the husband's Aadhaar card, and the applicant's account details linked to her Aadhaar number.

The compulsory linking of the applicant's bank account with Aadhaar often causes major problems, for instance, in cases where a woman's name is spelt differently in her Aadhaar card and bank account. The PMMVY payments can be rejected if the bank account listed in the form is not linked with Aadhaar,

or if a bank account different from that listed on the form is linked with Aadhaar (in the case of multiple bank accounts). Sometimes, the respondents are not clear as to which account is functional or which account is linked with their Aadhaar card. Also, as is well known, Aadhaar-based payments are susceptible to many technical glitches, and it is likely that the PMMVY payments are affected by this (Drèze 2018a, 2018b).

As a different form has to be filled for each of the three instalments, each form has to be signed separately by the AWS, and the first form also has to be signed by the ANM. In Manika, it is not uncommon for the signatories to refuse to sign the forms. The bottom line is as follows: while 51% of the respondents were eligible for the PMMVY, only 37% were aware of the scheme, 30% had applied, and none had actually received PMMVY benefits at the time of the interview. In other words, not only are eligibility criteria restrictive, but even those who are eligible are often unable to apply, and the processing of applications and payments is also problematic. It may be that we simply "missed" these women beneficiaries in our small sample. However, it is worth recalling that, according to the PMMVY guidelines, payments are supposed to be made within 30 days of an application being submitted on line.

Similarly, the PMMVY provides little assistance to women who miscarry because the successive payments are made only if the corresponding conditionalities are met. For example, if a woman has a miscarriage in the fifth month of her pregnancy after having registered the pregnancy in the third month, she is only entitled to the first instalment of ₹1,000. If she has another pregnancy, she will not be able to claim the first instalment again, but only the remaining ₹4,000. These restrictions are irrational and insensitive.

### Discussion

The evidence presented in this paper documents the hardships that pregnant and lactating women surveyed had to face in terms of poor health and nutrition status, bad health infrastructure, overburdened unpaid work, and loss in income. Most women faced multiple hardships, and this fate is shared by women from marginalised communities.

The conditionalities imposed by the PMMVY are obstacles in achieving the stated objectives of the scheme. On average, 43% of children born in India every year are firstborns, so the scheme excludes more than half of all births every year (Pandey 2018). We have documented, the average health expenditures to the tune of ₹8,272 for the delivery alone, which is hardly covered by the stipulated amount under the PMMVY. Moreover, many pregnant women suffer from loss of wages due to their inability to work.

### Conclusions

Childbearing is a source of immense physical and financial distress. While better provision of health services is a necessary condition for safe and stress-free child delivery, unconditional cash transfers can also help, as earlier studies in various developing countries have shown (Amarente et al 2011; Coffey and Hathi 2016). They can be used to ensure the availability of

nutritious food for the mother and child, as well as rest during pregnancy. Maternity entitlements would also help to safeguard households against financial emergencies on account of the huge OOP health expenditures incurred. Further, women engaged in informal sector work are entitled to be compensated for wage loss, just like their counterparts in the formal sector. An adequate cash transfer is necessary for women to be able to rest during pregnancy.

Maternity entitlements are especially important for Dalit and Adivasi women, who are majorly employed in the informal sector and stand to lose a greater part of their

income, as they largely remain uncompensated. They are also more vulnerable to pregnancy-related problems, due to poor health and nutrition as well as low purchasing power. This is also reflected in the findings of the present study, as the sample adequately represents women of these social groups.

This study shows that aside from women's entitlements under the NFSA being severely diluted, even the piecemeal provisions made under the PMMVY hardly reach the intended beneficiaries in Jharkhand, where access to these necessary entitlements is obstructed at multiple stages.

## NOTES

- 1 The NFSA states: "Subject to such schemes as may be framed by the Central Government, every pregnant woman and lactating mother shall be entitled to... maternity benefit of not less than rupees six thousand, in such instalments as may be prescribed by the Central Government" (GoI 2013). The purpose of the said schemes is to define the modalities of maternity benefits, but obviously the schemes cannot dilute or override the entitlements defined by the act.
- 2 This is a similar approach to that taken by Sinha et al (2016).
- 3 There is some possible overlap between this and other tasks.

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# The Curious Case of PAN–Aadhaar Linkage

ANUPAM SARAPH, SANJANA KRISHNAN

The Government of India's justification for removing any distinction between a permanent account number allotted based on the Aadhaar and one allotted based on identification documents other than Aadhaar is examined. The government claims that this measure will end black money and money-laundering. Whether Aadhaar linkage to PAN truly identifies those holding financial instruments and undertaking financial transactions and whether it will save India the embarrassment of incorrect reporting as part of the nation's Foreign Account Tax Compliance Act and Common Reporting Standard obligations are explored.

On 9 July 2015, Shaktikanta Das, the then revenue secretary of India, signed a memorandum of understanding (MoU) with Richard Verma, the then United States (US) ambassador to India, to improve international tax compliance and to implement the Foreign Account Tax Compliance Act (FATCA) (US Department of the Treasury 2015). FATCA is a US federal law enacted in 2010, requiring all non-US foreign financial institutions (FFIs) to search their records for customers with any connection to the US, including indications in records of birth and prior residency in the US, and to report the assets and identities of such persons to the US Department of the Treasury.

India also signed a multilateral agreement on 3 June 2015 to automatically exchange information with more than 100 jurisdictions committed to the Common Reporting Standard (CRS) based on Article 6 of the Convention on Mutual Administrative Assistance in Tax Matters under the CRS (OECD 2018, 2019).<sup>1</sup>

On 7 August 2015, the Government of India (GoI) made amendments to the Income Tax Rules, 1962, and added Rules 114F ("Definitions"), 114G ("Information to Be Maintained and Reported"), and 114H ("Due Diligence Requirement") to operationalise the intergovernmental agreement (IGA) with the US for improving international tax compliance and implementing the Foreign Account Tax Compliance Act (FATCA) and the CRS (Income Tax Department 2015a). The information to be maintained and reported according to Rule 114H includes the name, address, taxpayer identification number (TIN), and the date and place of birth of each reportable person, that is, an account holder.<sup>2</sup>

The minister of state for finance, Santosh Kumar Gangwar, in his reply to a question in the Lok Sabha (Department of Revenue 2017), indicated that there were only 1,544 fake PANs as of 17 July 2017, and 11,46,796 PANs were deactivated or deleted as they were found to be cases where multiple PANs had been allotted to the same person. His statement highlighted that there was no reason to doubt the genuineness of a PAN, as there was only an insignificant number of fakes and the Department of Revenue was already able to identify multiple PANs allotted to the same person.

## Purpose of Section 139AA

In March 2017, on the advice of the attorney general, the Government of India (GoI) introduced Section 139AA of the Income Tax Act (CBDT 2017). Section 139AA requires linking the PAN to an Aadhaar number to file income tax returns (ITRs) and to allow the PAN to remain valid. The government did not explain its reasons at the time, and even subsequently, it has failed to make public any information on the decision to introduce

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Section 139AA. The Central Board of Direct Taxation (CBDT) even refused to provide this information when a Right to Information (RTI) suit was filed, even though this information should have been in the public domain under Section 4(1)(c) of the RTI Act, 2005, as it constitutes facts relevant for formulating important policies and decisions affecting the public. It also should have been in the public domain in accordance with Section 4(1)(d) of the RTI, to justify their administrative or quasi-judicial decisions to affected persons. Irrespective of the RTI, as this decision affects not only every taxpayer but the integrity of the entire financial system of India, this information should have been made public.

The central public information officer at the Ministry of Finance, however, refused to disclose the information, stating that “files pertaining to budgetary proposals/amendments are classified as confidential and thus exempted under disclosure under 8(1)(a), 8(1)(d) and 8(1)(e) of the RTI Act, 2005. Hence the same cannot be provided.”<sup>73</sup> Since the government’s relationship with the citizen is that of a trustee, surely the government itself has a fiduciary duty to provide this information to the citizen? What commercial confidence, trade secrets, or intellectual property are involved in sharing information about the reasons to invalidate a PAN unattached to an Aadhaar number, and who decided this? How can the sharing of information about the basis for Section 139AA violate the sovereignty and integrity of India, or the security and strategic, scientific, or economic interests of India?

According to the government, as recorded by the Supreme Court of India in its 2017 judgment (*Binoy Viswam v Union of India and Ors*), providing incorrect or fictitious PAN information as part of India’s commitments to the FATCA and CRS would create a major embarrassment for India (*Binoy Viswam v UoI and Ors* 2017: p 144, para 121). The government also stated that “PAN is a ten-digit alpha-numeric number allotted by the Income Tax Department to any ‘person’ who applies for it or to whom the department allots the number without an application. One PAN for one person is the guiding principle. The PAN acts as the identifier of a taxable entity and an aggregator of all financial transactions undertaken by that taxable entity, the ‘person’” (*Binoy Viswam v UoI and Ors* 2017: p 75, para 58[a]). Thus, it is the key identifier for all computerised records relating to the taxpayer. Further, the government argued that “The requirement for obtaining of PAN is mandated through Section 139A of the Act. The procedure for application for PAN is prescribed in Rule 114 of the Rules. The forms prescribed for PAN application are 49A and 49AA for Indian and Foreign Citizens/Entities. Quoting of PAN has been mandated for certain transactions above specified threshold value in Rule 114B of the Rules” (*Binoy Viswam v UoI and Ors* 2017: p 75, para 58[b]).

The government further argued that “for achieving the objective of one PAN to one assessee, it is required to maintain the uniqueness for each PAN” (*Binoy Viswam v UoI and Ors* 2017: p 76, para 58[c]). This means that the government implicitly admits that PAN is a unique number. It went on to state that

The uniqueness of PAN is achieved by conducting a de-duplication check on all already existing allotted PAN against the data furnished

by new applicant. Under the existing system of PAN only demographic data is captured. De-duplication process is carried out using a Phonetic Algorithm whereby a Phonetic PAN (PPAN) is created in respect of each applicant using the data of applicant’s name, father’s name, date of birth, gender and status. By comparison of newly generated PPAN with existing set of PPANs of all assessee’s duplicate check is carried out and it is ensured that same person does not acquire multiple PANs or one PAN is not allotted to multiple persons. Due to prevalence of common names and large number of PAN holders, the demographic way of de-duplication is not foolproof. Many instances are found where multiple PANs have been allotted to one person or one PAN has been allotted to multiple persons despite the application of above-mentioned de-duplication process. While allotment of multiple PAN to one person has the risk of diversion of income of person into several PANs resulting in evasion of tax, the allotment of same PAN to multiple persons results in wrong aggregation and assessment of incomes of several persons as one taxable entity represented by single PAN. (*Binoy Viswam v UoI and Ors* 2017: p 76, para 58[c])

The government claimed that it had verified original documents in 0.2% of cases (200 out of 1,00,000 PAN applications) on a random basis. It also claimed that by using Aadhaar, 100% verification is possible due to the availability of the online Aadhaar authentication service provided by the Unique Identification Authority of India (UIDAI). It, therefore, justified seeding the Aadhaar database with PANs and claimed that this would make the PAN allotment process more robust. The government further claimed that “a duplicate Aadhaar” is almost non-existent and therefore will facilitate the resolution of cases where one PAN was allotted to multiple persons. The government also assumed that because Aadhaar deduplication relied on biometric attributes of fingerprints and iris images, the Aadhaar database had no duplicates (*Binoy Viswam v UoI and Ors* 2017: p 77, para 58[d], [e]).

The only public information the government provided for its reasoning for Section 139AA is what it argued before the Supreme Court in the *Binoy Viswam* case. Yet, if the reasons could be argued in an open court, why is this information denied under RTI? Should not the court have been told about the commercial confidence, trade secrets, or intellectual property issues involved in the decisions to invalidate PAN without Aadhaar linkage and who engineered this stance? Should not the court have been told about whatever violates the sovereignty and integrity of India, or the security and strategic, scientific, or economic interests of India? Were the full facts not placed before the court? Were the reasons put before the court untruths?

### Who Allots the PAN?

The concept of PAN was originally introduced by the Taxation Laws (Amendment) Act, 1975, which took effect from 1 April 1976 and was later amended by the Direct Tax Laws (Amendment) Act, 1987, which took effect from 1 April 1989, and the Finance Act, 1990, with effect from 1 April 1990; it was finally substituted by the Finance Act, 1995, which took effect on 1 July 1995.

Section 139A(2) makes it clear that the assessing officer is responsible for allotting a PAN. The assessing officer is defined under Section 2 (7A) of the Income Tax Act as

the Assistant Commissioner or Deputy Commissioner or Assistant Director or Deputy Director or the Income-tax Officer who is vested with the relevant jurisdiction by virtue of directions or orders issued under sub-section (1) or sub-section (2) of section 120 or any other provision of this Act, and the Additional Commissioner or Additional Director or Joint Commissioner or Joint Director who is directed under clause (b) of sub-section (4) of that section to exercise or perform all or any of the powers and functions conferred on, or assigned to, an Assessing Officer under this Act. (Section 2(7A), inserted by the Direct Tax Laws (Amendment) Act, 1987, w.e.f. 1-4-1988)

The assessing officer allotting the PAN is obviously the one who is responsible for identifying the assessee before allotting a PAN. The PAN cards allotted in the 1990s, therefore, carry the signature of the commissioner of income tax for the circle who certifies the identification of the assessee.

However, somewhere in the last 20 years, two private companies—the Unit Trust of India Infrastructure Technology and Services Ltd (UTIITSL) and National Securities Depository Ltd (NSDL)—began allotting PAN cards. PAN cards allotted by UTIITSL or NSDL do not carry the signature of any assessing officer. There is no information in the rules and acts posted on the Income Tax Department's website that suggests that the power of the assessing officer to allot PANs was delegated or outsourced to private parties. This is of concern for many reasons<sup>4</sup> that are outside the scope of this research, but also as the data on PANs available from the Income Tax Department and those from the private parties issuing PANs are significantly different.

According to the Income Tax Department, as of 31 March 2019 (Income Tax Department 2019b), a total of 44,57,17,383 PAN cards existed, of which 97.65%, or 43,52,48,341, were allotted to individuals (Table 1).

Furthermore, according to Section 139A(3), any person may apply to the assessing officer for the allotment of a PAN and thereupon the assessing officer shall allot a PAN. This means that anyone who is not a taxpayer, or who is not required to be assessed through returns filed, as specified in Section 139A(1), may apply for a PAN.<sup>5</sup> This means that at any given time, the number of PANs allotted may vastly outnumber the number of persons who are taxpayers or the number of persons who file returns. It is evident, therefore, that any agency to whom the allotment of PAN is outsourced will not restrict allotment to those falling under Section 139A(1). It is also evident that the deduplication of PANs, contrary to what the government stated before the court in the Bijoy Viswam case, must be distinguished from the deduplication of taxpayers and the deduplication of the filers of income tax returns. We will return to this later.

**Table 1: PAN Allotment up to 31 March 2019**

PAN category	Number	Percentage (%)
Association of persons	12,11,226	0.27
Body of individuals	73,074	0.02
Company	17,41,192	0.39
Firm	44,32,922	0.99
Government	28,205	0.01
Hindu undivided family	20,20,148	0.45
Artificial juridical person	37,248	0.01
Local authority	77,193	0.02
Individuals	43,52,48,341	97.65
Trust	8,47,834	0.19
Total	44,57,17,383	100

Source: Income Tax Department (2019b).

## What Is the Evidence of Identity?

The issue of multiple PANs being allotted to the same person depends on the identification of the person applying for PAN allotment. Under Rule 114 of the Income Tax Act, a PAN is allotted based on documents provided as proof of identity,<sup>6</sup> proof of address,<sup>7</sup> and proof of date of birth.<sup>8</sup> This begs the obvious question of which documents have been used to identify individuals and generate the huge number of PAN cards since the time that they were introduced.

We filed an RTI suit and obtained information from the Central Board of Direct Taxation (CBDT) about the documents used to allot PAN.<sup>9</sup> The CBDT provided data as Excel spreadsheets obtained from UTIITSL and NSDL, and the information was quite revealing (Table 2).

