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IMBIBING MORAL VALUES IN CLASSROOM

Can there be anything more agreeable than having Gandhi as an inspiration?

There has been much discussion in the newspaper columns on the positives and negatives of the proposed change in under-graduate degree programme from three years to four years. It started with those backing the change claiming that the programme would be more internationally acceptable. Those opposing the proposition said that not much attention has been paid (read consultation) while deciding the course content.

Delhi University vice-chancellor has gone on record that never before in the history of the hoary university such humongous consultation has taken place as has been done by him involving all the stakeholders. There must be truth in what he is stating as the High Court and the Supreme Court too refused to intervene in the process greatly disheartening the status-quoits.

The protest subsequently turned comical with a gentleman called Ram Vilas Paswan, an opportunist politician par excellence, deciding to take up the cudgels on behalf of the protestors. There was also an inane report in a newspaper, which has started to look westward for editorial guidance, which said that the cost of doing that extra year of degree could make outstation students poorer by Rs 1.16 lakh. The university has a readymade answer for this - you could always make an exit after three years and come back any time during a span of 10 years to earn the fourth year. For a parent whose children are on the threshold of entering the university does the words consultation, Ram Vilas Pawan and for that matter a convoluted cost calculation hold any meaning? Personally for me what is of concern is the way our youth is evolving - angry, perverse and completely detached from our social values and history. It horrifies me that nearly 70 per cent schools in the private sector in the national Capital do not provide for education in humanities at +2 level.

Chairman of Central Board for Secondary Education (CBSE) Vineet Joshi has been grabbing headlines for introducing subjects of value education like Human Rights, Gender Sensitivity and Theatre. However, Joshi have you identified the schools where these courses would be taken up as majority of them even do not have humanities as an offered stream to the students?

The schools have preferred to keep the humanities at bay because in their convoluted cost calculation

they break even or go into profit by just running the courses in commerce and science streams. Such materialistic approach to education somewhat defines why has anger and perversity taken our youth into its grip. I would also add that the approach which we have followed all these years to teach humanities courses at Delhi University has only added to the ignorance of the students regarding our history, culture and polity.

Amidst the ideological arm wrestling over deciding course content has anybody really cared to find out if those passing out of the schools and colleges have really imbibed anything about our history and polity? A few years back while interacting with a group of interns from journalism programme from different colleges of Delhi I had tried explaining to them the impact which carefully chosen words make. To impress on them I recalled a conversation between Field Marshal Ayub Khan and Lal Bahadur Shastri at Tashkent. I soon realised I was talking to blank faces.

Forget Ayub, they even did not know who Shastri was. The closest they could get to identify the second prime minister of India was, 'he was a freedom fighter.' They all have been to 'good' schools and colleges. But worse was still to come. Perturbed, I did a check on some of the newly recruited trainees with us. I was in for a bigger shock. When asked who Rajendra Prasad was, the closest answer they could give was that he was principal of Ramjas College.

In this context I am glad that despite the demerits which the ideological opponents of the four-year-degree course may be publicising, Delhi University is taking the first concrete step towards bringing value education to the classrooms. Howsoever we may debate on the television or in the newspaper columns, values can be best imbibed inside a classroom, which the foundation course, compulsory for all the students of the programme, whichever stream they may belong to, proposes to do. The foundation course has a paper on Indian History and Culture with a sub-theme on Mahatma Gandhi. It proposes to present Gandhi as an inspiration for the young generation. Can there be a more agreeable proposition than making reading of Gandhi's *My Experiments with Truth* compulsory for the students. To my understanding knowing Gandhi would soothe frayed nerves. I would like to be explained if I am wrong.

Similarly there is a paper on 'Social Inequality and Gender'. This paper attempts to inculcate a feeling of respect towards women talking about their contributions and suffering, their struggles and success and so on. Faced with biggest ever challenges regarding the safety of women, would teaching of this paper not prepare young minds to counter perversity which has entered our society using every possible mean including mobile pornography.

The paper on 'Cultural Forms and Cultural Expressions' if implemented in the true spirit of its content would bring a student close to the culture of Delhi of the yore, which was definitely not about rape and crime. It ordains doing projects on topics like 'Concept of Haat Bazar' in historical times linking it to Dilli Haat, compare and contrast Chandni Chowk with Rajpath and how did medieval and modern cities address the issue of water or transport and many more.

I did not wish to be a votary for the change but in my attempt to figure out the cause for demanding status quo, I must confess I have become an admirer at least of the foundation courses.



25 July 2013

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IMPACT OF NEOLIBERALISM ON DEMOCRATIC FEDERAL GOVERNANCE IN INDIA

M.P. SINGH* & KRISHNA MURARI**

Indian polity is founded on the principles of a parliamentary federal government and a liberal democratic state and multicultural society. This theoretical foundations of the Indian state and society are clearly outlined in the Constitution of India (1950). The ideas of Fabian Socialism and Welfare State also find expression in Part IV of the Constitution on Directive Principles of State Policy. However, these principles are not justifiable in the courts of law in contrast to Part III on Fundamental Rights of citizens and communities, which are legally enforceable. Fundamental Duties of citizens are like the Directive Principles, empowered with ideological and moral rather than legal sanction. The Constitution is also at pains to point out that the directive principles, even though non-justiciable, are to be “fundamental in the governance” of the country. The constitutional courts - the Supreme Court and High Courts - have often invoked the Directive Principles to buttress their rulings, some times even going to the extent of clothing them with the status of Fundamental Rights.

In practice, the Indian state led by the first Prime Minister Jawaharlal Nehru, initiated a massive strategy of development of what it professedly called “socialistic pattern of society” by the means of centralized democratic planning. It actually amounted to industrialization under a dominant public (read state) sector in a mixed (public + private) economy aimed at a nationally reliant industrial

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economy. Due to distortions, like the trend of neo-feudal rent-seeking in the public sector and in the governmental apparatus in general, the Indian state was driven to make a paradigm shift to neoliberal capitalist reforms in 1991 to deal with a serious crisis of balance of payment in international trade and the fiscal overload on the governments in India under pressures of neo-feudal rent-seeking by the political and bureaucratic class as well as populist public policies to placate a socially and politically mobilized demanding electorate.

This paper purports to briefly discuss the impact of the neoliberal shift on some aspect of the foregoing features of the Indian polity. The impact of these policies have been discussed more often in the contexts of the society, economy, and culture than on the polity. We make a modest attempt to sketch out their impact on the polity in this paper. Basically, we delimit our discussion to the impact on (a) democracy, (b) federalism, and (c) governance. In the concluding observations we raise some theoretical points about the interface between the Indian state and the neoliberal state and the crisis of justice and legitimacy in it.

