



The measure of tests

Allowing students to take JEE and NEET twice a year is logical

In an ideal system, admission to higher education courses would be based on assessment of aptitude and suitability, and a testing process that is transparent, accessible and fair. India's policymakers have struggled to create a credible national admissions apparatus for professional degree programmes that accommodates the diversity and plurality of the country. The two-level Joint Entrance Examination (JEE) for admission to technological institutes such as the IITs, NITs and IIITs, and the National Eligibility cum Entrance Test (NEET) for undergraduate medical courses are steps in this direction – although much work remains to be done to make them accessible, especially for rural students who suffer from various handicaps, not the least of which is a shaky school education system. Viewed against this background, the decision of the Centre to form a National Testing Agency to conduct these and some other examinations is a progressive move. A professional agency would look at nothing other than the suitability of the candidate to pursue a particular programme. Of course, there will be those that contend that the better-run States could have their own agencies perform the same task, but the expertise of a national agency is preferable. The objective of aptitude testing in a populous country should be to enable mobility, and access to courses offered in any State. Peer-reviewed standards and curbs on commercialisation can help expand higher education. In the case of medical courses, a common test such as NEET should make it possible to attend any of about 350 medical colleges, of which 175 are run by private entities.

The idea of multiple opportunities to take a test in a single year, which the Centre has now adopted for JEE (Main) and NEET, is not really new, and is familiar to students entering universities abroad, particularly those in the United States. In fact, the Ashok Misra committee set up by the Human Resource Development Ministry to review the JEE three years ago recommended that an online aptitude test be offered two or more times a year. The move to make both JEE (Main) and NEET available twice a year is consistent with that advice. However, a computer-based test should not turn into a barrier for students from rural backgrounds, and impose additional expenditure on candidates for preparation, travel to a testing centre and so on. The reservations about online testing on such grounds should be overcome with good planning and allocation of sufficient funds. Equally important is the issue of regulation of coaching institutes – a sector worth about ₹24,000 crore a year, according to the Ashok Misra panel – in order to ensure that the changes do not result in further exploitation of students. Ultimately, any process of reform at the level of entrance examinations can be meaningful only if the school education system is revamped, and learning outcomes are improved.

Cup of surprises

Upsets have set up the semifinals – but all teams played superb football to get here

The 2018 FIFA World Cup has thrown up a most unlikely semifinals line-up. It is the first time in the history of the tournament that not one among Brazil, Argentina and Germany has made the last four. Instead, France, Belgium, England and Croatia have entered the final week of the competition. That all four semifinalists are European – this happened last in 2006 – has caused some concern for the health of South American football, but it is misguided to draw sweeping conclusions on the basis of one tournament. France did not get out of first gear in the group stages but burst into life in the round of 16, subduing a ramshackle Argentina, before battling past Uruguay. This French squad is blessed with enormous resources and its semifinal meeting with Belgium should make for a riveting spectacle. The latter, for long guilty of underachievement, produced some unfettered, attacking football against Brazil in the quarterfinals, dumping the five-time champion out. A side with the combined talents of Eden Hazard, Kevin De Bruyne and Romelu Lukaku is never a total outsider, but Belgium's history of poor tournament results led its victory to be somewhat unexpected. The Seleção arrived in Russia as one of the favourites, and although coach Tite's men lost in the quarterfinals only by the finest of margins, nothing less than the World Cup is acceptable in Brazil.

In the other half of the draw, a young England side's progress – a first semifinal appearance since 1990 – has captivated a nation accustomed to disappointment. Fans used to mocking their own misfortune are now in the grip of an extraordinary fever. A first-ever penalty shoot-out victory at a World Cup, against Colombia in the round of 16, was followed by an untroubled win over Sweden, sparking a joyous outbreak of national pride. Croatia, a country of just over four million, booked its spot with a heart-stopping shoot-out defeat of Russia. Luka Modric and Ivan Rakitic, a pair of elegant midfielders, should be more than a match for the English. The home side – dubbed its worst-ever before the World Cup – put on a grand show for home audiences, eliminating Spain in the round-of-16. Russia fell in love with football, which made for atmospheric crowds up and down the land. This World Cup was seen as a last chance for Lionel Messi and Cristiano Ronaldo to lift the trophy; neither will have that fortune this time. Nor will Neymar, Brazil's talismanic striker with a penchant for play-acting. There is instead an opportunity for the likes of Hazard, Harry Kane and the fleet-footed teenager Kylian Mbappe to achieve sporting immortality. This has truly been a World Cup of surprises.

