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OPINION

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COVER STORY

NITI CHECKS IN

**After over six decades, India bids adieu to its
Planning commission**

 DREAMZ GKTM

Stands for Innovation

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NITI Aayog for friendly policy intervention

P rime Minister Narendra Modi has replaced the 65-year-old Planning Commission, which he had accused of stifling growth with Soviet-style bureaucracy. The new body will give state governments a much larger say in crucial decisions, he says. The new National Institution for Transforming India (NITI) will act more like a think tank or forum, say its supporters, in contrast with the Commission which imposed five-year-plans and allocated resources to hit set economic targets.



NITI will include leaders of India's 29 states and seven union territories. But its full-time staff - a deputy chairman, Chief Executive Officer and experts - will answer directly to the 64-year-old Prime Minister, who will be chairman.

The opposition Congress mocked the launch as a cosmetic relabelling exercise - the new body's acronym-based name means 'Policy Commission' in Hindi, suggesting a less bold departure than the English version does.

Despite being blamed by critics for the slow growth that long plagued India, the Commission survived the market reforms of the early 1990s, riling Mr Modi with its interventions when he was Chief minister of industry and investor friendly Gujarat. Mr Modi, elected by a landslide last year on a promise to revive flagging growth and create jobs, had vowed to do away with the Planning Commission that was set up in 1950 by Congressman and Prime Minister Jawaharlal Nehru. But his plans have been derided by the Congress party, which wants to defend the Nehru legacy and describes Mr Modi's vision of "cooperative federalism" as cover for a veiled power grab.

However the elections in five states have proved that BJP is not unbeatable. Wherever the opposition has a slightly good leadership to answer back BJP with the capacity to consolidate anti BJP vote, BJP can be defeated. Though various states have formidable regional leaders, the nation has absolutely none. As long as Rahul Gandhi is the perceived choice for PM against Modi, irrespective of how much he has improved, he comes absolutely nowhere near Modi. Sonia is getting old and keeping a bit unwell to really run around amassing support. Its absolute Modi wave all the way and that is precisely why UP was given Yogi by RSS forcefully to consolidate this wave in tsunami for the next General Elections.

UP is a matter of extreme pride for Modi-Shah combine so they avoided Bihar like risk in UP. Modi's mega personality and development agenda apart, he made a dig wherein he felt that it was good enough to get a few additional votes through the polarization angle, and he created history. In Yogi they have an equally high voltage man; making him CM of the largest state of India immediately gives him national limelight. Modi-Yogi combine will ensure no opposition and we will possibly see a UP type wipe out at national level, that's the worst thing for democracy. A strong opposition is always a must in any democracy. There is a common saying that absolute power, inevitably corrupts, Indian democracy needs a national leader to stand opposite them for the good of the country.

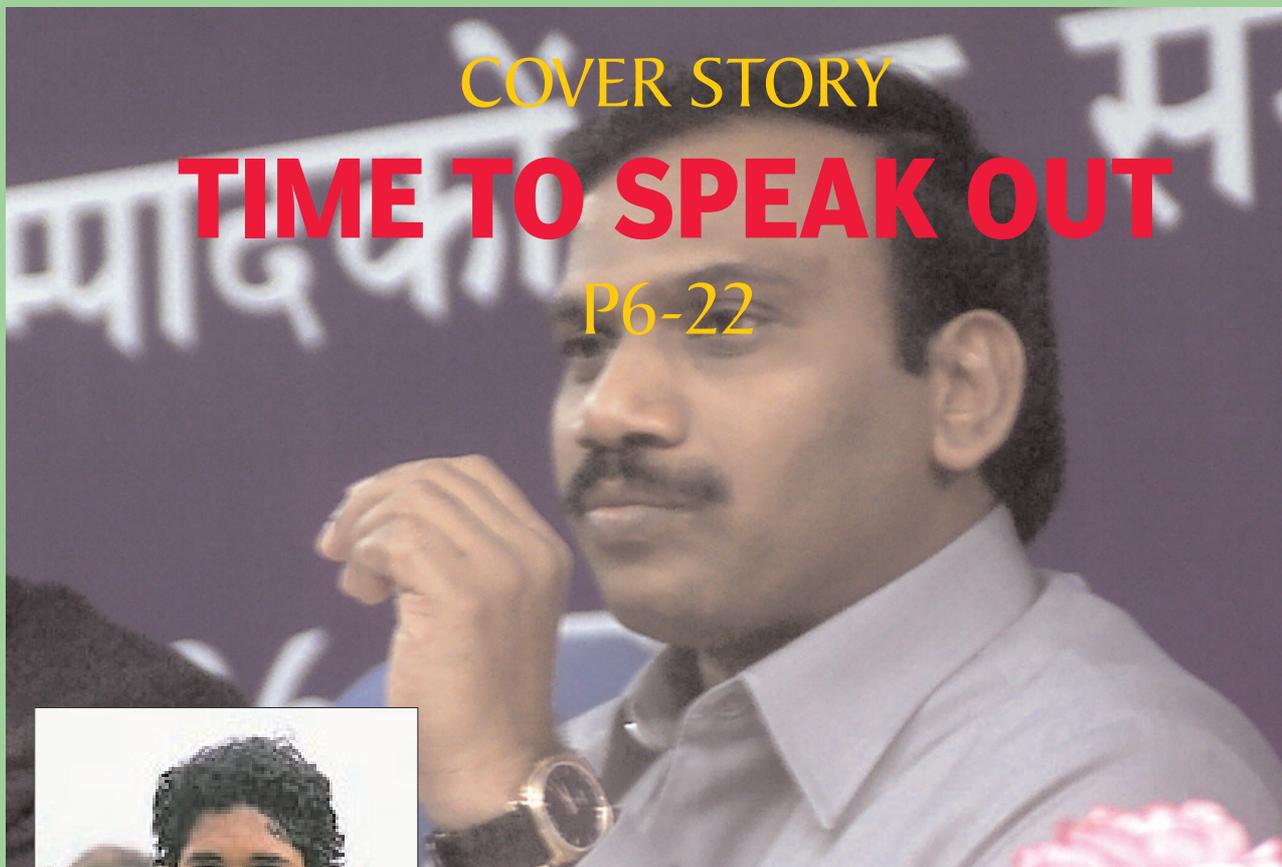
That leaves us with depleted Congress. At national level, they are all but wiped out. Rahul just won't be able to match up with Modi. However all their leaders agree with a narrative of complete decimation of Congress party the moment a Gandhi name is not at the top in Congress, that's the DNA of their party? Rajiv, Sonia and even Rahul had been reluctant politicians.

—Prashant Tewari, Editor-in-Chief

COVER STORY

TIME TO SPEAK OUT

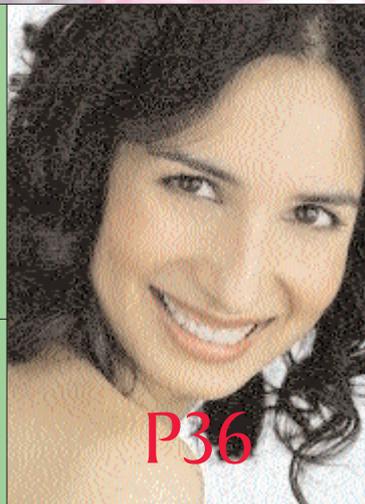
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Adieu, comrade

LEFT WITHOUT ICON

It's the end of an era in communist history of India as party without its icon Jyoti Basu now

Soumen Acharya

Jyoti Basu (8 July 1914 - 17 January 2010) or 'Jyotirindra Basu was an Indian politician belonging to the Communist Party of India (Marxist) from West Bengal, India. To the people of West Bengal, he was more than a political

head. Jyoti Basu was admired and loved by people and even his political opponent has a word of praise for him. He served as the Chief Minister of West Bengal from 1977 to 2000, making him India's longest-serving Chief Minister as of 2010 of any Indian state.

He was a member of the

CPI(M)Politburo from the time of the party's founding in 1964 until 2008.

From 2008 until his death in 2010 he remained a permanent invitee to the central committee of the party. On his death, he was the last of the founding Politburo members of Communist Party of India (Marxist).



COMRADES IN ARM: WITH HK SURJEET

Early life

Jyoti Basu was born on 8 July, 1914 in an upper middle-class Bengali family in Calcutta (Kolkata). His father, Nishikanta Basu, was a doctor from the village of Bardi in Narayanganj District, East Bengal (now in Bangladesh), while his mother Hemalata Basu was a housewife. Basu's schooling started at Loreto School at Dharmatala, Calcutta (Kolkata), in 1920. It was there where his father shortened his name and he became Jyoti Basu. However he was moved to St. Xavier's School in 1925. Basu completed his undergraduate education and received the honours in English from the Hindu College (renamed the Presidency College in 1855).

After completing his undergraduate studies in 1935, Basu set for England for higher studies of Law. Young Jyoti Basu was perusing to crack the elite ICS examination but the destiny had some other things to offer. It is said that Basu attended lectures of Harold Laski at the London School of Economics in late 1930. It was in England that Basu was introduced to the activities of politics through the Communist Party of Great

Britain. There he was inspired by noted Communist Philosopher and prolific writer Rajani Palme Dutt. In 1940 he completed his studies and qualified as a Barrister at the Middle Temple. In the same year he returned to India. In 1944 Basu became

Basu was introduced to the Communist Party of Great Britain by another communist leader and Basu's friend in England Bhupesh Gupta. It's told Basu showed interest to join CPGB but the then Secretary General Harry Pollitt suggested him to not do so

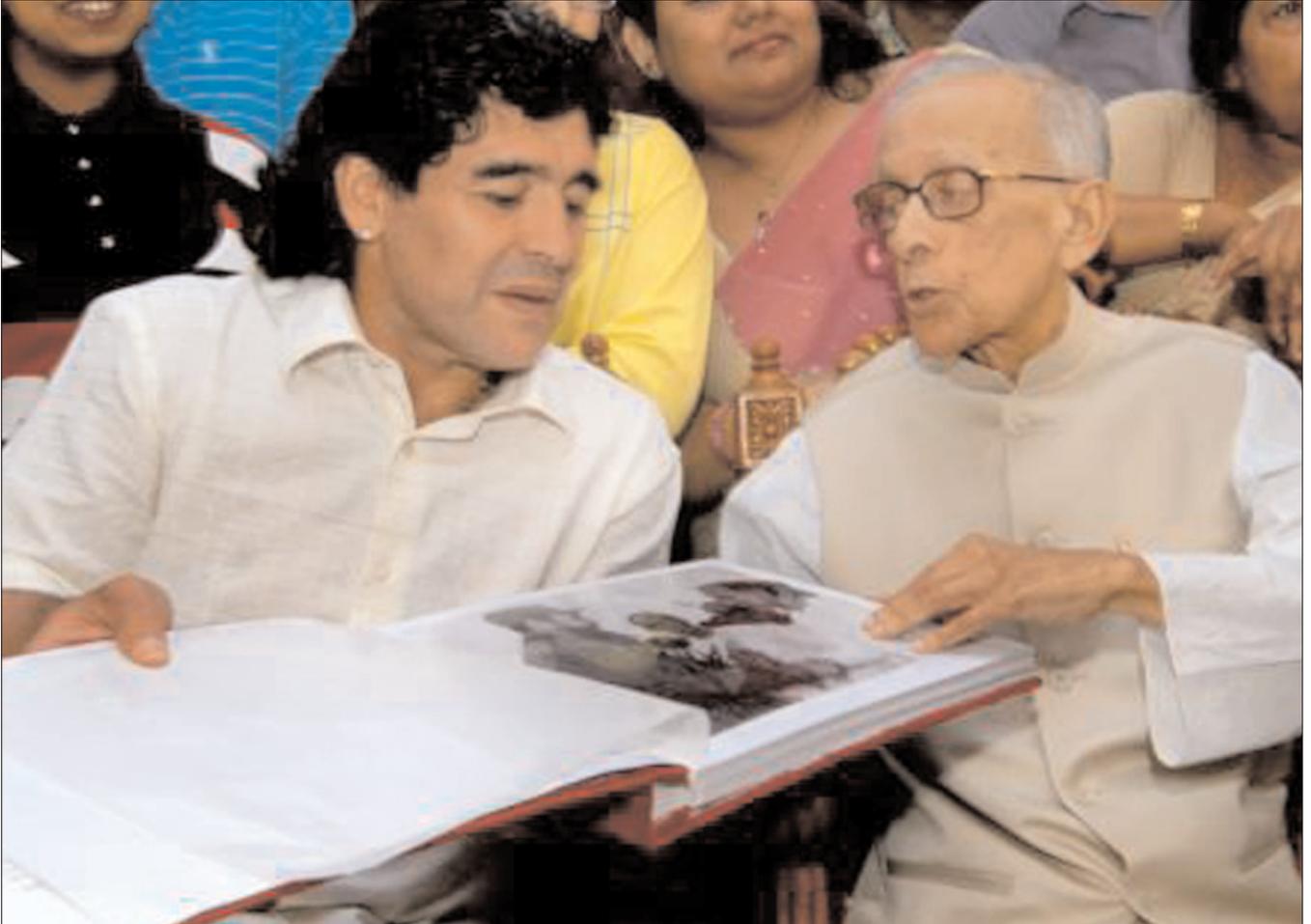
involved in trade union activities when CPI delegated him to work amongst the railway labourers. When B.N. Railway Workers Union and B.D. Rail Road

Workers Union merged, Basu became the general secretary of the union.

Entry into politics

Basu's first track in politics was his efforts to organize the Indian students studying in United Kingdom, mostly for the cause of Indian Independence. While studying in England, Basu subsequently joined India League and London Majlis, both the organizations being communities of overseas Indian students. Basu was given the responsibility for arranging a meeting with Jawaharlal Nehru during Nehru's visit to London in 1938. The same was done after Subhas Chandra Bose went to England. As a member of London Majlis, Basu introduced the visiting Indian political figures to the leaders of Labour Party.

Basu was introduced to the Communist Party of Great Britain by another communist leader and Basu's friend in England Bhupesh Gupta. It's told Basu showed interest to join CPGB but the then Secretary General Harry Pollitt suggested him to not do so, possibly because CPGB was then banned in India and Pollitt speculated Basu could have difficulties in returning to



AN ICON: WITH ANOTHER ICON DIEGO MARADONA (ABOVE) AND CPM GENERAL SECRETARY PRAKASH KARAT (RIGHT)

India as a member of CPGB.

However Basu returned to India in 1940 and immediately contacted the Party leaders. Though he enrolled himself as a barrister in Calcutta High Court, he never practiced simply because he was determined to become a wholetime of the Party. Joyti Basu was extremely focused on concentrating on politics and consolidating Indian communist movement.

Basu became the secretary of Friends of Soviet Union and Anti-Fascist Writers' Association in Kolkata. As member of the Party, the initial task of Basu was to maintain liaison with underground Party leaders. He was entrusted responsibilities in the trade union front from 1944. In that year, Bengal Assam Railroad Workers' Union was formed and Basu became its first secretary. Basu was elected to Bengal Provincial Assembly in 1946 from the Railway Workers constituency. Ratanlal Bramhan and Rupnarayan Roy were the other two Communists who were elected. From that day on, Basu became one of the most popular and influential



legislators for decades to come. He showed how the Communists can use the legislative forums for strengthening struggles.

Basu played a very active role in stormy days of 1946-47 when Bengal witnessed the Tebhaga movement, workers strikes and even communal riots. Everywhere the

struggling people got Basu by their side.

Jyoti Basu was the secretary of the West Bengal Provincial Committee of the Party from 1953 to January 1961. He was elected to Central Committee of the Party in 1951. He was a member of the Politburo from 1964 onwards. He was elected as a special invitee to PB in 19th



POSTERBOY: BASU AND SURJEET ADORNING A CPM HOARDING

Congress of the Party in 2008.

After the country gained independence, he was elected to the assembly from Baranagar in 1952. He was elected to the West Bengal Legislative Assembly in 1952, 1957, 1962, 1967, 1969, 1971, 1977, 1982, 1987, 1991 and 1996. Though an elected member, Basu was arrested several times during the 1950s and 60s and for certain periods he went underground to evade arrest by the police.

In 1962, Jyoti Basu was one amongst the 32 members of the National Council who walked out of the meeting. When the CPI(M) was formed in 1964 as a result of the ideological struggle within the Communist movement, Basu became a member of the Politbureau. He was, in fact, the last surviving member of the "Navaratnas", the nine members of the first Politburo. The leftist section, to which the 32 National Council members belonged, organized a convention in Tenali,

During the Sino-Indian war, a faction of the Indian Communists backed the position of the Indian government, while other sections of the party claimed that it was a conflict between a socialist and a capitalist state, and thus took a pro-Chinese position.

Andhra Pradesh July 7 to 11. It was here where the radical sections of party further showed their pro-Chinese stand. The Tenali convention was marked by the display of a large portrait of the Chinese

Communist leader Mao Zedong.

Controversial stand on Sino-Indian war

During the Sino-Indian war, a faction of the Indian Communists backed the position of the Indian government, while other sections of the party claimed that it was a conflict between a socialist and a capitalist state, and thus took a pro-Chinese position. Jyoti Basu was among the prominent leaders who supported the Chinese government during the war.

There were three factions in the party - "internationalists", "centrists", and "nationalists". Internationalists supported the Chinese stand whereas the nationalists backed India; centrists took a neutral view. Prominent leaders including S.A. Dange were in the nationalist faction. B. T. Ranadive, P. Sundarayya, P. C. Joshi, Basavapunniah, Jyoti Basu, and Harkishan Singh Surjeet were among those supported China. Ajoy Ghosh was



FROM THE PAST: WITH CUBAN LEADER CASTRO IN EARLY 70'S

the prominent person in the centrist faction. In general, most of Bengal Communist leaders supported China and most others supported India. Hundreds of CPI leaders, accused of being pro-Chinese were imprisoned. Some of the nationalists were also imprisoned, as they used to express their opinion only in party forums, and CPI's official stand was pro-China. Thousands of Communists were

detained without trial.

Later political career

Basu was elected to the Bengal Legislative Assembly in 1946, contesting the Railway constituency. He served as the Leader of Opposition for a long time when Dr. Bidhan Chandra Roy was the Chief Minister of West Bengal. Basu's admirable eloquence both as an M.L.A and

the Leader of Opposition drew the attention of Dr. B. C. Roy and he had a strong affection for this young leader though his stand was completely contrary to the policies of the then State Government run by Dr. Roy. Jyoti Basu led one after another agitation against the State Government and earned enviable popularity as a politician particularly among the students and youth. Beside organising the movements of the Railway Labourers, he led a movement by the teachers demanding a hike in salary. When the Communist Party of India split in 1964, Basu became one of the first nine members of the Politburo of the newly-formed Communist Party of India (Marxist). In 1967 and 1969, Basu became Deputy Chief Minister of West Bengal in the United Front governments. In 1967, after the defeat of the Congress Government, Jyoti Basu was sworn-in as the Deputy Chief Minister under the Chief

In 1970, he narrowly escaped an assassination attempt at the Patna railway station by the Anand Margis. Though CPI(M) became the single largest party in the assembly elections in 1971, the party was refused the chance to form a ministry and Presidents' Rule was imposed in West Bengal.

Ministership of Ajoy Mukherjee. In 1970, he narrowly escaped an assassination attempt at the Patna railway station by the Anand Margis. Though CPI(M) became the single largest party in the assembly elections in 1971, the party was refused the chance to form a ministry and Presidents' Rule was imposed in West Bengal.

The 1972 elections were rigged and the Congress returned to power in West Bengal in 1972. Jyoti Basu as a result lost the elections from the Baranagar Assembly Constituency. Jyoti Basu was forced to boycott the elections. Basu famously declared the new assembly as "assembly of the frauds" and CPI(M) boycotted the assembly for the next five years. Jyoti Basu belonged to the leadership of the CPI(M) which steered the Party through the difficult days of semi-fascist terror in West Bengal in the early seventies. After the sweeping victory of the Left Front in 1977, Jyoti Basu became the



MASS LEADER: JYOTI BASU HAD A MASS APPEAL

Jyoti Basu became a symbol for the Left, democratic and secular forces in the country. In West Bengal, the people adored him and respected him for his championing of their cause. He became the role model for all Communists and progressives on how to work in parliamentary institutions and serve the people. During this seven decades of work in the Communist party, he spent three and a half years in prison and two years underground. Jyoti Basu was a Marxist who never wavered in his convictions...

Chief Minister of the Left Front government, a position he held continuously for more than 23 years, a record in the country (From June 21, 1977 to November 6, 2000, Basu served as the Chief Minister of West Bengal for the Left Front government). Under his leadership, the Left Front government embarked on land reforms on a scale unprecedented in the country; it instituted a panchayati raj system which was radical for its times, which gave the poor peasants and small farmers a say in running the panchayati institutions. West Bengal became an oasis of communal harmony and secular values under his leadership. One has to recall how as Chief Minister he dealt with the situation after the assassination of Indira Gandhi in 1984 when vio-

lence against Sikhs broke out in various parts of the country, but nothing was allowed to happen in West Bengal. Similarly he dealt firmly with efforts to instigate trouble after the demolition of the Babri Masjid in 1992. In 1996 Jyoti Basu seemed all set to be the consensus leader of the United Front for the post of Prime Minister of India. However, the CPI(M) Politburo decided not to participate in the government, a decision that Jyoti Basu later termed a historic blunder. H.D. Deve Gowda from the Janata Dal instead became Prime Minister. Basu resigned from the Chief Ministership of West Bengal in 2000 for health reasons, and was succeeded by fellow CPI(M) politician Buddhadeb Bhattacharya. As of 2010, Basu holds the record for being the longest-serving Chief Minister in Indian political history.

