



Averting polarisation

The Supreme Court has judiciously pushed back the timeline for a verdict on Ayodhya

By declining to fix until January 2019 a date for hearing the Ayodhya case, the Supreme Court has judiciously diminished the possibility of a final verdict before the next Lok Sabha election. The adjournment is both welcome and necessary, as it pushes back the prospect of any judgment in the run-up to the polls. It hardly needs reiteration that regardless of which way it goes, any verdict would polarise the nation. When a three-judge Bench refused to refer some questions of law in the Ram Janmabhoomi-Babri Masjid dispute to a seven-member Bench last month, it raised the prospects of an early final hearing in the appeals filed against the Allahabad High Court's judgment of 2010 in the main title suit. The court had then set October 29, 2018, for the next hearing. This had raised the hopes of aggressive proponents of Hindutva who have been expecting a favourable verdict for the construction of a Ram temple in Ayodhya. While it is true that courts should not tailor their timelines to election dates, it is equally important that religious sentiments are not stoked and exploited during election season. The decision of a Bench headed by Chief Justice of India Ranjan Gogoi to put off even the exercise of fixing a date for the final hearing is quite pragmatic. In the eyes of the law, this may be just a title dispute. However, given the divisive effect the Ram temple movement has had on the country's politics and history, it would be unwise to equate this with any other judicial matter that can come up for disposal in due course.

A word of caution is in order. The postponement of the hearing does not preclude an aggressive campaign by those upset and impatient about what they see as a delay in achieving their objective of building a temple at the disputed site. Already there are voices clamouring, most imprudently, for an ordinance to enable the construction of a temple. These must be resisted, and the judiciary must be vigilant and resourceful in ensuring that the dispute remains within its jurisdiction. A solution, unless judicially driven, is unlikely to command constitutional legitimacy. Twenty four years ago the Supreme Court had resolutely refused to answer a controversial Presidential reference on whether a temple pre-existed the demolished masjid. It had restored the title suit and made it clear that the government is only a receiver of the land it had acquired in Ayodhya; and that it holds the land in trust, only to be handed over to the party that succeeds in the suit. This recourse to a judicial remedy should not be circumvented. Prime Minister Narendra Modi, in his Independence Day address in 2014, had called for a 10-year moratorium on communal and sectarian issues. As long as he sticks to the spirit behind this appeal, it will not be legitimate for anyone to demand a pre-emptive law in favour of a temple.

Zia, cornered

The BNP suffers yet another setback as Bangladesh's elections approach

Former Bangladesh Prime Minister Khaleda Zia's conviction in yet another case of corruption imperils her Bangladesh Nationalist Party's already meagre prospects in the coming parliamentary elections. She has been sentenced to seven years of rigorous imprisonment. With her son and acting chairman of the BNP, Tarique Rahman, in exile, and convicted in absentia and sentenced to life imprisonment for his alleged role in a grenade attack on an Awami League rally, the party's leadership has been effectively crippled. It is no wonder that the BNP has formed an alliance, the Jatiya Oikya Front, with other minor parties, under the leadership of secular icon and civil society leader Kamal Hossain to bolster its fortunes in what looks like a lop-sided battle against the entrenched Awami League. The Awami League and the BNP have rarely engaged each other as healthy political rivals. There has been no love lost between the leaders of the two parties, Ms. Zia and Prime Minister Sheikh Hasina: they have tended to view each other with a sense of vengeance. Yet it would be misleading to claim that the punitive actions ordered against the BNP's leaders by the judiciary are entirely due to any pressure from the ruling party. The BNP's last term in government, from 2001 to 2006, was marked by corruption, support for fundamentalism and repressive measures against the Opposition.

The BNP is now caught in a bind. It had boycotted the parliamentary election in 2014 to give the process a veneer of illegitimacy, leaving the Awami League as the only major political force in contention. But the BNP's decision backfired. Bangladesh under Awami rule has recorded steady economic growth and has had creditable successes in welfare delivery and public health measures, seen tangibly in the lowered infant mortality and fertility rates and in sanitation. There have been some misgivings too, as Prime Minister Hasina has increasingly tended to be authoritarian and impatient with critics. While the judiciary has found the BNP's leadership to be guilty of corruption and misdemeanours, the crack-down on the BNP rank and file, with thousands of activists targeted by the police, is a sign of the government's overreach. A new digital security law, most ominously, has been passed with stringent punishment to anyone secretly recording state officials and spreading "negative propaganda" about the Liberation War, among other things. This manoeuvre is clearly intended to have a chilling effect on the Bangladeshi media. A healthy democracy must allow for differences of opinion. The government must not pursue this quasi-authoritarian bent at a time when its leading opposition has been emasculated. This would only help delegitimise the formal aspects of democracy, such as elections, among the government's critics and the electorate.