Living in uncertain times

India needs strategic cohesion, and Government-Opposition dialogue is vital for this



M.K. NARAYANAN

Given the uncertain times we live in, nothing can be taken for granted. Much of the world seems to be in a state of bewildering confusion. Across the spectrum, people appear euphoric, angry, fearful or confused. Many do not even want to think of what lies ahead. Therein, perhaps, lurks the biggest danger. Not wanting to understand what is taking place has its own perils.

Age of disruption

Disruption is the dominant sentiment today. It is leading to major political upheavals. It has resulted in escalating levels of violence. Technology is the biggest disruptor of all. Many large firms are being challenged by start-ups. Artificial Intelligence is threatening everything that we are aware of. This breeds uncertainty, apart from confusion.

How else can anyone explain the extraordinary spectacle of a U.S. President effecting a meeting with a North Korean leader. Till very recently, North Korea was seen by the U.S., and much of the West, as the principal part of the "axis of evil". Not only has this been exploded with the leaders of the U.S. and North Korea meeting in Singapore in June, but the U.S. has announced that North Korea no longer poses a nuclear threat, nor is it the "biggest and the most dangerous problem" for the U.S. No diplomatic rigmarole, no joint communiqué on the details and guarantees, just a simple endorsement that North Korea would eschew the use of nuclear weapons and dismantle its nuclear arsenal is considered enough.

The rest of the world, meantime, is in various stages of disarray. Russia's Vladimir Putin is pit-

ted against almost the entire Western world, and is being blamed for an array of human rights violations. Several regions of Asia are akin to powder kegs waiting to blow up. Afghanistan is rocked almost daily by terror attacks by the Taliban, the Tehreek-e-Taliban Pakistan, or the Islamic State. West Asia is embroiled in several wars. Syria is the worst-affected and has almost ceased to be a state. Tensions between Iran and Saudi Arabia have intensified. Tensions between Israel and the Muslim world have peaked. The war launched by the Saudi Arabia-led alliance of Arab States against Yemen is turning into a war without end. In South Asia, even tiny countries like the Maldives are challenging bigger neighbours like India.

Europe may not be convulsed with the same degree of violence, but political uncertainty is the prevailing order. Germany, which appeared the most stable of European countries till recently, is in deep crisis politically and Chancellor Angela Merkel's government hangs by the proverbial thread. In France, despite President Emmanuel Macron's reassuring presence, strong undercurrents of political disruption are evident. A fluid political situation prevails across much of southern Europe.

Stable dictatorships

In a topsy-turvy world, it would appear that autocracies or dictatorships remain more stable, while democracies seem increasingly dysfunctional. Under President Xi Jinping, China, for instance, is making steady progress, despite the occasional dip in economic forecasts. The party remains in tight control of affairs. Mr. Xi and the Chinese Communist Party have on their radar milestones such as "wiping out poverty and becoming a moderately prosperous society by 2021" (100th anniversary of the founding of the party); a "Made in China target to be completed by 2025"; and turning "China into a fully developed nation by 2049"



(100th anniversary of the founding of the People's Republic of China). No hiccups are in sight.

Russia is, again, not constrained by contrarian pulls and pressures. It has entered into a strategic relationship with China, is seeking to consolidate its influence in Eurasia, and has been able to stand up to the North Atlantic Treaty Organization and the West. Its economy is also on the mend. Other dictatorial regimes, such as Turkey, are proving more resilient than democratic regimes across the world, and better able to manage turmoil within and outside their borders.

