



Avoidable tragedy

Responsibility must be fixed for the Amritsar disaster. Political spats won't help

The ghastly Dasara disaster at Amritsar that has left 59 people dead is a harsh reminder, if any were needed, that government departments have not yet taken official protocols for safety at mass gatherings seriously. In the aftermath of the entirely preventable carnage, in which spectators crowding a railway track to watch burning of effigies were mowed down by a train, there is a frantic effort to pin responsibility on agencies and individuals, and, deplorably, to exploit public anger for political ends. What happened at Joda Phatak in Amritsar points to the basic failure of the district administration and the police, which should have ensured law and order. If the organisers of the event had obtained a no-objection certificate from the police, as reports suggest, what role did the law enforcement machinery play in crowd control? On the other hand, the Municipal Corporation in Amritsar has tried to distance itself, claiming that its permission was not sought, although almost everyone in the city knew it was taking place. The magisterial inquiry ordered by the Punjab government should examine the actions of the revenue authorities and the police in organising the event, and whether rules were ignored to favour the organisers who claimed proximity to some politicians.

Major religious festivals in India are often overshadowed by deadly incidents such as stampedes and fires, ranging from the terrible toll of 249 deaths at the Chamunda Devi temple stampede in Jodhpur in 2008, to the railway station stampede during the Kumbh Mela at Allahabad five years later in which 36 people died. The National Disaster Management Authority has responded to these horrors by creating a guide for State governments and local bodies, laying down a clear protocol to be followed for mass gatherings and festivals. Whether this was followed by the Amritsar authorities in the planning of the Dasara celebrations is one of the questions that must be addressed. There should be a transformation of the way such events are organised, with a lead agency in each State and district empowered to issue instructions, and in turn be accountable for public safety. More broadly, there is a serious deficit of common spaces in cities, towns and villages to conduct spectacular events safely. This is incongruous in a populous country with a tradition of festivals and cultural gatherings. The Punjab government, wiser after the fact, says it will draw up guidelines for the future. At Amritsar, trespass on the track was the prime reason for the accident. A campaign to educate the public that railway tracks cannot be treated as commons, and vigorous enforcement, will reduce the probability of such incidents. The Railways must identify hazard spots for train movement in heavily built-up areas and prevent trespass by barricading them. A culture of safety can take root if governments imbibe it first.

The comeback 'kid'

Malaysia looks all set for a remarkable transition from Mahathir Mohamad

The by-election victory of Anwar Ibrahim, the *de facto* leader of Malaysia's ruling coalition, marks another milestone in his dramatic comeback, putting him within touching distance of the prime ministership. During a chequered career, as Prime Minister Mahathir Mohamad's deputy in the 1990s and later as leader of the People's Justice Party (PKR), he served jail sentences on charges of corruption and sodomy. But he seems determined to put the past behind him. In the May general election, the man who has symbolised democratic resistance for years helped break the 60-year political monopoly of his former party, the United Malays National Organisation. The defeat in that election of the scandal-tainted Najib Razak, a UMNO veteran, was scripted by an unlikely alliance between the nonagenarian Mr. Mohamad and his former nemesis, Mr. Ibrahim. That collaboration came with an assurance of a handover of power by Mr. Mohamad to his protégé at an appropriate time. This was an extraordinary story of reconciliation: Mr. Ibrahim had been sacked in the 1990s by his mentor and imprisoned on allegedly trumped-up charges. In a first step, Mr. Ibrahim was granted a royal pardon and released from prison within days of the election victory of the Pakatan Harapan, the alliance formed by the two leaders.

Underpinning the new bonhomie is a deep reformist instinct to consolidate Malaysia's status as a middle-income economy. Revelations of controversial investments at Malaysia's IMDB state fund that led to the ouster of Mr. Razak provided the impetus to set aside past personal and political differences. For instance, the rhetoric on the incompatibility between Western democratic norms and Asian values had been a distinguishing feature of Mr. Mohamad's previous tenure of nearly two decades. Conversely, the complementarity between Islam and democracy underlies Mr. Ibrahim's outlook; a man who draws liberally from the Koran and Shakespeare, depending on his audiences. The response to the 1997 Asian financial crisis had also highlighted serious differences between Mr. Mohamad and Mr. Ibrahim. Curiously, the issue has acquired currency during the recent stock market turmoil. The Malaysian central bank governor has pointed to a potential need to impose capital controls to address the market volatility in recent months. Concerns are also bound to arise over Mr. Mohamad's strongman past. But the Prime Minister has assured the four-party governing coalition that he will be guided by the norms of majority rule and accord due weightage to the largest partner, the PKR. Underlying the unfolding political transition in Malaysia is the emergence of change with continuity. Such a gradualist course is sustainable over the long term.

