

Pak visas to terror trainees

Pakistan has always maintained that what is being witnessed in Jammu and Kashmir is not terrorism but war of independence waged by the local people to throw out the Indian occupying forces from there. Pakistan's very conception of 'good' and 'bad' terrorism is a concoction to justify its support to terrorists operating in Jammu and Kashmir. And since training the youth of Jammu and Kashmir by dispatching young boys to Pakistan is a gesture towards the 'freedom fighters' Pakistan has been issuing valid visas to them to cross the border, undergo the training and get thoroughly brainwashed into believing that what the hoodlums in Pakistan tell them is the truth, the whole truth and nothing but the truth. The young brainwashed adolescents then return to their motherland as traitors. This thing has been going on for long. The youngsters are being trapped, paid well to lure others into the trap.

This was confirmed the other day when two Kashmiri youths, Abdul Majeed Bhat of Kreeri and Mohammad Ashraf Mir of Pattan, who got themselves trained in Pakistan's terrorist camps and joined Lashkar-e-Taiba (LeT) were arrested in a joint operation by the police, Army and CRPF in Baramulla immediately after returning via the Wagah-Attari border and before they could formally join the militant ranks here in Kashmir. It is they who have revealed that they had received visas from the Pakistan High Commission in Delhi. The information extracted from them could prove to be very useful in strengthening our case against Pakistan. They have revealed that terrorist training camps are located near Burma Town, in Islamabad, and are being run by a terrorist commander operating under code names Hanzala, Adanan and Omar. Other terrorists imparting training to young boys are operating with code names Osama, Naveed and Hataf. Upon questioning the two also revealed that they were trained alongside a large group of Pakistani boys, most of whom were from Balochistan. The group had members as young as 10 years old. This information can prove handy while planning drone attacks on Pakistan's terror-training camps.

Upon questioning the two also revealed that they had been trained alongside a large group of Pakistani boys, most of whom were from Balochistan. It's pertinent to mention that for the past couple of years police has unearthed several such modules who lure young boys to Pakistan to get trained and join militancy. Now an eye will have to be kept on the Pakistani Embassy in New Delhi to keep track of the Kashmiri youths who may be visiting the Pak embassy officials. Pakistan is issuing visas to them because infiltration has now become tough after security was further tightened on the borders by our forces. This is not all. The NIA (National Investigating Agency) believes that Pakistan is involved in providing technical support to separatists and that Pakistan's spy agency ISI has a "Kashmir Committee" headed by a Brigadier-rank officer to plan and execute terrorist attacks, violence, stone pelting, funding, recruitment, logistics and other anti-India activities. There can therefore be no cause for relaxation of any sort. In fact if at all there is any case, it is for further tightening of the army grip on the separatists and their brainwashed stooges.

SNIPPETS

The USA has told Pakistan: 'A country which supports terrorism is not our friend'. Hafiz Saeed may hit back and ask: 'Have you any friend left except those two equally crooked countries—Israel and India?'

What would be Lulu's reaction to Jaitley's budget? 'Jaitley has given a jolt to the middle class and the middle class has inflicted a humiliating defeat on BJP in all the three Rajasthan by-elections'.

CBI is challenging the High Court's Bofors judgment in Supreme Court after 13 years. A common man may ask: 'What was the CBI doing all these years? Enjoying a sound sleep?'

The answer could be, 'The parrot was in a different cage then Now the cage master is different.' Kavi Pradeep may sympathize with the parrot and say, 'Pinjare ke panchi re, tera dard na jaane koe'.

UP's suited-booted DG (Home Guards) Surya Kumar Shukla, joined in the oath ceremony of Mandir protagonists by pledging to construct a Ram temple in Ayodhya. But will this be possible before the announcement of the court's decision?

After Gurugram and Lucknow, a class 9 student in a Delhi school was beaten to death by his classmates, as confirmed by the CCTV camera. What sort of evil wind is blowing in our schools these days?

Again, in Delhi, the philosophy professor of JNU was found dead in mysterious circumstances. It seems the killer virus has become uncontrollable in Delhi too.

Delayed Justice – Sad Reflection on the System

'Justice delayed is justice denied' is such an oft-repeated maxim as it has lost its impact on the common litigants in India. There is no gainsaying that the rule of law cannot exist without effective judicial system, which is capable of enforcing rights in a timely manner that inspires the public confidence in the administration of justice. For the law to govern, the system through which it is administered must measure up adequately when mapped against the three dimensions of justice- substantive justice on merits, timeliness in the disposal of cases, and proportionate use of the State's resources. Access to justice must ensure that legal redress does not become the preserve of a few. Unfortunately, apathy and ineffective governance have created barriers to accessing justice, which has resulted in granting limited access to the full range of socio-economic and civil-political rights available.

Every politician of any stature, minister or a judge will invariably lay emphasis on the speedy justice delivery but that remains elusive. While the High Court and the Supreme Court judges are still addressed as 'My Lords' but they look at litigants with their noses high and behave in a manner as if it is they who are the sole repository of understanding and wisdom. However, the way a judge of Madras High Court K. Chandrababu has won the heart and the laurels of the public with his humility and uprightness. Delivering a judgement, he has apologised to an 89-year-old man for the 37-year long delay in delivering the justice, although he was no way personally for the same.