IMPACT ON DEMOCRACY

Prima facie, India appears to be a fairly successful case of a developing democracy in the South both in terms of free and fair elections and governance. But if we probe deeper, this impression does not stand scrutiny. With the neoliberal paradigm shift in the economic policy regime in India, especially since 1991, two major trends have evidently gathered momentum. These are (a) the rise in the clout of the capitalist classes in the industrial / commercial / service / agricultural sectors, and (b) the rise of politics of identity and ethnicity, most strongly mobilized in the form of religious revivalisms in the national arena and a variety of regional parties based on religious, caste, and tribal identities. There has also been an unprecedented growth of the weeds of corruption and criminalization of politics since the rise of neoliberalism in the Indian political economy. It is not our case that these vices were non-existent prior to the neoliberal shift; rather that they have become more endemic since then.

The foregoing new trends in the Indian polity have had a considerable corrosive effect on the elections, party system, and governance. Corruption and criminalization of politics have made the elections an affair of the rich and powerful, by and large. This point is illustrated by the fact presented in **Table 1** on the number and proportion of Crorepatis in the 15th Lok Sabha elected in 2009. Table 2 presents similar data on those charge-sheeted with crime in the 15th Lok Sabha. These data in the tables are also disaggregated party-wise. In the House as a whole, 57.80 percent of MPs are Crorepatis. In the two major national parties the percentage of such members is as high as 70.87 in the Indian National Congress (INC) and 50.86 in the Bharatiya Janata Party (BJP). In several regional or nominally national parties the percentages are also quite high or in fact higher: All India Anna Dravida Munnetra Kazhagam (AIADMK) 55.55, Bahujan Samaj Party (BSP) 61.90, Dravida Munnetra Kazhagam (DMK) 72.22, Janat Dal (Secular) (JD-S) 100.00, Nationalist Congress Party (NCP) 77.78, Janata Dal (United) (JD-U) 40.00, Rashtriya Lok Dal (RLD) 80.00, Jammu and Kashmir National Conference (JKNC) 66.67, Rashtriya Janata Dal (RJD) 50.00, Biju Janata Dal (BJD) 42.00, etc. The percentage of the charge-sheeted MPs in the two major national parties are 37.93 in the BJP and 21.36 in the INC. In other parties the proportion ranges from 100.00 in most smaller parties and 18.75 in the Communist Party of India (Marxist) (CPI-M).

Table-1

Party-wise Number of Crorepati MPs in 15th Lok Sabha Elected in 2009

Serial No.	Political Party	No. of Crorepati MPs	Total MPs of the Party	Per cent of Crorepatris in the Party
1.	ADMK	5	9	55.55
2.	AITC	7	19	36.84
3.	AUDF	1	1	100
4.	BJD	6	14	42.86
5.	BJP	59	116	50.86
6.	BSP	13	21	61.90
7.	CPI-M	1	16	6.25
8.	DMK	13	18	72.22
9.	HJCBL	1	1	100
10.	INC	146	206	70.87
11.	JD-S	3	3	100
12.	JD-U	8	20	40
13.	JKNC	2	3	66.67
14.	MDMK	1	1	100
15.	NCP	7	9	77.78
16.	RJD	2	4	50
17.	RLD	4	5	80
18.	SAD	4	4	100
19.	SDF	1	1	100
20.	SHS	9	11	81.81
21.	SP	14	23	60.87
22.	TDP	3	6	50
23.	TRS	2	2	100
24.	INDIPENDENTS	3	9	33.33
25.	OTHERS*	0	23	00
TOTAL		315	545	57.80

Note: * The category includes the parties that do not have any Crorepati members.

Source: Compiled and computed from http://adrindia.org/images/pdf/lS2009_fullassetdet.pdf and <http://eci.nic.in>.

**IMPACT OF NEOLIBERALISM ON DEMOCRATIC
FEDERAL GOVERNANCE IN INDIA**

Table-2

Pending Criminal Cases on MPs of 15th Lok Sabha Elected in 2009 (Party-wise)

Serial No.	Political Party	No. of Accused MPs	Total MPs of the Party	Per cent of Accused in the Party
1.	ADMK	4	9	44.44
2.	AIFB	1	2	50
3.	AIMIM	1	1	100
4.	AITC	4	19	21
5.	BJD	4	14	28.57
6.	BJP	44	116	37.93
7.	BSP	6	21	28.57
8.	CPI-M	3	16	18.75
9.	DMK	4	18	22.22
10.	INC	44	206	21.36
11.	JD-S	2	3	66.66
12.	JD-U	8	20	40
13.	JMM	2	2	100
14.	JVM	1	1	100
15.	MDMK	1	1	100
16.	NCP	4	9	44.44
17.	RJD	3	4	75
18.	RLD	2	5	40
19.	SAD	1	4	25
20.	SHS	9	11	81.81
21.	SP	9	23	39.13
22.	TDP	2	6	33.33
23.	TRS	1	2	50
24.	VCK	1	1	100
25.	INDEPENDENTS	1	9	11.11
26.	OTHERS*	0	22	00
TOTAL		162	545	29.72

Note: * The category includes the parties that do not have any accused members.

Source: Compiled and computed from http://adrindia.org/images/pdf/lS2009_fullcrimdetails.pdf and <http://eci.nic.in>.

In a representative democracy, political parties are a most vital link between the civil society and the state. Democratic formalism in elections and governance remain just that, i.e. formalism, without a democratic substance, if the party system and its constituent parties are not democratically constructed and regulated. Political parties in India, especially the centrist and regionalist party formations, generally lack internal party democracy and transparent and publicly audited funding. These traits lead to the tendency of personalized, familial, or dynastic domination of the parties. Lack of public regulation of party finances result in undemocratic nexus between corporate capitalist sector and political parties, vitiating the electoral and governmental decision-making processes.