The unifier of modern India

Remembering Sardar Patel's stupendous role in integrating the princely States into independent India



M. VENKAIHAH NAIDU

“By common endeavo[u]r we can raise the country to a new greatness, while a lack of unity will expose us to fresh calamities.” These pragmatic but profound remarks defined the vision and the sterling character of Sardar Vallabhbhai Patel, the principal unifier of modern India.

Force behind unification

Sardar Patel's foresight and tactful navigation of the most turbulent period in post-Independence, and the resolve he demonstrated in integrating the more than 500 disparate princely States into the Dominion of India is an unparalleled accomplishment in modern history.

Hailing Patel's feat, Lord Mountbatten, the last Viceroy of India, had said: “By far the most important achievement of the present government is the unification of the States into the Dominion of India. Had you failed in this, the results would have been disastrous... Nothing has added to the prestige of the present government more than the brilliant policy you have followed with the States.”

Patel was a statesman with a strong sense of realpolitik, a realist to the core and an earthy politician whose sole aim was to build a strong and united India.

What makes the merger of the princely States truly incredible is

the fact that the princely rulers had the option at that time to either accede to India or Pakistan or remain independent. Yet, Patel's sagacity, foresight, patriotism, tact, persuasive powers and abiding commitment to fair play enabled him to untangle a highly complex political and social problem of an unprecedented scale, without triggering any kind of revolt or civil unrest.

However, he was also compelled to use coercion by launching ‘Operation Polo’ to liberate and integrate Hyderabad after the Nizam of Hyderabad entertained false hopes of either joining Pakistan or remaining independent. In a swift operation lasting five days, Hyderabad State was liberated in September 1948.

Writing about Patel's decisiveness in the *Christian Science Monitor*, W. Gordon Graham observed: “Hyderabad, a State covering 80,000 square miles in the heart of peninsular India, was at that time in the grip of an unscrupulous minority which aimed at secession from India. Had the bid succeeded, India might not have survived as a political unit. This situation needed a man of iron who would not balk at coercive action, and in the Sardar, India had at that vital moment just the man.”

Indeed at the most critical time when the country's political unity was in jeopardy, India found the man of the moment in Sardar Patel, who displayed amazing patience, tact and a steely determination in dealing with an intransigent ruler, who refused to see the writing on the wall and even wanted to take the issue to the United Nations. Displaying sta-



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tesmanship of the highest order, Sardar Patel prevented the attempts to not only Balkanise India but internationalise the issue as well. The complicated case of Junagarh, Gujarat, was also handled with dexterity by Patel. I feel that the problem of Jammu and Kashmir would have been resolved long back had Sardar Patel been given a free hand to handle it at that time.

A builder of India

Patel himself termed the entire exercise as a “bloodless revolution” when he wanted the Constituent Assembly to consider privy purse settlements for the surrender by the rulers of all their ruling powers and the dissolution of the States as separate units.

Patel was an ardent follower of Mahatma Gandhi and never swerved in his loyalty to his mentor, although there were occasions when he differed with him. Similarly, he did not see eye-to-eye with Jawaharlal Nehru on certain issues, including the handling of Jammu and Kashmir. But he did not allow these differences or personal ego to come in the way of protecting the larger interests of the country – which were at the

Universities and patents

The ambitious goal set by India's IPR Policy rests on how universities embrace patents

FEROZ ALI

Universities and patents benefit each other. Patents help universities to improve their ranking, establish an innovation ecosystem, incubate knowledge-based start-ups, earn additional revenue and measure research activity. In its biggest push to create entrepreneurial universities, the University Grants Commission (UGC) has now asked all universities in India to set up Intellectual Property (IP) Centres. As universities line up to set up these centres, they will face a strange human resources problem: despite the policy push to have more IP, we simply do not have enough IP professionals in the country.

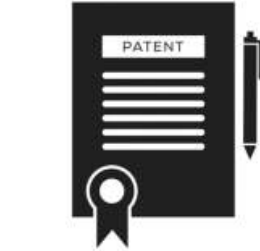
The dearth of IP professionals is a problem related to the field of intellectual property itself. Its recent rise to prominence in the international arena, thanks to various international treaties and trade agreements, along with the legal-centric approach where law schools and colleges are the only institutions which mandate teaching these subjects, are reasons why the supply of IP professionals is not keeping pace with demand. But there is a great opportunity now that should not be missed. The Central government conducts

the only competitive examination in the country to check a person's proficiency in IP. Fine-tuning the patent agent examination to cater to the growing IP needs of the country can be a successful way to build a band of professionals and create career opportunities.