The 18th congress of CPI(M), held in Delhi in 2005, re-elected Basu to its Politburo, although he had asked to be allowed to retire from it. On September 13, 2006, Basu entreated the CPI(M) to allow his retirement due to his age, but was turned down. General Secretary Prakash Karat said that the party wanted Basu to continue until its 2008 congress, at which point it would reconsider. At the 19th congress in early April 2008, Basu was not included on the Politburo, although he remained a member of the Central Committee and was designated as Special Invitee to the Politburo. Jyoti Basu became a symbol for the Left, democratic and secular forces in the country. In West Bengal, the people adored him and respected him for his championing of their cause. He became the role model for all Communists and progressives on how to work in parliamentary institutions and serve the people. During this seven decades of work in the Communist party, he spent three and a half years in prison and two years underground. Jyoti Basu was a Marxist who never wavered in his convictions. After the fall of the Soviet Union and the setbacks to socialism, he provided the leadership along with his colleagues in the Polit Bureau to make a reappraisal of the experience of building socialism and to pinpoint the errors and to correct wrong notions and understandings while remaining true to Marxism-Leninism. He was a Marxist who was not dogmatic and continued to learn from his vast experience in charting out the course for the Party.

He emerged as the pre-eminent and most popular leader of the Party, but he always worked as a disciplined member of the Party, setting an example for all. In his long career in the Party, he undertook various responsibilities including being the first editor of People's Democracy. He had a lifelong association with the trade union movement and was the Vice-President of the Centre of Indian Trade Unions since its inception in 1970.

Death

On 1 January, 2010, Basu was admitted to AMRI hospital, Bidhannagar, Kolkata after feeling unwell. On 16 January, 2010, his health condition became extremely critical and he was suffering from multiple organ failure. Seventeen days after being taken ill, he died on 17 January 2010 at 11:47 AM IST.

Basu had pledged to donate his body and eyes for medical research on 4th April 2003 at a function organised by Ganadarpan and Susrut Eye Foundation in Kolkata. He is survived by his son Chandan. His second wife Kamal Basu had earlier passed away on October 1, 2003. His body will be donated to SSKM hospital for research on 19 January, 2010.

The legacy of Jyoti Basu shall remain with the people of India for many years to come, he was the rare politician who could gracefully refuse the highest post of the country just to take the party line without any anger or greed. Legacy of Jyoti Basu will remain with us to guide and serve the people and to make our life more meaningful.

(A tribute paid by our Kolkata Bureau Chief)



A HAITIAN AMID THE WRECKAGE LEFT BY THE EARTHQUAKE

CURSE FROM HELL

World must unite to face the challenges posed by the greatest disaster of recent times...



HAITIANS CLAMOUR AT
A RELIEF CAMP

CHALLENGES



The earthquake in Haiti is the worst disaster ever confronted by the United Nations, a spokeswoman said on Saturday, pointing out that the catastrophe has left affected regions with little infrastructure. "This is a historic disaster. We have never been confronted with such a disaster in the UN memory. It is like no other," Elisabeth Byrs, spokeswoman of the UN Office for the





SCENE FROM A
MAKESHIFT CAMP
FOR QUAKE VICTIMS

CHALLENGES



RESCUE WORK IN PROGRESS IN HAITI (ABOVE)...AND SCENE OF WRECKAGE (BELOW)

Coordination of Humanitarian Affairs said. She noted that at least local government structures remained after the 2004 tsunami hit Indonesia's Aceh province, but in Haiti, the town of Leogane, for example, had lost all its public services in the earthquake.

The earthquake "has decapitated the city," said Byrs, pointing out that this made coordination of aid efforts all the more difficult. Byrs had earlier said that a UN assessment team surveying towns to the west of Port-au-Prince found that up to 90 per cent of the buildings in Leogane had been damaged or destroyed by Tuesday's 7.0 magnitude quake.

"No local government infrastructure remains," she said.

Around 2,40,000 people are estimated to have died in the massive earthquake that hit Haiti.

The Haitian government has said that while 40,000 people have been buried, at least a hundred thousand are still under the rubble.

Authorities have also said that the main concern now is that desperation is turning to violence.

There are reports of gangs of robbers preying on survivors desperately awaiting aid. Police are being rushed to the areas from where reports of robberies are coming in.

Some looting broke out in downtown Port-au-Prince, with a body burned and at least two shots fired.



Three days after the earthquake, governments across the world were pouring relief supplies and medical teams into the quake-hit Caribbean state, the poorest in the Western Hemisphere.

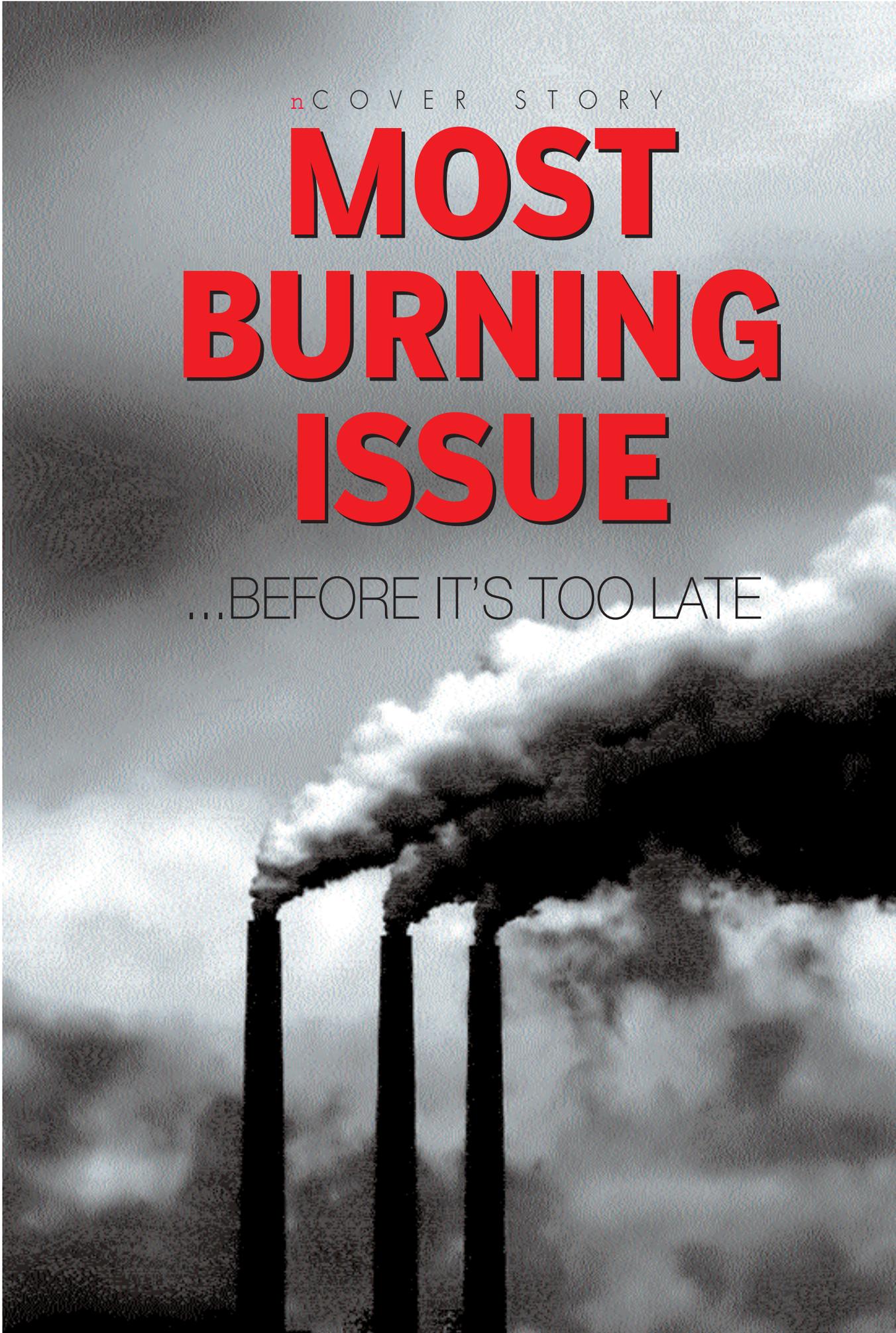
But due to huge logistical hurdles, including a clogged airport and badly damaged port, and the sheer scale of the destruction, the aid was not yet reaching the victims.

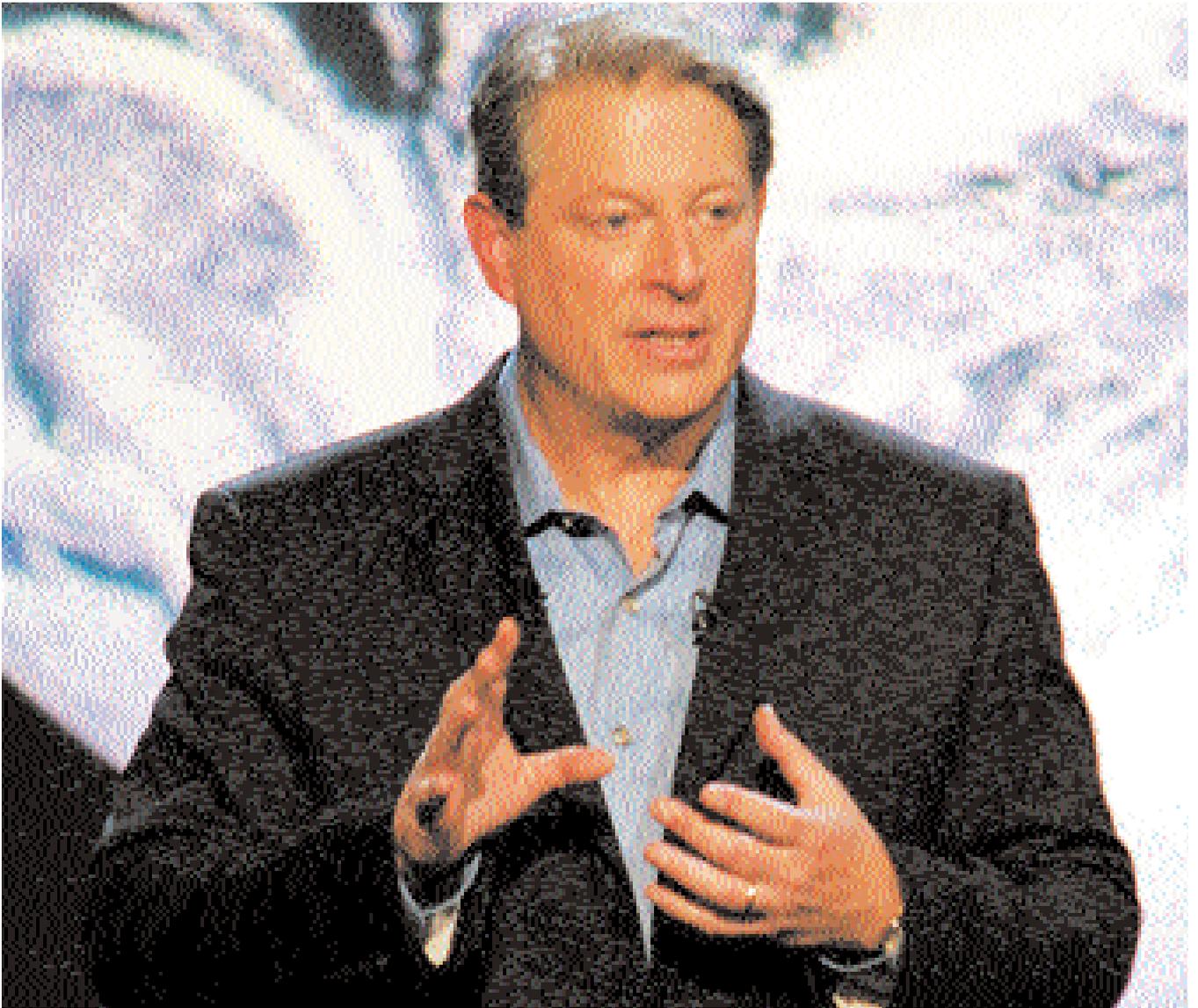
*(Report filed by **Herman Silochan** with inputs from agencies for Opinion Express News Services)*

nCOVER STORY

MOST BURNING ISSUE

...BEFORE IT'S TOO LATE





AL GORE'S VISION-2020

Global warming is the phenomenon in which there has been an increase in the average temperature of the earth's atmosphere and oceans in last few decades, and its predictable extension. The increase in the earth's average temperature can further cause other alterations, including an increasing sea level and alterations in the quantity and model of precipitation. These alterations may raise the incidence and concentration of tremendous weather proceedings, such as floods, famines, heat waves, storms, and cyclones. Other costs can comprise of higher or lower farming yields, glacier withdrawals, lesser summer stream flows, genus extinctions and boosting in the ranges of sickness vectors.

Al Gore was one of the foremost U.S. politicians to heave an alarm about the hazards of global warming. He has produced a significantly acclaimed documentary movie called "An Inconvenient Truth," and written a book that archives his advice that Earth is dashing toward an immensely warmer future. Al Gore, the former vice president of United States has given various speeches to raise an awareness

of global warming. He has warned people about the ill effects of Global warming and its remedies.

Al Gore has been studying climate of the globe for about thirty years. According to Al Gore, the climatic calamity is, indeed, tremendously hazardous. In fact it is a real earthly crisis. In more than hundred countries, two thousand scientists are working for more than twenty years in the most intricate and ordered scientific partnerships in the history of humanity to study the crisis. It is very important that proper heed is paid towards the global warming problem. Al Gore in his book and his documentary has warned that unless we get alert quickly to deal with the fundamental reasons of global warming, our world will experience a thread of awful calamities, including more and stronger hurricanes like the one Katrina, in both the Atlantic and the Pacific. Al Gore has insisted on the fact that it is due the global warming that the North Polar ice cap and all the mountain glaciers in world will finally melt down in a few decades from now.

Al Gore has illustrated the various reasons of global warming in his documentary and the book. The amount of carbon dioxide that is be-

ing dumped in the environment has literally changed the relationship between the earth and the sun. So much of that CO₂ is being engrossed into the oceans that if we carry on at the present rate we will increase the saturation of calcium carbonate to levels that will stop formation of corals and impede with the making of shells by any sea creature.

Al Gore has insisted that it is a dire need that we take proper steps to cut down global warming. The growing of switch grass and saw grass should be encouraged. Switching to a greater extent on ethanol, cellulosic ethanol, butanol, and green diesel fuels can also reduce global warming pollution. On a universal basis, about more than two trillion tons of the 10 trillion tons of CO₂ emitted each year comes from flaming the forests. So, improved organization of forests is one of the single most significant strategies for solving the climate disaster. Sources like wind energy, solar energy should be made in common use. Al Gore has warned the people that if proper steps are not taken today against global warming, it will get too late to do anything. Here is Al Gore recent speech warning the impact of global Warming to our planet...

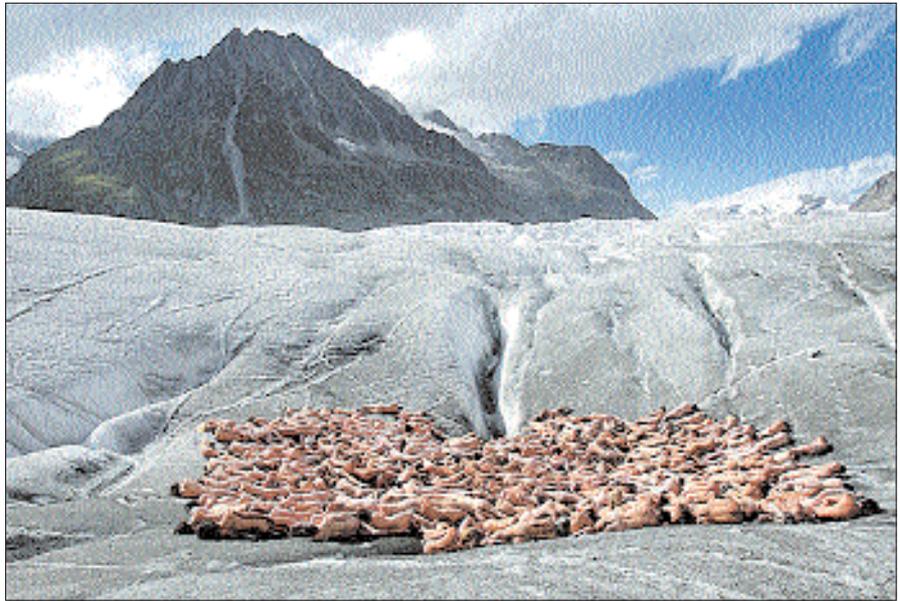
This is a moral moment. This is not ultimately about any scientific debate or political dialogue. Ultimately it is about who we are as human beings. It is about our capacity to transcend our own limitations. To rise to this new occasion.

Al Gore

The warnings about global warming have been extremely clear for a long time. We are facing a global climate crisis. It is deepening. We are entering a period of consequences. Churchill also said this, and he directed it at the people of his country who were looking for any way to avoid having to really confront the threat that he was warning of and asking them to prepare for. He said that he understood why there was a natural desire to deny the reality of the situation and to search for vain hope that it wasn't really as serious as some claimed it was. He said they should know the truth. And after the appeasement by Neville Chamberlain, he said, "This is only the beginning of the reckoning. This only the first sip, the first foretaste, of a bitter cup which will be proffered to us year by year - unless by a supreme recovery of moral health and martial vigor, we rise again and take our stand for freedom."

It is time now for us to recover our moral health in America and stand again to rise for freedom, demand accountability for poor decisions, missed judgments, lack of planning, lack of preparation, and willful denial of the obvious truth about serious and imminent threats that are facing the American people.

A hundred years ago, Upton Sinclair wrote, "It is difficult to get a man to understand something when his salary depends upon him not understanding." Here's what I think we here understand about Hurricane Katrina and global warming. Yes, it is true that no single hurricane can be blamed on global warming. Hurricanes have come for a long time, and will continue to come in the future. Yes, it is true that the science does not definitively tell us that global warming increases the frequency of hurricanes - because yes, it is true there is a multi-decadal cycle, twenty to forty years that profoundly affects the number of hurricanes that come in any single hurricane season. But it is also true that the science is extremely clear now, that warmer oceans make the average hurricane stronger, not only makes the winds stronger, but dramatically increases the moisture from the oceans evaporating into the storm - thus magnifying its destructive power - makes the duration, as well as the intensity of the hurricane, stronger.



PROTESTORS STRIP IN FRONT OF A MELTING GLACIER IN SWITZERLAND

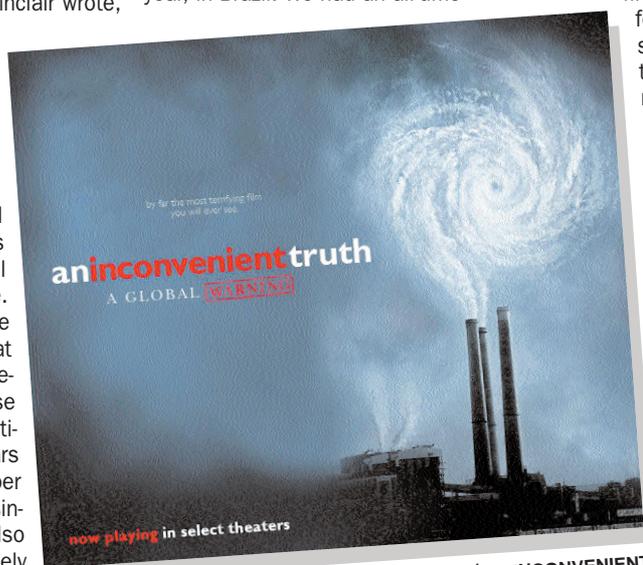
Last year we had a lot of hurricanes. Last year, Japan set an all-time record for typhoons: ten, the previous record was seven. Last year the science textbooks had to be re-written. They said, "It's impossible to have a hurricane in the south Atlantic." We had the first one last year, in Brazil. We had an all-time

above 100 degrees.

The scientists are telling us that what the science tells them is that this - unless we act quickly and dramatically - that Tucson tied its all-time record for consecutive days above 100 degrees. this, in Churchill's phrase, is only the first sip of a bitter cup which will be proffered to us year by year until there is a supreme recover of moral health. We have to rise with this occasion. We have to connect the dots. When the Superfund sites aren't cleaned up, we get a toxic gumbo in a flood. When there is not adequate public transportation for the poor, it is difficult to evacuate a city. When there is no ability to give medical care to poor people, its difficult to get hospital to take refugees in the middle of a crisis. When the wetlands are turned over to the developers then the storm surges from the ocean threaten the coastal cities more. When there is no effort to restrain the global warming pollution gasses then global warming gets worse, with all of the consequences that the scientific community has warned us about.