There are also a few other striking issues with the data provided by the CBDT (Table 3, p 57). One obvious oddity is that apparently the UTIITSL and NSDL together allotted about 22 PANs using Aadhaar numbers *even before the first Aadhaar numbers were issued* in September 2010. The other is the significant discrepancies between the numbers on the IT Department's

**Table 2: Data on PANs Allotted by UTIITSL (March) and NSDL (December)**

For the Period up to	PANs Allotted without Aadhaar	PANs Allotted using Aadhaar	Total PANs
March 2004	40,60,064	1	40,60,065
March 2005	87,07,196	1	87,07,197
December 2005	92,12,408	1	92,12,409
March 2006	1,32,98,095	15	1,32,98,110
December 2006	1,75,56,741	15	1,75,56,756
March 2007	2,17,47,587	15	2,17,47,602
December 2007	2,82,16,923	15	2,82,16,938
March 2008	3,42,06,453	16	3,42,06,469
December 2008	4,49,38,232	16	4,49,38,248
March 2009	5,19,59,703	19	5,19,59,722
December 2009	6,11,19,350	19	6,11,19,369
March 2010	6,77,58,744	22	6,77,58,766
December 2010	8,16,44,020	22	8,16,44,042
March 2011	9,20,47,820	26	9,20,47,846
December 2011	11,05,43,425	59	11,05,43,484
March 2012	12,04,83,958	75	12,04,84,033
December 2012	13,96,99,303	166	13,96,99,469
March 2013	15,08,45,951	246	15,08,46,197
December 2013	17,26,22,257	248	17,26,22,505
<b>March 2014</b>	<b>18,37,11,660</b>	<b>94,396</b>	<b>18,38,06,056</b>
December 2014	19,52,84,229	28,47,004	19,81,31,233
March 2015	20,13,70,981	42,59,973	20,56,30,954
December 2015	21,17,60,925	1,05,61,744	22,23,22,669
March 2016	21,76,69,363	1,44,24,808	23,20,94,171
December 2016	22,79,52,740	2,62,19,777	25,41,72,517
<b>March 2017</b>	<b>23,59,73,900</b>	<b>3,68,85,007</b>	<b>27,28,58,907</b>
<b>December 2017</b>	<b>24,83,74,504</b>	<b>8,88,55,191</b>	<b>33,72,29,695</b>
March 2018	25,36,26,199	10,82,83,688	36,19,09,887
December 2018	25,81,55,766	15,84,61,067	41,66,16,833
<b>March 2019</b>	<b>25,99,67,957</b>	<b>17,57,90,375</b>	<b>43,57,58,332</b>
December 2019	26,18,88,689	20,13,27,762	46,32,16,451
March 2020	26,23,22,545	20,75,88,263	46,99,10,808

Source: Data provided to the author by CBDT under RTI for period up to December 2019 (NSDL) and March 2020 (UTIITSL) received in August 2019. We highlight for easy comparison 2014 as the first year that significant PAN was allotted based on Aadhaar, 2017 when Section 139AA was introduced, and 2019 when the data of allotment of PAN was obtained from the government.

**Table 3: Discrepancies in the Number of PAN Allocations**

Source	PANs Allocated			
	Up to 31 July 2014	Up to 31 March 2017	Up to 31 December 2017	Up to 31 March 2019
IT Department website	2,76,45,257	28,57,79,295	35,00,85,561	43,52,48,341
Data from UTIITSL and NSDL provided by CBDT	18,38,06,056	27,28,58,907	33,72,29,695	43,57,58,332
Discrepancy	-15,61,60,799	1,29,20,388	1,28,55,866	-5,09,992

Source: Data from the IT Department website (Income Tax Department 2014b, 2017b, 2017c, 2019b) and data provided to the author by CBDT under RTI in August 2019.

website and the data provided by CBDT on the number of PANs issued.

According to the Income Tax Department's website (Income Tax Department 2014b, 2017b, 2017c, 2019b), there was a 15.7-fold increase in PAN allocations from 2014 to 2019. According to the data provided by the CBDT, on the other hand, this period shows a 2.3-fold increase. Either way, the sudden steep increase in PAN allocation is of serious concern as it raises questions about to whom such a large number of PANs were allotted, as neither the UTIITSL nor NSDL doubled their infrastructure for enrolment, nor has the number of taxpayers or filers grown proportionately. The rate of PAN allotment clearly shows a decrease in the steep increase in growth from 2014 and a steep increase from 2017, compared to the historical trend seen in Figure 1. Requests to the CBDT to clarify the conventions used in the information provided in response to the RTI did not yield any answers. This observation will be revised in the event the CBDT does clarify the data provided by UTI and NSDL.

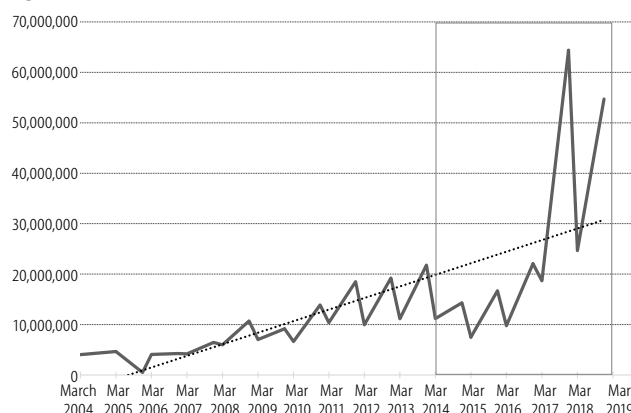
### To Whom Were the PANs Allotted after 2014?

Until March 2014, the data shows a steady increase in the cumulative number for PANs allotted using documents other than Aadhaar as proof of identity. After 2014, the number of PANs allotted using documents other than Aadhaar slowed down significantly, while the number of PANs allotted on the basis of Aadhaar soared (Figure 2).

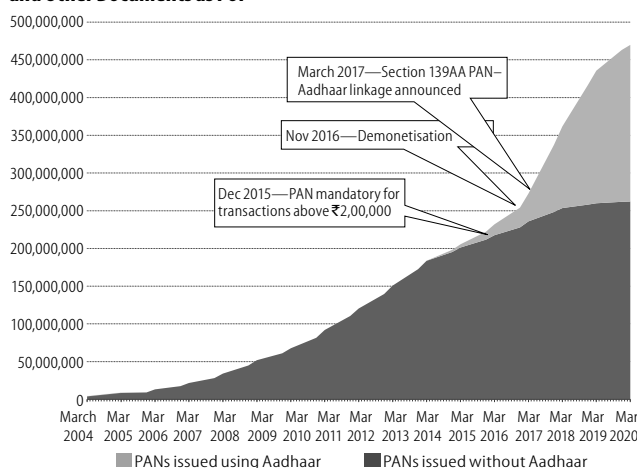
Three events define the almost complete transition from the use of documents other than Aadhaar to the use of Aadhaar exclusively for allotting PANs. The first is the requirement of PAN as mandatory for transactions above ₹2 lakh from December 2015 (CBDT 2015); the second was demonetisation (Reserve Bank of India 2016a); and the last was the introduction of Section 139AA (CBDT 2017), as is evident from Table 4.

A total of 44% (20,75,88,263) of all PANs have been allotted using Aadhaar as a proof of identity. Of these, 95% (19,70,26,519) were issued after PAN became mandatory for transactions in excess of ₹2 lakh, 87% (18,13,68,486) after demonetisation, and 82% (17,07,03,256) after Section 139AA came into effect. Of the PANs allotted on the basis of documents other than Aadhaar, 81% (21,17,60,925) were issued prior to December 2015.

This raises the question of to whom these PANs were allotted. According to Section 139A of the Income Tax Act, the application for PAN is to be made to the assessing

**Figure 1: PANs Allotted, 2004–19**

Source: Data provided to the author by CBDT under RTI in August 2019.

**Figure 2: Cumulative PANs Allotted with Aadhaar as Proof of Identity (Pol) and Other Documents as Pol**

Source: Data provided to the author by CBDT under RTI in August 2019.

officer. The assessing officer, therefore, is the one responsible for establishing the identity of the assessee who has applied for a PAN. The Income Tax Department accepts several documents as proof of identity.<sup>10</sup> The person choosing the document to rely on would be responsible for identifying the applicant. The assessing officer is expected to have ensured that such a document is not only a true document, but is certified by the authority issuing the document. Furthermore, it would be the responsibility of the assessing officer to certify that the attributes used to identify the PAN applicant were correctly verified as matching the certified document accepted as proof of identity.

**Table 4: Events Defining Transition from Non-Aadhaar Documents to Using Aadhaar to Issue**

Date	Event	PANs Issued without Aadhaar	PANs Issued with Aadhaar	Total
Mar 2017 to Mar 2020	Post 139AA	26,348,645 (10%)	170,703,256 (82%)	197,051,901 (42%)
Dec 2016 to Mar 2017	Post demonetisation	8,021,160 (3%)	10,665,230 (5%)	18,686,390 (4%)
Dec 2015 to Dec 2016	Post PAN mandate for high-value transactions	16,191,815 (6%)	15,658,033 (8%)	31,849,848 (7%)
Up to Dec 2015	Pre PAN mandate for high-value transactions	211,760,925 (81%)	10,561,744 (5%)	222,322,669 (47%)
	Total PAN	262,322,545 (100%)	207,588,263 (100%)	469,910,808 (100%)

Sources: Data provided to the author by CBDT under RTI in August 2019; CBDT (2015, 2017) Reserve Bank of India (2016a).

The government has argued before the Supreme Court that “In the case of Aadhaar, 100% verification is possible due to availability of on-line Aadhaar authentication service provided by the UIDAI” (*Binoy Viswam v UoI and Ors* 2017: p 77, para 58[d]). However, Aadhaar is merely a 12-digit number used to access demographic or biometric data that no one *certifies*, *verifies*, or *audits*. It differs from most of the other documents accepted as proof of identity in that no official certifies the data or has established the identity of the person. Furthermore, the Aadhaar “card” generally used as the proof of identity has no signature or seal of any government official and can be easily edited digitally to include or alter demographic data. Furthermore, this data has been submitted to the UIDAI by private enrolment agencies through UIDAI’s contractual partners, called registrars. Also, the demographic and biometric data collected by the enrolment agencies and registrars, as well as the Aadhaar number allotted to reference that data in the UIDAI database, are available for any use to these enrolment agencies and registrars under the contract the registrars signed with the UIDAI (2010).

It is shocking that the government has failed to note that, unlike the passport certified by the passport officer or drivers licence certified by the RTO, no one, not even the UIDAI, certifies the demographic or biometric data associated with any Aadhaar number, nor does the UIDAI certify any demographic or biometric match with the data in its database. There are no designated officials responsible for signing the Aadhaar card to certify that the biometric and demographic data associated with the number have been obtained from the actual person to whom the number has been issued. Compare this to the passport officers’ duty to verify and make a declaration on each passport, for example, or the RTO officer’s signature on a driver’s licence, or the booth-level officer (BLO) responsible for signing on ration cards and electors photo identity cards (EPICs).

Furthermore, contrary to the government’s claim, the UIDAI database has never been verified or audited to confirm either that each record belongs to the person it is supposed to belong to nor has the database been deduplicated. In fact, the UIDAI has admitted to various courts (*The State of Maharashtra v The Director, Unique Identification Authority of India* 2018) that it does not have the technology to retrieve a unique record from an item of biometric data, and also noted under the RTI Act that it has no information about the number of unique biometric measurements, names, addresses, mobile numbers, or email IDs in the database. The UIDAI has also confirmed<sup>11</sup> that it has no information about the enrolment operator, agency, or registrar issuing each Aadhaar number, or even their location while enrolling a person into the Aadhaar database. The UIDAI does not even know if the enrolment operator was in the same village or town as the person who was enrolled. The UIDAI also confirmed<sup>12</sup> that it has no information about the primary documents that were used to establish the identity, address, residency status, or age of a person who has been allotted an Aadhaar number. Who, then, is identifying and certifying the identity of the person allotted a PAN based on an Aadhaar number?

In its own affidavit to the Supreme Court of India (UIDAI 2017: para 76), the UIDAI admitted that the combination of the

primary identification documents (voter cards, PAN cards, driver licences, ration cards and passports) cannot yield more than 60 crore Aadhaar numbers.<sup>13</sup> P B Sawant (2018), former justice of the Supreme Court of India, has noted that:

it is evident that many Aadhaar numbers have been issued without identification of persons, since the primary identities which are voter cards, pan cards, driver licences, ration cards and passports are far less than the Aadhaar numbers issued. The voter cards are 60 crore, pan cards 29 crore, driver licences 17.37 crore, ration cards 15.17 crore and passports 6.9 crore. The information given under RTI that about 99.97 per cent Aadhaar numbers have been allotted by using at least two of the primary identities is, therefore, not correct. At least 58 crore Aadhaar numbers appear to have been allotted without verifying two or even one primary identity document, making them suspect. ... The accounts in banks increased from 70 crore in April 2010 to 120 crore in April 2014 and deposits during the said period from Rs 45 lakh crore to Rs 80 lakh crore.

Since 27 January 2011, the RBI legitimised opening of small bank accounts with restrictions under PMLA, on the basis of Aadhaar numbers, and since September 2011, the bank accounts have been permitted to be opened also online, and without any restrictions. Are all these bank accounts genuine?

Reports in October 2017 pointed out that LPG subsidy of about ₹167.8 crore due to ₹37.21 lakh consumers was deposited in bogus Airtel Bank accounts, without the knowledge of the consumers (*Times of India* 2017). This shows that fake accounts can be opened using only Aadhaar numbers without the knowledge of the genuine holders of the said numbers. It also shows that money can be siphoned off with the help of Aadhaar numbers, genuine and non-genuine.

So, contrary to the claims of the government, any PAN allotted based on Aadhaar cannot confirm the identity of its holder and no person can vouch for the identity of the PAN holder whose PAN has been allotted based on Aadhaar. There is thus no basis for the claim that Aadhaar establishes the identity of the PAN holder. To whom, then, were the 20,75,88,263 PANs based on Aadhaar—44% of all PANs of which 20,74,93,867 are less than five years old—allotted?

The UIDAI provides no evidence or basis for the claim that Aadhaar linkage to PAN can eliminate black money or fraud. In fact, Aadhaar linkage to PAN makes it impossible to establish the identity of the PAN holder as it destroys the requirement of Section 13A(2) of the Income Tax Act, 1961, which placed the responsibility of identifying the PAN holder on the assessing officer. Furthermore, by the logic of Section 139AA, a PAN linked to an Aadhaar number that was generated using a fake PAN would be considered to be genuine. Contrary to establishing the identity of a PAN holder with certainty, the Aadhaar linkage destroys the identity of PAN holders whose PAN is associated with any Aadhaar. It allows a benami Aadhaar number to legitimise a PAN obtained using a benami Aadhaar number. It enables benami transactions by using uncertified, unverified, and unaudited Aadhaar numbers as a financial “address” and the basis for innovation of financial payment systems. This makes it impossible to track money-laundering and eliminate black money (Saraph 2016).

The government’s claim, therefore, that the linkage of PAN to Aadhaar will end black money and money-laundering and

will direct subsidies to genuine beneficiaries holds no water. This is not just embarrassing for the CBDT, it is disastrous for the financial system of the country and its reporting under FATCA and CRS.

### Genuineness of Reported Financial Information

Transactions undertaken through the formal economy can be tracked using an identifier such as PAN, provided the genuineness of the transaction and the authenticity of the PAN can be established. The genuineness of a transaction depends on the correct identification of the transacting parties and the instruments and the payment systems used to settle the transactions. If the PAN is based on an uncertified, unverified, and un-audited ID, such as the Aadhaar, it fails to establish the genuineness of the transacting individuals.

It is common sense that a financial instrument connected to an “old” PAN for a long time is more likely to be genuine than that connected to a “new” PAN for a short time. Similarly, transactions undertaken with an old PAN establish a history of credibility, as against those undertaken with a new PAN. The government currently does not distinguish holdings or transactions based on the age of the PAN, however.