Lip service to labour rights

The exodus of migrant labour from Gujarat highlights the indifference of States to their well being and rights



INDIRA HIRWAY

Gujarat is one of the top States in India that receive migrant workers, largely temporary and seasonal, on a large scale. In Gujarat, they work in unskilled or semi-skilled jobs in a wide range of activities such as in agriculture, brick kilns and construction work, salt pans and domestic work, petty services and trades (food and street vending) as well as in textiles and garments, embroidery and diamond cutting and polishing, small engineering and electronics and also small and big factories.

Scant data

These workers are from Rajasthan, Madhya Pradesh, Maharashtra and even from as far as Bihar, Uttar Pradesh, Andhra Pradesh, Odisha, Jharkhand, Chhattisgarh, Assam and Karnataka. Employers send contractors to distant unexplored places to gather labour at the lowest possible wage rate. For example, a new township in Gujarat being promoted by a large industrialist is to be built with workers from Assam. Surprisingly, the Gujarat government has no data on/estimates of migrant workers coming to Gujarat. Informally, the figures are estimated to be between 40 lakh to one crore.

Segmenting the labour market and creating a separate labour market for migrant workers – who are easy to exploit – has been a common strategy of employers

across India. The pathetic conditions migrant workers face have been widely documented. They earn low wages, work very long hours without any overtime benefits, and are almost without any leave or social protection. Lakhs of unskilled and migrant workers live on worksites in makeshift huts (usually made of tin sheets) or on roads, slums and in illegal settlements not served by municipalities. They are neither able to save much to improve their conditions back in their home States nor save enough to live comfortably in Gujarat. They go back home only once or twice to celebrate festivals. Semi-skilled workers with some education and skills (such as those in diamond cutting and polishing units, power looms and factories) get slightly higher wages and earn some leave. However, these workers are also exploited in multiple ways and are mostly unprotected. Factory owners, employers and traders are only too happy with such a situation as they earn huge profits from wage labour exploitation.

Embers of resentment

Local workers resent the presence of migrant workers who they feel take away their jobs in factories and other places on account of being cheap labour. The recent attacks on migrant labour after an incident in Gujarat late last month,

involving the sexual assault of a 14-month-old girl, allegedly by a migrant labourer from Bihar, appears to be have been a consequence of this resentment. Many migrant workers have now rushed out to their home States out of fear despite several local people having been taken into custody on the charge of inciting violence against migrant workers. There have been reports of an estimated 60,000 to more than a lakh workers leaving the State. Those who have stayed back now live under constant fear.

The exodus is cause for concern as it is bound to impact Gujarat's growth and create resentment among factory owners and other employers, especially at a time when the general election is drawing close.

Gujarat Chief Minister Vijay Rupani has blamed the Opposition for inciting locals to push out migrants while the latter have accused him of not stopping the migration. Some have even demanded his resignation. The anger on both the sides is essentially more out of fear that losing cheap labour will be at the cost of Gujarat's prosperity than out of genuine concern for the welfare of migrant workers. The signals from the top leadership of the Chief Minister's party are "to bring the situation back to normal". This would also avert a crisis in the migrants' home States which would

have to cope with an army of the unemployed.

All this shows the utter indifference of States to the well being of migrant workers and their rights. The Gujarat government wants normalcy to return so that migrant workers can toil for the prosperity of Gujarat, while the Bihar government, which is at its wit's end trying to manage the sudden inflow of returning migrants, wants migration to Gujarat to continue as before. It is not surprising that Uttar Pradesh has lauded the Gujarat government "for handling the situation well".

Only on paper

Under the Inter-State Migrant Workmen Act and other labour laws (for unorganised workers), migrant workers in Gujarat are legally entitled to all their basic labour rights. These include minimum wages, regular wage payment, regular working hours and overtime payment, and decent working and living conditions which include taking care of the health and education of their children.

Under the same Act, the governments of the States from where migrant workforce originate are expected to issue licences to contractors who take workers away, register such workers and also monitor their working and living conditions in other States. But most State governments remain indifferent to these laws. Gujarat has taken a few steps but these are far from adequate. In the political sphere, there has been hardly any mention about protecting the legal rights of migrant workers in India. The political impulse has been to maintain status quo – the continuation of the situation where mi-

grant workers are exploited.