Partly for the foregoing reasons and partly due to political consequences of the plurality or first-past-the-post electoral system, the party system has become extremely fragmented and segmented. Workable democratic alternatives in governance and development have become a will-o-the-wisp. The political system has been fast losing its legitimacy. None of the two major national parties - the INC and the BJP - appear to have viable political alternatives in governance and development. One is democratically stymied by dynastic control and the other is democratically debilitated by its nexus with non-democratic Hindu traditional Rashtriya Swayamsevak Sangh and neo-Hindu conservative Vishwa Hindu Parishad. Hindu communalism and neoliberalism have become its staple programme. The Congress has lost its former socialistically inclined progressive programmatic posture of Nehru as well as political populism of Indira Gandhi. It exists in an ideological vacuum, so to say, since its acceptance of the neoliberal capitalist persuasion, on the one hand, and contingent political populism under the pressure of "vote bank" politics, on the other. The Indian Leftwing, which electorally survived the global onslaught of neoliberalism until 2009-10, continuously ruling in West Bengal since 1977 and intermittently in Kerala, has now been badly mauled, excepting in Tripura. The regional political theatre is also devoid of any viable democratic alternatives even for their respective states, to say nothing of the national or federal politics.¹

In ideological and democratic vacuity, none of the major political parties can mobilize genuine grassroots support. In the legislative arenas too, the fragmentation of the party system is sought to be bridged by amoral or immoral coalitions for governance and opposition through political wheeling and dealing, corruption and crime. Politics of defection that first surfaced in India in the aftermath of the 1967 general election have continued unabated, despite the 1985 anti-defection Act incorporated in the 10th schedule of the Constitution. In fact, the bribing of legislators to win confidence vote, not only in states where it first made appearance in the late 1960s but also in the Parliament in New Delhi, has become an uncontrolled and recurrent political menace. The Jharkhand Mukti Morcha (JMM) bribery case decided by the Supreme Court in 1999 indicting Prime Minister P.V. Narasimha Rao of the Congress minority Government brought out the chilling depths of moral and legal decadence to which Indian democracy has descended.² In addition, instances of bribes for raising questions in the Parliament, selling of ministerial and parliamentarians' discretions in allotment of services and utilities, and economic and political scams, etc. have enormously multiplied since the 1990s. The biggest among the scams being investigated at present (Spring 2013) are the cases relating to the 2-G spectrum and coal block allocations by the telecom ministry, the Commonwealth Games-2010, and the Adarsha Housing Society allotments in Mumbai, all involving the Congress-led United Progressive Alliance

Governments in New Delhi, Maharashtra, and some the preceding the BJP-led National Democratic Alliance (NDA) Governments as well. There are scams galore also at the state level, involving all political parties and governments across the board. Perhaps for the first time in Indian politics, ministers and MPs of the ruling dispensation have been put behind the bars in the course of investigation in the 2-G spectrum and the Commonwealth Games cases.

The leakage of taped conversations of Nira Radia who was lobbying first for the Tatas and later for Mukesh Ambani have revealed how the corporate capitalist sector has begun to influence the news and views of supposedly free media and even the allocation of ministerial portfolios in the federal coalition governments headed by national parties like the Indian National Congress and steered by supposedly clean politicians like Manmohan Singh and Sonia Gandhi.

The sites of democratic political action that rightfully belong to the party-political processes have been practically vacated by the political parties. The decline and atrophy of the party system is therefore being partly compensated by judicial activism, investigative journalism, civil society movements against corruption like those of Anna Hazare, Arvind Kejriwal, and Baba Ramdev, and new social movements on environment and ecology, quality of life and services, child rights and gender justice, administrative and political transparency and accountability, human rights in general, etc. But the sustainability of these tendencies and trends depends on the overall democratic ambience and democratic deepening that cannot be optimistically taken for granted, as the foregoing analysis demonstrates.

IMPACT ON FEDERALISM

The growing federalization of the Indian political system, which remained highly centralized until the 1970s, may well be the most important political development next only to economic liberalization, privatization, and globalization, or in brief neoliberal policy shift. Political federalization first manifested itself in state party systems during the 1980s and forced itself on to the national level in the 1989 parliamentary elections. With the transformation of the one-party Congress dominance into a multiparty system of considerable fragmentation and regional segmentation there has since been no looking back.

Neoliberalism has considerably reinforced the trend of political federalization. This has been for a number of reasons. Globalization has put considerable pressures on the sovereignty of the national state to open up to global capitalism at the same time as when the political pressures on it from the regions and localities have gathered strength and multiplied. Faced with acute financial crisis, the federal as well as regional states must court private capital - national, foreign, and multinational - for investments in their respective domains.

Neoliberal economic reforms resulted in sustained higher rates of economic growth of approximately 6 per cent and above from the mid-1980s onwards to the present, with some degree of fluctuation in the range of 6 to 9 per cent. However, this phenomenon is marked by the feature of growth-development divergence. In other words, the growth in gross aggregate terms is marked by negative features like the lack of human development, and the sharpening of class and regional economic disparities. The facile assumptions of some economists that growth will automatically lead to the narrowing of class and regional inequalities through the trickle-down effect is not really borne out empirically. The political economist Francine Frankel has aptly observed : “The social

consequences of economic reforms confirm trends suggesting the emergence of two economies". This dual economy comprises "a smaller, yet sizeable affluent economy" in larger cities and "the larger predominantly agricultural economy" of the marginal and small farmers and peasants and the disadvantaged sections of the society.³

What is more germane to federalism, regional economic disparities since the neoliberal reforms have been increasing. In the 1990s, states like Madhya Pradesh, Tamil Nadu, West Bengal, Gujarat, and Maharashtra have grown above the national average. In the other hand, states like Rajasthan, Andhra Pradesh, and Karnataka, remained fixated roughly at the same level of growth in the 1990s as in the 1980s. Moreover, states like Bihar, Uttar Pradesh, and Orissa economically declined in the 1990s as compared to the 1980s. Surprisingly, even the richer states of Haryana and Punjab suffered the same experience of economic decline over the 1990s.⁴

The growing regional economic disparities are evident even in the media images of the contrast between the "red corridor" through the central tribal belt from the Indo-Nepalese border to the Deccan where the radical class violence by the Maoists rules the roost, on the one hand, and the "blue corridor" spanning the Delhi-Gurgaon/Mumbai-Pune/Bangalore-Hyderabad/Chennai-Salem hubs, whereto the lion's share of private capital investments - both national and foreign - are making a beeline. With the state-controlled investment for industrialization gone, market-Darwinism reigns supreme. Thus state's role in the reduction of regional or inter-state disparities is now limited only to fiscal federalism, which is now being relegated to a secondary position in the larger spectrum of political economy, in which private capital has outpaced the public investment and government revenues.