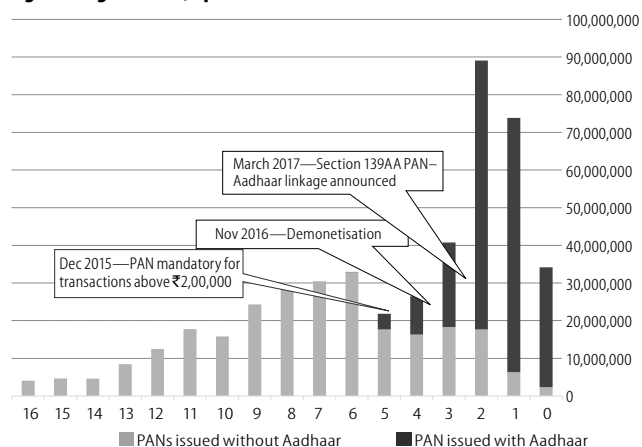
We can establish the age of all PANs in circulation from the data obtained from the CBDT under the RTI in August 2019 (Figure 3). The analysis shows disturbing trends: We find that 60.8% (28,61,04,752 PANs) have an age of less than five years (allotted in FY 2015–16 or later). Of these, 72% (20,74,93,867) were allotted in the last five years using Aadhaar to establish identity. Another 27% (7,86,10,885) used other documents to establish identity. The remaining 39% (18,38,06,056 PANs) are older than five years (issued before March 2015) and 99.94% of these have been allotted with IDs other than Aadhaar.

About 38.4% (1,01,64,835) of the PANs allotted in FY 2015–16 (or four-year-old PANs) are based on Aadhaar. These were issued soon after PAN was made mandatory for transactions above ₹2,00,000 in December 2015. In total, 55.10% (2,24,60,199) of the PANs allotted in FY 2017–18 (or three-year-old PANs) are based on Aadhaar. They were issued soon after demonetisation was announced in November 2016. Around 86.6% (17,07,03,256) of PANs allotted in FY 2017–18 to FY 2019–20 (or less than two-year-old PANs) are based on Aadhaar. These were allotted soon after the introduction of Section 139AA in March 2017.

Holding financial instruments with an Aadhaar number or a PAN based on Aadhaar does not establish the identity of the holder. Neither the UIDAI nor the CBDT can certify that the person allotted a PAN using Aadhaar has been identified by them or is the same person transacting as the one who was allotted the Aadhaar or PAN based on Aadhaar. The rise in bank accounts opened under the Pradhan Mantri Jan Dhan Yojana solely with Aadhaar as a proof of identity, and the rise in the deposits in these accounts following demonetisation is just the tip of the iceberg of evidence that the Aadhaar–PAN linkage has likely unleashed a spate of money-laundering.

Furthermore, only a small proportion of PAN holders are taxpayers. A “taxpayer” is a person whose tax has been deducted at source in the relevant financial year, irrespective of

Figure 3: Age of PANs, up to March 2020



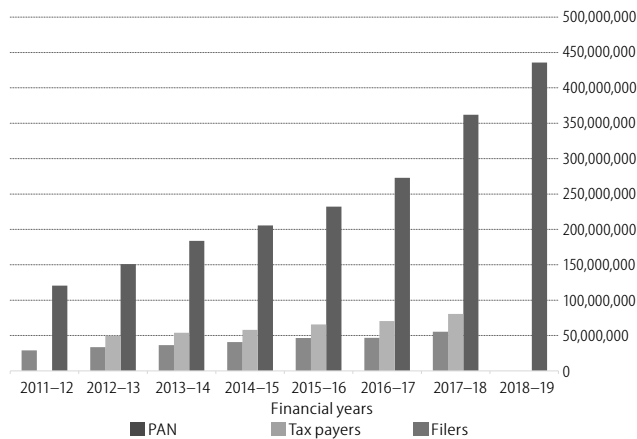
The x-axis shows the age of PAN cards and the y-axis shows the number of PAN cards issued. Source: Data provided by CBDT under the RTI.

whether the taxpayer has filed for a return of income. The CBDT does not define a genuine taxpayer. It is, however, common sense that if the same PAN has been used multiple times for paying taxes and also for filing returns with the assessing officer, and the assessing officer has assessed these returns, then trust in the identity of the taxpayer and, consequently, in the authenticity of the PAN used to identify that taxpayer has been well established. If, on the other hand, a PAN has never been used to pay taxes or to file returns, or it has been used very few times, its genuineness would be suspect.

Unfortunately, the CBDT does not categorise PANs into those that have never been used for financial transactions (inoperative), those that have been used for financial transactions but not associated with tax payments (operative), those that have been used for financial transactions and have been attached when paying tax, though no returns were filed (taxpayers), and those that have been used for financial transactions and are associated with tax payments and filed returns (taxpayers and filers of IT returns). From the data about taxpayers and filers made available by CBDT (Income Tax Department 2012, 2013, 2014a, 2015b, 2016, 2017a, 2018, 2019a), it is evident that the number of PANs allotted has increased exponentially, especially after 2015–16. The percentage of PAN holders paying tax has dropped from 32.87% in 2012–13 to 22.23% in 2017–18. The percentage of PAN holders filing tax returns has dropped from 24.01% in 2011–12 to 15.27% in 2017–18 (Figure 4). If anything, Aadhaar linkage to PAN has increased the number of PANs allotted but does not appear to have contributed to increased payments of tax or increased filing of tax returns.

To comply with FATCA or exchange information based on Article 6 of the Convention on Mutual Administrative Assistance in Tax Matters under the CRS, the allotment of a huge number of PANs is not required. It only requires establishing that the account holder is genuine. Genuineness is established by the history of financial transactions, not by a repeated updating of the demographic or biometric data of individuals. Neither Aadhaar linkage nor the repetitive “know your customer” (KYC) exercises directed by the Reserve Bank of India (RBI) in 2016 (Reserve Bank of India 2016b) establish genuineness.



**Figure 4: Yearly Number of PANs Allotted, Taxpayers, and Filed Returns**

Taxpayer data for 2011-12, 2018-19 and filer data for 2018-19 were not available.  
Source: Income Tax Department (2012, 2013, 2014a, 2015b, 2016, 2017a, 2018, 2019a).

While Aadhaar linkage can hijack financial instruments by linking them to different Aadhaar numbers or transacting using Aadhaar payment systems, repetitive KYC exercises enable replacement of original documents to hijack accounts.

### Introduction of Section 139AA

Section 139AA requires the linking of an Aadhaar number to an existing PAN to ensure that the PAN remains “valid.” The government further made Aadhaar usable in place of PAN (CBDT 2019). Both directives ignore and violate at least the intent behind Section 139A(2) of the Income Tax Act, which requires that the PAN be allotted by the assessing officer. They ignore that Aadhaar numbers were also allotted using PAN as a proof of identity, so if a fake PAN was used to obtain Aadhaar, linking Aadhaar cannot distinguish fake PANs from genuine ones. Ignoring the intent of Section 139A(2), therefore, allows unverified individuals to undertake financial transactions that were not possible before, while blocking verified individuals who have a tax history of paying tax and/or filing returns. We reiterate that this allows benami Aadhaar accounts to legitimise a PAN that is obtained using the false Aadhaar. Section 139AA, therefore, also allows the same individual to hold multiple PANs by holding multiple Aadhaars and makes real the possibility of diverting personal income into several PANs, resulting in tax evasion.

Such a linkage will also merge the 39% of PANs (18,38,06,056 PANs) that are more than five years old (as of August 2019)—99.94% of which have been allotted with IDs other than Aadhaar, a large proportion of which represent taxpayers and filers of income tax returns, and thus whose identities have been verified multiple times—with the 72.5% (20,74,93,867) of PANs that are less than five years old and have been allotted based on Aadhaar as a proof of identity, the majority of which have no tax history attached.

Once an Aadhaar is linked to a PAN, or is used in place of a PAN, the government replaces the PAN as the primary identifier of taxpayers with Aadhaar. This makes PANs allotted on the basis of an Aadhaar indistinguishable from PANs allotted using other IDs and with a tax history. This means that benami PAN,

and consequently benami transactions, become even more difficult, if not impossible, to trace.

A PAN created with Aadhaar or linked to Aadhaar transfers the creation and updation of demographic and biometric data to organisations and by processes that are not controlled, certified, verified or audited by the CBDT. It, therefore, becomes impossible to establish the identity of the person holding a financial instrument or undertaking a financial transaction.

Once Aadhaar is linked to financial instruments, it also enables money transfers using Aadhaar payment systems that have volatile mapping to bank accounts, which can make money transfers untraceable, facilitating money-laundering (Saraph 2016, 2017). The increase in PAN numbers linked to Aadhaar, or the use of Aadhaar authentication,<sup>14</sup> creates a false sense of identification,<sup>15</sup> while legitimising money-laundering through millions of benami PANs.

With the introduction of Section 139AA, millions of benami PANs used for parking black money, parking bribes, siphoning subsidies from the Consolidated Fund of India, making fake insurance claims, owning or transacting assets, or creating non-performing assets (NPAs) through fake borrowing will remain untraceable. India will have replaced Panama as a tax haven.

It is astonishing, therefore, that there is coercion to link Aadhaar to PAN. It is curious as to why a newly created, large, and unverified pool of PANs allotted based on Aadhaar is being merged with PANs that have a filing and tax-paying history that is critical for both financial reporting and financial health.

### Danger of Linking Aadhaar to PAN

Anyone wishing to link an Aadhaar to PAN must obtain an Aadhaar. Once an individual has an Aadhaar number, anyone in possession of their Aadhaar number can obtain a PAN in their name, open bank accounts in their name, obtain subsidies, claim insurance, obtain loans, or do any transactions in their name without assessors having the ability to distinguish whether it was the real person or an impersonator. It is not only a disproportionate risk; it is one that has little or no redressal and cannot be retracted.

Even if an individual is spared these horrors, the failure of Aadhaar authentication during a transaction or its deactivation by the UIDAI can cause civil death, as every other ID linked to the Aadhaar too will fail (Acharyulu 2018). Such reliance on a single number is bad by design.

Aadhaar does not establish anyone's identity (Saraph et al 2018). It establishes nothing. It lacks any credibility to even serve as a basis for identification (Saraph et al 2016). To establish identity, the UIDAI would have to be present at every location where the transactions using Aadhaar take and certify the user's identity. Legal documents, for example, require two witnesses to identify the transacting parties in person. Immigration officers are required to be present to certify identification. Bank officers have to be present to establish the identity of the account holder.

Even in order to serve as a basis for identification, the UIDAI would have to establish the credibility of Aadhaar by

certifying the biometric and demographic data associated with each Aadhaar. The UIDAI would also have to provide information about the source of the biometric and demographic information, including the name of the operator, the enrolment agency, and the registrar, as well as the details of the primary identification documents relied upon for issuing each Aadhaar.

### Way Ahead for Ministry of Finance

If the ministry intended the Aadhaar–PAN linkage to be a means to meet its FATCA and CRS obligations as it stated to the Supreme Court (*Binoy Viswam v Union of India and Ors* 2017), it has created exactly the opposite effect. If it is serious about meeting its obligations under FATCA and CRS and wishes to ensure the financial integrity of India, it needs to take urgent steps to do more than just end the Aadhaar–PAN linkage.

Contrary to the government's claims, Aadhaar linkage will generate incorrect or fictitious PANs and cause the very embarrassment that the government claimed that it wanted to avoid in complying with FATCA and CRS (*Binoy Viswam v UoI and Ors* 2017). Protecting the integrity of the financial system and ensuring that it meets its reporting obligations under FATCA and

CRS requires the immediate termination of use of Aadhaar for any financial transactions or for the issuance of any other identification documents.

Furthermore, to ensure that justice, dignity, and financial integrity of every person and the state are protected in India, there is no option but to delete Section 139AA and all acts and rules that have notified the use of Aadhaar. The prima facie evidence presented is also enough to warrant an investigation into the generation of PAN solely on the basis of Aadhaar and the transactions undertaken with these PAN cards and the RBI directive regarding re-KYC. There are also sufficient grounds to require a thorough investigation of how third parties, like the UIDAI, have ended up diluting the role of financial bodies and absolving them of legal liabilities without taking on any legal liability itself.

The ministry also needs to urgently create a mechanism whereby its basic role and responsibilities will not be outsourced or taken over by third parties, like the UIDAI, that have no similar and symmetrical consequences for financial fraud. The curious case of the Aadhaar–PAN linkage has deep lessons of how trojan horses can take over and destroy the financial integrity of an entire nation.

### NOTES

1 CRS is an information standard for automatic exchange of information (AEOI), to ensure reporting and due diligence for financial account information as part of a global standard proposed in 2015 by the OECD, at the request of the Group of Eight (G8) and the Group of Twenty (G20) countries. This standard pertains to the annual cross-border exchange of information on financial accounts. Because the standard shares a lot of similarities with FATCA, it is informally referred to as GATCA (a "global" version of the FATCA).

2 See sections added under circular DBR.AML.BC.NO.36/14.01.001/2015-16, dated 28 August 2015, to operationalise FATCA.

3 The RTI Act (2005) sections cited by the CPIO state: "8(1)(a) information, disclosure of which would prejudicially affect the sovereignty and integrity of India, the security, strategic, scientific or economic interests of the State, relation with foreign State or lead to incitement of an offence; 8(1)(d) information including commercial confidence, trade secrets or intellectual property, the disclosure of which would harm the competitive position of a third party, unless the competent authority is satisfied that larger public interest warrants the disclosure of such information; and 8(1)(e) information available to a person in his fiduciary relationship, unless the competent authority is satisfied that the larger public interest warrants the disclosure of such information."

The government denied information about (i) certified copies of file noting that traces the decision to invalidate PAN of genuine taxpayers and refuse to provide them an ability to file income tax returns without Aadhaar; (ii) the names and designations of officials who recommended and drafted 139AA of the Income Tax Act and certified copies of the file noting to show the basis for their decisions; (iii) the names and designations of officials who certify that the demographic and biometric data associated with each Aadhaar number belongs to the same person and does not belong to a ghost or a duplicate.

4 For instance, the conflict of interest caused by these organisations that are involved in financial activities that create tax liabilities themselves being the ones to generate PAN for government tax purposes.

5 Persons with an assessable income under the Income Tax Act, who are carrying on any business or profession whose total sales, turnover, or gross receipts exceed ₹5 lakh, are required to furnish a return of income statement from charitable or religious purposes, or being employers, are required to furnish a return of fringe benefits.

6 According to the Aadhaar enrolment/update/correction form ([https://uidai.gov.in/images/aadhaar\\_enrolment\\_correction\\_form\\_version\\_2.1.pdf](https://uidai.gov.in/images/aadhaar_enrolment_correction_form_version_2.1.pdf)), each of the following are valid as proof of identity: (i) Aadhaar card issued by the Unique Identification Authority of India (UIDAI); (ii) elector's photo identity card; (iii) driver's licence; (iv) passport; (v) ration card having photograph of the applicant; (vi) arms licence; (vii) photo identity card issued by the central government, state government, or a public sector undertaking (PSU); (viii) pensioner's card having photograph of the applicant; (ix) Central Government Health Scheme (CGHS) card or Ex-Servicemen Contributory Health Scheme (ECHS) photo card; (x) certificate of identity in original signed by an MP, MLA, municipal councillor, or a gazetted officer; and (xi) a bank certificate in original on the letter head from the branch.

7 According to the Aadhaar enrolment/correction/update form ([https://uidai.gov.in/images/aadhaar\\_enrolment\\_correction\\_form\\_version\\_2.1.pdf](https://uidai.gov.in/images/aadhaar_enrolment_correction_form_version_2.1.pdf)), each of the following are valid as proof of address: (i) Aadhaar card issued by the UIDAI; (ii) elector's photo identity card; (iii) driver's licence; (iv) passport; (v) passport of one's spouse; (vi) post-office passbook having address of the applicant; (vii) latest property-tax assessment order; (viii) domicile certificate issued by the government; (ix) allotment letter of accommodation issued by the central government or state government, if not more

than three years old; (x) property registration document; (xi) electricity bill; (xii) landline telephone or broadband connection bill; (xiii) waterbill; (xiv) consumer gas connection card or book or piped gas bill; (xv) bank account statement; (xvi) depository account statement; (xvii) credit card statement; (xviii) original certificate of address signed by a member of Parliament (MP), member of legislative assembly (MLA), municipal councillor, or a gazetted officer; and (xix) original certificate from one's employer.