The brief facts of the case are that the petitioner V. Gandhi joined the Indian National Army (INA) of the great leader Netaji Subhash Chandra Bose. He was a part of the Indian Independence League in Rangoon (Burma). In the struggle for freedom of this Country, he underwent imprisonment in Rangoon Central Jail from May 1945 to December 1945. The petitioner, with this background, thus made a request on 6th July 1980, for grant of freedom fighters' pension by the State of Tamilnadu. He waited for 12 years but when there was no response, he sent a reminder on 18th November 1992 but neither the original application nor the reminder was considered by the government favourably. It is not that the petitioner has not made the said claim without having any justification or proof. One K.Kalimuthu, a co-prisoner, has issued a Certificate to him certifying that the petitioner is a bonafide freedom fighter and that he was also imprisoned on account of his participation in the freedom struggle. He was lodged in the same jail along with the said K.Kalimuthu from May 1945 to December 1945 at Rangoon Central Jail, Burma. It is also seen that K.Kalimuthu is a recipient of freedom fighters' pension from the Government of India. Apart from the said Co- Prisoner Certificate, V Gandhi has also obtained another personal knowledge Certificate from Col. Lakshmi Sahgal on 15th April 1994.

It may be mentioned here that Col. Lakshmi Sahgal was a Commander in the Indian National Army. She was the mother of the well-known politician Mrs Subhasini Ali. She was born on 24.10.1914 in Madras (now Chennai) to Shri. S. Swaminadhan, a

Lawyer and Smt. A.V.Ammukutty, a Social Worker and Freedom Fighter. She became a Doctor by profession. However, at the age of 26, she left for Singapore in 1940 and three years later, she met the

persons like Mr Gandhi, who fought for freedom, should have been conferred with such due honour and dignity by extending the invitation to them and not by waiting for them to make their application. I

'Judicial Panorama' appears every fortnight, wherein important legal issues are discussed and analysed by Parmanand Pandey, an Advocate-on-Record in the Supreme Court of India- Editor



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revolutionary leader Subhash Chandra Bose, who changed the course of her life. A Women's Regiment called the Rani of Jhansi's Regiment was set up and she became Captain Lakshmi, which name stood as her identity throughout her lifetime. Captain Lakshmi was arrested by the British Army in May 1945. She remained under house arrest in the jungles of Burma until March 1946. She married Col. Premkumar Sahgal, a leading figure in INA in 1947. After independence, she led her life all throughout by serving the public. She was the presidential candidate for the left party in 2002. She died on 23rd July 2012 at the age of 97. Such is the short story of the great personality viz., Captain Lakshmi Sahgal. She had chosen to give the above-said Certificate to the petitioner, specifically indicating her personal knowledge about the petitioner's role in INA and his fight for freedom of this country.

Further, it is seen that one K.Gurumurthy, the President of All India Freedom Fighters' Successors' Organization, has also sent a communication to the respondents on 4th August 2015, indicating that the claim of the petitioner is genuine, especially, when Dr.(Col.) Lakshmi Sahgal had issued the Personal Knowledge Certificate, which will vouch for the credential of the petitioner's participation in the Freedom Fighters Movement and sufferings. He specifically stated that it is a rare fortune that personality like Dr.(Col.) Lakshmi Sahgal issued a certificate for him. He also further stated in the said communication that the petitioner is in poverty and he has to be rescued from such pathetic condition by providing freedom fighters' pension.

On receipt of the above communication from the said K.Gurumurthy, he forwarded the same to the governments to take necessary steps to accede to his requests. As nothing had happened, again a reminder was sent by the Mr Gurumurthy on 20th January 2016. Except sending the reply in a mechanical manner, the State government did not take any effective step to consider the request of Mr V. Gandhi for freedom fighters' pension, even though it was brought to its knowledge that there is an urgent need of extending such monetary support to him. The pension is not a charity, but conferment of an honour on such a selfless freedom fighter. Unfortunately, the government failed to note that but for such selfless contribution and participation in the freedom struggle by the persons like Mr Gandhi we would not have been in the present position to deal with this matter like this. It is a sorry state of affair and saddening factor to note that a person, who fought for freedom of this country is again driven to fight now, even after freedom, to get some financial assistance for his sustenance by way of such pension.

The judge said that 'in my considered view,

am totally unable to either comprehend myself or conceive the above reasoning of the government for rejecting his claim for the pension, that too, especially when the same is not going to the root of the matter. When the factual aspect of the matter viz., the factum of participation of the petitioner in the freedom struggle, is vouched by a co-prisoner, and by the great personality Col. Lakshmi Sahgal, who issued the Personal Knowledge Certificate, there cannot be even a little doubt for the government about the bonafide of Mr. Gandhi. Despite the availability of those two overwhelming pieces of evidence, it is very unfortunate, that the government has chosen to mechanically reject the claim of the petitioner with irrelevant and immaterial reason which only shows that the government officials somehow wanted to wash off their hands and relieve themselves of their liability.'