A study makes out a case that "a proximate cause of the widening regional disparities during the nineties was the grossly uneven flow of investment to various states after liberalization". Over 2/3rds of private investment between August 1991-March 2000 preferred relatively developed states like Andhra Pradesh, Gujarat, Haryana, Karnataka, Kerala, Maharashtra, Punjab, and Tamil Nadu. The relatively backward states had to be contented with merely 27 per cent.⁵ The same pattern is found in case of state-wise foreign direct investment (FDI). Here again, only five more developed or well governed states - Gujarat, Karnataka, Maharashtra, Orissa and Tamil Nadu - accounted for about 75 per cent of FDI flow into the country since economic liberalization. This will further aggravate the already existing disparities among the various regions of India.⁶

The decade of the 2000s has brought some good news from the perennially backward areas of the Hindi heartland. Bihar and Orissa averaged growth rates of 11.03 per cent and 8.74 per cent respectively, which is generally attributed to the leadership of the Chief Ministers concerned, Nitish Kumar and Naveen Patnaik of JD-U and BJP respectively. The three new states carved out of the parent states of Uttar Pradesh, Bihar, and Madhya Pradesh respectively, have all done well : Uttarakhand 9.31 per cent, Jharkhand 8.45 per cent, and Chhattisgarh 7.35 per cent. Jharkhand and Chhattisgarh are richly endowed with mineral and forest resources. Uttarakhand is liberally endowed with forest and water resources. Even Uttar Pradesh with 6.29 per cent of annual growth rate and Rajasthan with 6.25 per cent have not done bad. Madhya Pradesh with 4.89 per cent is still disappointing and in line with the past image of the laggard Hindi heartland.⁷ Yet, despite this new trend what still remains problematic is the abysmally low human development and social sector development aspect and the sustainability of the growth in these states. Most states of the region are stuck with abject poverty, bad leadership, and rampant corruption.

IMPACT ON GOVERNANCE

The rise of neoliberal capitalism in the wake of the crisis of the state in the communist and the developing world as well as in the developed capitalist welfare democracies has brought about a paradigm shift in the post-World War II ideological ambience in which the role of the government had expanded all around the globe. The end of the Cold War precipitated this major transformation around the world. In this general atmospherics of the retreat of the state there was created a vacuum which could be only filled in by providing greater space to the civil society and market institutions in the newly emergent enterprise of ensuring development and democracy by a partnership between all the stakeholders involved in these processes. It is in this context that the neoliberal discourse on governance has developed shifting the focus from the structure of government to the process of common policy making, implementation, and governance by the state, the civil society, and the market.

Understandably it would be difficult to give a universally acceptable definition of governance or good governance due to deep ideological divide between the various ideological and theoretical perspectives in social sciences. The contemporary discourse on governance is in fact an attempt to escape from strong ideological proclivities and come to the lowest common denomination which would be applicable to all countries in the current global context. In this vein, governance has been defined by the UNDP in a World Bank document as “The exercise of economic, political, and administrative authority to manage a country’s affairs at all levels. It comprises mechanisms, processes, and institutions through which citizens and groups articulate their interests, exercise their legal rights, meet their obligations, and mediate their differences.”⁸ This is obviously a very abstract definition which does not say much about the concrete act of governance and its specific characteristics relating to the personnel, the institutions, the processes, and the effects of governance on the target groups. An exploration of a literature on governance or good governance is an exasperating exercise in the sense that it yields a long list of characteristics such, for example, accountability (consistency of public decisions with agreed upon objectives), transparency (openness of government actions to public scrutiny), efficiency and effectiveness (quality public outputs consistent with original intensions of policy makers, including cost-effective service delivery to citizens), responsiveness (to civil society expectations and public interests), forward vision (government’s ability to anticipate future problems and devise solutions), and rule of law (enforcement of equally transparent laws, regulations, and codes).⁹ Another catalogue of good governance underlines its nature as being (1) participatory, (2) consensus-oriented, (3) accountable, (4) transparent, (5) responsive, (6) effective and efficient, (7) equitable and inclusive, and (8) based on rule of law.¹⁰

In a study of 28 African countries in the five sub-regions of Africa, the United Nations Economic Commission for Africa (UNECA) employed the following six components of good governance:

1. A political system encouraging inputs from all elements of civil society,
2. Empirical and legitimate electoral administration in informed and active citizenry,
3. Strong public sector legislative and administrative institutions,
4. Transparency, predictability, and accountability in regulatory decision by government and public bodies,
5. Effective public sector management with stable macroeconomic policy, resource mobilization, and efficient use of public resources,
6. Enforcement of rule of law in a way that protects personal and civil liberties and gender equity, and ensures public safety and security with equal access to justice for all.¹¹

A World Bank Policy Research Working Paper on South Asia has developed five indices of governance in South Asia: (1) voice and accountability index, (2) index of political stability, (3) index of government effectiveness, (4) index of regulatory qualities, (5) index of rule of law, and (6) index of control of corruption (see table 3).

Table-3

World Bank Indices of Governance in South Asia, 1996-2004

State	Voice & accountability Index	Index of political stability	Index of government effectiveness	Index of regulatory quality	Index of rule law	Index of control of corruption
Bangladesh	-0.69	-1.24	-0.72	-1.15	-0.86	-1.09
India	0.27	-0.81	-0.04	-0.59	-0.09	-0.31
Nepal	-1.00	-1.74	-0.90	-0.60	-0.82	-0.61
Pakistan	-1.31	-1.59	-0.57	-1.03	-0.78	-0.87
Bhutan	-1.18	0.84	-0.14	0.0	0.57	0.69
Maldives	-1.07	0.82	0.47	0.0	-0.57	0.12
Sri Lanka	-0.16	-1.06	-0.27	0.21	-0.03	-0.16

Source: “World Bank Policy Research Working Paper 3630” by Daniel Kaufmann, Aart Kraay, and Massmo Mastruzzi, *Governance Matters IV: Governance Indicators for 1996-2004*, Washington: The World Bank, June 2005.

A look at Table 3 shows that India ranks highest in South Asia on the accountability index with a value of 0.27. This is, however, quite low in absolute terms because the stipulated top value in this index is 2.5. At the bottom of the South Asian heap is Pakistan on this index with the value of -1.31. On index of political stability Bhutan and Maldives are at the top with the values 0.84 and 0.82 respectively. India is at the third position with the value of -0.81. Nepal is at the bottom (-1.74). India ranks number two on index of government effectiveness (-0.04). Maldives tops (0.47) and Nepal is at the bottom (-0.90) on this index. In terms of index of regulatory quality. All South Asian countries are rated low, with a meager positive value of 0.21 only for Sri Lanka. India at -0.59 is better than the rest of the lot. Bangladesh is at the bottom (-1.15). The index of rule of law is again consistently low across South Asia but Sri Lanka and India have a somewhat better record, though still in the red with the negative values of -0.03 and -0.09 respectively. Finally the index of corruption control is also uniformly negative, barring only Bhutan (0.69) and Maldives (0.12). India (-0.31) is considerably better off than others, excepting Sri Lanka (-0.16). The data presented in this table clearly suggest how the World Bank’s notion of governance or good governance can be trite and trivial and offensive to what may be seriously considered to be progressive and developmental. By plain common sense it is silly to argue that Bhutan and Maldives are the paradise of political stability, governmental

effectiveness, regulatory quality, rule of law, and corruption-free administration. It amounts to saying that absence of democracy and development ensures political stability and better governance.¹²

The new discourse of governance spawned by the World Bank, IMF, Asian Development Bank, and donor countries is an exercise in ‘abstracted empiricism’ (à la C. Wright Mills in another context)¹³. In the context of globalization it does not, and cannot, lead to any empirically grounded theory of governance. The reason is that this discourse is addressed to such a heterogeneous and mixed universe of polities, economies and societies that it is impossible to generalise from a firm context of homogeneous set of cases as to what causes, conditions, and consequences could be predicted or postdicted about governance. In what follows therefore we will focus primarily on the Indian case and context.