My friends, the truth is that our circumstances are not only new; they are completely different than they have ever been in all of human history. The

relationship between humankind and the earth had been utterly transformed in the last hundred years. We have quadrupled the population of our planet. The population in many ways is a success story. The demographic transition has been occurring more quickly than was hoped for, but the reality of our new relation-



AL GORE'S OSCAR WINNING DOCUMENTARY 'AN INCONVENIENT TRUTH' DEALS WITH PITFALLS OF GLOBAL WARMING

record last year for tornadoes in the United States, 1,717 - largely because hurricanes spawned tornadoes. Last year we had record temperatures in many cities. This year 200 cities in the Western United States broke all-time records. Reno, 39 days consecutively

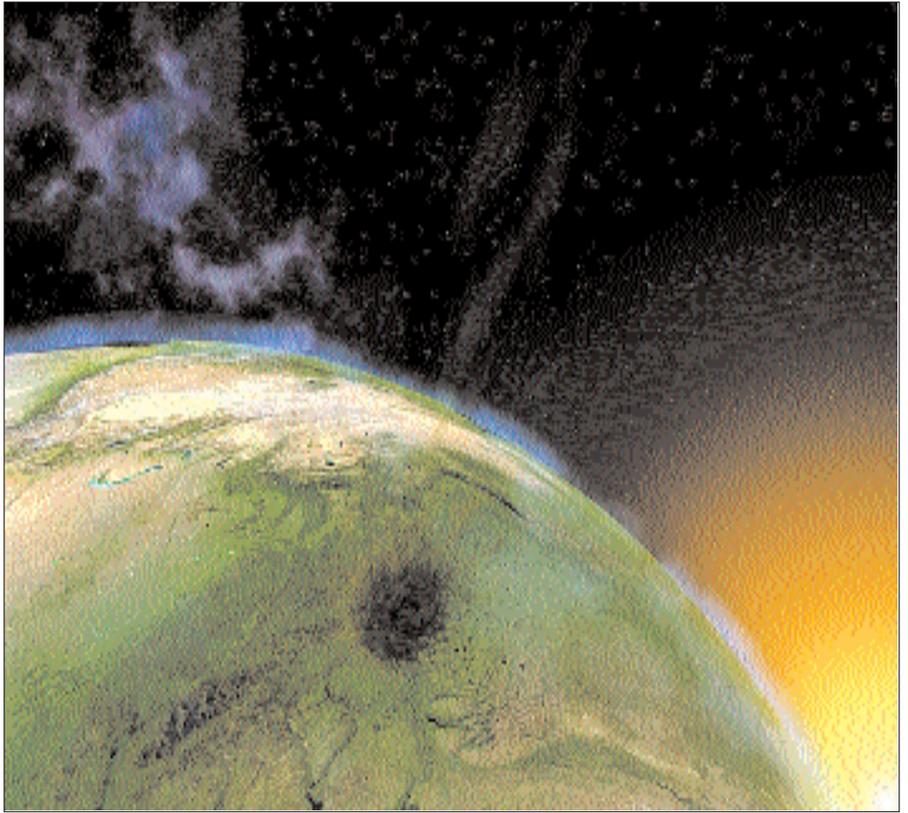
relationship with the planet brings with it a moral responsibility to accept our new circumstances and to deal with the consequences of the relationship we have with this planet. And it's not just population. By any means, the power of the technologies now at our disposal vastly magnifies the average impact that individuals can have on the natural world. Multiply that by six and a half billion people, and then stir into that toxic mixture a mindset and an attitude that says it's okay to ignore scientific evidence - that we don't have to take responsibility for the future consequences of present actions - and you get a collision between our civilization and the earth. The refugees that we have seen - I don't like that word when applied to American citizens in our own country, but the refugees that we have seen could well be the first sip of that bitter cup because sea-level rise in countries around the world will mobilize millions of environmental refugees. The other problems are known to you, but here is what I want to close with:

This is a moral moment. This is not ultimately about any scientific debate or political dialogue. Ultimately it is about who we are as human beings. It is about our capacity to transcend our own limitations. To rise to this new occasion. To see with our hearts, as well as our heads, the unprecedented response that is now called for. To disenfranchise ourselves, to shed the illusions that have been our accomplices in ignoring the warnings that were clearly given, and hearing the ones that are clearly given now.

There is another side to this moral challenge. Where there is vision, the people prosper and flourish, and the natural world recovers, and our communities recover. The good news is we know what to do. The good news is, we have everything we need now to respond to the challenge of global warming. We have all the technologies we need, more are being developed, and as they become available and become more affordable when produced in scale, they will make it easier to respond. But we should not wait, we cannot wait, we must not wait, we have every thing we need - save perhaps political will. And in our democracy, political will is a renewable resource. "

I know that you are debating as an organization and talking among yourselves about your own priorities. I would urge you to make global warming your priority. I would urge you to focus on a unified theme. I would urge you to work with other groups in ways that have not been done in the past, even though there have been Herculean efforts on your part and the part of others. I would urge you to make this a moral moment. To make this a moral cause.

There are those who would say that the



problem is too big and we can't solve it. There are many people who go from denial to despair without pausing on the intermediate step of actually solving the problem. To those who say it's too big for us, I say that we have accepted and successfully met such challenges in the past. We declared our liberty, and then won it. We designed a country that respected and safeguarded the freedom of individuals. We freed the slaves. We gave women the right to vote. We took on Jim Crow and segregation. We cured great diseases, we have landed on the moon, we have won two wars in the Pacific and the Atlantic simultaneously. We brought down communism, we brought down apartheid, we have even solved a global environmental crisis before - the hole in the stratospheric ozone layer - because we had leadership and because we had vision and because people who exercise moral authority in their local communities empowered our nation's government "of the people by the people and for the people" to take ethical actions even though they were difficult. This is another such time. This is your moment. This is the time for those who see and understand and care and are willing to work to say this time the warnings will not be ignored. This time we will prepare. This time we will rise to the occasion. And we will prevail.

A Generational Challenge to Re-power America

There are times in the history of our nation when our very way of life depends upon dispelling illusions and awakening to the challenge of a present danger. In such moments, we are called upon to move quickly and boldly to shake off complacency, throw aside old habits and rise, clear-eyed and alert, to the necessity of big changes. Those who, for whatever reason, refuse to do their part must either be persuaded to join the effort or asked to step aside. This is such a moment. The survival of the United States of America as we know it is at risk. And even more - if more should be required - the future of human civilization is at stake. I don't remember a time in our country when so many things seemed to be going so wrong simultaneously. Our economy is in terrible shape and getting worse, gasoline prices are increasing dramatically, and so are electricity rates. Jobs are being outsourced. Home mortgages are in trouble. Banks, automobile companies and other institutions we depend upon are under growing pressure. Distinguished senior business leaders are telling us that this is just the beginning unless we find the courage to make some major changes quickly.

Where there is vision, the people prosper and flourish, and the natural world recovers, and our communities recover. The good news is we know what to do. The good news is, we have everything we need now to respond to the challenge of global warming.

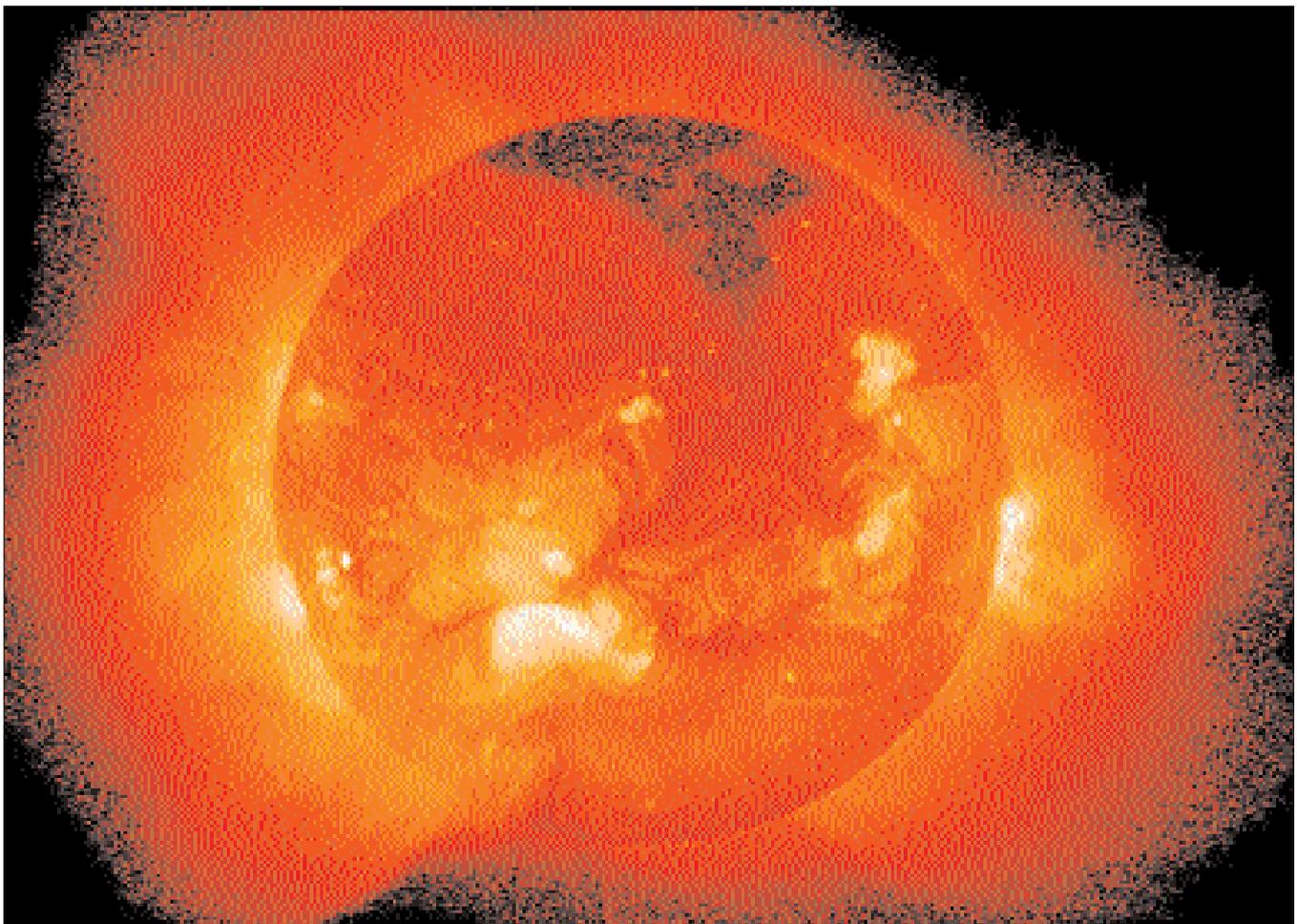
C O V E R S T O R Y

And by the way, our weather sure is getting strange, isn't it? There seem to be more tornadoes than in living memory, longer droughts, bigger downpours and record floods. Unprecedented fires are burning in California and elsewhere in the American West.

The climate crisis, in particular, is getting a lot worse - much more quickly than predicted. Scientists with access to data from Navy submarines traversing underneath the North polar ice cap have warned that there is now a 75 percent chance that within five years the entire ice cap will completely disappear during the summer months. This will further increase the melting pressure on Greenland. According to experts, the Jakobshavn glacier, one of Greenland's largest, is moving at a faster rate than ever before, losing 20 million tons of ice every day, equivalent to the amount of water used every year by the residents of

senior statesmen and retired military leaders warned of the national security threat from an "energy tsunami" that would be triggered by a loss of our access to foreign oil. Meanwhile, the war in Iraq continues, and now the war in Afghanistan appears to be getting worse.

And by the way, our weather sure is getting strange, isn't it? There seem to be more tornadoes than in living memory, longer droughts, bigger downpours and record floods. Unprecedented fires are burning in California and elsewhere in the American West. Higher temperatures lead to drier vegetation that makes kindling for mega-fires of the kind



LET'S KEEP THE HEAT OF SCORCHING SUN AT BAY

New York City.

I have a post coming shortly on the latest update from the world's leading teams of sea ice experts, showing this year's retreat is unlikely to match last year's, while the long-term trend is still heading toward ever less summer ice. I'll try to find out where the sub data came from. Only one group I know of has posited an ice-free Arctic Ocean in summers by 2013. On Greenland, the picture is far more complex than the way it is portrayed here. Other glaciers have slowed and, overall - as I've written here recently - new studies show no fresh signs of imminent destabilization of the ice.]

Two major studies from military intelligence experts have warned our leaders about the dangerous national security implications of the climate crisis, including the possibility of hundreds of millions of climate refugees destabilizing nations around the world. Just two days ago, 27

that have been raging in Canada, Greece, Russia, China, South America, Australia and Africa.

Scientists in the Department of Geophysics and Planetary Science at Tel Aviv University tell us that for every one degree increase in temperature, lightning strikes will go up another 10 percent. And it is lightning, after all, that is principally responsible for igniting the conflagration in California today.

Like a lot of people, it seems to me that all these problems are bigger than any of the solutions that have thus far been proposed for them, and that's been worrying me. I'm convinced that one reason we've seemed paralyzed in the face of these crises is our tendency to offer old solutions to each crisis separately - without taking the others into account. And these outdated proposals have not only been ineffective - they almost always make the other crises even worse.

COVER STORY

Yet when we look at all three of these seemingly intractable challenges at the same time, we can see the common thread running through them, deeply ironic in its simplicity: our dangerous over-reliance on carbon-based fuels is at the core of all three of these challenges - the economic, environmental and national security crises. We're borrowing money from China to buy oil from the Persian Gulf to burn it in ways that destroy the planet. Every bit of that's got to change. But if we grab hold of that common thread and pull it hard, all of these complex problems begin to unravel and we will find that we're holding the answer to all of them right in our hand.

The answer is to end our reliance on carbon-based fuels. In my search for genuinely effective answers to the climate crisis, I have held a series of "solutions summits" with engineers, scientists, and CEOs. In those discussions, one thing has become abundantly clear: when you connect the dots, it turns out that the real solutions to the climate crisis are the very same measures needed to renew our economy and escape the trap of ever-rising energy prices. Moreover, they are also the very same solutions we need to guarantee our national security without having to go to war in the Persian Gulf.

What if we could use fuels that are not expensive, don't cause pollution and are abundantly available right here at home? We have such fuels. Scientists have confirmed that enough solar energy falls on the surface of the earth every 40 minutes to meet 100 percent of the entire world's energy needs for a full year. Tapping just a small portion of this solar energy could provide all of the electricity America uses. And enough wind power blows through the Midwest corridor every day to also meet 100 percent of US electricity demand. Geothermal energy, similarly, is capable of providing enormous supplies of electricity for America.

The quickest, cheapest and best way to start using all this renewable energy is in the production of electricity. In fact, we can start right now using solar power, wind power and geothermal power to make electricity for our homes and businesses. But to make this exciting potential a reality, and truly solve our nation's problems, we need a new start.

A few years ago, it would not have been possible to issue such a challenge. But here's what's changed: the sharp cost reductions now beginning to take place in solar, wind, and geothermal power - coupled with the recent dramatic price increases for oil and coal - have radically changed the economics of energy.

When I first went to Congress 32 years ago, I listened to experts testify that if oil ever got to \$35 a barrel, then renewable sources of energy would become competitive. Well, today, the price of oil is over \$135 per barrel. And sure enough, billions of dollars of new investment are flowing into the development of concentrated solar thermal, photovoltaics, windmills, geothermal plants, and a variety of ingenious new ways to improve our efficiency and conserve presently wasted energy.

And as the demand for renewable energy grows, the costs will continue to fall. Let me give you one revealing example: the price of the specialized silicon used to make solar cells was recently as high as \$300 per kilogram. But the newest contracts have prices as low as \$50 a kilogram.

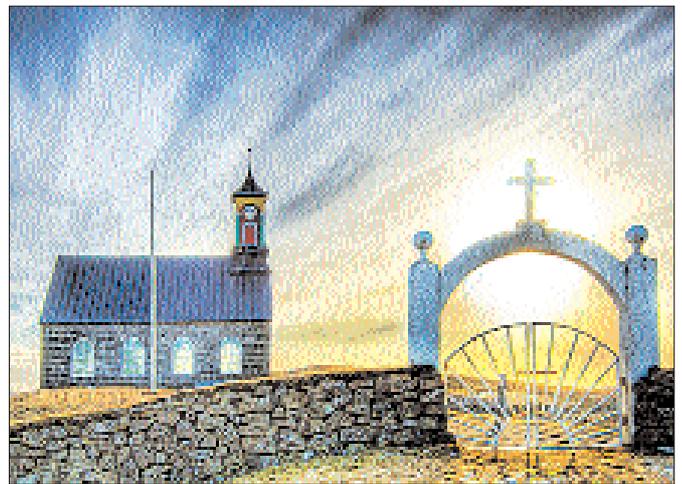
You know, the same thing happened with computer chips - also made out of silicon. The price paid for the same performance came down by 50 percent every 18 months - year after year, and that's what's happened for 40 years in a row. To those who argue that we do not yet have the technology to accomplish these results with renewable energy: I ask them to come with me to meet the entrepreneurs who will drive this revolution. I've seen what they are doing and I have no doubt that we can meet this challenge.

To those who say the costs are still too high: I ask them to consid-

er whether the costs of oil and coal will ever stop increasing if we keep relying on quickly depleting energy sources to feed a rapidly growing demand all around the world. When demand for oil and coal increases, their price goes up. When demand for solar cells increases, the price often comes down. When we send money to foreign countries to buy nearly 70 percent of the oil we use every day, they build new skyscrapers and we lose jobs. When we spend that money building solar arrays and windmills, we build competitive industries and gain jobs here at home.

Of course there are those who will tell us this can't be done. Some of the voices we hear are the defenders of the status quo - the ones with a vested interest in perpetuating the current system, no matter how high a price the rest of us will have to pay. But even those who reap the profits of the carbon age have to recognize the inevitability of its demise. As one OPEC oil minister observed, "The Stone Age didn't end because of a shortage of stones."

To those who say 10 years is not enough time, I respectfully ask them to consider what the world's scientists are telling us about the risks we face if we don't act in 10 years. The leading experts predict that we have less than 10 years to make dramatic changes in our global warming pollution lest we lose our ability to ever recover from this



SUNRISE IN NORWAY

environmental crisis. When the use of oil and coal goes up, pollution goes up. When the use of solar, wind and geothermal increases, pollution comes down.

To those who say the challenge is not politically viable: I suggest they go before the American people and try to defend the status quo. Then bear witness to the people's appetite for change. I for one do not believe our country can withstand 10 more years of the status quo. Our families cannot stand 10 more years of gas price increases. Our workers cannot stand 10 more years of job losses and outsourcing of factories. Our economy cannot stand 10 more years of sending \$2 billion every 24 hours to foreign countries for oil. And our soldiers and their families cannot take another 10 years of repeated troop deployments to dangerous regions that just happen to have large oil supplies.

What could we do instead for the next 10 years? What should we do during the next 10 years? Some of our greatest accomplishments as a nation have resulted from commitments to reach a goal that fell well beyond the next election: the Marshall Plan, Social Security, the interstate highway system. But a political promise to do something 40 years from now is universally ignored because everyone knows that it's meaningless.

The quickest, cheapest and best way to start using all this renewable energy is in the production of electricity. In fact, we can start right now using solar power, wind power and geothermal power to make electricity for our homes and businesses.

Of course, we could and should speed up this transition by insisting that the price of carbon-based energy include the costs of the environmental damage it causes...We should tax what we burn, not what we earn.

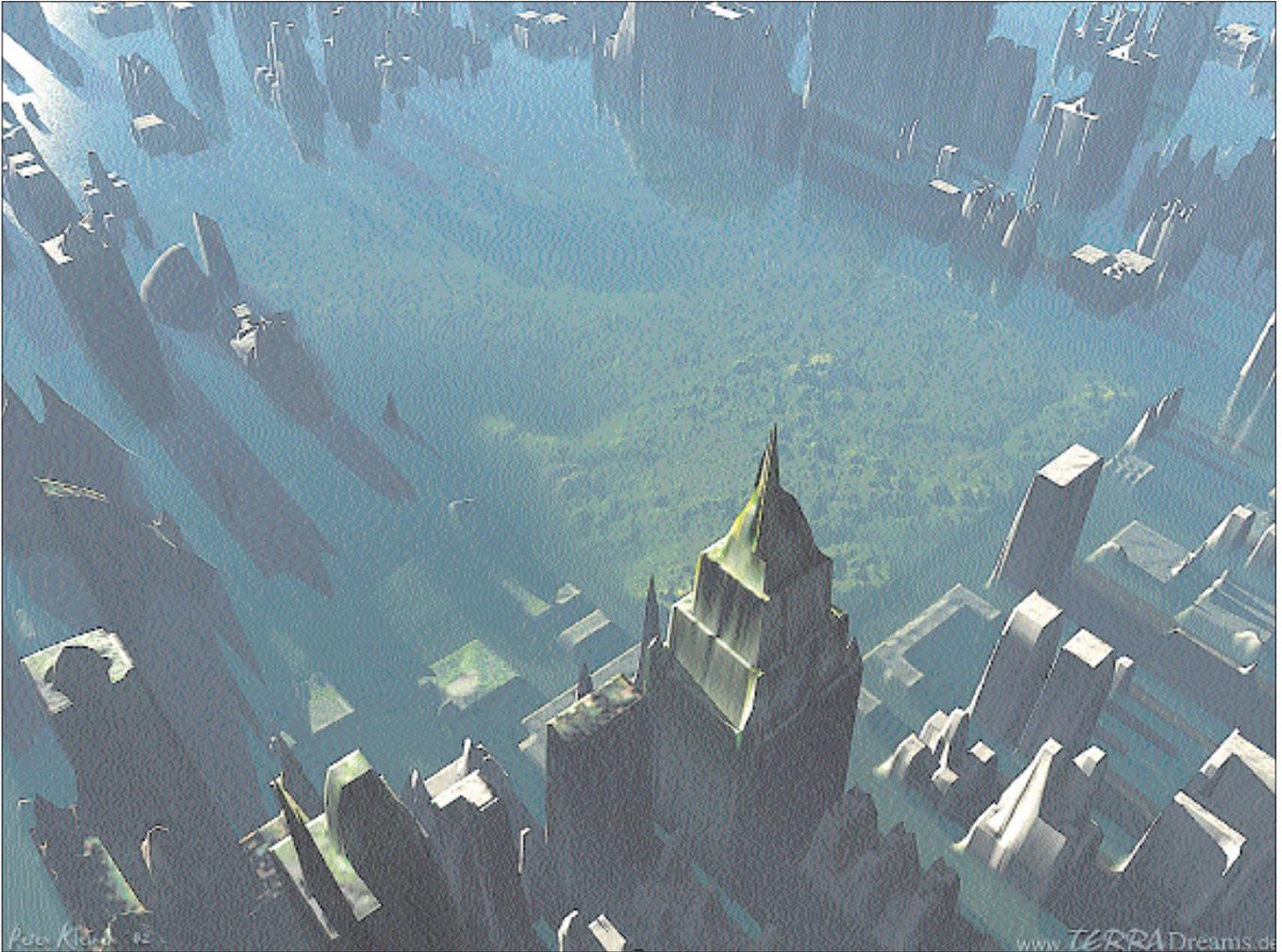
Ten years is about the maximum time that we as a nation can hold a steady aim and hit our target. When President John F. Kennedy challenged our nation to land a man on the moon and bring him back safely in 10 years, many people doubted we could accomplish that goal. But 8 years and 2 months later, Neil Armstrong and Buzz Aldrin walked on the surface of the moon.