Most democracies, on the other hand, reveal a far from homogeneous state of affairs, with ruling and opposition parties increasingly working at cross purposes. Germany's plight today is largely due to Ms. Merkel's Christian Democratic Union and coalition partner, the Christian Social Union, pulling in different directions. Such trends are a common occurrence today.

Equally disconcerting is the plight of political parties themselves in many democracies. Many act in a manner that appears like an indictment of democratic politics. In the U.K., for instance, the Conservative and Labour parties face serious internal divisions. In the U.S., both Republicans and Democrats appear in poor shape. Political parties in France are hardly better situated. What all this presages for the future of democracies is a matter of conjecture.

Indian democracy, unfortunately, is not an exception. The Bhar-

ati Janata Party (BJP) currently projects an image of a strong centralised party. Most other parties are riven by internal dissensions. Yet, the BJP has been unable to ensure the smooth functioning of Parliament. The BJP's inability, despite its brute majority in the Lok Sabha, to 'manage' a determined Opposition is a serious chink in its armour. More unfortunate, it has resulted in a paralysis of informed discussion and debate. Absence of a debate of this nature in Parliament has a direct impact on the conduct of affairs of state.

For example, there had existed for a long time a broad consensus among parties in Parliament about the conduct of foreign affairs. Today, the consensus appears to have broken down. This has happened precisely when India's external policies have come under strain. The nation, however, has the right to know the correct state of affairs, which is possible only through a detailed discussion in Parliament. The ruling party seems in no hurry to restore the consensus.

Friction in ties

Without this, it will be difficult for the nation at large to discern why India-U.S. relations, after more than a decade and half of steady improvement, seem to be slowing down. It was only early this year that U.S. President Donald Trump had announced suspension of military aid to Pakistan, and pointed an accusing finger at it for backing terror. All of a sudden, whether due to U.S. imperatives in Afghanistan, or some other reason, there are signs of renewed engagement between Pakistan and the U.S. This cannot but adversely impact India's position in the region. Simultaneously, the U.S. has of late taken to upbraiding India on trade issues, lecturing it on reducing military ties with Russia, and insisting that it abide by U.S. sanctions on Iran. It also peremptorily postponed the 2+2 dialogue. Without a serious debate in Parliament,

it would be difficult for the government to reach a consensus on how to deal with this situation.

This applies in equal measure to the state of India's relations with China. Despite the Wuhan summit, our relations with China remain equivocal. There has been no give by China on contentious issues such as the border. The Doklam stand-off has yet to be resolved. Further, China continues to aggressively cultivate countries in India's neighbourhood to India's detriment. Nepal and the Maldives are conspicuous examples. It is little understood, again, why many of our neighbours seem to be drifting away from India.

A debate in Parliament would be even more critical to understand where our relations with Russia stand today. On the surface, India-Russia relations remain unaffected, but there are enough signs that the nature of the relationship has undergone a change, even though defence ties may be unaffected. If the U.S. continues to insist that India resile from its commitment to buy the Triumf missile defence systems from Russia, we will have a first-rate crisis on our hands. India needs a national consensus to tide over the crisis and withstand U.S. pressure, since succumbing to it would be detrimental to our claims to 'strategic autonomy'.

Some of the policy imperatives of recent years, including possibly the current transactional nature of India's foreign policy, may well need to be reformulated, given the present state of affairs. This cannot happen without a detailed debate in Parliament. The time has, hence, come for the government to seek out the Opposition to debate some of these issues inside Parliament, so that foreign policy, at least, remains on an even keel and is not buffeted by the crosswinds of adversarial party politics in the country.

M.K. Narayanan is a former National Security Adviser and a former Governor of West Bengal

In need of a practical plan

The stage-wise and uniform timeline for lower judicial appointments is problematic



DIKSHA SANYAL & RANGIN P. TRIPATHY

Recruitment to the lower judiciary has been under public scrutiny due to its failure to fill almost a quarter (23%) of vacancies that persist. The recruitment process of district judges is now the subject matter of a public interest litigation filed in the Supreme Court. The matter has now come to a standstill given opposition by States to a centralised selection mechanism for judges.