The judge further said that 'I wonder as to how such immaterial reasoning with regard to the age of the petitioner, Mr Gandhi, even assuming to be true, is not going to alter his claim with regard to the payment of freedom fighters' pension. It is very saddening to note that the government has chosen to rely on the irrelevant materials to deny the claim of the petitioner rather than accepting the genuine certificates proving the petitioner's participation in the freedom struggle, especially when these respondents did not dispute the genuineness of such certificates. I fail to understand as to how the age of the petitioner at the relevant point of time is going to matter much while considering his claim for freedom fighters' pension now, when his actual participation in the freedom struggle, through INA, is proved and established through the undisputed Certificates issued by those two competent and eminent persons. What is relevant to be seen is as to whether the petitioner actually participated in the particular freedom movement or not and certainly not his age, at which he had participated in such freedom-movement. Therefore, the respondents have indulged in fishing out a reason, only to reject the claim somehow.'

The judge said that 'I can only say to the writ petitioner "Sorry sir, you are made to suffer at the hands of our people too, as, unfortunately, this is how the bureaucratic dogmatism with wooden approach works, at times, in this country, for which you fought to get freedom.' The judiciary, certainly, needs such judges, who are humane and sensitive to the problems and difficulties of the people.

A sort of masterstroke

Full tax exemption on farm produce processing will lend value addition to the crop and create jobs in rural areas.

This Budget of 2018-19 needs to be seen within the parameters of some important determinants, including (i) little scope for enhancement in indirect tax, except custom duties because it is no longer in the purview of the government, (ii) people expected some exemptions and lowering of tax slabs, (iii) the government committed to bring down the fiscal deficit,

(iv) increased liabilities in terms of salaries, pensions, gratuities, interest payments and other committed expenditure, and (v) lingering slowdown of the economy due to demonetisation and hasty implementation of the goods and services tax (GST). On the other hand, impending elections in eight states and the General Election in 2019 demand an all-sectors pleasing Budget. Within these constraints and expectations, the Budget has done a reasonable balancing. The main focus is on agriculture, health, education and infrastructure as well as employment generation.

In the agriculture sector, the minimum support price for kharif crops (the next paddy season) has been increased to 150 per cent of the cost of production. This step has fulfilled the election promise of the BJP, though in the last year of its term. This will be de facto applicable to rice crop only because this is the only crop that the government procures in the kharif season in addition to cotton which is purchased by the Cotton Corporation of India for government mills. This will surely meet the pending demand of the farmers' organisations. Yet, one aspect of this step is that 84 per cent of the farmers in the country are small and marginal farmers. They have not much to sell and some 25 per cent of them resort to distress sales in the post-harvest season and have to buy the same product in the lean period at a higher price. This will

certainly benefit farmers, but only the medium and large ones. If this is the approach for doubling the farm incomes, the Budget could adopt MSP at 200 per cent of the production cost! So easy, isn't it! Also,

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agricultural commodities have to be consumed by the people. The question is: will the purchasing power of the consumers increase correspondingly to buy these

A farmers' Budget

- Kharif crops' MSP hiked to 1.5 times of the cost of production**
- ◆ Applicable to rice crop only.
- ◆ Will benefit only the few medium and large farmers as 84 per cent of our farmers are small and marginal and they don't have much to sell.
- Full tax exemption on agricultural produce processing**
- ◆ Will lend value addition to the produce.
- ◆ Will create job opportunities in rural areas.
- ◆ Other SMEs and agricultural service centres in rural areas should also have been given reasonable tax exemptions for removal of socio-economic stress.



products at these higher prices?

An important positive provision for the agriculture sector is the complete tax exemption on agricultural

produce processing. This will lend value addition to the produce and create substantial additional employment opportunities in the rural areas. It would have been further beneficial for generating gainful employment opportunities, enhanced incomes and removal of socio-economic stress if setting up of other SMEs and agricultural service centres in rural areas were also given reasonable tax exemptions. Subsidy on handling the pollution emanating out of burning of stubbles and crop residues is long-awaited step taken in the right direction.

Setting up of mega food parks will certainly promote the much-needed diversification, though partially, replacing the environment-damaging and water-guzzling rice-wheat crop rotation in Punjab and parts of Haryana. Recognition of farm producer companies/societies for 100 per cent tax exemption, e-markets, and export liberalisation are also the steps in right direction.

Given the constraints and expectations due to impending elections this year, the Budget can be rated as reasonably good. It is oriented towards improving and enhancing the infrastructure of roads, Railways track improvement and expansion and safety, ports, airports, helipads, fast tagging etc and opening of new hospitals, health centres, medical insurance as well as improving education. The Budget is, by and large, people-oriented and vote-bank friendly. Although, as per the roadmap delineated by this government, the fiscal deficit should have been reduced to 3.0 per cent of the GDP, keeping in mind the fundamentals and need of boosting the economy, the fiscal deficit has been pegged marginally higher at 3.3 per cent of the GDP. That is somewhat justified in view of the recommendation of the expert committee to keep the debt-GDP ratio below 40 per cent. In a nutshell, every segment of the society has been given something to rejoice. Also, along with being development oriented, it is vote-bank friendly.