To be sure, reaching the goal of 100 percent renewable and truly clean electricity within 10 years will require us to overcome many obstacles. At present, for example, we do not have a unified national grid that is sufficiently advanced to link the areas where the sun shines and the wind blows to the cities in the East and the West that need the elec-

duce the cost of driving a car, reduce pollution, and increase the flexibility of our electricity grid. At the same time, of course, we need to greatly improve our commitment to efficiency and conservation. That's the best investment we can make.

America's transition to renewable energy sources must also include adequate provisions to assist those Americans who would unfairly face hardship. For example, we must recognize those who have toiled in dangerous conditions to bring us our present energy supply. We should guarantee good jobs in the fresh air and sunshine for any coal miner displaced by impacts on the coal industry. Every single one of them.

Of course, we could and should speed up this transition by insisting



DUST AND HAZE IN A FUTURE CITY (COURTESY WWW.TERRADREAMS.COM)

tricity.

Our national electric grid is critical infrastructure, as vital to the health and security of our economy as our highways and telecommunication networks. Today, our grids are antiquated, fragile, and vulnerable to cascading failure. Power outages and defects in the current grid system cost US businesses more than \$120 billion dollars a year. It has to be upgraded anyway.

We could further increase the value and efficiency of a Unified National Grid by helping our struggling auto giants switch to the manufacture of plug-in electric cars. An electric vehicle fleet would sharply re-

duce the price of carbon-based energy include the costs of the environmental damage it causes. I have long supported a sharp reduction in payroll taxes with the difference made up in CO2 taxes. We should tax what we burn, not what we earn. This is the single most important policy change we can make.

In order to foster international cooperation, it is also essential that the United States rejoin the global community and lead efforts to secure an international treaty at Copenhagen in December of next year that includes a cap on CO2 emissions and a global partnership that recognizes the necessity of addressing the threats of extreme poverty

and disease as part of the world's agenda for solving the climate crisis.

Of course the greatest obstacle to meeting the challenge of 100 percent renewable electricity in 10 years may be the deep dysfunction of our politics and our self-governing system as it exists today. In recent years, our politics has tended toward incremental proposals made up of small policies designed to avoid offending special interests, alternating with occasional baby steps in the right direction. Our democracy has become sclerotic at a time when these crises require boldness. It is only a truly dysfunctional system that would buy into the perverse logic that the short-term answer to high gasoline prices is drilling for more oil ten years from now.

Am I the only one who finds it strange that our government so often adopts a so-called solution that has absolutely nothing to do with the problem it is supposed to address? When people rightly complain about higher gasoline prices, we propose to give more money to the oil companies and pretend that they're going to bring gasoline prices down.

It will do nothing of the sort, and everyone knows it. If we keep going back to the same policies that have never ever worked in the past and have served only to produce the highest gasoline prices in history alongside the greatest oil company profits in history, nobody should be surprised if we get the same result over and over again. But the Congress may be poised to move in that direction anyway because some of them are being stampeded by lobbyists for special interests that know how to make the system work for them instead of the American people.

If you want to know the truth about gasoline prices, here it is: the exploding demand for oil, especially in places like China, is overwhelming the rate of new discoveries by so much that oil prices are almost certain to continue upward over time no matter what the oil companies promise. And politicians cannot bring gasoline prices down in the short term.

However, there actually is one extremely effective way to bring the costs of driving a car way down within a few short years. The way to bring gas prices down is to end our dependence on oil and use the renewable sources that can give us the equivalent of \$1 per gallon gasoline. Many Americans have begun to wonder whether or not we've simply lost our appetite for bold policy solutions. And folks who claim to know how our system works these days have told us we might as well forget about our political system doing anything bold, especially if it is contrary to the wishes of special interests. And I've got to admit, that sure seems to be the way things have been go-

ing. But I've begun to hear different voices in this country from people who are not only tired of baby steps and special interest politics, but are hungry for a new, different and bold approach.

We are on the eve of a presidential election. We are in the midst of an international climate treaty process that will conclude its work before the end of the first year of the new president's term. It is a great error to say that the

America was finally ready to meet President Kennedy's challenge of landing Americans on the moon. I will never forget standing beside my father a few miles from the launch site, waiting for the giant Saturn 5 rocket to lift Apollo 11 into the sky. I was a young man, 21 years old, who had graduated from college a month before and was enlisting in the United States Army three weeks later.

I will never forget the inspiration of those



STRANDED POLAR BEARS TRAPPED IN A MELTING GLACIER

United States must wait for others to join us in this matter. In fact, we must move first, because that is the key to getting others to follow; and because moving first is in our own national interest.

So, I ask you to join with me to call on every candidate, at every level, to accept this challenge - for America to be running on 100 percent zero-carbon electricity in 10 years. It's time for us to move beyond empty rhetoric. We need to act now. This is a generational moment. A moment when we decide our own path and our collective fate. I'm asking you - each of you - to join me and build this future. Please join the WE campaign at wecansolveit.org. We need you. And we need you now. We're committed to changing not just light bulbs, but laws. And laws will only change with leadership.

On July 16, 1969, the United States of

minutes. The power and the vibration of the giant rocket's engines shook my entire body. As I watched the rocket rise, slowly at first and then with great speed, the sound was deafening. We craned our necks to follow its path until we were looking straight up into the air. And then four days later, I watched along with hundreds of millions of others around the world as Neil Armstrong took one small step to the surface of the moon and changed the history of the human race. We must now lift our nation to reach another goal that will change history.

Our entire civilization depends upon us now embarking on a new journey of exploration and discovery. Our success depends on our willingness as a people to undertake this journey and to complete it within 10 years.

(Based on speeches delivered by Al Gore)

Report sent by our North America Bureau Chief Divyansh Bajpai based in Portland US

Our entire civilization depends upon us now embarking on a new journey of exploration and discovery. Our success depends on our willingness as a people to undertake this journey and to complete it within 10 years...

A WAR WORTH FIGHTING

BAN KI-MOON



Too often, our world seems to careen from one crisis to the next: violence in the Middle East, disease in Africa, soaring food and fuel prices around the globe, the threat of climate change. When people are buffeted by one shock after another, it's not uncommon for them to grow pessimistic, to see the world's problems as too intractable to solve. The temptation is to throw up our hands, retreat from the world and tend

our own gardens.

Yet from where I sit, on the 38th floor of the United Nations building, the view is rather different. My perspective is of cautious but resolute optimism. Every problem of the world finds its way to the U.N., our global crossroads of politics and diplomacy. But if the problems come together at the U.N., so do the often hidden connections among them—and through those connections, the ways to real solutions. Nowhere is that more apparent than in our approach to climate change. Many of the challenges we face, from poverty to armed conflict, are linked to the effects of global warming. Finding a solution to climate change can bring benefits in other areas. A greener planet will be a more peaceful and prosperous one too.

The U.N. was founded, famously, to "end the scourge of war." We often confuse that with the dispatching of peacekeepers to this or that zone of conflict. I see it differently. The basic building block of peace and security for all peoples is economic and social security, anchored in sustainable development. It is a key to all problems. Why? Because it allows us to address all the great issues—poverty, climate, environment and political stability—as parts of a whole.

Consider Darfur, where I've put considerable diplomatic effort during my first year as Secretary-General. It is, of course, most immediately a challenge of peacemaking and peacekeeping. But Darfur's violence began with the onset of a decades-long drought. Farmers and herders came into conflict over land and water. If this root problem is not addressed—if the challenges of poverty alleviation, environmental stewardship and the control of climate change are not tied together—any solutions we propose in Darfur will at best be a temporary Band-Aid.

More than ever before, solutions must bridge the local and the global. Hunger in Africa will be solved partly by helping farmers get the improved seeds, water pumps and soil nutrients they need for a good harvest. It also requires the traditional U.N. development effort—coupled with a new attention to the environment. Since problems spill across borders, security anywhere depends on sustainable development everywhere.

That brings us back to climate change. No place is immune, neither the arid Sahel of Africa nor the grain-exporting regions of Australia nor the drought-prone Southwest of the U.S. To fight it, the U.N. family, including the Nobel Prize-winning Intergovernmental Panel on Climate Change, has begun tapping into a pool of global resources—scientific and engineering expertise, corporate engagement and civic leadership. We have begun to appreciate more fully how the world's dazzling know-how can solve the seemingly unsolvable when we view our problems through the right perspective.

This year at the U.N., as we link the crucial agendas of poverty reduction and climate change, we must remember that among the best minds are the farmers, doctors and community leaders at the local level who have worked out ingenious solutions to urgent challenges. They tell us that there are indeed pathways, at modest cost, to clean and sustainable energy systems, high-yield agriculture in Africa and improved water management in drought-prone regions of Asia, Africa, the Middle East and the Americas.

This year could mark a watershed at the U.N. We will undertake climate-change negotiations in earnest and accelerate our efforts to achieve the Millennium Development Goals to fight poverty,



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hunger and disease. As we embark on this great undertaking, we might recall the historic importance of American leadership in this fight. In 1963, President John F. Kennedy told the U.N. General Assembly, "The effort to improve the conditions of man...is not a task for the few. It is the task of all—acting alone, acting in groups, acting in the United Nations. For plague and pestilence, plunder and pollution, the hazards of nature and the hunger of children are the foes of every nation. The earth, the sea and the air are the concern of every nation. And science, technology and education can be the ally of every nation." Let us heed that sound advice.

(The writer is Secretary-General of the United Nations)



n MONEY MATTERS

ASIAN GIANTS

While rest of the world is struggling with the economic tsunami, two Asia giants, India and China, are making a strong comeback

Prashant Tewari

Nobody would have comprehended in the last financial year that the best performing economies will be struggling for breather; The speed with which clouds of economic gloom and even despair have gathered over the global economy has been startling everywhere. But the change has been especially sudden in the world's two most populous countries: China and India.

Until quite recently, the world's fastest-growing big economies both felt themselves largely immune from the contagion afflicting the rich world. Optimists even hoped that these huge emerging markets might provide the engines that could pull the world out of recession.

Now some fear the reverse: that the global

downturn is going to drag China and India down with it, bringing massive unemployment to two countries that are, for all their success, still poor—India is home to some two-fifths of the world's malnourished children.

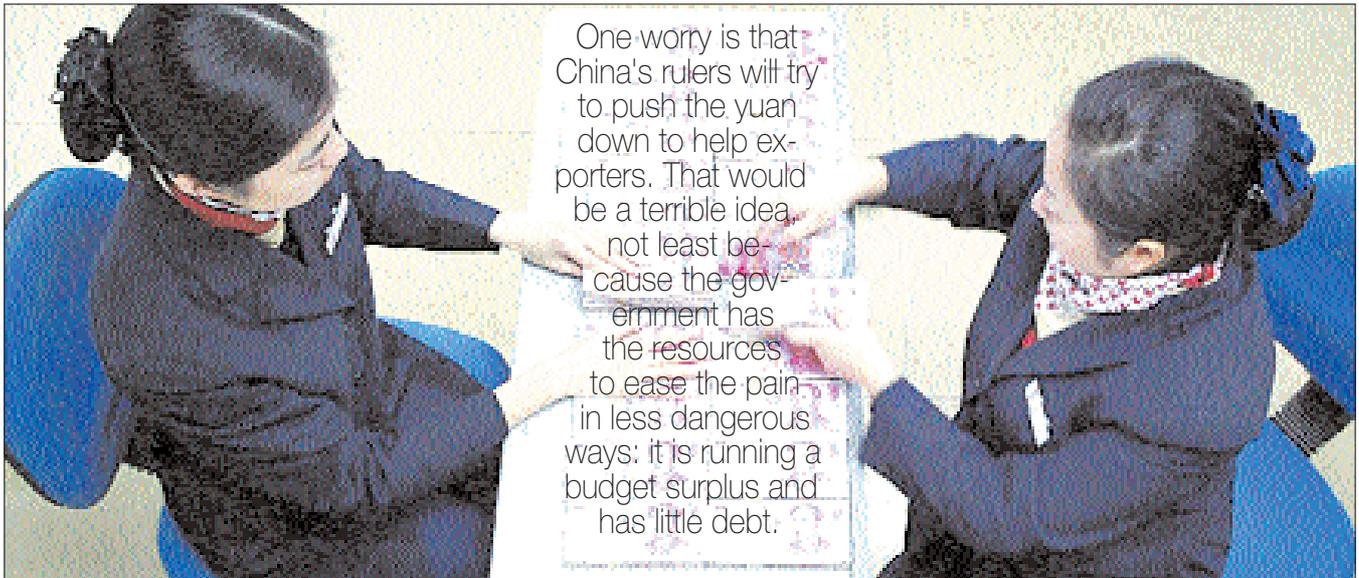
The pessimism may be overdone. These are still the most dynamic parts of the world economy. But both countries face daunting economic and political difficulties. In India's case, its newly positive self-image has suffered a double blow: from the economic buffeting, and from the bullets of the terrorists who attacked Mumbai last year. As our special report makes clear,

India's recent self-confidence had two roots. One was a sustained spurt in economic growth to a five-year annual average of 8.8%. The other was the concomitant rise in India's global stature and influence. No longer, its politicians gloated, was India "hyphenated"

with Pakistan as one half of a potential nuclear maelstrom. Rather it had become part of "Chindia"—a fast-growing success story.

The Mumbai attacks, blamed on terrorist groups based in Pakistan and bringing calls for punitive military action, have revived fears of regional conflict. A hyphen has reappeared over India's western border, just as the scale of the economic setback hitting India is becoming apparent. Exports in October fell by 12% compared with the same month last year; hundreds of small textile firms have gone out of business; even some of the stars of Indian manufacturing of recent years, in the automotive industry, have suspended production.

The central bank has revised its estimate of economic growth this year downwards, to 7.5-8%, which is still optimistic. Next year the rate may well fall to 5.5% or less, the lowest since 2002.



One worry is that China's rulers will try to push the yuan down to help exporters. That would be a terrible idea, not least because the government has the resources to ease the pain in less dangerous ways: it is running a budget surplus and has little debt.

Still faster after all these years

If China's growth rate were to fall to that level, it would be regarded as a disaster at home and abroad. The country is this month celebrating the 30th anniversary of the event seen as marking the launch of its policies of "reform and opening", since when its economy has grown at an annual average of 9.8%. The event was a meeting of the Communist Party's Central Committee at which Deng Xiaoping gained control. Tentatively at first but with greater radicalism in the 1990s, the party dismantled most of the monolithic Maoist edifice-parcelling out collective farmland, sucking in vast amounts of foreign investment and allowing private enterprise to thrive. The anniversary may be a bogus milestone, but it is easy to understand why the party should want to trumpet the achievements of the past 30 years. They have witnessed the most astonishing economic transformation in human history. In a country that is home to one-fifth of humanity some 200m people have been lifted out of poverty.

Yet in China, too, the present downturn is jangling nerves. The country is a statistical haze, but the trade figures for last month—with exports 2% lower than in November 2007 and imports 18% down—were shocking. Power generation, generally a reliable number, fell by 7%. Even though the World Bank and other forecasters still expect China's GDP to grow by 7.5% in 2009, that is below the 8% level regarded, almost superstitiously, as essential if huge social dislocation is to be avoided.

Just this month a senior party researcher gave warning of what he called, in party-speak, "a reactive situation of mass-scale social turmoil". Indeed, demonstrations and protests, always common in China, are proliferating, as laid-off factory-workers join dispossessed farmers, environmental campaigners and victims of police harassment in taking to the streets.

The gap between mouth and trouser

One worry is that China's rulers will try to push the yuan down to help exporters. That would be a terrible idea, not least because the government has the resources to ease the pain in less dangerous ways: it is running a budget surplus and has little debt. Last month it announced a huge 4 trillion yuan (nearly \$600 billion) fiscal-stimulus package. Some who have crunched the numbers argue that this was all mouth and no trousers—much of it made up by old budget commitments, double-counting and empty promises. It was thus mainly propaganda, to convince China's own people and the outside world that the government was serious about stimulating demand at home. That may yet prove to be unfair: what matters is when infrastructure money is spent, not when it is announced. Yet there is little sign that the regime is ready to take radical steps in the two areas that would do most to persuade the rural majority to spend its money rather than hoard it: giving farmers better rights over their land; and providing a decent social safety-net, especially in health care.

HIGHS & LOWS of INDIAN ECONOMY

No other year in recent times saw such wild mood swings in the Indian economy than 2009, which started on a weak note but ended on a strong-wicket in the wake of a general global recovery and but severe recession in some of the richest countries like the US and Japan remains an issue.

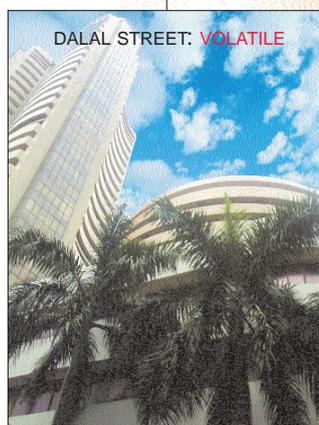
From economic expansion to performance of equity markets, and from export growth to industrial production, all indicators had the same story to tell: The year had started with a strong economic performance, but the momentum will be tough to continue as the months passed, as India faced the

ripple effects of the gloom in the global economy and inflation pressure. The indicator that captured the trend best was

the 30-share sensitive index (Sensex) of the Bombay Stock Exchange (BSE), often seen as a barometer not only for investor mood but also the overall performance of the Indian economy and its corporate sector.

SENSEX GAINED 50%

On Jan 10 this year, the Sensex was ruling at 17,206.77 points. But as the days is drawing, it is languishing at around the 16,000-point mark - Last year, the index had gained nearly 50 percent. nearly \$150 per bar-



net, especially in health care.

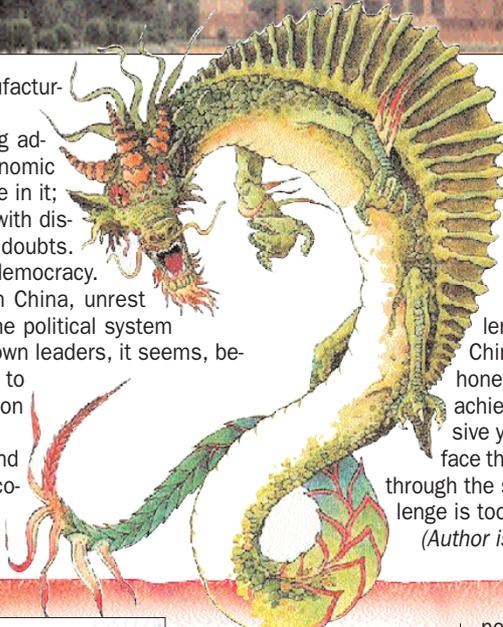
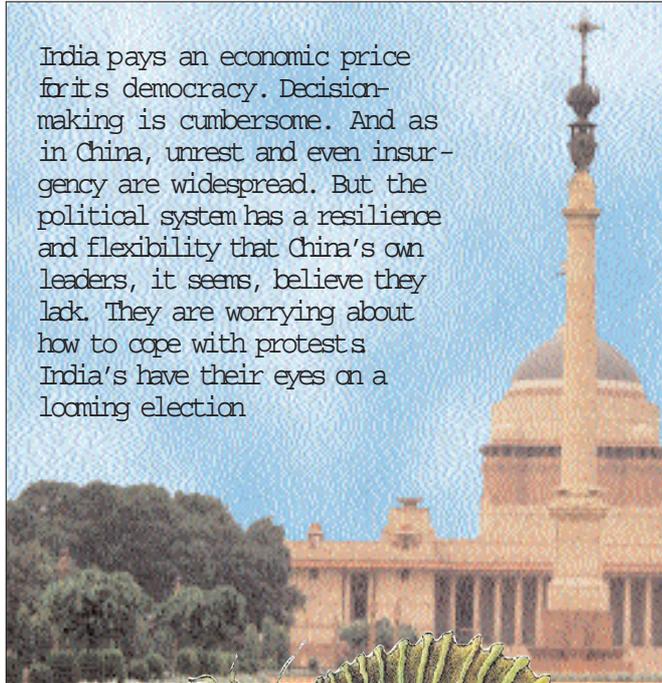
Still, China does at least have trousers, with deep pockets. India, in contrast, is not seen as a big potential part of the answer to the world's economic problems. Not only is its economy far smaller; its government's finances are also a mess. Its budget deficit—some 8% of GDP—inhibits it from offering a bigger stimulus that might mitigate the downturn. This is alarming. If China reckons it needs 8% annual growth to provide jobs for the 7m or so new members of its workforce each year, how is India to cope?