Independent India set out to establish a ‘socialistic pattern of society’ and state-dominated, import-substituting nationally self-reliant industrial economy as already pointed out in part I above. When the economy came to brief due to serve balance of payment crisis in international trade and fiscal overload on the incipient welfarist state, the Congress minority government led by P.V. Narasimha Rao accelerated the process of bureaucratic deregulation, gradual disinvestment of the public sector and privatization and globalization. Using the short-hand term neoliberal economic reforms of globalization for this policy paradigm, we hypothesized above in part II that this shift has generally reinforced the process of federalization, through it has adversely affected the dimensions of democracy and welfare.

Impressionistic academic observations differ about the changing state-capital alliance for growth in the globalization phase in the Indian political economy. On the one hand, Atul Kohli observes that ‘the balance of class power within India is shifting decisively towards business and other property-owning classes’.¹⁴ On the other hand, Pratap Bhanu Mehta remarks: ‘The state still has inordinate power over capital. Business is vulnerable at the hands of the state at so many levels: at every moment it is taxed, licensed, stamped, assessed, audited, authorized, given permission.’¹⁵

In the pre-globalization phase, both the liberal and neo-Marxist political analysts were agreed that the state in India was autonomous, from its class base. The liberals based their argument on the independence of institutions like judiciary and the press, and a balance of forces between groups and classes in the civil society and the state, besides of course the mass enfranchisement and reasonably free and fair elections despite occasional electoral malpractices.¹⁶ In neo-Marxist assessment, neither of the two modern classes of workers and capitalists was able to establish its hegemony over the over-developed state in India. Indeed, a coalition of dominant proprietary classes - industrial bourgeoisie, agrarian capitalists, and professional class - ruled.¹⁷

How have these things changed since the paradigm shift to the neoliberal economic reforms in 1991? In structural terms, India is no longer a predominantly agrarian economy. During 2010-11, the share of agriculture and allied sector in the national economy is 14.2 per cent, whereas the industrial sector accounts for 30.60 per cent, and the service sector is way ahead of both at 55.2 percent.¹⁸ Another major structural change in the economy, since 1991, is the gradual shrinking of the dominant public sector from the position of ‘commanding height’ to a growingly competitive position vis-à-vis the private sector. In terms of fixed capital in 1973-4 to 1979-80, the public sector accounted for 69.1 per cent as compared to 26.1 per cent for the private corporate sector and 4.8 per cent for the household sector. The corresponding figure had changed to 51.8 per cent for the public sector, 44.7 per cent for

the private sector, and 3.5 per cent for the household sector in 1992-3 to 1997-8. In the same time bands, the change in the number of employees was from 29.4 per cent to 30.6 per cent in the public sector, from 45.2 per cent to 44.9 per cent in the private sector, and from 25.1 per cent to 24.5 per cent in the household sector. In The Economic Times list of India's biggest 500 companies/corporations in 2010, a scrutiny of the top 10 revealed that the ratio of public sector to the private sector has now improved for the latter to 5:5. In case of the top 25, the number of private sector companies is 14 as compared to 11 corporations in the public sector.¹⁹

The increased emphasis on governance in the neoliberal discourse on capitalist development tends to subordinate democratic rights of the people to the imperative of corporate development. It privileges gross aggregate development without much concern for distributive justice and human development. The reason is not far to seek. The paradigm shift to global capitalism was preceded by the heightened anxiety over the crisis of governability of democracies. And with the advent of capitalist globalization, 'politics of identity' superseded the 'politics of distribution'. People's participatory politics and strong institutions of legislative accountability and demand politics of distributive justice get dubbed as 'populist politics' and overshadowed by executive and judicial power of non-elected officials. Direct controlling power and accountability of ministers and bureaucrats are conveniently passed on to supposedly independent regulatory authorities set up under Act of Parliament in various sectors of national economy like electricity, telecom, insurance, companies' affairs, securities and exchange, banking, and so on and so forth. Most of these authorities are, in fact, given very limited autonomy to make them more amenable to governmental and corporate manipulation released from direct parliamentary and public accountability. Some limited legitimacy-building exercises like Right to Information Act (2005), National Human Rights and minorities commissions, Mahatma Gandhi National Employment Guarantee Act (2005), forest rights Act (2006), consumer courts, vigilance commissions, Lokayukta Acts, etc. do not really go far in tackling mounting injustices, endemic corruption, and radical class violence by Maoists in the so-called Red Corridor in the central tribal belt from the Indo-Nepalese border down to Deccan. Recurrent movements on behalf of the displaced by developmental projects, and those mounted against corruption and violence to women are eloquent testimonies to the public discontent at the reforms that are either too little or too late. The higher judiciary does make some valiant effort to make some intervention through its activism, thanks to the institution of public interest litigation since the late 1970s/early 1980s. But there is evidence that it is declining partly on an account of self-restraint of judges and partly because of the backlash and challenges from the executive and Parliament. Yet the lower judiciary is notoriously corrupt and dilatory. The higher judiciary is extremely expensive as well as bogged down by backlog of cases. Governance reforms in all these matters are grossly overdue.

As already mentioned in Part I, in a representative democracy political parties are vital link between the civil society and the government. Reforming electoral and party political processes have become one of the most important issues on the agenda of governance in India. Most comprehensive package of governance reforms in the realm of political party system has been made in the recent decades by the National Commission to Review the Working of the Constitution (NCRWC) chaired by Justice M.N. Venkata-Chaliah. Chapter 4 of its Report, entitled 'Electoral Processes and Political Parties', recommends a comprehensive legislation regulating the formation and functioning of political parties in India. This law should aim at ensuring all-inclusive, democratically constituted and functioning political

parties and coalitions among them, maintaining publicly open and audited systematic and regular accounts of receipt of funds and expenditure. These political formations should be required to owe allegiance to the basic constitutional values, hold regular elections at an interval of three years at various levels of the party, and provide reservation/representation of at least 30 per cent of organizational positions at various levels and in parliamentary and state legislative seats to women. The proposed law 'should provide for compulsory registration for every political party or pre-poll alliance'.²⁰

The commission also recommends the raising of the bar for recognition of registered parties with the Election Commission of India as 'state' and 'national' parties for allotment of exclusive electoral symbols. At present, state parties are required to have (a) at least 6 per cent of the votes polled plus at least 2 members in the Legislative Assembly OR (b) at least 3 per cent of seats in the Assembly. The existing criteria for recognition as a national party are (a) at least 6 per cent of votes polled in a parliamentary election or at least 4 members in the Lok Sabha OR (b) at least 2 per cent of the membership of the Lok Sabha drawn from at least 3 states. The NCRWC recommends that the Election Commission 'should progressively increase the threshold criteria for eligibility for recognition so that the proliferation of smaller political parties is discouraged'.²¹

In the context of the alarming rate of criminalization of politics, the NCRWC report recommends that if a political party nominates a candidate convicted by a court in a criminal offence or with criminal charge framed against one by a court, 'the candidate involved should be liable to be disqualified and the party deregistered and derecognized forthwith'.