The Gujarat government passed a rule in the 1990s making it mandatory for industries and employers in Gujarat to give 85% of jobs to local people. This rule was never really implemented in reality, but watered down by the State government in its subsequent industrial policies, as new and large investors coming to the State did not like any such restrictions. Now there is a move in the State to introduce a law for industries and investors in Gujarat which reserves 80% of labour jobs for State domiciles and at least 25% for local workers. But those behind the idea are perhaps fully aware of the futility of such a move. As long as there are huge surpluses from the labour of migrant workers, employers will have no incentive in hiring local workers. The objective of such a move is to perhaps contain the anger of local workers – at least till the 2019 election.

A way out

In the end, the real solution to this issue would be to enforce all relevant labour laws for migrant workers so that segmentation of the labour market becomes weak, and workers (local and migrant) get a fair and equal deal in the labour market. This will also weaken unfair competition between local and migrant labour and enable migrant workers either to settle down in the place of destination or to go back home and make a good living there. But are State and central governments genuinely interested in improving the conditions of workers in the economy?

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Time to hew a new antiquities law

Cultural vigilantism threatens to cast a long shadow on the production of knowledge of the past



PRAMOD KUMAR K.G.

The construct around a civilisational history frequently emerges from untouched archaeological sites. Consequently, the premium has long been on archaeologists guiding a nation on what constitutes its history, memory and culture. This ingrained notion has foundationally resulted in the framing of India's laws based on a singular view of what constitutes an antique. To hang onto this view in today's age is destructive as can be seen from the fate of antique collecting across India. The prevalent assumption that is constantly alluded to is that every object held by an institution or a collector must have been surreptitiously removed from a shrine or a sacred site.

But a civilisational history cannot be constructed purely by an archaeological agency. While it is an important component, other groups such as litterateurs, historians, anthropologists and curators also contribute valuable insights into our material culture. Howev-

er, the framing of our laws has not happened in conjunction with any of these disciplines. This was because at the time of law framing, the agenda was to preserve India's material culture which was then under threat much like material heritage of several source countries across the world was. What was thus valid for India at the time of Independence no longer fits in with the requirements, reality and needs of a confident modern-day state that seeks to understand its past.

Need for reform

The Antiquities and Art Treasures Act, 1972 has consequently long outlived the purpose for which it was drafted. While a promised amendment has been floated on the website of the Union Ministry of Culture, its status is still largely unknown. The laws that consequently govern the ownership of historical objects, their purchase and sale have, with increasing frequency, been a disincentive for the average collector. Cultural vigilantism and the presumption of guilt without trial, public shaming and the resultant media trial have led to a state of affairs that is dangerous – casting a long shadow on the production of knowledge of our past.

Registering antiquities with the

Archaeological Survey of India (ASI) has long been a cumbersome and difficult procedure for most collectors, with the state simply not equipped to handle the needs of a growing populace of collectors.

Compounding this is the rule that every object over a 100 years is an antique. To ascribe importance by virtue of religious sentiment, age or provenance (seldom proven) to every significant and insignificant work of art will sound the death knell for scholarship or our understanding of what constitutes a beautiful work of art or even a significant national treasure worthy of appreciation. To promote a view that once sacred objects today only belong to temples and thus deny the process of regeneration of these living cultural sites is a myopic view stemming from a lack of understanding of the role and purpose of these objects, the temple economy that maintained them, and also the constant process of renewal that occurred within historic sites.

Questions for the state

With every passing year, the number of objects that shift from 99th year to a 100 year status will soon result in the transfer of vast numbers of objects to a status of national antiquity. Is the state geared



K.V. SRINIVASAN

to handle and maintain this vast emerging enterprise? This is where the role of private connoisseurship, individual collectors, trusts and foundations come into play. Their proactive agency has safeguarded the heft of ancient Indian art from being channelled abroad or, worse, being destroyed. It is well within the rights of every citizen to acquire and collect objects of their past that they feel imparts a sense of memory, history and an understanding of our culture. What should definitely govern this acquisition is a legal process of buying. However, vigilante movements claim temple robbery provenance without a shred of proof, emerging as a bullying tactic and becoming the dominant narrative on artefact ownership. These movements neither follow the rule of law nor do they respect the ASI's time-honoured process

of registration of such artefacts.

The present situation also gives rise to an interesting question. If, as is being presumed, every object in a private collection is the result of temple desecration and robbery, then what of objects that have been registered under similar norms across all our public institutions? Is the government of India ready to repatriate the several idols in its various collections or give up the Aurel Stein collection of Central Asian antiquities at the National Museum, New Delhi, to the Buddhist communities of China? To hold public institutions to one standard and private collectors to another is just one of the several anomalies of the current narrative. Why is there a blanket assumption that every public institution holds treasures that were not pilfered or acquired through the same channels that are available to private collectors? An urgent amendment to existing laws is a need of the hour to save our material culture from being examined purely from the prism of religious sentiment and to foster the creation of secular spaces where everyone can enjoy and appreciate our past.