A younger country, its workforce is increasing by about 14m a year—i.e., about one-quarter of the world's new workers. And, perversely, its great successes of recent years have been in industries that rely not on vast supplies of cheap labour but on smaller numbers of highly educated engineers—such as its computer-services businesses and capital-intensive manufacturing.

In two respects, however, India has a big advantage over China in coping with an economic slowdown. It has all-too extensive experience in it; and it has a political system that can cope with disgruntlement without suffering existential doubts. India pays an economic price for its democracy. Decision-making is cumbersome. And as in China, unrest and even insurgency are widespread. But the political system has a resilience and flexibility that China's own leaders, it seems, believe they lack. They are worrying about how to cope with protests. India's have their eyes on a looming election.

It used to be a platitude of Western—and Marxist—analysis of China that wrenching economic change would demand political reform. Yet China's economy boomed with lit-

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tle sign of any serious political liberalisation to match the economic free-for-all.

The cliché fell into disuse. Indeed, many, even in democratic bastions such as India, began to fall for the Chinese Communist Party's argument that dictatorship was good for growth, whereas Indian democracy was a luxury paid for by the poor, in the indefinite extension of their poverty.

But as China enters a trying year of anniversaries—the 50th of the suppression of an uprising in Tibet; the 20th of the quashing of the Tiananmen Square protests; the 60th of the founding of the People's Republic itself—it may be worth remembering that the winter of 1978-79 saw not only a party Central Committee plenum but also the "Democracy Wall" movement in Beijing.

It was a brief flowering of the freedom of expression, quite remarkable after the xenophobic isolation of the Cultural Revolution. Deng, like

Mao Zedong before him, tolerated the dissident movement as long as it served his ends, and then stamped it out. In so doing he thwarted what Wei Jingsheng, the most famous of the wall-writers, had dubbed "the fifth modernisation": democracy. China still needs it.

The next financial quarters would be challenging the best economist from the main land China because they were riding on an extended honeymoon since 1996, wherein the country have achieved GDP growth rate of over 10% in successive years. Furthermore both the countries have to face the consequences of massive erosion of wealth through the stock markets in respective places. The challenge is too big to predict.

(Author is editor of Opinion Express Group)

October for the first time in seven years. Indirect tax mop up was down eight percent in October. Industrial production, which was among the main drivers of the economy, fell 0.4 percent.

The rupee fell below 50 to a dollar in November to an all-time low. And, as per the government's own admission, some 65,000 jobs were lost between August and October.

The high cost of crude oil, which jumped from under \$40 per barrel a year ago to nearly \$150 per barrel in August, added to the country's woes in terms of higher import bill and accentuated the losses of state-run fuel retailers, which had to bear the burden of having to sell hydrocarbon products below cost.



GROWTH PROJECTIONS TONED DOWN

As a result, the United Progressive Alliance (UPA) government, led by Prime Minister Manmohan Singh, which at the beginning of the year said the Indian economy would continue to grow at over nine percent this fiscal, had to tone down its target sharply, hoping to achieve an overall increase of 7-7.5 percent in gross domestic product (GDP).

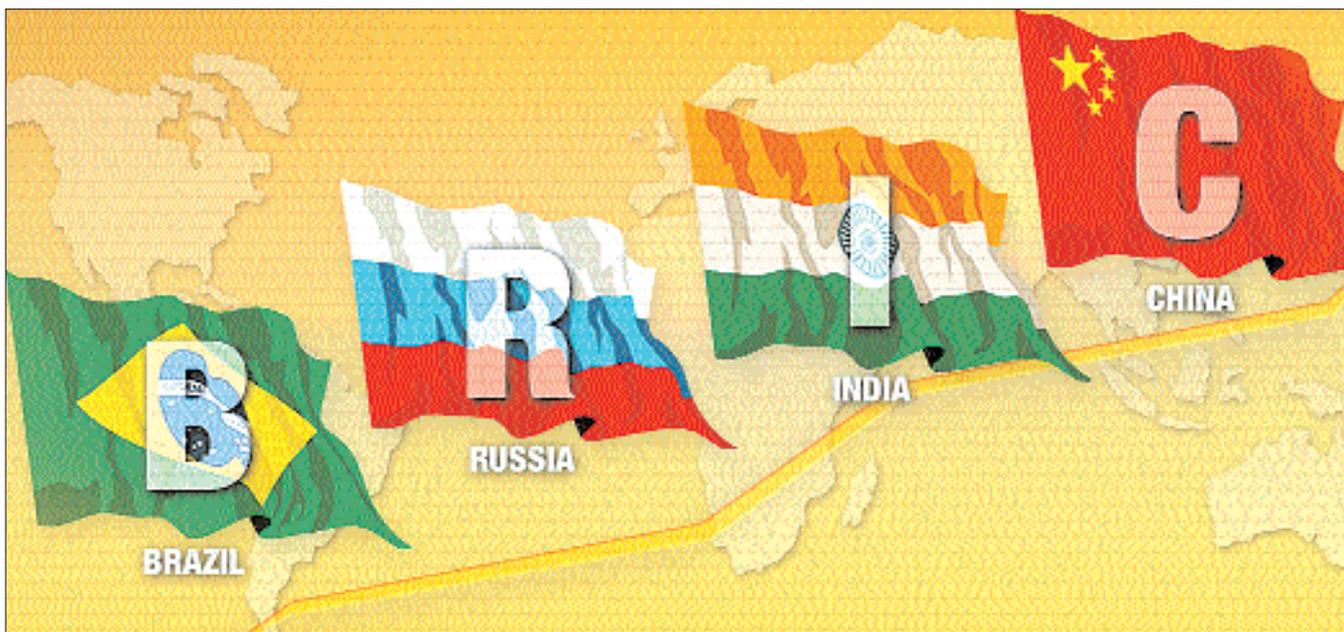
"Two key sectors, agriculture and industry, were unable to maintain the pace due to the global economic slowdown. This will have a serious effect on our overall growth," said Dalip Kumar, head of projects at the National Council of Applied Economics Research, an eco-

nomie think-tank.

The only notable saving grace was on the price front, where the annual rate of inflation fell from a 16-year high of 12.63 percent for the week ended Aug 9 to 6.84 percent for the week ended Dec 6—but not without taking a toll on industrial growth on account of the tight monetary policy of the central bank during the months before.

INFLATION IS A CONCERN





BRIC & MORTAR

Will BRIC fuel economic growth? A realistic analysis

Shankar Acharya

The global economy meltdown have raised many new blocks to rescue the World from going deep in recession, BRIC indeed, because of its independent locomotive power, the developing world might even rescue global economic progress from the follies of irresponsible industrial countries. It was particularly odd when some cheerleaders of globalization became exponents of decoupling.

How, one used to ask, could the developing world have reaped the benefits of expanding global trade and capital flows and yet be immune to slumps in these key transmission mechanisms of globalization?

Well, we now have the answer.

When two-thirds of the global economy plunges into a serious recession, world trade growth grinds to a halt and net capital inflows to developing countries slump, these nations get hurt badly. The only decoupling is that of romantic theory from hard facts.

Even the big boys among developing countries feel the pain. Look what's happening to the mighty BRICs that includes Brazil, Russia, India and China, those much-touted masters of the future. Let's review them in the order of the acronym.

Brazil, the giant of Latin America, was powering along at a y-o-y growth rate of over 6 per cent right up to the third quarter of 2008,

"Inflation is a concern now. If the Indian government does not think in terms of long-term measures to contain the slowdown, the medium-term growth projection of 8-9 percent will be difficult to achieve," said Biswa N. Bhattacharyay, Tokyo-based special adviser with the Asian Development Bank (ADB). As India Inc. cried hoarse, saying the credit squeeze due to the policies of the central bank was affecting its day-to-day business, policymakers appeared to be in a denial mode initially, with the prime minister maintaining that India remained largely insulated from the goings-on in the world economy.

30K CR BAILOUT PACKAGE ANNOUNCED

But that was not the case. As official data on a host of areas started con-

firmed the worst worries articulated by India Inc., Manmohan Singh had to himself intervene and unveil a package of Rs.30,000-crore (Rs.300-billion/\$6-billion) package in December to bail out the corporate sector.

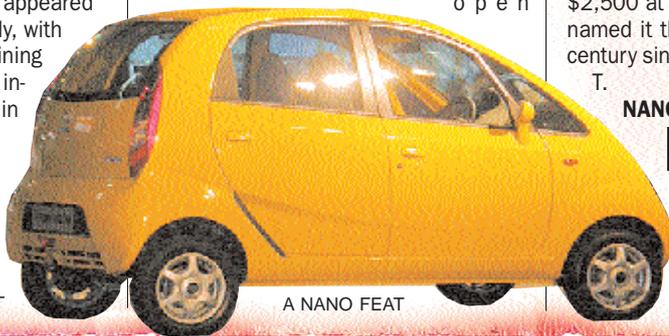
There is a fear now that the major pump priming of the economy by the government, the large-scale spending on infrastructure and the relaxation of the monetary policy by the central bank to

the purse strings for the corporate sector may threaten the country's fiscal deficit, which was kept at a moderate level during the past five-six fiscals.

The year, nevertheless, did not pass without some high points. India Inc. came under the global media glare when the Tata group, the country's largest industrial house with annual turnover of \$62.5 billion, showcased its little car 'Nano' in January, that would cost all of \$2,500 at factory gates. Time magazine named it the most important car of the century since Ford's revolutionary Model T.

NANO RELOCATED

It was a different matter that the industrial house had to shift the production site for the small car from Communist-ruled West Bengal to Gujarat following violent protests by a section



A NANO FEAT

fuelled by strong capital inflows and booming exports, which were riding the massive, global commodity boom of the preceding year.

By September, the commodity boom was collapsing and the global financial market seizure wreaked havoc on net capital inflows and suddenly throttled domestic liquidity. As these shocks took their toll, Brazil's economy may have actually shrunk in the final quarter of 2008 according to some estimates.

The forecasts for economic growth in 2009 are subdued. Goldman Sachs projects it as low as 1.5 per cent (see table). Obviously, the outcome will depend hugely on developments in world trade and capital flows, both of which are clouded by enormous uncertainty.

As the Financial Times' Lex noted last week (December 17), "Russia is re-defining the idea of a hard landing. After annual growth averaging 7 per cent for 10 years, the signs are its economy could shrink this quarter and next-the first recession since 1998."

As recently as the first half of 2008, the Russian economy was growing at 8 per cent, fuelled by the surge in global prices for oil and other commodities. With the collapse of oil prices after July and global financial markets in September, Russia has been hard-hit.

Exports have collapsed, industrial production plummeted by nearly 9 per cent in November (y-o-y), the ongoing domestic financial crunch is severe, share prices are down 70 per cent since January, forex reserves have dropped by \$150 billion since August despite significant currency depreciation, and refinancing of external borrowings has become very difficult.

Goldman Sachs and Barclays Capital project a big decline in invest-



Brazil, the giant of Latin America, was powering along at a y-o-y growth rate of over 6 per cent right up to the third quarter of 2008, fuelled by strong capital inflows and booming exports, which were riding the massive, global commodity boom of the preceding year.

ment and hardly any growth in 2009, though some others are a little more optimistic.

In India too, the damage from global recession is substantial. The growth of the Indian economy had already slowed to 7.7 per cent in the first half of FY 2008/9.

Following the global credit crunch of September economic activity decelerated sharply. Merchandise exports fell by 12 per cent in October (y-o-y) and a similar amount in November. Industrial growth turned negative in October for the first time in over 15 years.

Sales data across a broad spectrum of Indian industry and services suggest that November would be worse. The rupee has depreciated by 20 per cent in the past few months and forex reserves are down by over \$60 billion since March. Despite some recent recovery, stock prices are less than half their January peak in rupees and down by more than 60 per cent in dollars.

The World Bank, Goldman Sachs and Citi all expect economic growth in 2009 to be below 6 per cent.

What about the big daddy of the BRICs, the emerging superpower called China? This was the country which had been a major force behind the global growth spurt of 2003-07 and had largely propelled the massive commodity boom of 2006-08.

There were many who thought that China could be the world's saviour in this crisis. Alas, even the mighty Chinese economy is being severely buffeted by this global tempest. In November, Chinese export growth turned negative after many years. Industrial growth slumped to 5 per cent from the recent trend rates in the mid-teens.

of farmers that claimed their land was acquired forcibly without adequate compensation.



SERVICE SECTOR:
GOOD NEWS

The same Tata group announced a few months later the acquisition of two iconic British automobile brands, Jaguar and Land Rover, from Ford Motor Co for \$2.3 billion in what was yet another high-notch buyout by a globally ambitious Indian group. The international investor community also continued to bet on the Indian market. Norway-based Telenor, the world's seventh largest telecom operator, bought a new-generation telecom company Unitech Wireless by paying \$1.29 billion for a 60 percent stake. Similarly, another start-up, Swan Telecom, which did not

have a single subscriber, sold a 45-percent stake to the UAE's Etisalat for \$900 million, taking the company's book value to \$2 billion.

SERVICES ATTRACTED MAXIMUM FDI

In fact, the inflow of foreign direct investment between April and September amounted to \$17.21 billion, representing a growth of 137 percent over \$7.25 billion in the like period last fiscal. The services sector attracted the maximum foreign investment, followed by construction, including roads and highways, housing and real estate, and computer hardware and software.

SEVEN COS MAKE IT TO FORTUNE LIST

The year also saw a record number of seven Indian firms make it to the list of Fortune 500 companies - two from the private sector, namely,



Reliance Industries and Tata Steel, and the rest from the public sector.

This apart, the Indian telecom industry also witnessed unprecedented growth and started adding 8-10 million new mobile phone users each month to make the country's subscriber base of more than 300 million, the largest after China's, displacing the US. The stage is now set for the launch of 3G, or third generation services.

TOUGH TIMES AHEAD

Looking ahead, economists and industry experts alike predict some better days for the Indian economy, at least during the next two-three quarters. But they also maintain that India stands on a much better



BRIC BY BRIC

GROWTH RATE OF BRIC NATIONS

| | 2,007 | 2008 (E) | 2009 (F) | | | |
|--------|-------|----------|----------|-----|------|--------|
| | | | WB | GS | Citi | Author |
| Brazil | 5.4 | 5.2 | 2.8 | 1.5 | 3.0 | 2-3 |
| Russia | 8.1 | 6.0 | 3.0 | 0.5 | 4.5 | 1-2 |
| India | 9.0 | 6.3 | 5.8 | 5.8 | 5.5 | 4-6 |
| China | 11.9 | 9.4 | 7.5 | 6.0 | 8.2 | 5-7 |

NOTES: E= ESTIMATE; F= FORECAST; WB = WORLD BANK; GS = GOLDMAN SACHS. DATA FOR INDIA REFER TO FISCAL YEAR. SOURCES: WORLD BANK (GLOBAL ECONOMIC PROSPECTS), GOLDMAN SACHS AND CITI (ALL PUBLICATIONS/FORECASTS ARE DATED DECEMBER, 2008). DATA FOR 2007 AND 2008 FROM WORLD BANK.

Tens of thousands of factories producing toys, textiles, electronics and other labour-intensive exports closed across the eastern seaboard. The Shanghai stock index is down nearly 70 per cent since the beginning of the year (in dollars).

With world trade growth expected to be negligible or negative in 2009 and exports accounting for 40 per cent of China's GDP, the country's economic growth is bound to slow sharply in 2009.

Goldman Sachs expects China's growth to slump to 6 per cent, though some others still expect a better outcome.

In the last column of the table, I have outlined my own expectations for BRIC growth in 2009, based on the projections presented here as well as others.

As Alexandre Marinis has pointed out, if the US, Europe and Japan contract at 2 per cent in 2009, and other non-BRICs show no growth, the BRICs would have to grow by 11 per cent or so to keep world growth out of negative territory.



The simple truth is that BRICs are still too small to be global locomotors unless they sustain double digit growth, which they manifestly can't in the present environment. Of course, the fact that the Asian BRICs are still expected to enjoy moderate growth in 2009, is itself testimony to their resilience in the face of global recession. But decoupled they are not.

Where then are the engines to haul the world economy out of stagnation? It seems we may have to wait for a recovery of the usual suspects: the US, Europe and Japan. And that doesn't seem at all likely in 2009.

Let's just hope that a year from now the massive fiscal and monetary stimuli injected (and planned) in these big economies will have done the trick and we will be on the cusp of a global recovery.

Or may be we can engineer a turnaround for ourselves?

Till then, a happy new year to all!

(The author is Honorary Professor at ICRIER and former Chief Economic Adviser to the Government of India. Views expressed are personal.)

wicket compared with many other countries to weather the storm, particularly because of the strong push from some key drivers of growth, like savings and investment.

As Reserve Bank of India Governor D. Subbarao remarked recently: "A period of painful adjustment is inevitable. But once the crisis is behind us and calm and confidence are restored in the global markets, economic activity in India will recover sharply."

Property prices may drop at least 30 per cent by mid-2010 as developers are expected to lower prices to nudge buyers out of their "wait and watch" stance, according to experts.

The price cut, if implemented by builders may push sales higher, especially of the affordable category, proper-

ty consultants said.

"If you take same time next year, there will be better volumes at lower prices than what they are today. Buyers will be tired of waiting and all the developers re-



alise that price cuts are necessary across the board," said Pranay Vakil,

chairman of property consultancy Knight Frank India.

Property prices in the key cities have more than doubled in the past few years helped by a boom in the stock market and a spurt in salaries of home buyers. The subsequent measures of the Reserve Bank of India to cool the overheated economy and a subprime crisis coupled with a credit crunch, has tempered growth prospects in the country hurting sales of property developers.

INDEX CLIMBED MORE THAN 60%

The benchmark Sensitive index has dropped more than 60 per cent from the beginning of the year, eroding much of the investors' wealth and RBI has increased repo rates by 150 basis

try of rapid growth.

The Japanese are diverting some of their attention and their money towards India for these reasons. The existence of flagship projects like the DMIC, itself the product of a growing political and strategic relationship makes investment in India more worthwhile.

Q The Japanese are perfectionist hence the technology used by them is build of high cost, India on the other hand is a highly cost conscious market, how do you see the two fundamental difference creating synergies for mutual benefit?

A. Yes Japanese costs are high because they value the product of their labour. But service for Japanese products, their long lasting qualities and the reliability of Japanese equipment outweighs the higher cost in the long run.

Q Top Japanese brands are household names in India but at people to people level, Indian are close to North America, Europe block, why Japanese government in the past have not attempted to translate commercial success in comprehensive success to improve bilateral relations?

A. The reason for Indian focus on the USA and the UK is clearly the result of language and the existence of a diaspora of 4 to 5 million Indians in both territories. This has meant more students, a 100,000 in the USA alone and more collaborative research for both the pure and the applied sciences. In contrast there are only 25,000 Indians in Japan and a little over 500 students.

The Japanese are fully aware that they need to heighten the connections in academia and so have made concerted ef-



. Maruti and TVS in Chennai are just 2 examples of Indian organizations trying to acquire the Japanese work ethic. Loyalty to the company, pride in one's work, however humble or lowly it may be, a desire for perfection in execution and an ability to relax after work in the company of colleagues are just a few aspects of the Japanese work culture.

orts to attract young talent from countries like India where the demographic graph is a rising one in contrast to Japan where the population is declining. The birth rate at 1.2 is not even replacement level so Japan is shrinking in numbers. The need to attract bright young Indians is obvious and universities like Keio have begun undergraduate classes in English in some campuses. The quality of Japanese technical education is high and Indians would benefit by going to study there. The trend must be encouraged by both sides.

Q DMIC is a most ambitious project undertaken by our government with external support, What role Japan is playing to structure the project - via government, quasi government and private sector initia-

tives?