Patent exam

On October 28, the Central government conducted the competitive examination to test proficiency in patent law, a type of intellectual property right (IPR), after a hiatus of two years. Any Indian citizen with a bachelor's degree in science or technology can take the examination. Upon clearing it the person is entitled to practise before the Patent Office as a registered patent agent. Qualifying the exam allows science graduates to draft, file and procure patents from the Patent Office on behalf of inventors.

India witnessed significant changes in IPRs since the introduction of the National IPR Policy in 2016. The grants rates at the Patent Office have increased: in 2017-2018, there was a 32% increase in the number of patents granted compared to the earlier year. The Patent Office increased its workforce with the inclusion of 459 new examiners and is on the lo-



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kout for more. The timeline for filing responses to official objections for patents has been reduced by half. While the disposal rate has increased, the filing rate for patents has not changed significantly. In 2016-17, the Patent Office reported a dip of 3.2% in filing compared to the previous financial year.

Centres in universities

The new policy has pushed universities to file more patents. Kindled by the call to have more IPRs, the higher education sector has witnessed many reforms. The UGC's call to universities, highlighted earlier, has come after a series of policy directives to introduce awareness about IP in higher educational institutions.

The number of patents applied for, granted and commercialised by universities and institutes is factored in in the National Institutional Ranking Framework (NIRF) rankings: no surprise that the top

core of his heart. He worked shoulder-to-shoulder with Nehru in building a modern India.

Patel was a multifaceted personality. He was a dynamic political leader, an organiser par excellence, a competent administrator and a skilful negotiator.

After coming under the influence of Mahatma Gandhi, he became his loyal follower and successfully organised peasants against the imposition of taxes by the British at Kheda and Bardoli, Gujarat, and in the process he earned the title of ‘Sardar’ for his leadership qualities. The manner in which he marshalled the peasants and the unflinching stand taken by him eventually forced the authorities to roll back the taxes.

Architect of the steel frame

The Iron Man of India was the chief architect of India's steel frame – the civil services. Thus, the All India Services were seen as an important cementing force in promoting the unity and integrity of the nation.

It will be relevant to recall his famous address to the civil service probationers in 1947 when Patel told them that the service will have to adopt its true role of national service without being trammelled upon by traditions and habits of the past. He said: “Officers must be guided by a real spirit of service in their day-to-day administration, for in no other manner can they fit in the scheme of things. Your predecessors were brought up in the traditions in which they felt out of touch and kept themselves aloof from the common run of the people. It will be your bounden duty to treat the common men in India

as your own or to put it correctly, to feel yourself to be one of them.” It is in the fitness of things that the National Police Academy located on the outskirts of Hyderabad, Telangana, is named after him, as a tribute to the statesman.

Another aspect of the Sardar that needs to be highlighted is his graciousness and magnanimity in readily abiding by Mahatma Gandhi's advice to withdraw his candidacy for the post of Congress President in favour of Pandit Nehru in 1946, although a majority of State Congress committees supported his candidature. It was apparent that the Congress President would become the first Prime Minister of India. It once again proved his noble intention of placing the country's interests above self.

His love for the motherland was best described by Maulana Azad when he said: “He made his choice out of two courses that come before a man, namely would he live for his country or for himself? Sardar chose his country.”

A tribute

I am glad that the 182-metre-tall ‘Statue of Unity’ is being unveiled today at the Narmada dam site in Gujarat, in a real tribute and recognition of Patel's stupendous role in integrating various princely States and ensuring India's unity.

As we pay our tributes to the great statesman on his birth anniversary today, on October 31, let us try to emulate his qualities and work towards realising his dream of providing ‘Suraaj’ in a new and prosperous India.

M. Venkaiah Naidu is the Vice-President of India

ranked engineering institutes in India are also the leading filers of patents. Whether a higher educational institute has an innovation ecosystem could also have a bearing, with the National Assessment and Accreditation Council, awarding up to 24 points to an institute which sets up an innovation ecosystem and has a facility for identifying and promoting IPRs. The All India Council for Technical Education (AICTE) model curriculum for its member institutions lays emphasis on the need for IPR education in technical institutes.

As the IPR Chair at IIT Madras, I was part of a committee constituted to draft the IPR guidelines for institutions under the AICTE. The lack of IP professionals to teach IP was one of the reasons the committee could not suggest the mandatory introduction of IP courses in all technical institutes. Online courses on IPR are available on the National Programme on Technology Enhanced Learning platform. Though thousands register every year, much needs to be done to build capacity on IP in universities. We need to focus on careers rather than courses.