8 According to the Aadhaar enrolment/correction/update form ([https://uidai.gov.in/images/aadhaar\\_enrolment\\_correction\\_form\\_version\\_2.1.pdf](https://uidai.gov.in/images/aadhaar_enrolment_correction_form_version_2.1.pdf)), each of the following are valid as proof of date of birth: (i) Aadhaar card issued by the UIDAI; (ii) elector's photo identity card; (iii) driver's licence; (iv) passport; (v) matriculation certificate or mark sheet from a recognised board; (vi) birth certificate issued by the municipal authority or any office authorised to issue birth and death certificates by the registrar of births and deaths or by the Indian consulate as defined in clause (d) of sub-section (1) of Section 2 of the Citizenship Act, 1955 (Act 57 of 1955); (vii) photo identity card issued by the central government, a state government, or a central or state PSU; (viii) domicile certificate issued by the government; (ix) CGHS or ECHS photo card; (x) pension payment order; (xi) marriage certificate issued by the registrar of marriages; and (xii) affidavit sworn before a magistrate stating the date of birth.

9 RTI filed by Anupam Saraph on 18/07/2019, UTIITSL data received on 19/08/2019, NSDL data received on 29/08/2019. The original Excel files received from the CBDT are available on the EPW website at [https://www.epw.in/system/files/article\\_documents/2020\\_35\\_Saraph-Krishnan\\_Data-UTIITSL.xlsx](https://www.epw.in/system/files/article_documents/2020_35_Saraph-Krishnan_Data-UTIITSL.xlsx), [https://www.epw.in/system/files/article\\_documents/2020\\_35\\_Saraph-Krishnan\\_NSDDL-Dat.xlsx](https://www.epw.in/system/files/article_documents/2020_35_Saraph-Krishnan_NSDDL-Dat.xlsx).

10 See note 6.

11 RTI response to the author.

12 RTI response to the author.

- 13 Confirmed by UIDAI that it has no information about the documents used to allot Aadhaar numbers in RTI replies to the author.
- 14 The matching of demographic or biometric data associated with an Aadhaar number.
- 15 Establishing the identity of a person and holding the identifying authority responsible for the identification.

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# India's Envoy to China 1961–63

## P K Banerjee's China Days

KISHAN S RANA

This essay is based on P K Banerjee's (1917–2003) book, *My Peking Memoirs of the Chinese Invasion of India* (Banerjee 1990), published 14 years after he retired from the Indian Foreign Service (IFS).<sup>1</sup> I have my own connection to the story as I reached Beijing in August 1963, spending five months under his leadership, till he left China in December 1963.<sup>2</sup>

In 1947–48, when the Ministry of External Affairs was under formation, around a score of young, well-connected people were taken into the IFS; some princes, a few armed forces officers, and others from diverse vocations. The choice was made by Prime Minister Jawaharlal Nehru, concurrently minister of external affairs till his death in June 1964. Direct IFS recruitment, through Union Public Service Commission examinations, also commenced in 1948. The rationale for the ad hoc appointments was that it brought in people with diverse experiences; most acquitted themselves well.<sup>3</sup>

P K Banerjee (PKB) joined the IFS in 1948, via that ad hoc track; he had studied at Calcutta (MA), and then in the US: law at New York (LLM) and Harvard (PhD). Possibly, PKB enjoyed political support that brought him to the Prime Minister's notice.<sup>4</sup>

In mid 1961, when tensions between China and India had escalated to a new high, New Delhi decided to withdraw Ambassador G Parthasarathy (1912–95) from Beijing; having been there since 1958, he was at the end of his term, but this was a political gesture. In diplomatic usage, such action signals displeasure. But unless the issue is resolved rapidly, it leaves the embassy bereft of senior leadership. In a deliberate move, PKB, Counsellor at the Indian Embassy in Tokyo since 1959 (also Chargé d'affaires for some time), was instructed to go direct to Beijing (via Hong Kong, the only air route available) and take charge. PKB had no experience of China. The ambassador in Tokyo protested at losing his deputy head of mission, but to no avail. PKB arrived in Beijing in July 1961. Ambassador G Parthasarathy departed about a fortnight later.

Even in the normal course, Indian diplomats, regardless of rank, make embassy-to-embassy transfers via New Delhi, to acquaint themselves with the new assignment requirements, read political and other reports, and consult officials in the territorial division and others, at business chambers, and academic experts.<sup>5</sup> MEA provides guidance to the official,

the more so with a major assignment. PKB was bitter that he was forced to go directly to China, and that he was not called to Delhi even once during the build-up to the 1962 war. He made his first visit to Delhi only in January 1963. PKB writes about his missed briefings, adding "but the tin gods of MEA had little understanding of these matters" (p 10).

### R K Nehru's July 1961 Visit

MEA Secretary General, R K Nehru (RKN) visited Beijing in July 1961, reaching the Chinese capital, just as PKB reached there. PKB wrote about airport arrival drama, as RKN felt he was not received at the proper level; he refused to travel in the Chinese official vehicle. He was also upset that only President Liu Shaoqi was initially slated to receive him. He later travelled to Shanghai in a Chinese special aircraft with Ambassador GP, to meet Premier Zhou En Lai and Foreign Minister Chen Yi, who were visiting Shanghai.

Former MEA Historical Division expert A S Bhasin's (2018) five-volume collection, *India-China Relations 1947–2000: A Documentary Study* has no Indian document on RKN's China visit. The only known outcome of those talks was that Ambassador GP and the Chinese Foreign Ministry's Director Asia Zhang Wenqing held detailed talks. The Bhasin collection contains the full text of the two rounds of discussions held in Shanghai, on 17 July, and a third and final round held in Beijing, on 19 July 1961.<sup>6</sup> These are China's transcripts, which Beijing gave to the Woodrow Wilson Center, Washington DC.

Those were the last substantive India–China talks before the outbreak of the 1962 war. That official bilateral dialogue did not resume till Eric Gonsalves, then Secretary (East) in the Indian MEA, visited Beijing in January 1980.<sup>7</sup>

After RKN left China in late July 1961, there was an uproar in the Indian parliament over what the opposition saw as appeasement; RKN told the Hong Kong media (on the way to Delhi) that he had only gone to "inspect the Indian embassy;" he had met Chinese leaders as a courtesy and not to negotiate anything (pp 11–16, 23–24). PKB adds: this produced a "very strong protest" by Vice Foreign Minister Keng Piao over "untrue" statements by RKN; China said that RKN had first approached the Chinese Ambassador in Delhi, to make a visit to discuss matters of mutual interest; China invited him on that basis, adding that during his meetings, RKN did not make any claims over the disputed border and conveyed no warning. PKB added

that he had no information on subsequent developments and depended on press reports to give a general reply to Chinese interlocutors over what had happened after RKN left China. The incident reflects the India–China distrust of that time.

### Some Observations

Another element has received scant attention. Through the period s from April 1961 to August 1963, the Indian Embassy in Beijing had no Chinese-speaking official, after Second Secretary S K Bhutani (who had learnt Chinese at Beijing), left the embassy in April 1961, ending his normal term. A K Das (1958 batch) and C V Ranganathan (1959 batch) completed language studies at Hong Kong in July–August 1962; Das was posted to MEA and went to Delhi in August 1962.<sup>8</sup> Ranganathan was to move to Beijing in October 1962, but that was cancelled, and he also went to Delhi. Why neither was sent to the embassy in Beijing is a mystery. It seems PKB did not demand this from MEA, as was his right.

In May 1963 Foreign Secretary M J Desai met PKB during an airport transit halt at Hong Kong (PKB had specially come to Hong Kong to meet this high dignitary). The foreign secretary heard out PKB's complaint about a language-competent official, waved his hand at me, and instructed that I should go to Beijing as soon as my language course ended; he decreed that mine should be a short six to eight month assignment (meaning no home leave), while MEA located someone else. I received no instructions, either from MEA or the embassy setting a time schedule and reached Beijing in mid August 1963, with First Secretary A K Damodaran and his family.<sup>9</sup>

I was at the Indian Embassy, Beijing, for two years, initially as a third secretary, promoted to second secretary some months later. The first five months were under PKB. As the junior diplomat for the first year (until Bhupat Oza, 1961 batch, reached Beijing in August 1964), I was not privy to all the political information, but at our daily morning meeting (long a custom at this embassy), many issues were discussed in open, collegial fashion. I often joined PKB at his bridge table at post-dinner sessions, at least once a week, when again many issues informally came up, especially when the foursome consisted of embassy colleagues. Many points made in PKB's book figured in those discussions. To me, the book's narrative rings true, in terms of what he understood, as India's man on the spot in China.

### Banerjee's Story: The Early Phase

[PKB does not specify exact dates of some meetings with Premier Zhou; each is numbered with a hashtag "# sign].<sup>10</sup>

PKB met Premier Zhou for the first time at a dinner for Chen Yi, back from Laos conference

in Geneva, and exchanged toasts with him. He was summoned to his first meeting [#1] with Zhou (probably in September–October 1961); a message came in the early evening that day, for a meeting after midnight.<sup>11</sup> Zhou told him that he wanted to use PKB for direct communication with Nehru; he praised Nehru in a 40-minute statement. He asked this be conveyed to Nehru and to avoid leaks to Indian newspapers (pp 25–26).

PKB met Chen Yi (date not mentioned) after India's Goa action of 18 December 1961,

Chen Yi listened to me with almost cold indifference ... said that China was a peace-loving country and did not believe in military action to solve international problems ... I included an account of Chen Yi's performance and pronouncements in my daily telegram. (p 27)

PKB had his second post-midnight meeting with Zhou (#2) (date unclear, probably late December 1961). Zhou requested Nehru to stop the exchange of protest notes, saying

they were useless and counterproductive. If Mr Nehru would agree he would also instruct his foreign office to stop sending notes of protest. He seemed most serious and earnest ... He said that Mr Nehru was badly advised and influenced ... he (Nehru) did not know about protest notes sent ... I told him that his analysis was incorrect. (pp 28–29).

Vice Premier and FM Chen Yi attended the Indian National Day reception on 26 January 1962 (p 33). Some months later Premier Zhou signed the Embassy condolence book at the demise of President Zakir Hussain, in May 1962.

### An Indian initiative, June–July 1962

PKB received a top secret/personal telegram, without the sender's name (unusual in Indian practice; date not mentioned, probably early June 1962), asking him to meet Zhou and inform him that India would be prepared "to send a ministerial-level delegation to Peking to discuss, without preconditions, all bilateral problems and disputes." He asked to meet Zhou, but was informed the next day that Zhou was occupied; Chen Yi would receive him. "Chen Yi said that it was not acceptable unless the Govt. of India unequivocally and publicly withdrew all fictitious and false claims on Chinese territory. The present proposal was ... a trap and therefore not acceptable." PKB sent a telegram to Delhi based on that reply. He never received a response or heard further about this exchange. PKB wrote: "I had fairly clear idea as to who was behind this proposal and playing this game."<sup>12</sup> Soon thereafter, the Soviet Deputy Chief of Mission called on PKB and asked about the "new proposal," and on hearing about Chen Yi's response, said "have patience and persevere." PKB adds: "I saw Soviet Union's wishful thinking and how they were influencing Mr Menon and company in New Delhi." MEA sent a diplomatic note on 26 July 1962 (through the Chinese Embassy in Delhi), indicating willingness to enter into further discussions, in an

appropriate climate. PKB wrote: "I had difficulty in understanding what was in the mind of our policy-makers, in view of the repeated and clear rebuffs" (pp 51–52). Nothing further was heard about that effort.<sup>13</sup>

PKB's third meeting with Zhou took place 4 August 1962, at one hour's notice (#3). The Chinese Premier referred to PKB's discussions with Chen Yi and the Indian note of 26 July; PKB's assessment:

they would agree to meet India and hold such talks but entirely on China's terms ... India should withdraw from Chinese territory and not make further excuses ...

PKB replied to Zhou in terms of the 50,000 sq miles of area China hoped to get, and evoked the recent history of Indian gestures, including the San Francisco Peace Treaty, 1954 Tibet agreement, Bandung Conference of 1955. Zhou "looked upset." He raised the Tibet issue, adding "India had allowed the installation of modern devices to spy on China." (pp 53–54)

PKB decided not to send a telegram on this conversation

because there was every chance of a leakage, even with a top secret/highest security telegram. Instead I decided to send a top secret/personal letter ... to M J Desai (Foreign Secretary) ... with a request that it be shown to the PM by himself personally. I never received a reply, though Mr Nehru answered Zhou's allegations ... at a press conference in Colombo on 15 October 1962. (p 54)

Very little is known about this particular initiative. It was the very last Indian effort to reach out to China before the outbreak of the 1962 Border War. It is likely that by July 1962 the die was cast; China had decided to hit hard across the Himalayan border. This is indirectly corroborated by the information that Henry Kissinger provides in *On China* (2011). Kissinger writes:

Chinese leaders were concerned that the us would use the looming Sino-Indian conflict to unleash Taiwan against the mainland. Chinese negotiator at Warsaw Ambassador Wang Bingnan was recalled from his vacation, sent back to Warsaw. At a special meeting with his us counterpart; Wang alleged that China had noted preparations in Taiwan for a landing in the Mainland. The us representative replied some days later, after checking with Washington dc, that "under present circumstances" the us would not support a Nationalist offensive. Wang later noted in his memoirs that this "played a very big part" in the decision on the operations in the Himalayas. Kissinger adds: that no one in Washington asked why the Chinese had sought a special meeting: "It was a difference between a segmented and comprehensive approach to policy-making." (Kissinger 2011: 159)

### Border War

PKB writes (summary): 8 September 1962: A large number of Chinese troops crossed into NEFA for the first time. On 19 September, India expressed its readiness to hold talks, but affirmed also its determination to maintain territorial integrity of India. On 6 October, India again said that no

talks were possible unless China at least withdrew forces in eastern sector to their side of the known international frontier (p 62).

PKB was summoned on 24 October 1962 to meet Zhou after midnight (#4). "Atmosphere was definitely chilly" (p 64). Following is the summary of Zhou's position as one can gather from PKB's account. According to Zhou, an unfortunate and avoidable war was going on, killing innocent Chinese and Indian troops on an otherwise calm border. He had always tried to prevent such a deplorable situation. The Indian army had launched a massive and surprise attack on the Chinese territories and the Chinese could not just stand back and watch. Nehru, while on his way to Colombo very recently, confirmed in Madras, in reply to the press, that he had ordered the Indian military to "throw out the Chinese invaders."

He then said that the conflict had to stop, it had to end! He had therefore written a letter to Mr Nehru with three proposals: (1) the two countries should immediately agree to respect quote the line of actual control unquote, and their armed forces should disengage and withdraw 20 km from this line; (2) the Chinese troops in the eastern sector would withdraw north of the line of actual control; (3) the Prime Ministers of the two countries should meet to seek a friendly and peaceful settlement. He added that, through me, he would like to appeal to Mr Nehru He wanted Mr Nehru to respond in a positive and constructive manner.

PKB gave detailed reply, adding:

China had agreed in 1960, when Zhou had visited New Delhi, to maintain the status quo in the NEFA area. At this point he interrupted me sharply by saying that it was not true; he had never given such an assurance. (p 65)

PKB adds: "I was very annoyed that MEA had not kept me informed about such important press statements and press conferences given by Mr Nehru concerning China and India" (p 65).

One night (possibly early November 1962), PKB asked MEA for authorisation to send back families and non-essential staff. When the embassy tried to send this cypher telegram (the customary communication method; the Indian Embassy had no radio link), the post office refused, on the grounds that the machinery was not working. PKB adds: "The Chinese Embassy also did not have any direct communication."<sup>14</sup> PKB writes: he had discussed with the embassies of Britain and Yugoslavia standby arrangements to send urgent and secret telegrams. That worked well until the Chinese ceasefire on 20 November 1962, when the embassy's telegram links were restored (pp 68–69).