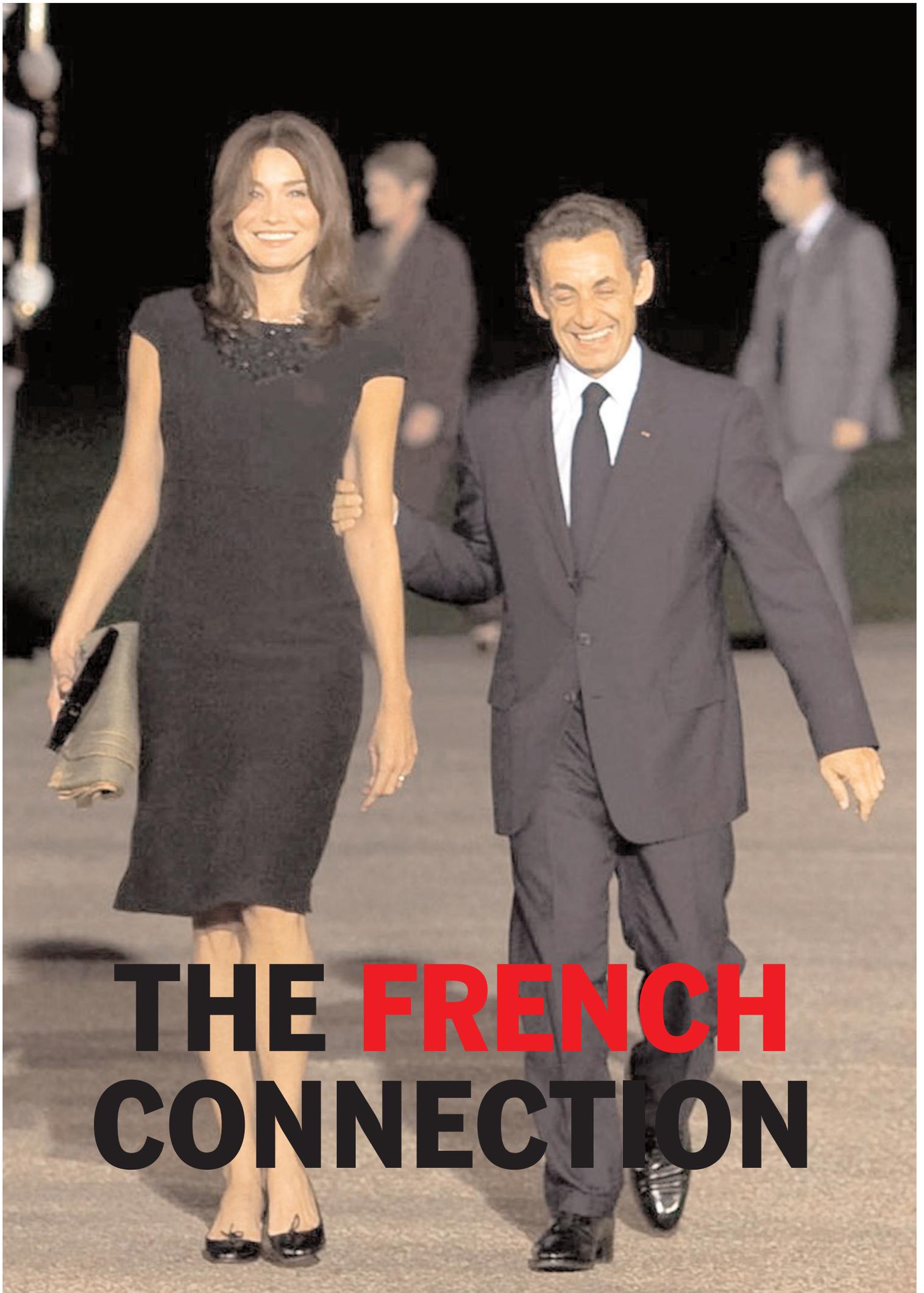
A. The Japanese embassy have recently added a title to the existing one for their Minister Economic and Commercial by calling him the Minister Infrastructure. This is significant in view of the important role being played by Japan in building India's infrastructure, underground railways and the entire DMIC. Jetro, JICA and METI in Japan are all equally engaged in promoting Japanese trade and investment. JETRO gives free accommodation to SMEs to help them set up offices here in India.

Q Tell us about the insight of Japanese work culture from the vast experience of working closely with them in the past?

A. Maruti and TVS in Chennai are just 2 examples of Indian organizations trying to acquire the Japanese work ethic. Loyalty to the company, pride in one's work, however humble or lowly it may be, a desire for perfection in execution and an ability to relax after work in the company of colleagues are just a few aspects of the Japanese work culture.

They have highly developed vocational schools and so the quality of electricians, plumbers, packers, restaurant workers, chefs, railway or bus workers and a host of other professionals is much higher than most developed countries. India has much to learn from this aspect of Japan.





THE **FRENCH** CONNECTION

Sarkozy bats for India's civil nuclear programme, UNSC seat

Capt Vinay Goyal report for OEMCL from New Delhi

French President Nicolas Sarkozy expressed his country's full support to development of India's civil nuclear programme but felt access to this industry was "restricted". Sarkozy backed India's entry into Nuclear Suppliers Group (NSG) and its case for a permanent membership of the expanded United Nations Security Council, saying it was "unthinkable" to keep a country of over one billion out. French President visit may not have created buzz that US President Obama visit impacted India but in terms of pure government prospective, it was a great success.

"France is a friend of India. It will stand with it in its efforts in developing non-polluting energy and nuclear industry," the French President said addressing scientists at the Indian Space Research Organisation (ISRO). "We need to put an end to nuclear isolation of India. It was injustice done to India challenging your right to access to civil nuclear energy," India is now going to be a full-fledged member of the multilateral groups overseeing non-proliferation regimes, he said adding France would support India's application for candidacy of NSG. Sarkozy noted with "delight" that a French company Areva would be setting up nuclear plant at Jaitapur in Maharashtra that would go on to produce 10,000 MWe of "non-polluting" energy.

He, however, noted there was certain "inconsistency" in India's approach as while it wanted development of clean energy on one hand, at the same time "restricting access". "We cannot force upon India obligations without giving it the means to meet the obligations," he said.

Speaking of France's relationship with India, Sarkozy said that his country has been a good friend of India. "We don't speak in two languages. We mean what we say." Condemning the 26/11 attacks, he said any such strike on India was an attack on democracy and all



democracies stand by India. "When India is attacked, it is democracy attacked," he said.

He observed that terrorism emanating from Pakistan and Afghanistan is a "major source of instability" in the world. Talking about Afghanistan, he praised India's role and said the world cannot afford to lose the war against Taliban.

"We cannot afford to allow Taliban to comeback. No one stand benefited if civil war raises its ugly head...we must succeed," he said. Noting that one cannot stand still if India wants to move ahead in 21st century, he said, "India, Brazil, Germany, Japan, some representatives of Africa and Arab world must be in UN Security Council."

Sarkozy showered praise on Prime Minister Manmohan Singh saying the Indian leader was obsessed with peace through development and eradication of poverty. "I have great admiration for Prime Minister Singh. I value his friendship. He is right in believing in peace and

stability. India's challenge is that if you succeed through peace, it will have a huge knock-out effect on the world," he said.

India and France are united by common values and believe that international relations should not be governed by brutality or force and it should be based on dialogue and rule of law, Sarkozy said adding the relationship between the two countries should go much further.

Appreciating India's growth, he said its voice has to be heard in the global level. "We need India to regulate the world monetary order. I believe Indian currency will be counted as one of major currencies," he said.

On education sector, Sarkozy said he expected a three-fold growth in the number of Indian students going to France. "We want to train young Indians in our universities and open our research facilities for them. I very much hope that the reverse will also be true," he said.



HONOURED GUEST: SARKOZY AND BRUNI AT TAJ

France and India strengthen bilateral, diplomatic relations

The Indian diplomatic establishment has ample reasons to feel happy and satisfied with French President Nicolas Sarkozy's just concluded visit to India this week.

Sarkozy deftly used diplomatic symbolism by choosing India as his first foreign destination after France recently assumed the rotational Presidency of the G20 for one year. After a long hiatus, India is starting on January 1, 2011 a two-year tenure as one of the 12 non-permanent members of the United

Sarkozy said what the Indians wanted to hear by reiterating his support to India's candidacy for permanent seat of the to-be-reformed UNSC—something that Obama also did during his India visit last month. Sarkozy posed a rhetorical question: "It is not just an important matter for India but for the equilibrium of the world that after its two-year term, are we going to ask India to simply stand down?"

Nations Security Council. This means that India can now expect to wield better clout at the G20 as well as the UNSC. France has been one of the staunchest India supporters in the world for quite some time as the two countries have entered into the 12th year of their strategic partnership.

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India's candidacy for permanent seat of the to-be-reformed UNSC—something that Obama also did during his India visit last month. Sarkozy posed a rhetorical question: "It is not just an important matter for India but for the equilibrium of the world that after its two-year term, are we going to ask India to simply stand down?"

Sarkozy also enthralled the Indians by taking Pakistan to task on the terror front. He slammed Pakistan for allowing safe havens to terrorists in its tribal border areas. He reserved his fierce attack on Pakistan for the last leg of his trip in Mumbai on December 7, some three hours before the terror attack in Varanasi. He was unsparing, unambiguous and unrelenting when he remarked: "It is unacceptable for the world that terrorist acts should be masterminded and carried out by terrorist groups in Pakistan." His advice to Pakistani authorities was to "step up their efforts and show that they are resolute in combating these criminals." As for India, he pledged unlimited counterterrorist cooperation. Significantly, like Obama, Sarkozy did not visit Pakistan.

Though Sarkozy's India visit was not historic, just as Obama's trip wasn't, such visits are essential for taking bilateral ties from strength to strength. Seven agreements were signed during Sarkozy's visit, the most important of these a "general framework agreement" for constructing two nuclear reactors in Jaitapur (Maharashtra). Jaitapur is an ambitious project that will have six reactors which together will generate 10,000 MW power after completion in 2018. Generation of 10,000 MW from one single plant is indeed impressive considering that India currently produces just about 4000 MW, or less than three percent of total power generation.

India will have to tread carefully on the Jaitapur plant and will have to ensure that the cost of power per unit is not too high or else India will be breeding another Enron, this time again in Maharashtra. For the state of Maharashtra, Jaitapur means happy tidings as it will generate substantial employment for the locals. But it is the long-term risk that has to be guarded against because the Government of India will be spending a hefty \$9.3 billion on the Jaitapur plant. Another important area of concern in context of the Jaitapur plant is that it is going to have European Pressurized Reactors (EPRs), the first of which is yet to be built, and therefore, the technology remains untested. The twin risks—pricing of power produced which is yet to be



Sarkozy pledged a more robust, intense and wide-ranging cooperation with India, especially in such key areas as defense, space, nuclear energy, education and trade. It is a happy development for India, especially as it comes from a P5 power and the world's fifth largest economy that is a powerhouse of advanced technology

worked out and the very high capital investment—makes Jaitapur a high-stakes gamble for the government.

Sarkozy pledged a more robust, intense and wide-ranging cooperation with India, especially in such key areas as defense, space, nuclear energy, education and trade. It is a happy development for India, especially as it comes from a P5 power and the world's fifth largest economy that is a powerhouse of advanced technology. The seven agreements that were signed during Sarkozy's visit and the coming together of France and India in as diverse fields as satellite launches and construction of two nuclear reactors in Jaitapur signify that the Indo-French strategic partnership is ready for the next phase of growth.

Another rosy picture for Indo-French bilateral relations is the French announcement that its companies will invest \$12

billion in India by 2012. Paris has dangled a carrot before New Delhi saying that the French FDI investments in India could be even dramatically higher if India opened up sectors like insurance and retail, particularly multi-brand retail. This is a contentious and sensitive political issue in India, considering the Left parties' strident opposition.

India for its part has been treading cautiously on this issue. India maintains that the liberalization of insurance and retail sectors is "very much" on the government's agenda but the policy has to be calibrated. "... (Relaxation of) FDI cap on insurance and multi-brand retail is very much on the agenda," Planning Commission Deputy Chairman Montek Singh Ahluwalia said in the presence of French Minister of Economy and Finance Christine Lagarde who was part of the delegation accompanying Sarkozy.

Sarkozy's visit is a demonstration of India's growing influence, which is projected to be the world's third largest economy by 2030 after the U.S. and China. Sarkozy is the third P5 leader to have visited India this year after British Prime Minister David Cameron in July and U.S. President Barack Obama in November. Chinese Premier Wen Jiabao and Russian President Dmitry Medvedev are scheduled to visit later this month, the former from December 15 to 17, and the latter a week later. This means that before 2010 rings out India would have received all five heads of the permanent members of the UNSC.

Courtesy Diplomatic Courier Inputs and written by Rajeev Sharma

Starry dreams

Urvashi Sharma



ABOUT MYSELF: I always had a dream to be a part of this huge industry ie. film industry since my childhood. I grew up with this dream silently as I belonged to a family where education was of prime importance. I wanted to be a part of Miss India contest when I turned 18 but didn't happen cause of my family. Soon after completing my Graduation, I applied for my MBA degree again from same University. And now after completing my studies got into this profession which is now well known as an entertainment industry. As I loved studies equally I am still pursuing one. I am since 3 to 4 months in this industry.

EDUCATION: Graduate from Mumbai university
MBA in finance from Mumbai university; Pursuing CFA (Indian); A student of law in 1st year from Mumbai university

INSPIRATION: An inbuilt thought that this is what I am and this is what I would love to do all my life.

INDIAN AND GLOBAL MARKETS:
I believe fashion is perpetual. So lots to learn from Indian fashion and lots to grow with global industry.
Modeling for me Passion or business:- It's passion + business = reality, attainment of goal

HOBBIES- Dancing, swimming, basket ball, lawn tennis....

MOTTO: To be a better "Me" each day

WORK: Prints, Catalog's and ad

WORK PROFILE: Bharat matrimony elite, Coke Pakistan, Garden Varelli
TVS vego, kathak saree, Digjam suitings, Mobilink

ACTING: Nadira Babbar theatre workshop

DANCE: Bollywood, shiamak davar, ashley lobo and kathak

HEIGHT: 5'6"

VITAL STATS: 32-26-35

First Drive



2011 BMW 5 SERIES IS A SMOOTH OPERATOR

The outgoing BMW 5 Series may have ushered in a dramatic leap forward in terms of dynamics, technology, safety and creature comforts, but it's the previous generation – the E39 – that Bimmerphiles still speak of in hushed tones. The departing E60 may have been a more capable package, but it was also the source of much controversy and hand wringing. Blame Chris Bangle. Blame byzantine iDrive menu structures. Blame spirit-muffling layers of electronics. Hell, blame improved competition or hide-bound brand loyalists who refuse to accept the new. No matter whose camp you point the finger at, the 2004-2010 5 Series was a polarizing creature, both aesthetically and from behind the wheel. Despite (or perhaps because of) all this, BMW enjoyed record-setting global sales of the Fiver, suggesting that that the traditionalists had it all wrong.

As he points out, BMW design has a tendency to periodically muscle in with big, bold, design statements – to knock down walls – and in the follow-up model, its stylists can move about a bit more in the clean air made possible by its predecessor. Fair enough – we prepared to check our Weltschmerz at the door and give this new Fiver a shot.

Still, one look at the new-for-2011 F10 model might reasonably lead you to believe that a bit of mulligan has occurred at the hand of Adrian van Hooydonk and his design team – a toning down of the E60's most divisive elements. To be sure, the

E60's Dame Edna spectacles have been consigned to a dusty drawer and the raised "Bangle Butt" has kept its date with Celebrity Fit Club. In the not-so-dearly departed's place is a handsome new sedan that appears simultaneously more in line with the 5 Series' lineage yet firmly set on the future. But to label the sixth-generation Fiver as an aesthetic or strategic regression would be incorrect, van Hooydonk tells us. As he points out, BMW design has a tendency to periodically muscle in with big, bold, design statements – to knock down walls – and in the follow-up model, its stylists can move about a bit more in the clean air made possible by its predecessor. Fair enough – we prepared to check our Weltschmerz at the door and give this new Fiver a shot. Has it all been worked out for the better? BMW invited us to hop a couple of planes to Portugal in order to find out.

REV IT UP

In person, a lower roofline and a stretched wheelbase (at 116.9-inches, it's 3.2 inches longer than the E60, making it the broadest in the segment) have combined to give the 2011 5 Series a markedly sleeker appearance. The swage line that originates from just behind the front fenders and gets progressively more defined as it moves rearward lends directional thrust, as does its more aggressively shaped greenhouse.

Wide, nearly vertical kidney grilles are attached to a snub nose, and even if the headlamps are now more conservative, the more upright grilles suggest that BMW is pondering a return to the forward-leaning, shark-like front end that defined its history. Indeed, AvH tells us that the sportier the model, the more pronounced we can expect this design hallmark to be (see the E89 Z4 for guidance). Overall, this is a confident, well-balanced shape, a clear design unencumbered by the shouty details of its antecedent. All-in, BMW says that the automatic-equipped 535i weighs in at 4,090 pounds, about 100 pounds portlier than a comparably equipped outgoing model – remarkably little in view of its added size, rigidity (+55 percent over the E60) and technology.



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Underneath its controversial skin, the outgoing E60 ushered in a new era of high-tech solutions for the 5 Series in virtually every arena, from driving dynamics to creature comforts to safety and overall efficiency.

In this regard, with the F10, BMW has buried the throttle more firmly into the carpet than ever before. New engines, gearboxes, suspension architecture, rear-wheel steering, user-selectable adaptive drive settings, brake energy regeneration, and yes, another generation of iDrive have been whipped up in a bid to keep the 5 out in front of the new Mercedes-Benz E-Class, Audi A6 and Jaguar XF.

The new single-turbo N55 engine just plain works, with eager revs and a wonderfully flat power curve.

Interestingly, it wasn't more than a few months ago that we found ourselves on many of these very same Portuguese roads behind the wheel of another new 5 Series – the 2010 Gran Turismo. Visually,

the 5GT may be something of an automotive platypus, but dynamically it proved beyond reproach, setting lofty expectations for this new sedan in the process. Appropriately, a quick ride from the airport in the back of the 5GT before we tucked into the 535i sedan reminded us why the bifold hatchback model exists – space. The longer wheelbase of the 5GT creates epic, limo-like accommodations for rear-seat passengers, with palatial legroom and commanding visibility. Its straight-laced new brother?

Comparatively tight back there (albeit class competitive), a situation that figures to be the same with the Touring – a model we're no longer likely to get with this new generation.

Of course, a sport sedan like the 5 Series isn't purchased for the measure of its back seat, so with the keys (okay, fob) to the new 535i firmly in hand, we headed out onto the lilted coastal roads and motorways northwest of Lisbon to see

if we could rekindle a lost Love Connection.

As we slipped aboard for the first time, all was at once familiar yet utterly new. From its three-spoke steering wheel to its Brobdingnagian 10.2-inch navigation screen, sturdy switchgear, iDrive porkpie, finicky drive selector and general shapes and materials, the 535i reminds of the 5GT and the new 7 Series, yet it carries its own dashboard design. While evolutionary, it's a beautifully executed space, with long, clean lines and ergonomically sound primary and secondary controls. As with its newer stablemates, the 5 Series receives a much more intuitive fourth-generation iDrive all-in-one controller, and with its rationalized menu structures and direct-function buttons surrounding the central controller knob, it's a system that's finally beginning to make some sense.

While we liked (okay, adored) the outgoing 5 Series' N54 3.0-liter twin-turbo inline six, the 535i receives a new single turbo engine dubbed N55, and it offers exactly the same 300 horsepower and 300 pound-feet of torque. So why bother? Because BMW's smarty-pants engineers have imbued the new motor with superior packaging, cleaner emissions and better throttle response. About that last bit – if you're wondering how a single, larger turbo can be quicker to respond than a pair of smaller units, BMW has cracked the code with the combination of a dual-scroll element and the company's Valvetronic throttle-less intake technology. Suffice it to say that the N55 just plain works, with eager revs and a wonderfully flat power curve (the engine's torque cup runneth over from just 1,200 on through 5,000 rpm). BMW says 60 miles-per-hour can be cracked in 5.7 seconds and top speed is limited to 130 mph – 150 mph if you spring for the Sport Package.



Democratic form of Government has been held to be an important feature of the basic structure of our Constitution. However, in actuality we have only the farce of democracy rather than real democracy. This is borne out by a scrutiny of the results of the Lok Sabha Elections 2004 and UP Assembly General Election 2002. Out of the 80 seats of Lok Sabha from UP only nine winning candidates could secure more than 50% of the votes polled and 20 candidates could not secure 33% of the votes polled. Likewise in the State Assembly Elections only 16 out of 401 winning candidates could secure more than 50% votes polled whereas 23 could not get even 25% of the votes polled. The picture becomes more dismal with regards to the votes polled by the winning candidates out of the total voters in the constituency. Even candidates who got votes of only 11 or 12% of the total voters in the constituency were declared elected for the Lok Sabha in 2004 and only 6 could get votes of more than 25% total voters in the constituency. Likewise, out of 401 MLAs only 17 could get votes of more than 25% of the total voters in the constituency whereas 5 could not get even 10%.

This anomalous situation is the result of the flawed electoral system of "first past the post" embodied in the provisions of the Sections 65 and 66 of the Representation of the People Act 1951 and Rule 64 of the Conduct of Election Rules 1961. These are at variance with the Constitutional provision for choosing MP and MLAs. Whereas Articles 81 and 170 requires them to be chosen from the constituency, the Act and the rules provide that the candidate getting the highest number of votes shall be declared elected. There is a world of difference between the two. Whereas, the candidates getting the highest number of votes may be said to be elected by the voters who voted for him, he cannot be said to be chosen by the constituency unless he has the support of majority voters of the constituency, or at least the majority of voters exercising their right of franchise. The word "choose" denotes a single entity doing it. When a group has to choose, it has to choose as if the group is one entity. Choosing does not fracture the chooser while electing fractures the elector. That is why if choosing is being done by

Electoral system needs change before it is too late

SN SHUKLA

given the meaning to include citizens' right to know the antecedents of the candidates will certainly include right to be represented in Lok Sabha and State Assembly. The MP/MLAs look after the interest of their voters only and the vast majority of the voters who do not vote for them have no voice in Parliament and Assembly.

Thus the present system is against the basic structure of the Constitution as it amounts to negation of democracy and also fails to ensure free and fair elections, which is the basic requirement of democracy. As held by the Apex Court in 2001 7 SCC 126 "Parliamentary democracy envisages representation of the People" (which is missing at pres-



a group, it has to be by consensus, or by a clear majority.

The word "suffrage" finding place in Article 326 of the Constitution also guides us in the same direction. Suffrage does not go comfortably with the first past the post system. As per the Oxford Dictionary, when used in the context of a group, the word suffrage means "the collective vote of a body of persons" and "the collective opinion of a body of person, hence contextually, consensus of opinion (common and general) consent".

Thus, as a result of the faulty unconstitutional provision in the Act and the Rules the so called public representatives are not chosen by their constituency, but generally represent only the will of minority of the voters casting their votes, and not the will of the electorate of their constituency, or even of those exercising their right of franchise.

Moreover, to equate those getting less than 50% votes polled with those who polled more than 50% votes is also not legally correct and proper as according to the well settled law laid down by the Apex Court treating unequal as equal is also violation of Article 14 of the Constitution.