Finally, the government could encourage the corporate sector 'to establish an electoral trust which should be able to finance political parties on an equitable basis at the time of elections'. The government should also permit 'all legal and transparent donations upto a specified limit tax exempt and treat this tax loss to the state as its contribution to state funding of elections'.²²

The neoliberal project for multilevel governance turns, Adam Harmes contends, into a 'self-conscious attempt to promote a form of "disembodied federalism" where the "economy" always operates at least one level above that of the 'polity' in order to create an exit option and the disciplinary effects of jurisdictional competition'.²³

Global capitalism weakens the democratic authenticity and distributive capability of the sovereign national state - federal as well as regional - and may in fact play one against the other to promote corporate capitalist profits to the detriment of democratic rights and distributive justice. Numerous studies in post-reform Indian political economy have clearly documented that economic disparities among classes and regions have sharply increased.²⁴

Needless to add that these trends in widening class and regional economic disparities, if left unreversed, may prove to be politically explosive for India's national and federal unity. Adam Harmes' observation about neoliberal multilevel federal governance suggests that in this model mobile assets are favoured over immobile assets in structures and processes of government policy, capital is privileged over labour, and transnational corporations are given priority over progressive social forces that organize political action in opposition and try to unify politics and economics. Harmes goes on to suggest that the realignment of politics and economics can be attempted by (a) promotion of economic nationalism and reimposition of capital and exchange control and a withdrawal from international trade agreements; and (b) bringing the polity up to the level of the regional or global economy through multilateral harmonization and progressive regional and global governance.²⁵ It appears to be an uphill task. However, if the adverse effects of

globalization on the cultures and economies of the South gather momentum and become orchestrated, some recourse to these measures of economic nationalism and multilateral coordination of progressive policies of equitable regional and global governance would gain in credence and efficacy. The global financial crisis that suddenly engulfed the advanced capitalist economies of the West since 2008-9 has indeed promoted the global capitalist clubs of Group of 8 and Group of 20 to depart from the very neoliberal capitalist policies, such as free market enterprise and free trade, and adopt state support to market institutions and protectionists policies in relation to international trade!

CONCLUDING OBSERVATIONS

Neoliberal policy shift in privileging the market over the state has increased the hiatus between the two major goals of the Indian Constitution, i.e. democracy and social justice. Indeed, our foregoing discussion has shown that even the goal of democracy is given a short shift in practice. This is fraught with serious implications and consequences for the stability and survival of the Indian polity.

Raymond Plant in his important theoretical contribution to the debate on neoliberalism has aptly argued that without loyalty to and trust in it, the neoliberal order, for that matter any politico-economic order, cannot sustain itself. He goes on to say that a basic precondition for trust and loyalty are a high degree of democratic equality in society and a good deal of scope for democratic decision making in the government. Plant persuasively argues that ‘the neo-liberal has rather limited views about both the scope of democracy and the scope of equality’. F. v. Hayek’s belief that so long as the neoliberal order maintains material prosperity, the moral questions about popular trust and loyalty in capitalism are held at bay. However, as Plant aptly observes with most recent problems in global capitalism in view, there is nothing in the capitalist system to ensure continued growth without recession. And a recession may quickly erode the ‘vertical’ popular trust in the system as well as the ‘horizontal’ corporate trust among firms and individuals. Without there being the state to deflect the costs of recession from falling on the people or the weaker firms in the interest of social justice, the system may in fact plunge into deeper crisis. ‘So material prosperity’, concludes Plant, “cannot in fact be the ultimate guarantor of the popular legitimacy of the free market system. There has to be a source of trust and loyalty outside of that and neo-liberal thinkers have, I believe, to accept that the sources of trust and loyalty have to be found outside the market’.²⁶

It is difficult not to agree with Plant in his foregoing argument. For more than the market, the state is the most individual and group in a society. Despite the general impression that globalization has caused a decline in importance of the nation-state the state is not going to disappear from the scene any time soon. To quote G. John Ikenberry, ‘states continue to be critical organizational vehicles for modern political order. General claims that states are, as such, withering away or turning into simple market agents cannot be sustained. State capacities are not every were dwindling. As in the past, state capacities continue to evolve, declining in some areas and rising in others. There are no rival political formations - local, regional. Transnational, or global - that have the full multidimensional capacities of the state. No rival political formations have come close to attracting the loyalties of normative legitimacy of the state. In many parts of the World,... the pressing problems of everyday life are generating pressures for “more state” not “less state”. There is also a growing demand for the “perfecting” of the state-reducing corruption, extending the rule of law, regulating new technologies and marked externalities.’²⁷

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ETHOS OF THE FORCES: UTTARAKHAND A TEST CASE

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(This article was especially commissioned to understand the ethos of the forces, which is the greatest motivating factor in any operation that they participate in, whether in war or in peace -- Editor)

Our hearts go out to all those who lost their lives while providing relief but the rotors did not stop till the last man was rescued. An old writing at Kohima war cemetery maintained by Commonwealth Graves Commission says -- when you go home tell them of us for your tomorrow we gave our today.

The forces have an ethos and the Indian nation does not understand that nor has it laid terms and conditions but the forces have inherited the British ethos and over a period of time have modified it to suit the current conditions. Whereas war brings out a complex set of values and places the soldier wherein the protection of his regiment and his nation become paramount, peace has different conditions. It thus becomes mandatory that a consistent military ethos is built which assures the people of India that the ethos of the soldier is consistent with the wishes of the people of India and is consistent with national aim and will. In India the forces have always been suspected for seizing power such that a small news item became national news in 2012. The ethos is the characteristic spirit or attitude of a group of people or of a group of individual when stated for an organization its collective psyche wherein the organization is identified with a particular manner of behavior. What is the professional ethos of the soldier remains a key question? In India the people have over a period of time got used to the soldier delivering at all times. Thus floods send them in, children trapped in bore wells send them in, natural disaster send them in, aid to civil power send

them in, in short deliver at all costs against all odds. The people trust the forces whereas, the political class is wary of them such that a coup whisper went unchecked in 2012.