### The War Ends

On 19 November 1962, PKB received a message that Premier Zhou wanted to see him at midnight (#5). Zhou talked non-stop for 45 minutes:

It was a monologue on the same old themes: his relationship with Mr Nehru, the glorious friendship with India, the fight against imperialism, the Bandung Conference, Asian African solidarity,

the effects of the intrigues by imperialist countries to separate India and China for their own global interests, Mr Nehru being misled with wrong advice, and how Mr Nehru who had championed the cause of the nonaligned countries, allowed himself to be aligned with the imperialist powers and was receiving vast military aid and advice from them headed by the United States of America. He added that Mr Nehru should realize all this when there was still time to stop the war and negotiate. Zhou wanted me to send his remarks and appeal to Mr Nehru, urgently.

When PKB told Zhou that almost since 20th of October, his embassy had been cut off from telegraph facilities, Zhou looked at him and said: “you are misinformed and misguided, the telegraphic facilities have always been available to you at all times” (p 72). PKB adds: “True enough; the telegram he drafted at dawn was accepted by the telegraph office.”

On 20 November, while PKB was at a Swedish party he received a phone call at 10 pm that Zhou wanted to meet him at half an hour past midnight (#6). PKB went in the company of First Secretary K B Row. Zhou conveyed to him China's declaration of the unilateral lateral ceasefire starting at midnight of the 20th, and his three-point proposal. When PKB asked for a copy of the document, (it was almost 2 am), Zhou said that the proposal had been announced to the press just before midnight. Zhou added that it was important for PKB to send to Nehru the text of his remarks (p 74).

### Banerjee's Analysis

PKB's then narrates his analysis of China's motivation for the attack, and subsequent exchanges on the three-point proposal, and Colombo Proposals (pp 76–83).<sup>15</sup>

I have often thought, discussed, and read about the possible reasons for the Chinese attack on India and the subsequent withdrawal and ceasefire ... Mao's historical success proved that, unlike the Russian interpretation of Marx and Lenin, his revolution's success was not dependent on an industrially associated urban base; the masses from the backward and oppressed rural community brought about the glory of success ... he knew better than Krutchev (sic) and the Russian Communist party the future plans and military strategy to convert the world over to communism. (p 77)

He further adds:

Attack and doctrinal subjugation were the first steps in Mao's master plan. If and when India fell, the other countries or Asia would, out of fear, follow the same pattern. India did not fall, but during the period of the India–China conflict, all the immediate neighbours of India were neutralised and drew closer to China. So far as India was concerned, Mao's first experiment was made when the Chinese forces invaded Tibet in October 1950 ... in 1954, under the Sino Indian agreement, India relinquished her special treaty rights over Tibet, inherited from the British as the successor state, under international law. China declared Tibet an autonomy. Of course the expression “autonomy” was interpreted differently in Peking and New Delhi. (p 77)

PKB is critical that India not only looked on complacently, but went about canvassing at the United Nations and elsewhere in favour of China as a peace loving and friendly nations. Thus, Mao's first experiment to become the Asian Super Power was a success.

A few years later Mao decided to end China's “honeymoon” with India and gradually created a situation in which he could later make a major and massive military attack on India, destroying her prestige, influence, Image, and politico-economic organisations. (p 78)

Mao generally believed that the right time had come. With a sudden and surprise attack, the government of India would crash and approve Chinese communist party in India would take power ... Instead of the downfall of the Nehru government and the seizing of power by the communist party of India, the Chinese invasion united the people of India in an unprecedented manner. (pp 78–79)

PKB's analysis is written in hindsight, and since he was continually at foreign assignments after leaving China at the end of 1963, till he retired from the Foreign Service in 1976, he had no exposure to official thinking on China. Clearly, his analysis is conditioned by his own experiences in Beijing in 1960–63. The notion that Mao was motivated by an expectation that Indian communists might seize power after the 1962 war is not supported by any other source or supporting information.

### Banerjee's Visit to Delhi

The foreign secretary instructed PKB to come to Delhi for the visit by Sri Lanka Prime Minister, S Bandaranaike.<sup>16</sup> On 7 January 1963, just before his departure for Delhi, PKB was asked to meet Premier Zhou “alone at midnight” (#7).

He was in a pensive mood and somewhat tired, and said that as I was soon to return to New Delhi for consultations, he would like me to carry his very personal and verbal message only for Mr Nehru's ears. He continued that war never solved any problems but only created new ones. The recent conflict has brought loss and tragedy to so many families ... China stood firmly behind the unilateral declaration of 20 November 1962 and accepted the Colombo proposals. Both were important. But more positive steps were urgently required besides public declarations and political statements. Mr Nehru, a man of high philosophy and great vision, and he had known each other personally over a period of many years (sic). He understood Mr Nehru's current political predicaments but Mr Nehru should try and understand his position as well. Mr Nehru should help Mr Zhou Enlai's hand, and a hand extended in friendship and corporation. In order to do this he suggested two steps for Mr Nehru's consideration: (1) for the next 3 months, Mr Nehru and he would stop making negative statements about each other's country although this may not stop others from making statements of counter-productive nature. (2) Mr Nehru and he should meet as soon as possible with only a small entourage, away from the press and publicity, in an agreed place, in order to exchange ideas for an agreed and joint action to defuse the current situation.

This meeting in total privacy should last no longer than two days. (3) After this meeting, which would further ensure in every way the strengthening of the cease-fire line, the two governments would draw up a program where they could jointly co-operate in areas like trade, science, culture and technology. What was needed was a climate of trust and understanding. When the climate for mutual trust had been created, then the border disputes would be discussed, on a sector-to-sector basis, by the two countries ... He requested me again to give this strictly private and personal message directly to Mr Nehru and on my return to Peking to bring him Mr Nehru's response. (pp 85–91)

When PKB reached Hong Kong on way to Delhi, he was surprised that the local media knew he was carrying a message.

The press, radio, and tv representatives wanted to know what the message was about, which I, naturally, refused to divulge. In New Delhi, many people, including MJ Desai, asked me about the message but I just said it was a message of “warm greetings.” Of course I conveyed to Mr Nehru the full message from PM Zhou, and my own views. At 1st (sic) he expressed no interest but after a few days, when I was alone with him he wanted to know more. In a footnote, PKB adds that when he returned to Beijing he found that the Chinese Foreign Ministry had briefed the Reuter's correspondent about the message. (p 86)

In Chapters 23 and 24 (pp 87–101), PKB recounts at length what happened in Delhi during that visit. He met Nehru at the airport ceremonies for the Prime Minister of Sri Lanka; who told him that he wanted to see him as soon as possible. He was called to meet the Prime Minister that afternoon (probably 9 January 1963). They discussed the Colombo proposals; Zhou's message was not discussed.

At that next meeting with Nehru, PKB gave his views on the Colombo proposals and said:

I told him the present Chinese leaders headed by Mao did not believe in peace but the Colombo proposals almost compelled them to give up war for some time to come. Mr Nehru, while smoking, was listening attentively. He said, “Excellent” and wanted me to go with him to his office in South block. In the car he kept aloof and was mumbling to himself, “What went wrong, where did I go wrong?” During my stay in New Delhi, I was with Mr Nehru a number of times, and used to hear this type of monologue. I realized that the Chinese attack had hurt him in a devastating manner. He was a brilliant intellect which would cope with any situation (sic) that required the reason and logic, but the Chinese the treachery had blacked out reason, logic, pragmatism and tolerance.

Prime Minister advised PKB to meet other Indian leaders, and he met several, including Jaiprakash Narayan; PKB also attended sessions of the conference of the Colombo Powers, besides meeting diplomats of the great powers (pp 93–98). PKB met Prime Minister “every day, sometimes several times.” He was called

to meet Prime Minister at his residence one evening (no date).

He asked me about the message sent by Zhou Enlai ... I repeated that Zhou Enlai had stressed that it was a personal message, which immediately after the meeting with Zhou, I had myself typed out so that no point might be missed ... I gave him the one-page typed message, which I had carried constantly with me inside my wallet. He started reading it and, as he held the page, I thought he was not only reading it carefully but also going over it a few times. He then put down the paper on the table near him and seemed lost in thought. It was all so quiet and yet tense while he remained in deep thought. I was dying for a cigarette ... He returned from his thoughts, looked at me and said that it was not possible since matters had gone too far. He added that during my stay I had met members after government and the opposition, press people, as well as ordinary citizens, and surely I must've reached the same conclusion that no one in India would stand anymore the Chinese bluff and all nonsense. He briefly recalled his efforts to help China with goodwill and friendship, and his close association with Zhou Enlai, whose betrayal had led to fraudulent territorial claims by China and the invasion of India ... It was a melancholy monologue. I could feel his sense of desolation due to the betrayal and collapse of his vision of peace, friendship and coexistence with China. He stopped and looked sad and tired ... He looked at me and with a small smile said let us have some tea ... Mrs Gandhi came in ... After the tea was over Mrs. Gandhi got up to leave and asked me to drop by to see her. Mr Nehru was now more relaxed but soon he became somber again. He picked up the paper and looked at it for a few minutes almost as if he was examining it rather than reading it ... Mr Nehru asked me what game Zhou Enlai was playing. I told Mr Nehru that recently an Albanian diplomat, whom I knew well, told me in confidence that Zhou had in the Chinese Politburo expressed doubts and opposed the plan to launch the attack on India but had been overruled by Mao and other leaders. I did not know how credible his source was, but it was a fact that, in my view, it was chairman Mao who was playing his game, and Zhou Enlai probably only had a role ... He asked me if I had mentioned or shown the substance of Zhou Enlai's message to anyone. I said that I had not. He struck a match, and held the paper to the flames and burnt it over a large crystal ash-tray. He said that from the Indian side it would take more than a quarter of a century to return to any substantive negotiation, provided the Chinese refrained from another attack on India ... The next day, as usual, I reported to MJ in general terms about Mr Nehru's discussion with me. (pp 99–100)

## Return to Beijing

PKB returned to Beijing on 28 January 1963.

A few days later I received a message from Zhou Enlai and went to see him at the usual place and time, midnight (# 8). He asked whether I had given his verbal message to Mr Nehru personally and wanted to know the response. I told him briefly about the current atmosphere in India, and gave him an outline of Mr Nehru's reply, namely, that as

a first step, China should, like India, except the Colombo proposals in toto. India had announced her acceptance on 27 January. After China's acceptance in toto and after the required implementation was completed by both countries, the second step would be to discuss other matters. Zhou Enlai was visibly excited, if not angry, and said he had done everything within his power and that India would be responsible for future stalemates and complications. He said that he would now write formally to Mr Nehru on the matter.

On 3 March, PKB received a message to meet Zhou Enlai (#9). "He said that as Mr Nehru had turned down his personal message, he would like to send a letter through me for Mr Nehru. He requested me to send it to Mr Nehru directly and urgently" (p 111) Prime Minister's reply was given on 5 March (the two leaders repeated their positions on the Colombo proposals and related issues).

## Final Days in Beijing

On 5 April, PKB met Zhou Enlai (#10). That was his last substantive meeting with the Chinese Premier. He describes the meeting as follows.

He appeared cold and tense. There was no trace of his good humor while at the Bandung cocktail party a week before. He said that he had read Mr Nehru's letter of the 5 March many times and the more he read it the more he was convinced that Mr Nehru had lost his sense of reality. The Colombo proposals were only recommendations for further discussions and negotiations. They were not meant to be means of mediation or arbitration. He added that Mr Nehru was practicing distortion and displaying contradictions. For example, Mr Nehru wrote in his letter that, as a positive response to the Colombo proposals, he had given up India's demand for the restoration of the 3 September 1962 status quo; at the same time he assured the Indian Parliament that in accepting the Colombo proposals, India was not giving up anything from the 8 September 1962 status quo claims. Which of these was true? ... Zhou added that Nehru's affirmations of peace impressed no one when he was in fact preparing for war, and then handed me a letter addressed to Mr Nehru. The letter, as well as his words, were fiery stuff. I told Zhou politely but firmly that China's misunderstanding of India had increased manifold owing to the war. The allegations he had made to me and in his letter to Mr Nehru would be answered in due course but his harsh and unjust comments about Mr Nehru were without foundation and therefore unacceptable. I sent the letter immediately to New Delhi with the gist of Zhou's observations and my firm rebuttal. Within a few weeks, Mr Nehru replied to Zhou in equally fiery terms. (pp 119–20).

On 17 December 1963, Zhou Enlai received PKB for a farewell call (#11) (he had earlier called on Foreign Minister Chen Yi; the latter quizzed PKB on India's state mourning at the assassination of President Kennedy [pp 135–36]). PKB writes:

"He looked very tired ... He did not want to miss the opportunity of seeing me as he was soon

leaving on a tour of African countries. He added that he was sorry to see me leave China. I thanked him for his kind and sympathetic attitude towards me during almost three years ... (when PKB said that one of his regrets was that he had not been to any Chinese home)" Zhou said earnestly, "You have been to my residence many times, I'm your friend." I thanked him for his warm and kind sentiments ... We got up and he came to the door to say goodbye and shook hands. He said that whenever I had time I should return on a visit as his personal guest. A perfect performance! He was a remarkable man!" (pp 136–37).<sup>17</sup>

After leaving Beijing, P K Banerji was conferred the Padma Shri in January 1964.<sup>18</sup> He served as High Commissioner to Kenya in 1964–66; then a Latin American post (1966–69), Ambassador to Thailand (1969–71), and Permanent Representative at Geneva (1971–73); he did not serve at MEA. He retired in 1976 and lived in New York and Kolkata. Besides this book, he wrote another, *Assignment Americas: Perspective of a Partnership in Values* (Bibhasa, Kolkata 2002). He passed away in 2003.

## Banerjee's Book: An Assessment

PKB's under-studied book gives unique insight into the post-August 1961 events leading to the October 1962 India–China War, and its immediate aftermath. The central point: for reasons unknown, PKB was used by China as the primary channel for communication with New Delhi, in a way that has no precedent in modern bilateral diplomacy. We see this through three key elements: First, China's efforts, always on its own terms, to seemingly attempt to avoid an outbreak of war. But China simply did not understand the mood in India, including New Delhi's reaction to its efforts on many fronts, including China's cultivation of Pakistan, commencing 1961. Were the moves towards India aimed at lulling New Delhi into complacency? Second, China's blunt rejection of India's effort in May–June 1962 to send a special emissary to Beijing. Some narratives suggest that around April 1962, India had decided to confront China's new military posts on the Himalayan frontier, and on 2 May 1962, Pandit Nehru had spoken of a "forward" military policy. Was the emissary proposal at Soviet prompting? Third, barely three months after hostilities ended in the high Himalayas, Zhou's abortive move, in January 1963, to start a reconciliation process. This has received little attention.

Premier Zhou Enlai dominated China's foreign affairs.<sup>19</sup> He developed via PKB a communication channel that operated from September 1961 to April 1963. This has no parallel in Indian diplomatic history. PKB's counterpart, Chinese Charge d'Affaires in New Delhi, was never received by Nehru, and perhaps rarely met the Indian foreign secretary. Is it possible that the fact of Premier Zhou using PKB to convey Chinese views might have engendered doubt at home that he might not be reliable? No Indian archival document of those years, 1961–63, has been opened.<sup>20</sup>

One may conclude tentatively that there might have been doubt over the complete veracity of his reports; he went alone to some of his meetings with Zhou.<sup>21</sup> And yet, as PKB's account of his visit to Delhi in January 1963 shows, he enjoyed comfortable access to Prime Minister Nehru. PKB does not speak of personal friction with the MEA hierarchy. Bits of indirect information suggest that he was held in low esteem, and he reciprocated that sentiment. PKB often spoke to us at the Embassy of Delhi's pro-Soviet lobby.

Premier Zhou evidently expected his statements of appeasement, right up to the outbreak of the 1962 war, to resonate in Delhi. But there were no matching actions. For instance, MEA Secretary General R K Nehru's June 1961 visit to Beijing was abortive. Nor was there any response to India's final effort at dialogue in June–July 1962, literally on eve of the outbreak of war.