In the existing electoral system the number of seats won by a party has also no correlation with the percentage of votes polled by it. Hence the number of seats won by a party is not a true index of its popularity among the voters and, therefore does not reflect correctly the will of the people. The existing system of first past the post is faulty for this reason also. Thus, it is also violative of Article 19(1) of the Constitution as it stifles the will and voices of the majority of the People. The expression "freedom of speech and expression" which in the case of Peoples Union for Civil Liberties, has been

ent) and "the legitimacy of the law would be to ensure that the role of the political sovereign- the People is not undermined" (which the existing provisions fail to ensure), Instead it gives undue weight age to the dominant caste/community and fosters and reinforces divisive tendencies of castes and minorityism instead of checking them as emphasized recently by the Apex Court.

The existing system is unsuitable on practical considerations also. While it may work in countries like UK, Canada and Australia where there are only two/three parties, it is obviously not suited for our country where there are 7 national parties, scores of State level parties and more than 500 unrecognized registered parties.

Hence the existing system needs to be replaced by the one which requires the winning candi-

CONCERNS

date to get more than 50 percent + 1 of at least the votes polled, if not of the total voters in the constituency since voting is not compulsory. This can be achieved through the system of proportional representation / single transferable vote or having a second round of polling between the first two contestants if none secure the requisite votes in the first round. It will ensure that no one/two castes/communities can dictate the outcome of the poll as the winning candidate will be required to get support of a much large number of voters. Thus, it will minimize the politics of "Vote Bank" Thus will ensure that public representatives, and thereby the Governments, actually have the popular support and legitimacy. Further, it will also check the unhealthy mushroom growth of political parties and non-serious candidates.

The drawbacks of the present electoral system based on first past the post have been engaging the attention of the Constitutional experts and leaders concerned for the well being of the National and the success of democracy in the Country. In the Constituent Assembly also. Sarva Sri Kazi Syed Karimuddin, K.T. Shah, Mahboob Ali Sahib and Thakur Dass Bhargava had pleaded for the system of proportional representation. The reasons (mass illiteracy, likely instability etc) given by Dr Ambedkar for not accepting it then are no longer valid now. Way back in 1979 Shri N.A.Palhiwala said, "It seems essential to introduce partial propositional representation in the Lok Sabha". Similar views were expressed by Sarva Shri B.K. Nehru, P.R.Dubhashi and A.B.Vajpayee in their articles in the "Reforming the Constitution" (1992) edited by Shri Subhash C. Kashyap. Shri Kashyap himself and Sarva

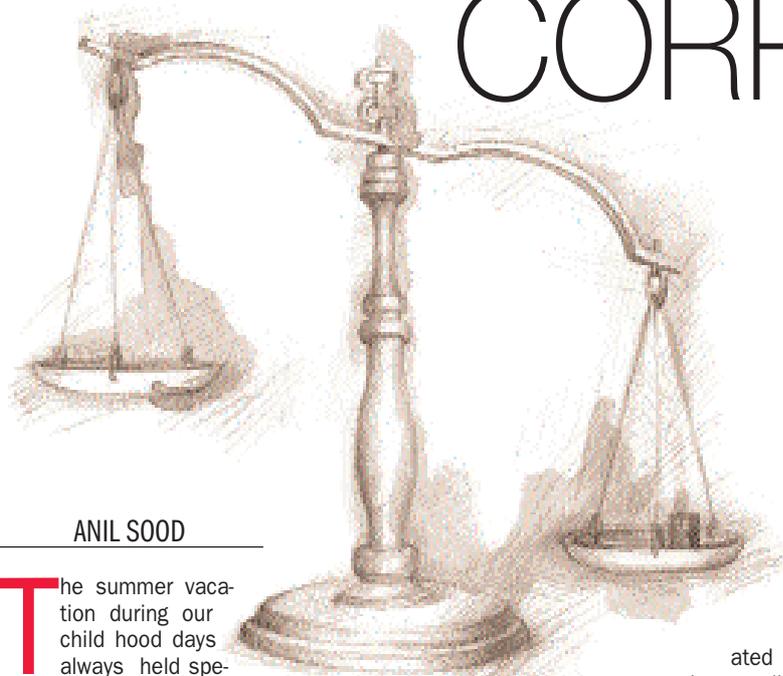
Shri Zail Singh, S.R.Mohonot and Iqbal Narain favoured a system under which one must get 50% votes to be declared elected. However, the sage advice of these experts/leaders has remained unheeded.

Dinesh Goswami Committee appointed by GOI in the report in May 1990 had recommended that the Law Ministry and the Election Commission should consider setting up an Expert Committee to examine the issue. However, nothing has been done till now even though the resolution passed by the Parliament in



August 1997 on the occasion of Golden Jubilee of Independence also put electoral reforms high on the agenda for action.

The indifference of the politicians in this regards is natural for obvious reasons since they ate the beneficiaries of the existing system. Their self interest has made them blind to the danger it is posting for the democracy and the Nation itself. Under the circumstances, Supreme Court, as the chief custodian of the Constitution, is the only hope for the Country. The stand taken by it in the Union for Civil Liberties case needs to be repeated. Once the existing provisions in the Act and the Rules are struck down as unconstitutional, the politicians willy-nilly will be forced to come up with an alternative on the suggested lines. We already have mobocracy in some states like Bihar and UP. Soon it may lead to anarchy. The malady needs remedy before it is too late. (Writer was N IAS officer and practicing Advocate)



CORRUPTION, LAW & SOCIETY

ANIL SOOD

The summer vacation during our childhood days always held special charm for us. We eagerly looked forward to visit our grandparents at Averi, a village near Palampur in Himachal Pradesh for it presented an opportunity not only to escape scorching summer heat of the Punjab plains but also to meet all our cousins. Unrestricted play hours

and unlimited access to fresh fruits from the grandpa's orchard were two great attractions of those times but the true bonus came in the form of real life stories of the upright and ever toiling of-

ficers touching various aspects of the public life as narrated by the grandpa. These generated deep admiration for those walking tall and straight in the face of grave temptations.

During those days, the honest officers were respected and assigned responsible positions and the corrupt were considered as outcaste, never allowed to hold any

sensitive position. Being honest used to be a matter of

pride then. Even Politicians during those days enjoyed respect from one and all. But things are not the same any more. The values of life have undergone sea change and so has the mindset of the people. The honest are no more held in high esteem but are shunted to obscure places and assignments and looked down upon. The tormentors of the honest and upright officers find virtues in corrupt ones by tagging them as 'performers' and giving them plum assignments which help in personal enrich-

ment of the both the benefactor and the beneficiary. The success

and status of an individual is measured in terms of affluence. The austere lifestyle of the honest officers now invites snide remarks and ridicule.

I am personally aware of the fate of many honest officers who have paid the price for their uprightness and continued to suffer in silence. Politics has become a

"profitable profession" for criminals. The unholy nexus that has formed between the politicians, bureaucrats and criminals over a period of time, is playing havoc with the social and moral fabric of our society. The common man has to suffer and pay the price of unabated moral, ethical and financial corruption.

At a time when the ramifications of failure of both the legislature and the Executive, in performance of their duties were felt on the public life, judiciary stepped in to stem the rot. There was a phase in public life when judiciary found itself duty-bound to intervene in almost every sphere of public life that was afflicted by the inaction or biased action of the legislature and executive whenever brought to its notice through what is commonly known as public interest litigation (PIL). The Apex Court accepted the concept of PIL by laying necessary guidelines in December 1988 under the leadership of the then Chief Justice of India Hon'ble Mr. Justice P. N. Bhagwati. The mechanism of PIL rendered remarkable service to the society and helped the common citizens, to raise issues of public importance before the Apex Court which not only hauled up the legislature and executive when found wanting in performance of their assigned duty but also provided relief to those who were affected by action or inaction of the authorities concerned.

The institution of PIL gradually lost its effectiveness basically for two reasons. Firstly, some unscrupulous elements started using this as a means of attaining personal benefits or for settling personal disputes in the guise of matter of public importance.

Secondly, to overcome the consequences of the judgment of the Apex Court in PILs, the government started amending the relevant legal provisions retrospectively.

Unfortunately the era of judicial activism did not last for long and eventually gave in to judicial favoritism. This is evident from the fact that the same Apex Court which at one point in time advocated protection of the fundamental rights of the common citizens and propounded the principle of 'Polluter to Pay' in the case of

T. N. Godavarman Thirumalpad v. Union of

India [WP (C) No. 202 of 1995] and formulated guidelines in the matters related to pollution in the case of M. C.

Mehta v. Union of India [WP (C) No. 13029/1985], did not hesitate in permitting construction of shopping malls and residential complexes by the Army in forest area that was supposed to have been protected under its order dated 12 December 1996 in WP (C) No. 202/1995 with WP (C) No. 171/96, as a fait accompli.

Does this mean that the persons violating law should go unpunished as every act of violation could be validated on the ground of fait accompli? The most shocking fact was that a senior lawyer appeared for both sides in this matter before the same bench headed by the then Chief Justice of India. The reputation of judiciary has been tainted and today even the judges are under scanner.

Earlier it was seldom that one used to talk about the rot in the judiciary as unscrupulous elements were considered to be an exception in this dignified profession and the system itself was robust enough to take care of this affliction. Now it is so common to read and hear the eminent names embroiled in different controversies.

The media stories about involvement of Session Judge J.W.Singh of Bombay, Former Judge Arun Madan of Rajasthan High Court, and Former Judge Shamit Mukherjee of Delhi High Court and involvement of few Judges from Karnataka High Court in Sex scam are still fresh in public memory.

The media reports have enlightened citizens who are now aware of the controversy involving Mr. Justice V.K.Jain who has recently retired as Chief Justice of Punjab and Haryana High Court, where the Apex Court for reasons best known to themselves refused to part with the information about proceeding initiated against Justice Jain for judicial misconduct. Incidentally just before retiring Mr., Justice Jain kicked up another controversy by recommending names of few to be elevated to Bar.

Further common citizens have not forgotten the controversy involving Mr. Justice Jagdish Bhal a of UP High Court now CJI of Himachal Pradesh, Justice S Ashok Kumar who has been transferred from Chennai High Court to Andhra Pradesh High Court. The Government's denial to investigate the allegation against Justice Y.K.Sabharwal (Retd) Ex Chief Justice of India on the ground that there is no provision under the law is questionable. Once the retired judge does not enjoy any immunity then where is the question of immunity. He is also governed by the Article 14 of the Constitution as all are equal before law.

The issuance of warrants against President of India and the then Chief Justice of India by a lower Court in Gujarat is a matter the still haunts memory of many. The worst part was that the then Chief Justice of India Hon'ble Mr. Justice V.N.Khare, accepted in public media existence of the lawyer's Judges nexus in

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I had the benefit of addressing His Excellency Dr. A.P.J Abdul Kalam on 21st April 2004, a day after most of the sitting judges of Punjab and Haryana High

Court went on mass leave. His Excellency after going through my presentation expressed deep anguish. The issue assumed importance when His Excellency

pressed for Judicial Accountability Bill which has been diluted to such an extent that it is impossible to punish any judge for his/her misconduct. One wonders

when there are so many cases are pending before the Apex Court how the Hon'ble Judges would have time to hear the complaints against brother Judges. The recent incidents of cash at judge's door step at Chandigarh and involvement of about 36 judges including sitting judge of Apex Court and some of the sitting Judges of Allahabad High Court and lower courts have further eroded the

credibility and accountability of the Judicial system in India. Both the aforesaid incidents and the initiation of proceedings against Chief Justice of Kolkata High Court raise the serious doubts on selection process for appointment of the Judges of the High Court.

The Central Bureau of Investigation has been given green signal to investigate both the Ghaziabad PF Scam and Cash at Judges Door steps at Chandigarh. But the moot question is whether the Apex Investigating agency is equipped to handle the investigations in terms of the competence and the will? When the Agency it-

self is under cloud for conducting tardy investigations against politicians and a few murder cases, one can not expect the same agency to conduct fair and impartial investigations when Judges of Supreme Court and High Courts are involved.

Unfortunately the Apex Court has reiterated several times that laws enacted by Parliament have to be implemented. But once the issue of implementation of

Right to Information Act 2005 is raised, the same Apex Court without any legal ground refuses to implement the same and claims immunity that it is not

applicable on them. The fear being the Judiciary would be exposed. The worst is that the Department of Justice, Ministry of Home Affairs responsible for maintaining the details of appointment of the Judges,

their salaries, expenses etc, refuses to part with the information about qualification of judges on the

ground that it is maintained by the Apex Court.

The Apex Court in various judgments has reiterated that the justice delayed is the justice denied. Precious little has been done by the Judiciary in this regard. There are more than 2.5 crore cases pending before trial courts involving nearly 1.8 crore criminal cases as admitted by the CJI while hearing a PIL. The CJI further commented that 'it is easy to delay criminal trials in India'. [2008 (229) ELT- A 192]

Even the Tribunals have been smitten by the "easy money" bug. The arrest of Income Tax Tribunal Member of Kolkata and dismissal

discussions with some of the senior members of the campaign. In my view the Judges are also part of the same society in which we have grown up. Many of them have been elevated from bar to the Bench. Therefore, the most important issue is whether as "Lawyers" we are discharging our duties towards society in a manner we are expected to? The Key Campaigners were uncomfortable in answering my questions. Let me share these questions with you and let us see whether we can find answers or not:-

a) How many Senior Lawyers practicing, take up the cases of the poor without charging fee for appearances before Lower Court/High Court/Supreme Court barring a few exceptions;

b) When some of the Senior lawyers charge waiting fee from the Clients in case the matter does not come up on Board, how can they claim that they are rendering services to the Society particularly when they have made themselves unaffordable to majority of the population;

c) How many lawyers have actually resisted the unfair demands from the Members of the Bench? This issue becomes important in view of cash at judge's door steps.

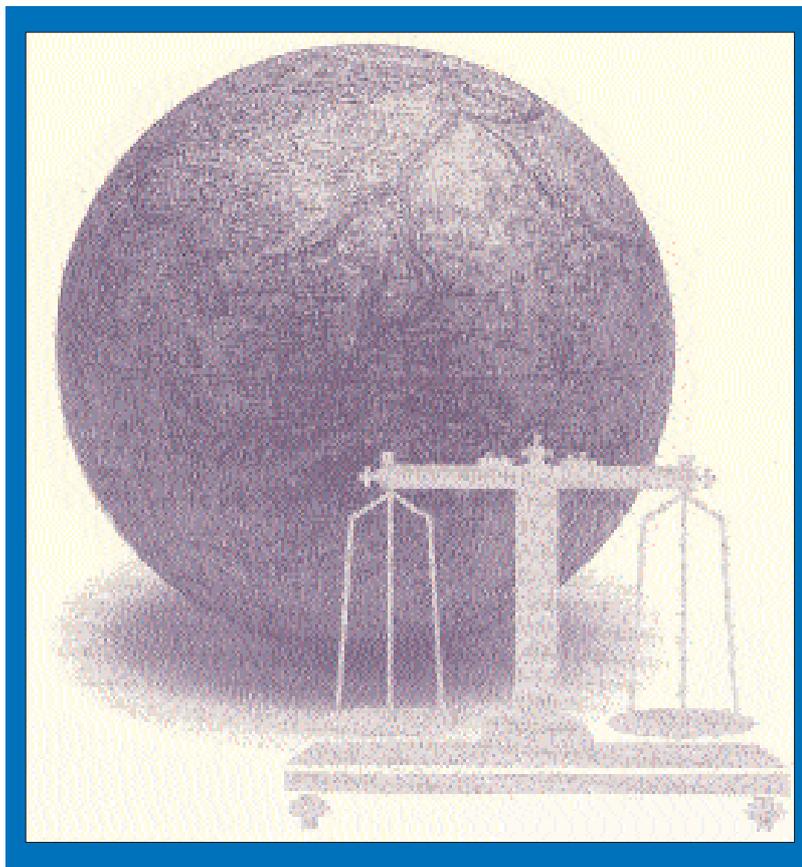
d) How many lawyers knowing fully well that the Judge being selected is incompetent or corrupt have actually raised their voices?

e) How many times the Bar Associations have actually resisted appointment of an Additional Judge who is/was tainted? This assumes impor-

tance in view of the controversy involving Chief Justice of Kolkata High Court, who was involved in a fraud even before he was elevated to Bench.

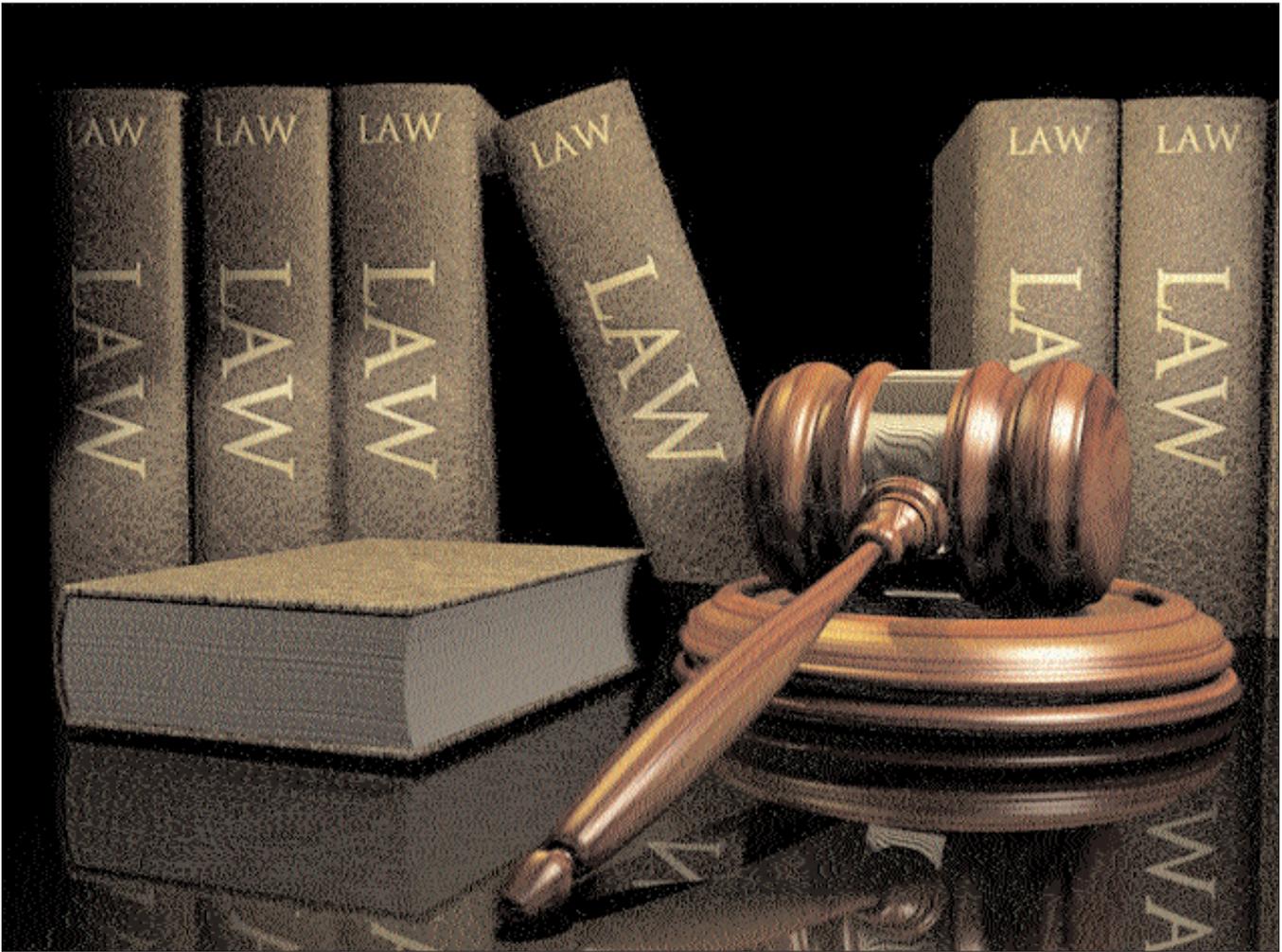
The politicians and judicial luminaries both serving as well as retired have raised much of hue and cry about accountability of judiciary. The much touted 16 point Code of Conduct that was adopted in 1990 has almost been forgotten.

One of the points in Code of Conduct by the judges is that the settled principle of law shall not be disturbed and the judges shall pass speaking judgments. How many actually follow the code pronounced in 1990 which is a difficult task instead how many flouts is the easiest one. For instance, The judgment and order in case of Sirpur Paper Mill case has unsettled the well established Principle of Law holding



of Mr. P.S.Bajaj, Member of Punjab VAT Appellate are the pointers towards the rot that has started surfacing in the Tribunals. The issues related to misconduct of some of the members of the Central Excise, Customs and Service Tax Appellate Tribunals continue to appear in various prominent law journals. I had the benefit of appearing before some of the State Commercial Sales/Commercial/VAT Appellate Tribunals and found that the position in some of the States is so bad that the slabs of "Suvidha Shulk" for granting relief had been fixed. No relief can be expected unless that amount is paid.

The question arises who is responsible for the rot that has set within the system? Being a part of the Committee on Judicial Accountability Campaign, I had the benefit of



forte since 1963. The judgement and order in case of Laghu Udhog Bharti in which case, the judgement was pronounced without dealing with the issue of constitutional validity of imposition of the Service Tax and the matter was decided in a manner opening flood gates of more litigation to follow for a number of years.

The judgement and order in TC case No.9/90 in case of Modi Sugar Mills, though appears to follow settled principle of law in case of Malaprabha but actually defies the same without any plausible reasoning. Similarly, the judgment and order in case of Dr. Chander Bhan vs State of Punjab shall have the effect of encourage medical practice by un-qualified Doctors.