The people of the nation see the army as a straight and idealist, something to be admired and revered. They have lots of hopes and admiration mixed with respect for the forces. They expect the army to protect them and their property from external and internal threat. While doing so they expect respect for human lives and dignity. The people have been fed on a rich diet of exemplary courage and expect the same. They not only have set a very high standard of moral values for the soldier but expect them to selflessly live up to it each and every time from all ranks across the board. The army also needs to protect and flourish the secular image of the country and is seen as the torch bearer for national integration. The sense of discipline needs to be exemplary something that they admire most about.

The people of the nation expect the army to win all wars, and visibly display exemplary pride in itself. They see the army as a professional force capable of delivering against all odds and expect it to score a perfect ten in all walks of life and all tasks given to it. Of late there is a growing feeling that the army is the only custodian of the ethical and moral values of the nation and the people expect it to maintain the same, and get quite shocked when media breaks news a dime a dozen of late regarding corrosion of the same. They expect the army to maintain the core national values, and are sanguine about the fact that they can trust the army to correctly maintain the mandate for force which they have given to the army. This mandate is constantly challenged by fringe groups but the people are firm in their belief that his mandate which involves use of force and certain lives is in the best hands which has hardly been abused considering the Indian Army does not have any such blemishes on its hand. They above all see the army as the last bastion for democracy in the country.

The value system also provides inputs for the development of ethos. The Army has inputs from two diverse value systems the Western and the Indian value system. Western value system is based on biblical faith, wherein mercy, obedience, compassion and focus are on actions, their consequences, and religiously the concept of heaven and hell. The officer class followed this value system and undermined the Indian Value System based on our ingrained beliefs of Dharma and Adharma. The Indian value system is based on selfless duty, humility, and self control, live and let live attitude on the whole collectively good for the larger community. Values are the soul of the armed forces which has to manage violence. The national value system is based on tradition and Arjuna's hesitation to fight is based on his value system. Arjuna's choice is between two subsets of his particular Dharma, his 'Kula Dharma' and his 'Varna Dharma'. His 'Kula Dharma', dictates that one does not injure one's family. His 'Varna Dharma' however, requires him to kill whoever may be his foe in battle. Which Dharma is the more pressing? Whatever decision he makes, he must violate one or the other duty. His challenge is to determine which the most compelling Dharma for his situation.

Universally all cultures feed their young on stories of the culture's foundational myths, but this is perhaps more true of Hindu culture than many others. Hindu children are raised on the bounty of nutriment gained from their epics, and it is from these that they first learn how to orient themselves morally to their world. This is the reason for the continuing currency and relevance of the Hindu epics, which have survived and thrived through the millennia, even where their cognates in other cultures have succumbed to historical erosion and retain only minimal cultural value. These epics form the core vocabulary of every artistic arena in Hinduism, and indeed, of the larger cultural

landscape of South and Southeast Asia. Moral instruction is gleaned through constant exposure to them in various idioms. Ultimately, one aspires not simply to emulation of epic characters, but to an active re-creation or grafting of the epic, thus the Army Value system will have to have a strong epic influence. Thus what does the military ethos as applicable for India emerge?

The nation expects its soldiers to have the following in built in his ethos:-

- Respect for all religions.
- Secular credentials.
- Discipline (obedience and loyalty)
- Integrity (honesty and justice)
- Service before Self.

The nation expects the soldier not to work for himself but for the nation. The nation expects him to have ethics, morals and values in addition to ethos consistent with national aim in furtherance of national objectives all of which requires debate. Where and how does all this fit into the ethos displayed by the forces at Uttarakhand? The Berlin air lift was the biggest air lift that the Allies did post Second World War to support a beleaguered city for a year. The Garhwal Heli lift is no comparison but will go down in the annals of air history as the most committed Heli lift where a group of pilots, mostly Indian Air Force and Army Aviation fliers and some civilian, putting service before self, under the most adverse conditions, flying in mountainous terrain where mother nature is in her element did a record breaking 4000 plus sorties, ferried 270tons of loads and lifted 27000 plus stranded pilgrims. This reminds one of what Winston Churchill said during the Battle of Britain, “Never was so much owed by so many to so few”. The Army too lived up to its time tested ethos and assisted in the evacuation and holding of 1, 08,000 stranded pilgrims. This reminds one of Dunkirk where the biggest evacuation in the Second World War was done by the British in 1940 after the fall of Paris. But Dunkirk was a short journey of a disciplined force not a difficult operation over treacherous terrain and truant weather. All this sends a clear strategic message to those watching that the Indian soldier with his dedication, will power, ethos and ability to improvise can combat Mother Nature, and make the supreme sacrifice.

UTTARAKHAND A TEST CASE

The devastation in Uttarakhand because of cloudbursts that occurred on 15th /16th June and heavy rainfall thereafter is unprecedented. Until June 27, rainfall was nearly 3.9 times more than the average monthly rainfall of 328 mm for June, leaving a heavy trail of death, destruction and devastation in its wake. While official sources give figures of under one thousand dead and around two thousand five hundred missing, the toll, as per conservative estimates, is likely to exceed five thousand. The devastation saw 154 bridges and 1520 km of road destroyed and upwards of 2232 houses wrecked. Over one hundred thousand pilgrims found themselves trapped as the Army moved in to rescue the stranded. The Army’s Area Headquarter, located at Bareilly reacted before even being asked to do so. Commanded by a three star General Officer, it mobilised on 17th June and relocated to Dehradun from where it started functioning early next day. Simultaneously, it passed orders to its units to relocate immediately for rescue missions. The units responded with

typical military precision and alacrity, underlying in the process the true nature of military leadership, which leads from the front. As an example, on the 17th itself, after an aerial reconnaissance, a unit was ordered to move to Kedarnath, establish its command post there and report readiness to the Area Commander. This occurred at a time when the civil administration was not even fully aware of the scale of devastation. The commanding officer moved forthwith, reaching Kedarnath with his unit and reported readiness by the 18th complete with command and control elements to the Area Commander. The Commanding Officer was the first to reach Kedarnath. Paradoxically, at this time, his counterparts in the civil administration were being evacuated

The message from military commanders was clear. At a critical time, four flag officers were available at dangerous places in the mountains of Garhwal where civil administration had ceased to exist. This helped greatly in the subsequent rescue missions with decision makers available on the spot. The Commander-in-Chief of the Central Army also provided a sterling example of frontline leadership, when on 26 June he walked with the stranded passengers, leading them to safety. How many leaders walk their talk?