This is not the first time that the Supreme Court has tried to streamline the examination process for the lower judiciary. In *Malik Mazhar v. U.P. Public Service Commission* (2008), it highlighted the importance of a prescribed time-schedule for judicial service examinations and laid down stage-wise time lines for lower judicial appointments – for civil judges (junior division) and district judges (direct recruitment) in 321 days and 183 days, respectively. An ex-

amination cycle is calculated from the date of notification to the last date for joining.

However, such a benchmark has three problems. First, the rationale behind arriving at this timeline is unclear. Second, it is an inaccurate benchmark to measure performance as it does not consider different sanctioned strengths and State resources in conducting such exams. Third, strict adherence to such timelines affects aspirants.

No coherent rationale

A clear timeline does ensure greater accountability. However, the Supreme Court offers no substantial justification for determining these timelines. From the order, it appears that these were based on suggestions from States and the *amicus curiae* in the case. With no clear, scientific principle or methodology offered, it ends up being a 'one-size-fit-all' timeline, which forces a comparison of States that are not similarly placed. This leads to the second issue.

A report by the Vidhi Centre for Legal Policy on 'Ranking Lower Court Appointments' collated publicly available data on recruitment cycles undertaken by States (2007-2017). The study covered di-



rect recruitment of district judges and civil judges (junior division), and measured the performance of States in terms of the number of days taken ('timeliness') to complete a cycle, and the percentage of vacancies potentially filled.

But this timeline applies uniformly to States, regardless of sanctioned strengths. The timeliness measure in the report, when compared with data on sanctioned strengths in the lower judiciary, illustrates why this benchmark is inappropriate in measuring State performance.

To elaborate, States with lesser sanctioned strengths also see lower numbers of applicants and have a natural advantage in adhering to the timeline. Take the case of Himachal Pradesh and Maharashtra for example. For civil judges, Himachal Pradesh and Maharashtra have a sanctioned strength of 62 and 1,118, respectively. Both must

finish their recruitment cycles within 321 days. The study found that while Himachal could complete its cycle within an average of 178 days, it took 443 days for Maharashtra. When benchmarked against the prescribed timeline, Himachal performs better than Maharashtra, but the comparison is unfair, given the wide variance in sanctioned strengths, and, therefore, the number of applicants.

The study also showed that of the top five jurisdictions on the timeliness metric for civil judges, Nagaland, Arunachal Pradesh, Himachal Pradesh (States) and Puducherry (Union Territory) have a sanctioned strength below 70. These States are quickest in completing recruitment cycles. Evidently, the sanctioned strength influences the timeliness of the recruitment process.

Logistical difficulties

Clearly, this court-stipulated timeline does not account for the structural and functional capacities of States. While one assumes there is greater capacity in larger States, there is no reason to persist with this assumption without empirical verification. More importantly, there is no methodological justification in prescribing a uniform ti-

meline without accounting for different capacities in States.

Finally, the prescribed timeline does not register potential problems for candidates. If the timeline is strictly implemented, aspiring candidates will find it impossible to appear for examinations in multiple States, potentially harming the career opportunities of candidates who are otherwise eligible for judicial service in multiple States.

While the idea of a definite timeline is undisputedly a good one, it should be flexible to suit the administrative and resource capacities of different States. The Malik Mazhar guidelines could have easily ensured this by prescribing a standard which could be subject to State modifications rather than making them fixed. Currently, States can deviate from this timeline only by making an application to the Supreme Court. This curbs their flexibility. Further, and more importantly, the court needs to adopt a more data-driven, methodological basis for such a timeline.

Diksha Sanyal is with the Judicial Reforms team, Vidhi Centre for Legal Policy. Rangin P. Tripathy is Assistant Professor at the National Law University, Odisha

LETTERS TO THE EDITOR

Letters emailed to letters@thehindu.co.in must carry the full postal address and the full name or the name with initials.