Now, as per media reports [(The Times of India - 17-09-2008)- 2008 (229) ELT-A-193] the sitting CJI has sent out 12 point model code of conduct for subordinate judicial officers in connection with visits of Chief Justice and judges of High Court requesting them to adopt it.

The question is that why code of conduct for visits only and why not to have code of conduct for disposal of cases? Once the apex Court has forgotten its own code of conduct "who would implement the 12 point code and how" is a million dollar question.

It is also a matter of common knowledge that the litigation can be protracted for couple of years by the counsel of both the parties in connivance leading to huge number pending

cases before the Lower and High Courts. The pendency becomes a serious issue as it was once admitted by the sitting CJI of India when it appeared in media (The Times of India, New Delhi-16-09-2008), [2008 (2290 ELT A-192)]. It is a matter of record that cases which caught media attention were disposed off speedily.

The arguments put forth by the Defence counsel in connivance with the Prosecution Counsel in case of BMW's (Nanda's case) the BMW became truck overnight and delayed the trial. Who cares? The Investigating team that had done a wonderful job was reduced to a bunch of fools within few seconds. The unholy nexus between both the Senior and famous Counsels was exposed by NDTV. But it is impossible to keep track of many Khans and Anands who are practicing at Bar and continue to carry on with their hidden agendas with impunity before various Courts through out the Country.

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Fallout of Mumbai Terror Crisis

Prashant Tewari

The Mumbai terror attack may be an eye opener for Indian Political class who have ignored the importance of internal security since long, this is in spite of the fact that India is surrounded by hostile and rouge countries desperately looking to merely feed their respective illiterate population. Now India's government is struggling to contain the damage to its credibility among the citizens it failed to protect. At the same time, American officials, including Condoleezza Rice, the secretary of state, have rushed to Delhi to defuse a potential confrontation between India and Pakistan, where, it now seems; at least some of the terrorists were recruited and trained.

India is quick-sometimes too quick-to suspect Pakistan's hand behind the terrorist attacks it suffers. But it often struggles to prove the link. The Mumbai outrage provides a rare opportunity for India to copper-bottom its case. It is unusual, for example, to capture a terrorist in the act. But one of the two young men who opened fire in Mumbai's Indo-Gothic train terminal is now in hospital, alive and talking. Details from his interrogation have appeared in various Indian newspapers, which names him as Mohammad Ajmal Amir Iman, from Faridkot, a village in the Pakistani province of Punjab.

His testimony is only part of the windfall of evidence. The terrorists, in their haste, also left behind a satellite phone in the trawler they hijacked on their way to Mumbai. In the telephone's call log were the numbers of five members of Lashkar-e-Taiba (LET), a notorious

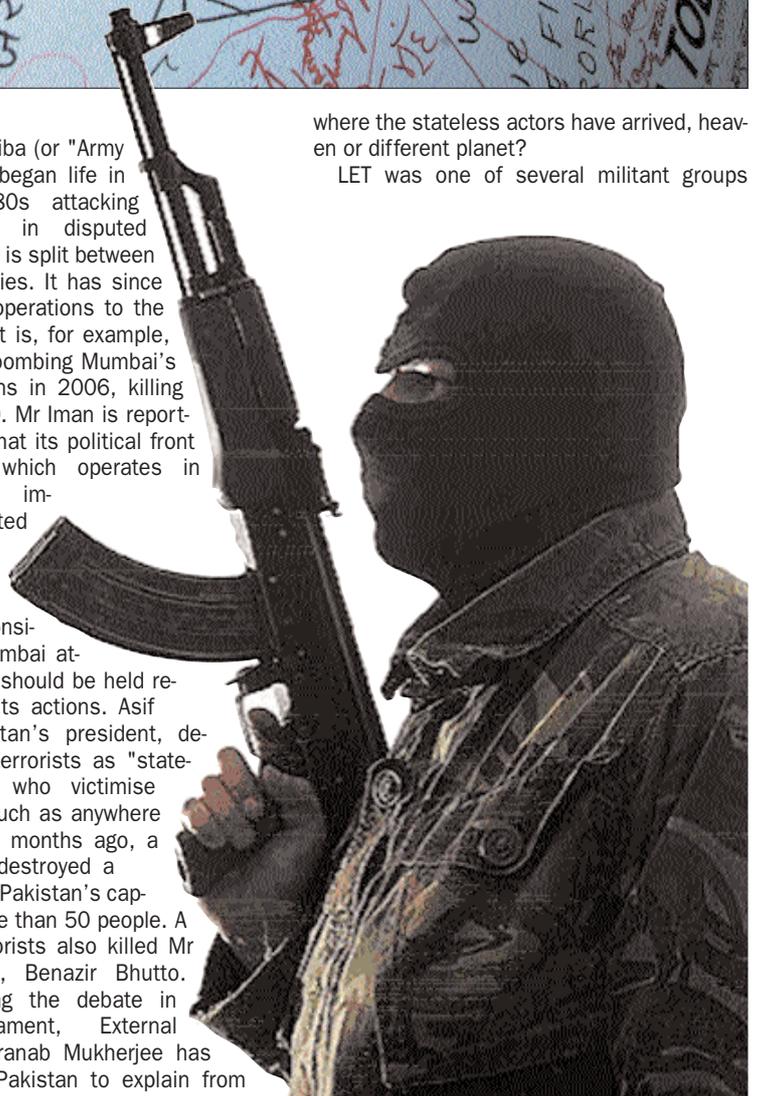
terrorist group.

Lashkar-e-Taiba (or "Army of the Pure") began life in the late 1980s attacking India's army in disputed Kashmir, which is split between the two countries. It has since expanded its operations to the rest of India. It is, for example, suspected of bombing Mumbai's commuter trains in 2006, killing more than 200. Mr Iman is reported as saying that its political front organisation, which operates in Pakistan with impunity, recruited him in 2007.

But it is not clear that, even if LET is responsible for the Mumbai attack, Pakistan should be held responsible for its actions. Asif Zardari, Pakistan's president, describes such terrorists as "stateless actors", who victimise Pakistan as much as anywhere else. Only two months ago, a similar group destroyed a swank hotel in Pakistan's capital, killing more than 50 people. A year ago, terrorists also killed Mr Zardari's wife, Benazir Bhutto. However during the debate in Indian Parliament, External Minister Mr Pranab Mukherjee has rightly asked Pakistan to explain from

where the stateless actors have arrived, heaven or different planet?

LET was one of several militant groups



banned by General Pervez Musharraf, Pakistan's former president, in January 2002 after an attack on India's Parliament the month before. In response, India massed half a million troops near the border, in a terrifying stand-off between nuclear-armed rivals. According to Steve Coll of the New Yorker, America's ambassador in India looked into building a nuclear bunker in the embassy.

With hindsight, it is not clear what rattling 500,000 sabres achieved, beyond frightening the world into taking India's grievances seriously. This time, by contrast, India has responded with caution and calculation. It is testing Pakistan's professed willingness to co-operate and demanding that it extradite 20 men wanted for a variety of terrorist outrages, including two alleged LET masterminds of the Mumbai plot. Pakistan has so far demurred.

India's politicians are under tremendous pressure to act forcefully. They can accomplish little by confronting Pakistan directly. But there are indirect ways to bring pressure to bear. Pakistan needs America's money and goodwill; America, in turn, needs India's forbearance. The superpower does not want anything to distract Pakistan from the military campaign it is waging with new vigour against the Taliban and al-

Qaeda on the border with Afghanistan. According to Wilson John of the Observer Research Foundation, a think-tank in Delhi, Pakistan has committed four army divisions to this fight. In response to a military threat from India, its forces would be whisked away to the eastern front. This would remove the "anvil" on which America hopes to hammer Taliban and al-Qaeda forces harassing its own troops in Afghanistan.

India's government has received messages of sympathy from abroad, but expressions of frustration from its own people, angered by its inability to protect them. India's navy chief has admitted to a "systemic failure" to police the coasts; the policemen who first confronted the terrorists were unprepared and outgunned; and the commandos who finally prevailed took an age to reach the scene from Delhi.

The failings of India's state machinery are as deep as Mumbai's crowds and as intractable as its traffic. The central government is often at loggerheads with the state govern-

ments, which in turn neglect the cities in favour of the rural voters who elect them. Indeed, the more one can ignore the state and its works, the better one feels about the country. This was a privilege reserved for India's more affluent classes and some of its companies, but even they now know the state's shortcomings can hurt them. In a debate held after the attacks, Cyrus Guzder, boss of AFL, a logistics firm, pointed out that corporate India thinks of the government as "something apart". After civic disturbances and communal riots, business prefers to

"maintain a dignified silence". But this time, he said, "India Inc got it in the stomach."

But the politi-

cians most in danger are not those now facing the ballot box. India's home minister, Shivraj Patil, has already resigned, giving way to Palaniappan Chidambaram, the self-confident and technocratic finance minister. The chief minister of the state of Maharashtra, where Mumbai is located, followed him, having already lost his deputy.

As part of our campaign against terror, the management have decided to publish a letter from our reader, it is an eye opener for the policy makers in our country about the perception that is building in the common masses and the resentment brewing all over the country.

(Author is editor of Opinion Express Group)





CHHAGAN BHUJBAL, DEPUTY CHIEF MINISTER, MAHARASHTRA, VIJAY KALANTRI, PRESIDENT, ALL INDIA ASSOCIATION OF INDUSTRIES (AIAI) AND VICE CHAIRMAN, WORLD TRADE CENTRE, MUMBAI, PRINCE MICHAEL OF KENT, UNITED KINGDOM AND KAMAL MORARKA, CHAIRMAN, WORLD TRADE CENTRE, AT THE GLOBAL ECONOMIC SUMMIT ON TRADE AND INVESTMENT IN MUMBAI.

Global ties to boost up business

The objective of the Global Economic Summit was to project the global trade and investment potential sphere headed by India which was achieved through a large extent with the support of over 300 Business to Business meeting organized to forge global alliances and the presentations made by the heads of various regions, policy decision makers and special Envoys to India provided the perfect platform for investors to assess the Investment market globally. Over 35 countries participated in presenting their investment opportunities during the 2-day Summit.

Mr. Subodh Kant Sahai, Minister of Food Processing Industries, Govt. of India in his inaugural address said, "Government has approved the scheme for the establishment



KAMAL MORARKA, CHAIRMAN, WORLD TRADE CENTRE, MUMBAI WELCOMING ASHOK CHAVAN, CHIEF MINISTER, GOVERNMENT OF MAHARASHTRA AT THE GLOBAL ECONOMIC SUMMIT HELD IN MUMBAI. TO THE LEFT IS VIJAY KALANTRI, PRESIDENT, ALL INDIA ASSOCIATION OF INDUSTRIES (AIAI) AND VICE-CHAIRMAN, WORLD TRADE CENTRE, MUMBAI

of Mega Food Parks, for which Rs.50 crore worth grant would be provided by the Central Government for each Mega Food Park. We will set up 10 such Mega Food Parks initially, out of the total proposed 30 Mega Food Parks during the 11th Plan period.

Storage and logistics of the agri-produce is another major challenge. World over logistics cost of entire processing chain works out to be 6% of the product cost in case of India it is as high as 11%. He hoped that this cost would be brought down.

Maharashtra State had played a vital role in India's success story during last decade. Maharashtra is the first State in India to formulate new Industrial policy,

ITES policy, BioTech Policy, Township Policy and now new IT Policy, said Mr. Ashok Chavan, Chief Minister of Maharashtra in his keynote address. Maharashtra has led Industrial development and investment in India and consolidated its position as the most favoured investment destination of the country.

Age of Red tapism in the State is now over and we welcome all investors with Red Carpet. Our efforts are towards providing more quality infrastructures, improve quality of services and Governance to have an edge over the other States, said the Chief Minister.

Road, Rail and Air connectivity in Maharashtra is better than any other State in India and the State would shortly

providing night landing facilities to all airstrips in the State.

The Sewree - Nava Sheva Bridge across the sea is being planned to stay ahead. Tenders would be invited in March 2010. The State is planning the development of cities like Pune, Nashik, Nagpur, Aurangabad, etc as industrial hubs with all world-class infrastructure and urban facilities.

Maharashtra contributes nearly 13 percent of India's GDP and accounts for over 40 percent of its fiscal receipts. We are seeing a significant shift from a capital and labour intensive economy to knowledge driven economy. We are developing a multi-product and product specific SEZ which would not only offer a conducive

climate in the form of State of the Art infrastructure, but also single window clearance and fiscal incentives, said the Chief Minister. The focus of the Government is on the transforming Mumbai as an International Financial Hub and a World-class Metropolis. Our plan encompasses holistic development in the Mumbai Metropolitan Region. This Plan envisages the growth of the city, ten fold over the present geographical size.

The government was also eager to set up a state-of-art health service network. Foreign Direct Investment (FDI) was welcome on all these sectors. The Chief Minister also stated that the cabinet has decided to enhance the power generation capacity of the proposed Uran Gas Power Project from the present 1040 Mega Watts to 1220 Mega Watts. This plant will be fully operational by 2010.

Ms. Suvi Linden, Minister for Communications and Transportation, Government of Finland said that, "India offered tremendous opportunities in the telecom sector and hoped that the high level delegation accompanying her would definitely benefit during the Summit.

Mr. Chhagan Bhujbal, Deputy Chief Minister of Maharashtra said, "The State of Maharashtra was ranked 37th in the IMD Switzerland World Competitiveness Report, making it the only state in India to be featured in the report.

The area of Maharashtra is around 3 lakh square kilometers, while its roads span an area of more 2 lakh 35 thousand kilometers linking 40,000 villages across the State.

As on date 23 such projects have been privatized entailing an expenditure of over Rs.6,825/- crore. Nine projects of road widening for National Highways have already been completed at an expenditure of Rs.2,626/- crore. Likewise, ten more projects of 717 kms length with an estimated cost of Rs.4,250/- crore are being implemented.

Mr. Sunil Tatkare, Minister of Finance & Planning, Govt. of Maharashtra said, "In the first decades after the second World War, Europe and Japan were important beneficiaries of globalization as they sought to restructure their economies. In more recent years, newly industrializing economies have been among the major winners from increasing economic integration.

A long-term shift in the composition of world merchandise trade has occurred, with the share of manufactured goods rising dramatically, against a decline in agricultural products and non-fuel minerals. Dr. Pramod Deo, Chairman, Central Electricity Regulatory Commission (CERC) said Power sector is one of the most critical infrastructure for any economy. While the sector itself is important for employment and growth of national income, adequate and reliable power supply is also extremely critical prerequisite for growth and functioning of other segments of national economy.

Mr. K. Mohandas, Secretary - Shipping, Govt. of India said that by 2010 cargo will be 8.5 million tonnes, out of which 40% share will be of the non-major ports. However, the road and rail connectivity are the areas, where the government is concerned to provide the ports with better connectivity.

Prince Michael of Kent - UK, International Dignitary and Guest of Honour during the Summit said, "Many believe that the backbone of every country is its small business sector. I wholeheartedly agree with that. When small businesses flourish, growth and prosperity trickle down to the grassroots and it is

this very aspect of SMEs that leads to lesser disparity, better distribution of wealth and greater indices of happiness across the world. Giving the SME sector a boost is the first logical step towards opening the doors for integration into multinational corporate sector.

The recent economic history of the new emerging economies clearly indicates that SMEs, when supported jointly by their governments and other power sectors, can easily and quickly scale to international heights.

Ms. Ravneet Kaur, Chairperson of Exim Bank and Joint Secretary, Ministry of Finance, Govt. of India welcomed the rising inflow of Foreign Direct Investment (FDI) (about \$ 25.1 billion) and Foreign Institutional Investors (FII) (about \$ 17 billion) into the country despite global recession.

Mr. Vijay Kalantri, President, All India Association of Industries (AIAI) said, The growth story of India is a known fact inspite of slowdown India has been growing at the rate of 7% and we hope to achieve 8 - 8.5% in the next year said Mr. Kalantri in the opening remarks of the Global Economic Summit. Mr. Kalantri emphasized that the investment of US\$. 520 bn in the Infrastructure sector which includes Power, Port, Road and Highway is in itself a great opportunity for investors from world over and he hoped that this platform would provide the necessary gateway.

Mr. Kalantri further added that India's economy is expected to grow at 10% at all times by 2012 to enable us to provide employment opportunities in all sectors, as he hoped that the Government's initiative to encourage vocational training programmes for skilled labour would by then take shape.

Considering the large population of India and simply catering to their needs itself could provide tremendous opportunities in all sectors such as automotives, engineering agro, food processing, biotech, construction, education and others. This country has such a huge potential for growth that every country who has participated at the Summit could surely benefit if they were to invest in India. He assured

them that the returns on their investments would be much more than expected. Mr. Kamal Morarka, Chairman, World Trade Centre - Mumbai welcomed the overseas delegates to the Global Economic Summit who had gathered to discuss and present the trade and investment opportunities in their respective countries. He hoped that the Summit would provide concrete projects and trade alliances as the networking session of business meetings was the main feature of the Summit. The World Trade Centres across the world project the motto of 'Peace & Stability through Trade'. The Global Economic Summit was one such initiative of the World Trade Centre - Mumbai in association with the All India Association of Industries (AIAI) to promote goodwill amongst all the participating Nations which included developed economies as well as the developing Nations and he hoped that this networking amongst nations would promote and strengthen global trade and investment across all regions.

The much awaited International Financial Reporting Standards (IRFS) was announced by Mr. Salman Khurshid, Minister of State for Corporate Affairs, Govt. of India assuring the investors of transparency and accounting systems, which would adhered to international standards. This will bring in the much desired corporate governance, to reduce risks and secure the share-holders.

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The film has grossed Rs 315 crore (\$70 million)[citation needed] worldwide

within 18 days of release, setting a record for the industry. It is "the highest grossing Indian film ever to release in the US, Middle East, Australia, South Africa, Pakistan, Kenya and Fiji", making it the all-time highest grossing Indian film in overseas markets. In the United States, it has earned \$6.1m million since its opening. It is also the all-time highest grossing film in India itself, where it has earned Rs. 176 crore to date, surpassing the previous record set by the 1975 film *Sholay*.

3 Idiots received generally positive reviews. Subhash K. Jha (film critic and author of *The Essential Guide to Bollywood*) states: "It's not that *3 Idiots* is a flawless work of art. But it is a vital, inspiring and life-revising work of contemporary art with some heart imbued into every part. In a country where students are driven to suicide by their impossible curriculum, *3 Idiots* provides hope. Maybe cinema can't save lives. But cinema, sure as hell, can make you feel life is worth living. *3 Idiots* does just that, and much more. The director takes the definition of entertainment into directions of social comment without assuming that he knows best."



CHEERS FOR



Nikhil Kazmi of the *Times of India* gave it four and a half stars and suggests that, "The film is a laugh riot, despite being high on fundas [...] Hirani carries forward his simplistic 'humanism alone works' philosophy of the *Lage Raho Munna Bhai* series in *3 Idiots* too, making it a warm and vivacious signature tune to 2009. The second half of the film does falter in parts, specially the child birth sequence, but it doesn't take long for the film to jump back on track."

Mayank Shekhar of the *Hindustan Times* gave the film three and a half out of four stars and comments that this "this is the sort of movie you'll take home with a smile and a song on your lips."

Taran Adarsh of *Bollywood Hungama* gave *3 Idiots* four and a half out of five stars and states: "On the whole, *3 Idiots* easily ranks amongst Aamir, Rajkumar Hirani and Vidhu Vinod Chopra's finest films. Do yourself and your family a favour:

Watch *3 Idiots*. It's emotional, it's entertaining, it's enlightening. The film has tremendous youth appeal and feel-good factor to work in a big way."

Kaveree Bamzai of *India Today* gave *3 Idiots* five stars and argues that "it's a lovely story, of a man from nowhere who wanted to learn, told like a fairy tale, with the secret heart carrying its coded message of setting all of us free."

Other critics gave the film a mixed review.

Raja Sen of *Rediff* gave the film two out of five stars and states: "Rajkumar Hirani's one of the directors of the decade, a man with immense talent and a knack for storytelling. On his debut, he hit a hundred. With his second, he hit a triple century. This time, he fishes outside the offstump, tries to play shots borrowed from other batters, and hits and misses to provide a patchy, 32*-type innings. It's okay, boss, Even Sachin has an off day,



Strategic Location

- Located in the Rajpuri Creek on the West Coast of India
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- 42 Nautical miles South of Mumbai
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- 42 kms off NH 17 and the Rail Network
- Identified node on DMIC & DFC

Immediate Hinterland

Roha, Khopoli, Mahad, Patalganga, Nagothane, Navi Mumbai, Mumbai, Thane-Belapur, Nasik, Pune

Secondary Hinterland

Goa, Madhya Pradesh, Gujarat and the land locked States of North India

Connectivity

By Road

Northern Shore SH 96, SH 92 and SH 90
Southern Shore SH 97 and SH 98

By Rail

Connectivity - Northern and Southern bank
Proposed Alignment: Agardanda - Indapur - Mangaon

Development Potential & Planned Facility

Phase I - 5 Berths :

- 4 Multipurpose Berths, 1 Ro Ro Terminal
- Capacity to handle 30 million tonnes
- Dedicated Approach Channel with a depth of 14.5 m chart datum
- Extensive land bank for development
- Waterfront encompassing Northern and Southern Banks

SEZ & FTWZ

Port based multi-product SEZ inclusive of FTWZ
Dedicated world-class infrastructure for warehousing & logistics
State of the art cargo handling equipment transportation & support infrastructure facilities

Cargo Potential

- Containers
- Steel
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