Any envoy in such a situation might have faced similar problems at home. During fraught bilateral relations, ambassadors walk a tight-rope; diplomats face both ways, as noted scholar Richard Faber has written. In times of bilateral tension, stories spread easily in the home capital that one's envoy is "soft" in dealing with the country of assignment. We know instances where an Indian envoy has deliberately opted to act tough, to strengthen credibility at home. Was that a viable option for PKB? Perhaps, he was not harsh or blunt enough in responding to Premier Zhou's overtures, but was that expected of him?

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#### NOTES

- 1 The book is difficult to locate, and out of print.
- 2 I have written about my two Beijing assignments (the second one in 1970–72) in my 2016 memoir *Diplomacy at the Cutting Edge*, Chapters 2 and 4. This book is now available for free download at: <https://www.diplomacy.edu/resources/books/diplomacy-cutting-edge>.
- 3 For more elaboration, see Rao (2002).
- 4 A confidential source indicated that PKB had a "godfather," that might have been Bidhan Chandra Roy, the first Chief Minister of West Bengal (1948–62), a freedom movement associate of Nehru. That might also partly explain MEA's resentment of PKB, and the latter's personal access to Nehru.
- 5 Thanks to an excellent method that dates to the 1950s, all officials are required to undertake a tour of Indian cities and regions that are connected with their assignment country, a fully-paid tour of 10 to 15 days. Rather few countries follow this excellent practice.
- 6 See: Bhasin (2018: 3545–67).
- 7 See: *Eric Gonsalves Oral History*, ICWA, New Delhi, 2015, <https://www.icwa.in/WriteReadData/RTF1984/1497424125.pdf>
- 8 A K Das (1958 batch), had started Chinese language studies in Beijing, but moved to Hong Kong in 1960 when it became difficult for Indian diplomats to attend language studies at Peking University (as the practice since the early 1950s).
- 9 I travelled from Hong Kong, with First Secretary A K Damodaran and his family, including a six-year-old Ramu Damodaran who went on to join

the Foreign Service, served as Private Secretary to Prime Minister P V Narasimha Rao (1990–94). The Hong Kong–China border was crossed at Shenzhen, then a small, sleepy village, with passengers walking across a steel and wood "Baily" bridge over a small river, baggage trundled across in push carts. After a night in a dowdy hotel in Guangzhou, we took a two-day train journey to Beijing. The other travel option then was a 10-hour flight in a Soviet-built IL-14 aircraft that made three refueling stops.

- 10 The book was probably written relying on personal notes and recollections. It does not have an index and has not been professionally edited.
- 11 Premier Zhou's working hours were odd. He slept till the late morning and commenced meetings with foreign interlocutors in the late evening hours, often well past midnight.
- 12 This perhaps refers to pro-Soviet elements in the Indian establishment.
- 13 A S Bhasin's compilation includes two notes sent by India to China in July 1962, but no information is available on the genesis of this final, pre-Border War initiative.
- 14 Comment: probably incorrect, as Chinese embassies have long relied on their own radio links.
- 15 In this chapter PKB also writes of national day receptions, where from August 1962 till late 1963, speeches by Chinese dignitaries "would attack India without fail ... I suggested to the MEA that I should leave the reception as soon as such attacks were made on India and the Indian leaders ... but this was turned down on the grounds that politeness was part of Indian diplomacy ... I guess what my masters in New Delhi meant was that shamelessness was in their concept of diplomacy!" (p 70).
- 16 Sri Lanka had taken the lead with five other non-aligned countries (the six: Burma (now Myanmar), Cambodia, Ceylon (as Sri Lanka was called), Ghana, Indonesia and the United Arab Republic); they met in Colombo, 10–12 December 1962; India went on to accept these *in toto*, while China voiced two "reservations;" on 12 January India rejected the two "reservations" that Beijing voiced to the Colombo Proposals. About a year later Beijing quietly dropped one of

the two reservation, but by then these proposals had become irrelevant, to what froze into a prolonged India-China impasse. Today the Colombo Proposals are a forgotten footnote in history. See <http://archive.indianexpress.com/news/the-colombo-compromise-/860792/2> and <http://db-sjeyaraj.com/dbsj/archives/11946>. The full text of the Colombo Proposals: <https://heinoonline.org/HOL/LandingPage?handle=heino.journals/intlm2&div=27&id=8&page=>

- 17 My account of that meeting is in *Diplomacy at the Cutting Edge*, pp 64–65. First Secretary A K Damodaran (1994) also wrote about it.
- 18 This ranks fourth in India's national honours. An award, even of this kind, was rare for a serving official in those times.
- 19 In 1949, Marshal Chen Yi was appointed Mayor of Shanghai—this is a misleading rank for those accustomed to Western governance systems. In China, the mayor of the FIVE leading cities that are treated as provinces, holds the rank of Province Governor—that is, highest authority in his assigned territory; in 1954 Chen Yi also received the additional rank of Vice Premier. As we see from PKB's book, Chen Yi was always blunt and hawkish in his dealings with him, a contrast to Premier Zhou.
- 20 A S Bhasin's important compilation of archival documents, has no material covering these years.
- 21 PKB also mentions that at some meetings with the Chinese Premier he was asked to come by himself.

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The wage rates for agricultural occupations are provided for ploughing/tilling, sowing, harvesting, winnowing, threshing, picking, horticulture, fishing (inland, coastal/deep-sea), logging and wood cutting, animal husbandry, packaging (agriculture), general agricultural segment and plant protection.

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The data have been sourced from *Wage Rates in Rural India*, regularly published by the Labour Bureau, Shimla (Ministry of Labour and Employment, Government of India).

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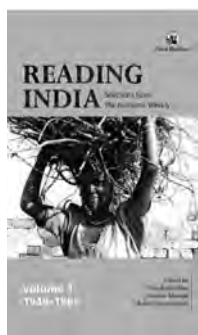


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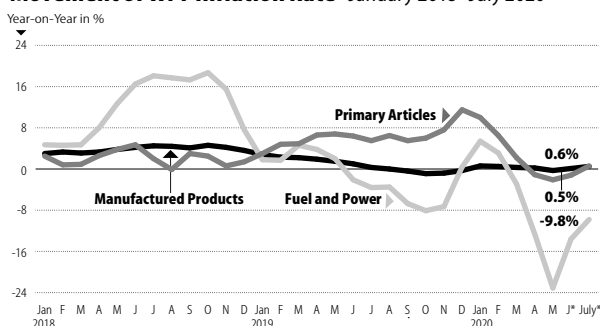
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**Wholesale Price Index**

The year-on-year WPI inflation rate stood at -0.6% in July 2020 compared to 1.2% reported a year ago and -1.8% a month ago. The index for primary articles decreased by 0.6% against 5.5% registered a year ago, but was higher than (-1.2% a month ago. The index for food articles decreased by 4.1% compared to 6.6% recorded a year ago. The index for fuel and power declined further to -9.8% against the fall of (-)3.6% and the index for manufactured products increased by 0.5% compared to 0.3% reported a year ago.

**Consumer Price Index**

The CPI-inflation rate increased to 6.9% in July 2020 from 3.1% registered a year ago and 6.2% a month ago. The consumer food price index rose by 9.6% compared to 2.4% reported last year and 8.7% a month ago. The CPI-rural inflation rate increased to 7.0% and urban inflation rate to 6.8% from 2.2% and 4.2%, respectively, reported a year ago. As per Labour Bureau data, the CPI inflation rate of agricultural labourers (CPI-AL) increased to 6.6% in July 2020 from 6.2% registered a year ago, while that of industrial workers (CPI-IW) decreased to 5.1% in June 2020 from 8.6% a year ago.

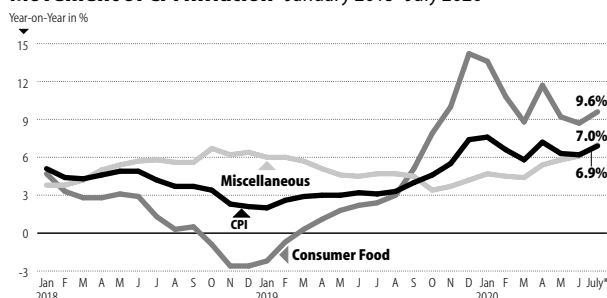
**Movement of WPI-Inflation Rate January 2018–July 2020**

\*Data is provisional; Base: 2011–12=100.

**Trends in WPI and Its Components July 2020\* (%)**

	Weights	Over Month	Over Year	Financial Year (Averages)		
				2017–18	2018–19	2019–20
All commodities	100	1.1	-0.6	2.9	4.3	1.7
Primary articles	22.6	3.2	0.6	1.4	2.7	6.8
Food articles	15.3	3.4	4.1	2.1	0.3	8.4
Fuel and power	13.2	2.7	-9.8	8.2	11.5	-1.8
Manufactured products	64.2	0.0	0.5	2.7	3.7	0.3

\*Data is provisional; Base: 2011–12=100; Source: Ministry of Commerce and Industry.

**Movement of CPI Inflation January 2018–July 2020**

\*Data is provisional. Source: National Statistical Office (NSO), Ministry of Statistics and Programme Implementation, Base: 2012=100.

**CPI: Rural and Urban July 2020\* (%)**

	Latest Month Index	Over Month	Over Year	Financial Year (Aves)	
				2018–19	2019–20
CPI combined	154.2	1.6	6.9	3.4	4.3
Rural (2012=100)	155.1	1.6	7.0	3.0	5.4
Urban (2012=100)	153.1	1.5	6.8	3.9	4.8

**CPI: Occupation-wise**

	Latest Month Index	Over Month	Over Year	Financial Year (Aves)	
				2018–19	2019–20
Industrial workers (2001=100)*	332.0	0.6	5.1	5.4	7.5
Agricultural Labourers (1986–87=100)	1021.0	0.3	6.6	2.1	8.0

\*Provisional; #June 2020. Source: NSO (rural and urban); Labour Bureau (IW and AL).

**Foreign Trade**

The merchandise trade deficit narrowed down to \$4.8 bn in July 2020 from \$13.4 bn registered a year ago. Exports contracted by (-)10.2% to \$23.6 bn from \$26.3 bn and imports by (-)28.4% to \$28.5 bn from \$39.8 bn. Oil imports went down by 32.0% to \$6.5 bn and non-oil by 27.3% to \$21.9 bn from their respective values of \$9.6 bn and \$30.2 bn registered a year ago. During April–September 2020–21, exports decreased by (-)30.2% to \$75 bn from \$107.4 bn and imports by (-)46.7% to \$88.9 bn from \$166.8 bn reported a year ago.

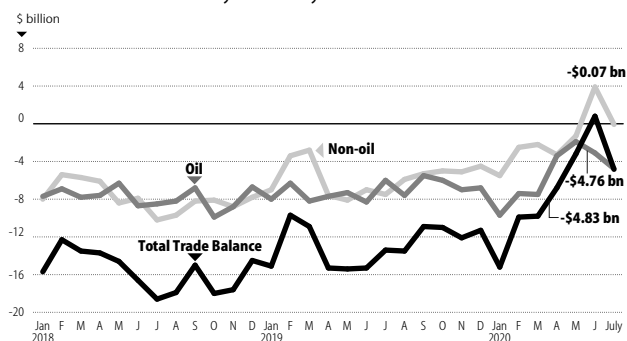
**Index of Eight Core Industries**

The index declined by (-)15.0% in June 2020 against 1.2% registered a year ago. Growth in coal production declined by -15.5%, and natural gas by -12.0% compared to 2.9% and -2.1%, respectively. Production of refinery products reported a growth rate of (-)8.9% and crude oil of (-)6.0% compared to -9.3% and -6.8%, respectively. Growth in steel production decreased by (-)33.8%, cement by (-)6.9% and electricity generation by (-)11.0% against 10.8%, -1.9% and 8.6%, respectively. Production of fertilisers increased by 4.2% compared to 1.5%.

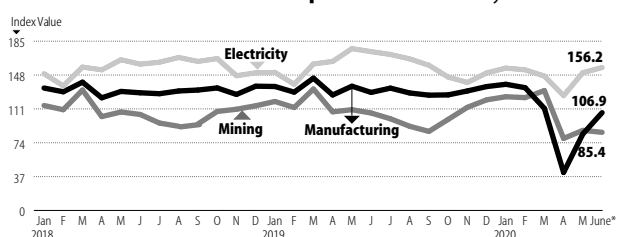
**Merchandise Trade July 2020**

	July 2020 (\$ bn)	Over Month (%)	Over Year (%)	April–July (2020–21 over 2019–20) (%)
Exports	23.6	7.9	-10.2	-30.2
Imports	28.5	34.9	-28.4	-46.7
Trade surplus	4.8	-703.3	-64.1	-76.5

Data is provisional. Source: Ministry of Commerce and Industry.

**Trade Balance January 2018–July 2020**

Oil refers to crude petroleum and petroleum products, while Non-oil refers to all other commodities.

**Movement of Index Values of Components of IIP January 2018–June 2020**

\*June 2020 are quick estimates; Base: 2011–12=100.

**Growth in Eight Core Industries June 2020\* (%)**

	Weights	Over Month	Over Year	Financial Year (Aves)	
				2018–19	2019–20
Infrastructure industries	40.27@	5.6	-15.0	0.4	4.4
Coal	10.3	-4.7	-15.5	-0.4	7.4
Crude oil	9.0	-2.9	-6.0	-5.9	-4.1
Natural gas	6.9	1.7	-12.0	-5.6	0.8
Petroleum refinery products	28.0	8.4	-8.9	0.2	3.1
Fertilisers	2.6	1.0	4.2	2.7	0.3
Steel	17.9	14.4	-33.8	3.4	5.1
Cement	5.4	17.4	-6.9	-0.9	13.3
Electricity	19.9	2.6	-11.0	0.9	5.2

(Base: 2011–12=100); \*Data is provisional; @The revised Eight Core Industries have a combined weight of 40.27% in the IIP. Source: National Statistical Office and Ministry of Commerce and Industry.

Comprehensive current economic statistics with regular weekly updates are available at: <http://www.epwrf.in/currentstat.aspx>.