India has a poor patent agent density, with only about 2,000 registered patent agents currently in practice. The last time when the

Patent Office conducted the patent agent exam, in 2016, around 2,600 candidates took it, a paltry number if one looks at the ambitious goals set by the IPR Policy. Despite the infrequent manner in which the examination has been conducted, the private sector does give good weightage to the examination as it is considered to be the de facto IP qualification today.

Way ahead

The ambitious goal set by India's IPR Policy will be realised only when the examination becomes the foundation for making a career in IPR. In a dynamic field such as intellectual property, in order to create a band of qualified IP professionals there should be a push towards post-qualification continuous education as well. To achieve this, the format, membership, syllabus and the frequency of the patent agent examination will need to be addressed. This will not only increase the number and quality of IP professionals in the country but also become a new career choice for graduates with a degree in science and technology.

Feroz Ali is the DIPP-IPR Chair Professor at IIT Madras and the chief mentor at www.lexcampus.in, a platform to train aspiring patent agents

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.

On Ayodhya

With reference to the Supreme Court's decision to hear the Ayodhya dispute case, Union Minister Giriraj Singh has said, “The patience of Hindus is coming to an end. I do not know what will happen if they lose patience.” – (Page 1, October 30). It is only the political class and some of its followers who were behind the demolition of the mosque and later rooting for a temple to be built, resulting in unnecessary communal tensions. To generalise that Hindus want the temple to be built is unwarranted and uncalled for. There are places where Hindus and Muslims have been living in harmony for years. Politicians should not make such statements which end up creating unnecessary problems. The Supreme Court would do well to ensure that its judgment is not blotted by such fundamentalists.

G. PADMANABHAN, Bengaluru

religion but I do not want any temple to be built at the disputed site. Except for political parties which want to keep the Ayodhya issue simmering for their political gains and spreading hate in the name of religion, I am sure that no Hindu would like to have a temple built there.

V. GANAPATHY SUBRAMANIAN, Nagercoil, Tamil Nadu

■ It is shocking for a Union Minister to make such a provocative statement about Hindus. As a Hindu, I want to reassure Mr. Singh that I do not lose any sleep over construction or otherwise of a temple at Ayodhya. What worries me most are the consequences for India when it has a very low ranking among all countries – even below countries in the sub-Saharan region – in the World Global Hunger Index. I lose sleep out of fear that my country has among the largest numbers of children below 5 going hungry every night and an equivalent number of children who are growing up stunted. I dread the consequences for India if we do not address the problems of a high prenatal

mortality rate of Indian mothers (a rank below India's neighbours in South Asia), a large number of children dropping out of school, and having among the highest percentages of child labour.

I wish Ministers like Mr. Singh would address such issues instead of wasting time and energy on emotional issues that can only whip up raw passions, cause further divisiveness and endanger the unity of the country.

M.P. MURALIDHARAN, Bengaluru

■ Perhaps the top court is aware of the dangers involved in the judicial determination of ‘faith-centric’ subject matters of dispute creating scope for some kind of political intervention, given the high stakes involved in the 2019 election. If the judiciary can share the burden of the political leadership by initiating social reforms in controversial issues – examples being the string of recent verdicts – then why cannot the political leadership move boldly to resolve this long-drawn

dispute through appropriate means to insulate the judiciary from politicisation and erosion of institutional credibility? No judge can administer justice in this case without inviting criticism from one or the other.

SAJJAN SINGH, Jaipur, Rajasthan

Centre-RBI face-off

The spat between the Reserve Bank of India and the Centre over the central bank's independence is not healthy for the economy (Editorial, “Time to talk”, October 30). The RBI should not buckle under pressure. It is also imperative that taxpayer money is not squandered in NPAs. The Banks Board Bureau should act as a lighthouse and become the bridge for fruitful dialogue between the Reserve Bank, the government and banks. Local problems could be solved with global insights.

BRIJ B. GOVAL, Ludhiana, Punjab

Bearing the tax burden

The meticulous analysis of data on income tax collections has a shocking conclusion – despite

implementation of countless rules and regulations, the onus of filling the revenue treasury falls largely on the salaried class and those who are squarely covered within the tax deduction at source ambit (OpEd page, “Who pays taxes and who doesn't”, October 30). For most assesseees, tax is deducted from their income even before they receive it, so there is absolutely no scope for tax evasion. It is distressing that loopholes in the tax law are exploited. Where is the equity?

ANJU JAIN, New Delhi

Air quality

It is clear that repeated interventions by the government as well as the Supreme Court have not translated into a cleaner environment for the capital

CORRECTIONS & CLARIFICATIONS:

There was an error in the headline of a Business page story about the results of Biocon India (Oct. 26, 2018). The five-fold rise in net profit was not due to *stake sale* – as given in the headline – but due to exceptional income arising from a revaluation of its investment in a group company.

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, Kasturi 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