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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.

Run over

It is clear that there are many danger zones in one of the largest railway networks in the world ("61 dead as trains mow down Dasara crowd in Amritsar", October 20 and "Dasara disaster not our fault: Rlys", October 21). A number of commissions and committees have been constituted since Independence to suggest ways and means to prevent such incidents and ensuring rail safety but in vain. When there is an explicit provision in the Indian Railways Act, 1989, i.e. Section 147 (which prohibits trespassing and misuse by any person in respect of railway property, making it an offence with imprisonment) why is the law not being enforced by the authorities? There must be an awareness campaign on this provision using the media.

HEMANT KUMAR, Ambala City, Haryana

■ The ghastly railway accident where a train

mowed down the revellers is a result of the organisers, civic and railway authorities and the police not being alert. The organisers should have taken adequate precautionary measures to prevent people from spilling on to the tracks. The State administration needs to be taken to task for having been negligent. Criminal and administrative action needs to be initiated after an inquiry.

S.V. VENKATKRISHNAN, Bengaluru

■ It is the matter of deep shame that politicians are using this as an occasion to play their games and blame each other. There is no value for the life of the common man.

F.T.MULLA, Secunderabad

■ Even if the Railways are not directly "responsible", the recurrence of such a tragedy can be avoided only if remedial measures are put in place. In India, deaths happening along the tracks are of a routine and

recurring nature and treated as a statistical issue. The time, money and energy spent on bullet train projects should instead be used to upgrade security systems along tracks. The Indian Railways have miles to go in ensuring safety.

V. SUBRAMANIAN, Chennai

■ It is a truth that people are by and large not safety-conscious and attach the least importance to safety precautions. When they make merry and revel, they tend to forget everything – their own selves and the environment and become oblivious to lurking or hidden dangers. People need to learn to put safety first and above everything else. Crowd management is not given due importance. The tragedy should push the Railways to launch a nationwide drive against trespassing on tracks.

G. DAVID MILTON, Maruthancode, Tamil Nadu

■ In 1986, in Kannur district, Kerala, an express train

mowed down people who had gathered near the track to witness a pyrotechnics display as a part of a temple festival. There too, the organisers appeared not to have informed the Railway authorities nor taken any precautions. In Punjab, the local body should have informed the Railways about the event especially if there are some reports that a fete was organised at the same spot every year. Public events must not be organised near rail tracks and roads.

M. PRADYU THALIKAVU, Kannur, Kerala

Peace at Sabarimala

All but a few vested interests will agree with the view that the immediate task before the authorities in Kerala is to 'dial down' tensions over the Sabarimala issue (Editorial, "Keep the peace", October 20). Ever since the verdict of the Supreme Court, chaos and confusion, compounded by protests and violence have been looming large over the area. If and when the issue comes up for judicial review, let the matter be

subject to a referendum by devotees under the direct supervision of the High Court or the Devaswom Board. The judgment of the Supreme Court appears to have been guided more by reasoning than by faith. However, maintaining peace and tranquillity at Sabarimala is the need of the hour as Keralites are still reeling in the aftermath of the recent floods.

T. SUKUMARAN NAIR, Thiruvananthapuram

Truth about Khashoggi

The belated admission by Saudi Arabian authorities that dissident journalist Jamal Khashoggi died 'in a fight' inside its consulate in Istanbul appears untenable in the backdrop of the news build-up on the issue during the last fortnight. Even if they have admitted to the grave deed, they need to shed light on his mortal remains. Arms deals, the need for oil supplies, military alliances and the sanctity of places of worship should not come in the way of acting against the Kingdom for its

violations of human rights. It is now clear that progressive measures such as permitting women to drive cars and the opening of theatres are just face-savers.

M.A. SIRAJ, Bengaluru

Name change?

The Yogi Adityanath government's proposal to rename Allahabad city as Prayagraj is totally unwarranted ("Prayagraj divides Allahabad, October 21). Allahabad is a historically important city known for its diverse culture and the hasty move of the State government will be retrograde and divisive. It seems the much vaunted agenda of 'development' is being forgotten for good by BJP governments not only in U.P. but also in many of the other States where it is in power. Evidently, renaming appears to be a diversionary tactic to divert scrutiny of the performance of governance.

J. ANANTHA PADMANABHAN, Tiruchi

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