## ■ India's Quarterly Estimates of Final Expenditures on GDP

₹ Crore   At 2011-12 Prices	2017-18				2018-19				2019-20			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Private final consumption expenditure	1769688 (9.3)	1750056 (5.5)	1911901 (5.3)	1948175 (7.7)	1889008 (6.7)	1903853 (8.8)	2046415 (7.0)	2068782 (6.2)	1992967 (5.5)	2025488 (6.4)	2182352 (6.6)	2125099 (2.7)
Government final consumption expenditure	362769 (21.6)	367882 (7.4)	319547 (10.5)	293024 (8.9)	393709 (8.5)	407780 (10.8)	341988 (7.0)	335089 (14.4)	418249 (6.2)	465643 (14.2)	387729 (13.4)	380747 (13.6)
Gross fixed capital formation	958859 (0.7)	967190 (5.9)	1014300 (8.8)	1120847 (13.7)	1082670 (12.9)	1077942 (11.5)	1130201 (11.4)	1170154 (4.4)	1132195 (4.6)	1035736 (-3.9)	1071838 (-5.2)	1094323 (-6.5)
Change in stocks	49996 (61.7)	54050 (75.8)	52497 (78.3)	59252 (79.6)	64131 (28.3)	66159 (22.4)	63999 (21.9)	70126 (18.4)	67328 (5.0)	66999 (1.3)	64718 (1.1)	70445 (0.5)
Valueables	62905 (80.1)	46317 (25.0)	39512 (11.2)	43928 (1.5)	41080 (-34.7)	44629 (-3.6)	39252 (-0.7)	44772 (1.9)	51347 (25.0)	51761 (16.0)	43368 (10.5)	46153 (3.1)
Net trade (Export-import)	-137041	-85422	-128661	-125231	-122238	-141491	-104580	-51926	-117242	-76355	-44444	-59686
Exports	627176 (3.9)	639543 (4.5)	646620 (4.4)	688438 (5.0)	686695 (9.5)	719352 (12.5)	748505 (15.8)	767991 (11.6)	708546 (3.2)	703282 (-2.2)	703023 (-6.1)	702809 (-8.5)
Less imports	764217 (21.8)	724965 (10.5)	775281 (14.1)	813669 (23.6)	808933 (5.9)	860843 (18.7)	853085 (10.0)	819917 (0.8)	825788 (2.1)	779637 (-9.4)	747467 (-12.4)	762495 (-7.0)
Discrepancies	69397	132000	105705	151725	10803	73679	-17242	52683	-9576	15062	-62812	146521
Gross domestic product (GDP)	3136572 (5.1)	3232072 (7.3)	3314801 (8.7)	3491719 (7.4)	3359162 (7.1)	3432553 (6.2)	3500033 (5.6)	3689678 (5.7)	3535267 (5.2)	3584335 (4.4)	3642748 (4.1)	3803601 (3.1)

## ■ India's Overall Balance of Payments (Net): Quarterly

Item	2018-19 (\$ mn)				2019-20 (\$ mn)				2018-19 (₹ bn)				2019-20 (₹ bn)			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Current account	-15803	-19054	-17752	-4647	-15004	-7579	-2630	558	-1059 [-2.3]	-1337 [-2.9]	-1279 [-2.7]	-328 [-0.7]	-1044 [-2.1]	-534 [-1.1]	-187 [-0.4]	40 [0.1]
Merchandise	-45751	-50037	-49281	-35214	-46774	-39650	-36040	-35042	-3065	-3510	-3552	-2482	-3253	-2793	-2567	-2536
Invisibles	29947	30984	31529	30567	31769	32070	33410	35600	2006	2174	2272	2154	2209	2259	2380	2577
Services	18676	20256	21678	21331	20075	20941	21879	22027	1251	1421	1562	1503	1396	1475	1558	1594
of which: Software services	18605	19286	19895	19868	20998	21064	21455	21125	1246	1353	1434	1400	1460	1484	1528	1529
Transfers	17031	19331	17424	16160	17964	19952	18893	18400	1141	1356	1256	1139	1249	1405	1346	1332
of which: Private	17216	19511	17558	16317	18224	20188	19132	18673	1153	1369	1265	1150	1267	1422	1363	1352
Income	-5760	-8603	-7573	-6925	-6270	-8822	-7361	-4827	-386	-604	-546	-488	-436	-621	-524	-349
Capital account	4787	16604	13770	19241	28624	13580	23626	17350	321 [0.7]	1165 [2.5]	992 [12.1]	1356 [2.7]	1991 [4.0]	956 [1.9]	1683 [3.3]	1256 [2.4]
of which: Foreign investment	1427	7612	5199	15856	18835	9791	17572	-1782	96	534	375	1117	1310	690	1252	-129
Overall balance	-11338	-1868	-4296	14162	13984	5118	21601	18794	-760 [-1.7]	-131 [-0.3]	-310 [-0.6]	998 [2.0]	973 [2.0]	360 [0.7]	1539 [3.0]	1360 [2.6]

Figures in square brackets are percentage to GDP.

## ■ Foreign Exchange Reserves

■ Foreign Exchange Reserves							Variation					
	14 August 2020	16 August 2019	31 March 2020	Over Month	Over Year	Financial Year So Far	Financial Year					
Excluding gold but including revaluation effects						2019-20	2020-21	2015-16	2016-17	2017-18	2018-19	2019-20
₹ crore	3692865	493029	399765	3344616	14694	93264	12952	218620	25300	353270	68050	668976
\$ mn	493029	-6966	10620	443645	-7284	83458	190730	16297	10160	53217	-14168	56831

## ■ Monetary Aggregates

₹ Crore	Outstanding 2020	Variation				Financial Year So Far		2017-18		Financial Year		2019-20	
		Over Month	Over Year	2019-20	2020-21	2019-20	2020-21	2017-18	2018-19	2018-19	2019-20	2019-20	2020-21
Money supply (M <sub>3</sub> ) as on 31 July	17626219	89429 (0.5)	1984800 (12.7)	209351 (1.4)	826288 (4.9)	1170657 (9.2)	1469481 (10.5)	1367863 (8.9)					
Components													
Currency with public	2576289	4716 (0.2)	491790 (23.6)	32290 (1.6)	226574 (9.6)	495583 (39.2)	292496 (16.6)	297506 (14.5)					
Demand deposits	1649150	17789 (1.1)	210548 (14.6)	-18791 (-11.6)	-88543 (-5.1)	86962 (6.2)	142801 (9.6)	11180 (6.8)					
Time deposits	13361073	67396 (0.5)	1273224 (10.5)	366246 (3.1)	687058 (5.4)	585266 (5.8)	1026347 (9.6)	952412 (8.1)					
Other deposits with RBI	39707	-471 (-1.2)	9238 (30.3)	-1273 (-4.0)	1199 (3.1)	2817 (13.4)	7835 (32.8)	6766 (21.3)					
Sources													
Net bank credit to government	5594799	-40274 (-0.7)	716283 (14.7)	490026 (11.2)	688216 (14.0)	144799 (3.8)	387091 (9.7)	518093 (11.8)					
Bank credit to commercial sector	10925516	-23264 (-0.2)	586747 (5.7)	-43950 (-0.4)	-113129 (-1.0)	802225 (9.5)	1169004 (12.7)	655926 (6.3)					
Net foreign exchange assets	4194144	170169 (4.2)	1012081 (31.8)	111222 (3.6)	393107 (10.3)	364065 (14.2)	148546 (5.1)	730196 (23.8)					
Banking sector's net non-monetary liabilities	3114555	17201 (0.6)	330625 (11.9)	348059 (14.3)	141907 (4.8)	140995 (6.8)	235396 (10.7)	536777 (22.0)					
Reserve money as on 14 August	3201967	19048 (0.6)	403633 (14.4)	27853 (1.0)	172293 (5.7)	518300 (27.3)	351701 (14.5)	259193 (9.4)					
Components													
Currency in circulation	2691706	15946 (0.6)	492806 (22.4)	62129 (2.9)	244427 (10.0)	494078 (37.0)	307423 (16.8)	310508 (14.5)					
Bankers' deposits with RBI	470719	2835 (0.6)	-98196 (-17.3)	-33054 (-5.5)	-73169 (-13.5)	21405 (3.9)	36444 (6.4)	-58081 (-9.6)					
Other deposits with RBI	39543	267 (0.7)	9023 (29.6)	-1222 (-3.8)	1035 (2.7)	2817 (13.4)	7835 (32.8)	6766 (21.3)					
Sources													
Net RBI credit to government	979844	-97189 (-9.0)	-109621 (-10.1)	287514 (35.9)	-12348 (-1.2)	-144836 (-23.3)	325987 (68.5)	190241 (23.7)					
of which: Centre	969138	-97843 (-9.2)	-118770 (-10.9)	287435 (35.9)	-20603 (-2.1)	-145304 (-23.5)	326187 (68.8)	189268 (23.6)					
RBI credit to banks & commercial sector	-310131	-13962 (4.7)	-182675 (143.3)	-280307 (-183.4)	-109238 (54.4)	372643 (-120.5)	89478 (0.0)	-353744 (0.0)					
Net foreign exchange assets of RBI	3993710	124708 (3.2)	945922 (31.0)	199201 (7.0)	403307 (11.2)	363571 (15.2)	87806 (3.2)	741816 (26.0)					
Govt's currency liabilities to the public	26315	0 (0.0)	314 (1.2)	113 (0.4)	0 (0.0)	572 (2.3)	236 (0.9)	427 (1.6)					
Net non-monetary liabilities of RBI	1487770	-5491 (-0.4)	250307 (20.2)	178668 (16.9)	109428 (7.9)	73650 (8.8)	151805 (16.7)	319547 (30.2)					

## ■ Scheduled Commercial Banks' Indicators (₹ Crore)

(As on 31 July)	Outstanding 2020	Variation				Financial Year So Far		2017-18		Financial Year		2019-20	
		Over Month	Over Year	2019-20	2020-21	2019-20	2020-21	2017-18	2018-19	2018-19	2019-20	2019-20	2020-21
Aggregate deposits	14161689	86504 (0.6)	1417107 (11.1)	170811 (1.4)	594197 (4.4)	668390 (6.2)	1147721 (10.0)	993721 (7.9)					
Demand	1528386	17853 (1.2)	204337 (15.4)	-187238 (-12.4)	-88617 (-5.5)	88843 (6.9)	141004 (10.3)	105716 (7.0)					
Time	12633303	68651 (0.5)	1212770 (10.6)	358049 (3.2)	682814 (5.7)	579547 (6.1)	1006717 (10.0)	888005 (8.0)					
Cash in hand	86118	2726 (3.3)	9363 (12.2)	1879 (2.5)	-1142 (-1.3)	-1295 (-2.1)	14811 (24.7)	12384 (16.5)					
Balance with RBI	435414	-6370 (-1.4)	-82853 (-16.0)	-47440 (-8.4)	-100772 (-18.8)	16906 (3.3)	40021 (7.6)	-29521 (-5.2)					
Investments	4278294	59904 (1.4)	721231 (20.3)	176007 (5.2)	530945 (14.2)	287494 (9.5)	62602 (1.9)	366293 (10.8)					
of which: Government securities	4276406	58903 (1.4)	722966 (20.3)	174438 (5.2)	537710 (14.4)	287657 (9.5)	61595 (1.9)	359694 (10.6)					
Bank credit	10265888	-25723 (-0.2)	536887 (5.5)	-42721 (-0.4)	-104972 (-1.0)	783965 (10.0)	1146297 (13.3)	599138 (6.1)					
of which: Non-food credit	10186601	-19124 (-0.2)	520347 (5.4)	-63858 (-0.7)	-132495 (-1.3)	795906 (10.2)	1146676 (13.4)	588984 (6.1)					

## ■ Capital Markets

	21 August 2020	Month Ago	Year Ago	Financial Year So Far		2019-20		End of Financial Year		2019-20	
				Trough	Peak	Trough	Peak	2017-18	2018-19	2018-19	2019-20
S&P BSE SENSEX (Base: 1978-79=100)	38435 (3.7)	37930	37060 (-3.2)	27591	38615	25981	41953	32969 (12.1)	39714.20 (12.4)	29816 (-21.8)	
S&P BSE-100 (Base: 1983-84=100)	11511 (4.6)	11216	11005 (-7.2)	8180	11543	7683	12456	10503 (11.5)	12044.07 (9.1)	8693 (-25.2)	
S&P BSE-200 (1989-90=100)	4823 (6.0)	4671	4550 (-8.6)	3416	4826	3209	5185	4433 (12.0)	4986.55 (7.1)	3614 (-25.1)	
CNX Nifty-50 (Base: 3 Nov 1995=1000)	11372 (4.1)	11162	10919 (-5.6)	8084	11408	7610	12362	10114 (11.1)	11922.80 (11.1)	8660 (-24.3)	
CNX Nifty-500	9424 (6.3)	9071	8865 (-10.1)	6638	9424	6243	10119	8912 (12.6)	9805.05 (5.3)	7003 (-26.3)	

Figures in brackets are percentage variations over the specified or over the comparable period of the previous year. | (-) = not relevant | - = not available | NS = new series | PE = provisional estimates

■ Comprehensive current economic statistics with regular weekly updates are available at: <http://www.epwrf.in/currentstat.aspx>.

# Breaking Bread

## Baking and Exhibitionism amidst the Great Lockdown

As the pandemic rages on and people are confined to their homes, many have sought comfort in baking bread, but not without documenting it on social media.

ARUNDHATIE B KUNDAL

For the privileged, self-isolation, however melancholic it may sound, is hardly solitary confinement like it is being made out to be—we remain relatively oblivious to its deafening silence as we submit into digital noise in this great global lockdown. One such commotion, interestingly, is coming from our kitchens, “byte”-ing into our virtual domains.

As the novel coronavirus propelled the world to shut down, it also set the stage for a heady spate in social media activity as human beings prepared for confinement. Celebrities, gourmands, and even the culinarily challenged scrambled to their Instagram feeds bestrewn with funny anecdotes citing their struggles to replicate sourdough starters and kneading hiccups on their journey to impeccability. Many roused their dormant “epicurean bone” and took to firing their ovens with a zeal that hijacked pre-lockdown weekend chitchat on social media. Starbucks aficionados who missed their daily coffee runs headed out to replicate a dizzyingly viral TikTok video featuring whipped Dalgona coffee, storming into the kitchen swirling and beating coffee until their arms were numbed into a temporary freeze. Amidst this mayhem, one particular food item stood out—one that is staple the world over and yet is mostly outsourced—going on to become every creator’s muse: bread, the most ubiquitous and humble part of our food system.

This trend brought the world to dirty their hands in edible dust in the craving for our daily bread, methodically intensified by the shutdown of bakeries and scarcity of flour in the markets. Google searches for “bread” saw a steep increase. Multifarious banana bread recipes broke the internet, while a host of other “isolation loaf” ideas remain trending on Twitter and Instagram. Even those who had earlier nurtured an irrational fear of baking were quick to hop on this latest bandwagon, aggressively firing their near-comatose ovens, feverishly posting about their flawless sourdough starters, banana bread, tortillas, focaccia, quesadillas, naans, tandoori rotis and what have you. Business savvy pastry chefs and bread-makers have altered their recipes for those who lack access to ovens, trimming fancy ingredients, encouraging cooks to experiment and innovate.

Why this sudden obsession with bread? What used to be laborious leisure for some seems to have taken over all other simpler food habits and cooking traditions. It refuses to die

down even when supermarkets and small suppliers have adjusted to the lockdown and have started restocking their bread aisles. Food psychologists have repeatedly claimed that this obsession with bread is a dialectics of control and self-reliance in trying to satisfy the basic human need for safety and security. Many worshippers of the craft of bread-making swear by its soothing effects and the zen-like calm it induces especially at a time like this, when social contact is minimal. Some seasoned bread-makers say this art is a combination of science and magic, where precision of quantity, accuracy of time and deft movements of the heel of the hands work in unison in the pursuit of perfection.

**Food psychologists have repeatedly claimed that this obsession with bread is a dialectics of control and self-reliance in trying to satisfy the basic human need for safety and security**

The current scenario, however, seems unharmonious, almost like a real bake-off between families and friends as they fire their social media ammunition, relentlessly posting Insta-ready pictures of their achievements. Baking is a prolific field in itself and is widely known to be a place of comfort for some and conversely a means of living for the working class. Yet, it is becoming a platform of strange pretensions and discontent with overriding acts of exhibitionism for a 14,000-year-old staple food, eclipsing this great pandemic itself. What’s trending in food seems to be the new norm being ceaselessly fed into our digitally enabled world, suggesting that what we eat is in fact a social construct to be consumed twice over, in the real world and now in virtual space.

Currently, the fascination with culturally unfamiliar types of breads seems to be hogging a chunk of the limelight while, on the other hand, there are some polishing their skills in traditional varieties of bread. It is sparking a strange infatuation among those classes where instances of modern baking were obsolete. Earlier people tended to order lavish cakes for special days but rarely indulged in buying artisanal bread, viewing it as nothing more than the humble breakfast toast. This obsession is also creating unnecessary societal pressure, and a rise in aspirational ways of eating, class anxiety and appearance of exotic foods in popular culture. All the tranquility one expects from baking bread and the accomplishment of creating something tangible has been overtaken by the competitive craving for comments and “likes” on social media.

Underneath the simplicity of the loaf lies its social construct, meaning and significance for community living. In Biblical mythology, “breaking bread” is a metaphor for seeking blessings,

and continues to be an integral part of religious ceremonies. Today, though, it runs the risk of being reduced to a narrative of consumption, eroding its very essence as a companionable shared meal, and has regrettably evolved into an individualistic hedonistic pleasure.

This obsession with loaves in the lockdown has laid bare the deepening chasms of privileged kitchens and those barren hearths that did not have access to a good meal. Society's dark underbelly was left exposed as makeshift kitchens on the roads struggled to get the fire started for hungry stomachs on the long walk home. The preoccupation with baking bread perhaps stemmed out of the yearning for social contact, out of stagnating economies, social deprivation and the discontinuation of public life, acting as a therapeutic interlude bringing together communities across the world to talk about food.

Interpreting French critic Roland Barthes's notion of reading food as a "text" or "language," baking bread is thus brewing up the perfect storm on our food tables. Concomitantly, the apocalyptic discourse on survival, hunger, regression and resilience rages on unabated in these unprecedented times.