No different

The strange act of Union Minister Jayant Sinha in felicitating a group of people associated with a case of cow vigilantism speaks tomes about the gravity of the prevalent situation (Editorial, "No, Minister", July 9). Though some members of the ruling party have spoken out against cow vigilantism, the not-so-clandestine act of the Minister makes it clear what one can expect from the ruling party if it retains power in 2019. Such brazen acts lend credibility to what critics of the ruling party accuse it of: polarising the country on religious lines.

Formalin in fish

Formalin is used to as a tissue preservative.

Anatomy and pathology laboratories also use it in embalming. It is a toxic aliphatic compound. Using it in the fish trade at the cost of our health and in pursuit of quick money is to be condemned. *The Hindu* is to be complimented for uncovering the cut-throat competition in the fish trade which has resulted in ethics being cast to the winds (Exclusive report – "Fish samples in Chennai test positive for formalin", July 9).

Dr. E. SUBBARAYAN, Gingee, Tamil Nadu

It was shocking to know from *The Hindu's* exclusive report that fish being sold in key fish markets across Chennai city are contaminated. Fish is a relatively inexpensive form of protein but after the report, one will have to think

several times before venturing out to buy fish. The fisheries department ought to carry out stringent checks at regular intervals and think of awareness campaigns to educate sellers and consumers. I once bought fish after the seller assured me that it was fresh caught by pointing to its red fins. After we began cleaning it at home, we realised that he had applied vermilion powder to parts of the fish.

M. AMEER BASHA, Anantapuram, Andhra Pradesh

While sections of the print and visual media pursue sensational issues, it is appropriate that the daily will now make the authorities concerned sit up and take note. There are unconfirmed reports of formalin-contaminated fish consignments making their way past border check points

in Kerala. There is also a fear that fish sourced from harbours in north Kerala are unsafe to consume. These need to be investigated too.

HASHIM K.T., Makkam, Kozhikode, Kerala

It's bad enough reading about the dangers of microplastics and their impact on marine life; having to deal with formalin-contaminated fish now is even worse. The report is alarming for anyone who looks forward to a sumptuous and filling meal with fish. Will the government act?

VINOTHKUMAR VEDAPURI, Thiruvannamalai, Tamil Nadu

Cave rescuer

It's heartening to know that the daring and dangerous operation to rescue a group of Thai schoolboys and their football coach is bearing fruit

'World' page, "Thai rescue teams has rehearsed for several days", July 9) It is encouraging that help has been/is being offered from around the globe. The expert divers are doing a wonderful job. Let humanity triumph in this otherwise hatred-filled world.

T. ANAND RAJ, Chennai

At Sochi

It may be in the fitness of things that Neymar has followed fellow superstars

CRISTIANO RONALDO and Lionel Messi in making an exit from the FIFA World Cup. Of the semifinalists, if Belgium or Croatia go on to win the Cup, football could have a new country as the champion. All the semifinalists being smaller countries is a case of "small is beautiful" ('Sport' page, "Croatia gives Russia penalty shootout heartbreak", July 9).

C.G. KURIAKOSE, Kothamangalam, Kerala

MORE LETTERS ONLINE: www.hindu.com/opinion/letters/

CORRECTIONS & CLARIFICATIONS: In the Sports page report, "Croatia gives Russia penalty shootout heartbreak" (July 9, 2018), the first point under the highlights said: "Russia is the first country to be eliminated at the quarterfinal since 1986. From 1990 till 2014 all the hosts made the semifinals." This is not correct as South Africa – which hosted the 2010 World Cup – got knocked out in group stages.

It is the policy of The Hindu to correct significant errors as soon as possible. Please specify the edition (place of publication), date and page. The Readers' Editor's office can be contacted by Telephone: +91-44-28418297/28576300 (11 a.m. to 5 p.m., Monday to Friday); Fax: +91-44-28552963; E-mail: readerseditor@thehindu.co.in; Mail: Readers' Editor, The Hindu, Kasturji Buildings, 859 & 860 Anna Salai, Chennai 600 002, India. All communication must carry the full postal address and telephone number. No personal visits. The Terms of Reference for the Readers' Editor are on www.thehindu.com