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## Reflections and Reminiscences

Can we ever pre-empt which experiences might form a memory and which might not?

SUYASH SAXENA

Earlier this year, after almost a decade, I happened to visit my alma mater, St Stephen's College, Delhi University. As I strolled through those familiar lawns of the historic Viceregal Lodge which became the vice chancellor's office in 1933, I happened to remember a winter Sunday afternoon seven years ago, when, as an undergraduate student, I sat cosily reclining against one of the old fatherly trees, and somewhat dreamily and half-intentionally etched my initials on the tree trunk with the keys of my hostel room.

Now, even after years, it was not difficult to spot the tree. My initials—S S—were still present on its bark, though now blackened and wrinkled with the wrath of time. Looking at the careless etching, I felt a strange sense of satisfaction, an abstract feeling of contentment. Why would one feel this strange contentment looking at a few meaningless scribbles on a tree bark done years ago, I wondered. Perhaps

**We either romanticise our reminiscences as nostalgia or rationalise them as psychological memory, and either way we fail to grasp the elusive abstractions that make up our reminiscences**

there is an inherent and unexpressed urge in us to perpetuate ourselves and our memory. We instinctively do things like engraving our names on tree barks, seeking permanence through such acts. And when we find that those engravings have survived many years, we feel we have resisted the relentless forces of time. We seem to claim an imaginary victory over our own finitude and temporality.

Delhi University's North Campus sprawls like a township. Each of its departments has a library of its own. Once, as I was hysterically rushing for an exam in the Department of History, trusting shortcuts, hurriedly cutting across the long corridors, I stumbled across the Pablo Neruda Library of the Department of Germanic and Romance Studies. It was a cosy little structure hidden somewhere in the labyrinth of trees and shadows. Though in a hurry, I momentarily felt drawn towards this idyllic library. I never managed to visit that library during my time at the university, but somehow its image stayed in my memory.

And now, years later, as I wandered around the Faculty of Arts, I took a detour towards the Department of History hoping to stumble across that picturesque library once again. I loitered for a while when I chanced upon the old Pablo Neruda Library somewhat as serendipitously as before. It was idyllic still, as it was then, and I stood there admiringly for a while.

On my way back home these memories kept returning like homing pigeons and I wondered whether we can ever pre-empt which experiences might form a memory and which might not? Could I have ever predicted back then that a careless, hurried glance at a peaceful little library would have formed such a durable memory that would last a decade at least? I have, like everyone else, had many experiences which have felt deeply significant and weighty in that moment, and which I thought I would never forget. But they are now lost somewhere in the mist of memory. Paradoxically, a momentary tryst with this library has stayed on like an eternal moment perpetuated by memory. The ways of memory beat our rationality.

That day when I roamed my old university, I revisited another spot after all these years. It was a pensive corner in the vicinity of the old Viceregal Lodge. It was a small low-lying garden, somewhat isolated, with a raised periphery that remained shrouded with dense shrubs and flowers. In full bloom, the little garden would blossom into throbbing heart of the mid-February spring, far away from the din of chaotic Delhi.

That halcyon corner had some old trees and, as a young undergraduate student, I would recline against the dearest one of them, reading a book on lazy Sunday afternoons. It was a cosy haven, which I liked to think of as *my spot*. I had carefully preserved a dry leaf from my dearest tree as a bookmark nestled among the pages of an old decaying book—Will Durant's *Pleasure of Philosophy*. It was perhaps a subconscious attempt to perpetuate the memory of my spot, an instinctual

revenge against the onslaught of time and against our own forgetfulness.

As I stood at my spot, I realised that the way I used to experience this clandestine little garden as a student was very different from the way I was experiencing it now. It was only nostalgia now, hollowed out of its phenomenological experience. I felt alienated from it. It was no longer a rendezvous, but a nostalgic reflection; and nostalgia alienates because it inevitably accompanies the sense of an ending. I saw some college students there clicking selfies. The spot belonged to them now.

These three small incidents reflect certain abstract aspects of our remembrances that so often elude us. We either romanticise our reminiscences as nostalgia or rationalise them as psychological memory, and either way we fail to grasp the elusive abstractions that make up our reminiscences.

There is a psychological theory of “reminiscence bump,” which says that our deepest and fondest of memories are formed during adolescence. This reminiscence bump during our adolescence is a psychological mechanism that helps embed into our psyche the life lessons that we learn during this phase as a necessary step to mature into adulthood. Most of our favourite songs, stories, books, etc, tend to be those that we encountered and experienced during our adolescence or early adulthood, because of the heightened sense of memory during this period.

Such psychological theories that seek to provide a rational explanation to our reminiscence are interesting, but they hardly do justice to the subtler aspects and abstract roots of our reminiscences that are beyond rationality. And in our endeavour to preserve such abstractions of life, we often resort to art. In some ways, art originated as an ally of our reminiscences, as a means to cherish the deeply felt abstract moments of our lives against our forgetfulness.

In 1785, French artist Jean-Baptiste Regnault painted *The Origin of Painting: Dibutades Tracing the Portrait of a Shepherd*, which depicts the moment of a youthful shepherd-boy's departure as his beloved, Dibutades, tries to preserve his image by tracing his shadow on the wall with the tip of a charred stick. It was Dibutades' endeavour to perpetuate the memory of her lover through her art, just as I tried to perpetuate my memory by engraving my initials on the tree. Perhaps she too knew that even our deepest experiences are forgotten and our memories unreliable. We can never know which experiences shall last in memory and which shall not. A careless glance at an idyllic library may endure for years in memory, while the deepest of experiences lie forgotten. Dibutades' naïve art is her way of defending her memories of her lover against the onslaught of her own forgetfulness.

Dibutades' art, like other art, is a delicate and subjective commemoration of the felt-experiences of that moment of departure. However, Dibutades will have soon realised that her sketch preserves only the memory of the moments spent with the shepherd-boy and not her felt-experience of her lover. Memory shall have numbed her lover into a nostalgia, and nostalgia always alienates. Just like I too had felt

alienated from “my spot” as my phenomenological felt-experience transformed into a nostalgia.

[Images accompanying this article are available on the *EPW* website.]

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## Limelight in Dark Times Jyoti Kumari's 'Cyclothon'

Viewing Jyoti Kumari's cycling feat as “matter out of place” reveals our collective gender and social biases.

SANTOSH KUMAR

Fifteen-year-old Jyoti Kumari, the “bicycle girl” of Bihar, shot to limelight in dark times, cycling her injured migrant father more than 1,200 kilometres from Gurugram to Darbhanga because of an ill-planned nationwide lockdown earlier this year. The story of her long bicycle trek caught the national and the international media's attention and she has become the poster girl of the government. The romanticisation of Jyoti's feat, however, merits some critique. The various stages of the nationwide lockdown since the outbreak of COVID-19 have exposed fissures in the government's preparedness to tackle the pandemic. This “cyclothon” is, of course, a matter of pride for her, but it is a national shame. While I am proud of her “achievement” as much as anyone else in our hometown, Darbhanga, I am not celebrating this achievement.

What she has done is no doubt extraordinary. Jyoti's bicycling trek would have been like the Tour de France if it were a sporting event. However, it flouts the basic rules of play that an activity should be done of one's free will for it to be considered play. For any game or sporting event, the players should exercise their freedom to play—only then will they be able to derive the Freudian Eros or pleasure out of it. Sadly, Jyoti's “Tour de India,” while no less commendable than a cyclothon, cannot be considered play—she was not free, but forced to cycle with her injured father riding pillion, due to the extended lockdown. It was full of pain and exhaustion. International celebrities have shared on social media how they are inspired by Jyoti's “beautiful” story. Yes, she has indeed become a symbol of endurance and love, and rightly deserves all the adulation and affection. However, this should not limit us from questioning why we are surprised by some people and some acts.

Jyoti became a classical exemplar of what Mary Douglas, in her anthropological classic *Purity and Danger: An Analysis of Concepts of Pollution and Taboo* (1966), proposed as “matter out of place.” This theory is employed to understand the unusual popularity or craze of someone who is not typically

associated with what gives them the popularity, because of their gender and location. Like Jyoti, there are other girls and women who have received attention from the media and public for being “matter out of place.” Roshni Misbah aka “Hijabi Biker” creates flutters among her neighbours and wherever she goes vrooming on her sports motorbike. She is being celebrated for not just breaking stereotypes but also for challenging society’s rulebook with her rides.

Boys and men too are considered “matter out of place” in some circumstances, but more because of their social position than their gender. American basketball player Jeremy Lin from Silicon Valley, who is of Taiwanese descent, was an unlikely star of the New York Knicks in 2012, making him matter out of place. Similarly, the phenomenal star of the recent under-19 Cricket World Cup, Yashasvi Jaiswal, who bagged the Player of the Series award for scoring 400 runs, is also matter out of place. Jaiswal, originally from Bhadohi (Uttar Pradesh), sold *pani puri* outside Mumbai’s Azad Maidan and lived on the kindness of a groundskeeper, while nurturing his cricket dreams. While being rightly celebrated, why are Jyoti or Lin or Jaiswal considered matter out of place?

The concept of “matter out of place” states that culture divides the world in a certain fashion in which certain people are expected to be in certain places and adhere to certain value systems. Douglas explained this theory with the example of dirt, which is not noticed in the field or farm; however, the same dirt becomes “matter out of place” when found in our drawing rooms or office spaces, so we clean it. Lin is matter out of place as an Asian American from Silicon Valley. This makes him the kind of person who does not belong with a majority African American basketball league. However, the phenomenal performance shot Lin to fame among Americans who always conceived of Asians as engineers and other service providers but not as athletes, especially in a sport like basketball that is associated with African Americans. Similarly, Jaiswal is a bright young cricketer who trained at Azad Maidan, the home-ground of several successful cricketers, but does not quite fit there. Jaiswal, from a North Indian working-class family, was expected by the urban Indian to continue selling *pani puri* or drive taxis, and not become the rising star of cricket. Douglas’s theory helps us understand how societies always react to matter out of place, usually with celebratory cultural products in the form of posters and films—it is no surprise, then, that filmmakers are vying to immortalise Jyoti’s story on celluloid.

However, unlike Misbah, Lin and Jaiswal, Jyoti’s feat is not driven by a passion for cycling and her free will but by cruel fate. When the nationwide lockdown was put in place, Jyoti rode a second-hand bicycle all the way from Haryana to Bihar, with her injured father sitting behind. She can be seen as matter out of place in action because of her gender and location. She was expected to care for her injured father as a girl, but not take matters into her hand and transport him to their hometown—the kind of work that is expected of men. Especially because

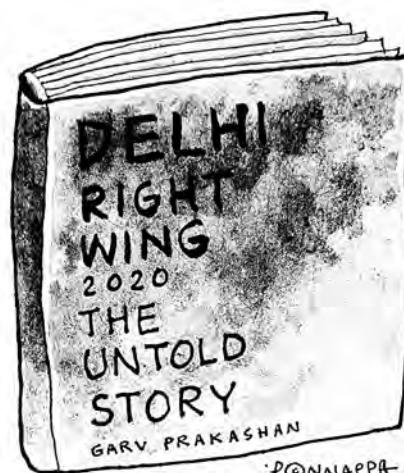
she belongs to a tradition where *pahila roti* (first bread) is still served to the son so he can excel in life, at the cost of the daughter’s hunger and neglect. Jyoti’s grit caught the attention of national and international media because she belongs to Bihar—a state that is infamous for its poor economic and human development indices, and known for its migrant workforce.

In the nation’s imagination, the typical Bihari, almost always male, is seen as an administrative officer, a clerk in the railways or banks, or a daily wage labourer who moves to other parts of the country for work—someone with physical strength. However, this physical strength and endurance are only recognised in the fields of Haryana and Punjab, or on construction sites in Delhi and Bengaluru. On the other hand, women, especially those from marginalised sections of Bihari society, are not expected

to pull off a feat like this. However, Jyoti defied these norms. She challenged the place, role, and imagination that she is expected to occupy in the Indian society. First, she challenged the traditional notion of the place that a girl is expected to be in, and broke prescribed gender roles in a patriarchal society. Second, she also challenged the national imagination of a typical Bihari. She chose to alter her “fate” as a young woman from an oppressive background by showing rare grit to get out of troubling circumstances. She was expected to cook and care for her father, but instead, became matter out of place by pedalling her way out of the patriarchal lockdown imposed on women by our society—literally and figuratively. While we commend her making a place for herself and turning into “matter out of place,” we must pause and reflect on why we consider some people to be out of place in certain situations and activities, and why we think they do not “belong.”

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## LAST LINES



# Sameeksha Trust

## A Special Appeal

For more than half a century, the **Economic & Political Weekly (EPW)** has been a major presence in India's intellectual space. It has been a crucible for ideas and a forum for debate, which has created a journal of international repute that has become a virtual institution. *EPW* provides a multidisciplinary platform for academics and practitioners, researchers and students, as well as concerned citizens, for critical engagement with economy, polity and society in contemporary India.

It has always been a struggle to ensure *EPW*'s financial viability and sustainability. The resource constraint has been exacerbated by our conscious decision to abstain from receiving grants from governments and donations from abroad, to preserve the autonomy and independence of the journal.

With the COVID-19 pandemic and the consequent nationwide lockdown, *EPW* is now experiencing an unexpected and drastic drop in revenue from retail sales (as there has been no print edition for three months) and advertisement income (as advertising has contracted sharply with the crisis in the economy), resulting in an acute financial crisis. This is not unique for *EPW* alone. However, while other print media organisations have resorted to closures, large-scale retrenchment of staff, and salary cuts, it has been our endeavour not to undertake such drastic measures in *EPW*. In the first two months of the lockdown, full salaries were paid to all *EPW* staff. The Editor and his team adopted drastic austerity measures and cut expenditure to the bone. In spite of this, there was a large operational deficit every month, which could aggravate further if the problems associated with and following the lockdown, persist. If this excess of expenditure over income goes unchecked, a stage would come when we would no longer be able to keep *EPW* alive.

The situation became so critical in the month of June that there was no other choice but to implement a temporary measure of reducing staff salaries. This is being done for the months of June and July 2020 in a graduated progressive manner ranging from 0% to 40%. The situation, however, continues to remain extremely uncertain. The financial situation of *EPW* will be reviewed again in August 2020.

In these difficult and troubled times, an institution of *EPW*'s stature and credibility is needed more than ever before. Well-wishers of *EPW* have been reaching out and urging us to do whatever necessary to ensure *EPW*'s sustainability.

We therefore appeal to the community of readers, contributors, subscribers and well-wishers of *EPW* to come forward and make donations to the extent each one can, so as to ensure that *EPW* continues to perform its historic role. This is urgent. And it is of utmost importance. We hope you will join us in supporting *EPW*.

**Trustees, Sameeksha Trust and Editor, EPW**  
**9 July 2020**

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We welcome donations from Indian citizens as well as from non-resident individual Indians and Persons of Indian Origin (PIOs), but only in Indian currency and through regular banking channels. Donations in foreign currency and from political parties are not accepted. Donations can be made in one of the following ways:

#### 1. By Online:

Net banking (Indian bank accounts), domestically issued credit/debit card or /UPI/Wallets, in Indian Rupees on our donation page  
<https://www.epw.in/donation>.

#### 2. Through NEFT/RTGS:

Name of the Account:  
Sameeksha Trust  
Bank: Union Bank of India  
Branch: Mumbai Samachar Marg  
Account No: 317901010029033  
IFSC CODE: UBIN0531791

#### 3. By Cheque or Demand Draft:

These should be drawn in favour of "Sameeksha Trust" and sent to:  
Editor, Economic & Political Weekly  
320-322, A-Z Industrial Estate,  
Ganpatrao Kadam Marg,  
Lower Parel, Mumbai 400 013

Those making donations through channel 2 and 3 mentioned above, will need to send us a covering letter, clearly stating your Permanent Account Number (PAN) and that "this donation is to the corpus of the Sameeksha Trust" in order to receive the Income Tax rebate under Section 80G of the Income Tax Act.

Covering letter and PAN card details can either be emailed to [donation@epw.in](mailto:donation@epw.in) or posted to our address given under (3) above.

For further information, please email to [donation@epw.in](mailto:donation@epw.in)







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