The Army's reaction was quick and efficient. While exact figures are not available due to security reasons, estimates suggest initial deployment of 5000 or more troops. Thereafter, based on requirement the strength went up to around 8000 to 8500 troops. With more assistance sought in the form of support for engineering tasks, such as, construction of bridges and repair to roads the strength will only go up. The Air Force and Army Aviation contributed nearly 40 helicopters, civil aviation nearly a dozen or fewer helicopters. The ITBP initially contributed a battalion, building this up later to two battalions. This may further increase by another battalion for force strength of over two thousand personnel. The NDMA contributed around 300 personnel in the initial days of the rescue and now its strength stands further increased. The tragedy has shown up the top-heavy nature of the NDMA, overstaffed with high-ranking officials sitting in Delhi, but woefully short of functional elements at the ground level. That the Army moved in as first respondents instead of the NDMA tells its own tale.

The ethos of the forces is not understood by the nation, and the forces too maintain a stoic silence, as that is their ethos, service before self. The forces will merely treat this as a part of duty and the collective history of this great achievement will be written piece meal in various regimental war dairies as that is our ethos whereas, this finding its place due to the sheer audacity of the nature of relief will go unrecorded such is our ethos. Its time Dehra Doon Sub Area records this collectively for posterity and not lessons learnt alone. The forces need to present their case before the nation than only will it inspire young men to join the forces.

Another aspect of the forces is the commitment to the task at hand, the fierce single minded obsession to accomplish the mission even at the peril of ones life, thus the saying, "the rotors will not stop till the last man is got out". Each and every soldier cherishes mission accomplishment and does not shy away like his civilian counterpart into obscurity but clearly wears his uniform because he is proud of it. The civil administration went initially missing and those who are there were shying away from their responsibility. The forces also have the ethos of being accountable. Right from the first day a man is told to be accountable for his comrades and thus they feel they are accountable to each and every citizen. Commitment and accountability in any organization go hand in glove. The forces were also briefed that because of the treacherous conditions they would be at risk, but commitment and

mission accomplishment in spite of the fatigue kept them going and the ITBP too has proved it self as an organisation worth to be admired.

The Indian nation is designed to mishandle both terror and natural disaster putting its citizen's life in peril. It reacts to both terror and natural disaster. The Indian state does not have a pro active approach to both terror and natural disaster. Both the National Security Guards (Black Cat commandos) and the troops of the National Disaster Response force are sent to areas after the problem has happened. Why does this affect the soldier because he has to start from scratch? The ethos of the Army is such that the bigger the challenge the higher the bar is raised, not because yours truly was a soldier but events speak for themselves. Every soldier imbibes the nearly three hundred years old tradition and rises to the extraordinary situation. Its time likes this when the ethos of the Army needs to be understood and the role of the soldier in Uttarakhand is a sample test case. The ethos of a soldier is time tested and their manner of functioning is some what different from others. Thus over a period of time with the Army living in cantonments which has led to isolation and due to reasons of perception and failure of civilian military leadership, as also, a large number of scandals emerging a few have tarnished the image of what many do. The forces must remember that they need to support the government for the shortest time and not a prolonged deployment. Familiarity breeds contempt and an odd incident needs to be guarded by commanders on the ground, as an event going wrong is different from ethos, that is what the nation needs to understand.

The ability to multitask without affecting the main missions shows the solid foundation of the Army organisation. Today, a web site assists in finding missing people, Army doctors provide medical aid, its units double up as bases sheltering pilgrims, its light helicopters assist in dropping supplies and the Army seamlessly goes about the main task of rescuing stranded pilgrims in a viable period. This sends a clear strategic message to those having nefarious designs because of the poor infrastructure on our border areas that the collective will of its citizens will prevail and the situation stabilised.

The nation however needs to understand the ethos of the soldier to get the best out of him. It must trust the Army's deep commitment to democratic values and its secular mind set. Most of us veterans have managed troops and presume all is hunky dory. This is not really so as prolonged deployment brings its own sets of problems. The media will highlight just one bad incident, as that is its rightful role. However, the nation needs to understand between the working ethos of the forces and an odd event. A few stray cases cannot be taken as an erosion of the ethos of the Forces, which remains as strong as ever as shown so convincingly in the assistance being provided at Uttarakhand.

The command and control during such times should rest solely with the forces. When ever there is a calamity or the forces deployed the need for the forces comes in when the civil administration is not able to cope up to the situation it being extraordinary the forces are called in. At such a time a single person who can influence the chain of events needs to be responsible. Currently Mr VK Duggal a retired IAS officer located at Delhi is the chief coordinator, the state government is helpless, and the forces have four flag star officers at the scene, a two star officer monitoring, a three star officer in front and an Army commander walking with the rescued pilgrims in short the whole chain of command supporting them, including 8500 troops and 43 helicopters, yet Mr.VK Duggal, the former Union Home Secretary on 21 June 2013 was appointed by the Union Government of India as the chief coordinator. Who has decision makers on the ground and not in air conditioned offices should be the

**ETHOS OF THE FORCES:
UTTARAKHAND A TEST CASE**

guiding principle, whereas, inaccessibility and remoteness from the scene seems to be the guiding principle. So what does a soldier face an unresponsive civil administration which lacks leadership while his is present and no accountability while his is present? Who says the old saying is untrue “God and soldier are forgotten in peace and tranquility add natural disaster for India”. To sum up it requires political will to understand the ethos of the forces is that asking for too much?.

Though defence services are collectively clubbed together with a particular ethos which is true but within themselves their manner of functioning is different, which sends at times different messages, because ethos is work related also. The Uttarakhand disaster showed how men and women of different services when clubbed together under stress bring collective harmony in furtherance of a collective aim. The collective ethos of defence services remains service before self and as India does not have a unified command the collective psyche for development of a defence psyche has never emerged. In fact the Uttarakhand disaster was one of the closest the forces have worked jointly for a singular aim without a joint document except the necessity of the hour and the ethos that emerged was one of service before self. This may well be the time for some introspection by the forces for jointness and singular aim. The results achieved have been tremendous and the collective ethos that has emerged of selfless ness and the will to succeed at all costs need to further formalized.

RATIONALE OF COMMUNIST PARTIES IN CONTEMPORARY INDIA : A REJOINDER

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Achin Vanaik's paper "Future Perspectives for the Mainstream Indian Left" (EPW, 13th October, 2012) posits excellent suggestions for the revival of Mainstream Indian Left [Communist Party of India (CPI), Communist Party of India (Marxist) CPI (M) and Communist Party of India (Marxist-Leninist) CPI (M-L) Liberation, henceforth Communist Parties (CP)] with a statement that there is no chance of success for the Communist Party of India (Maoist) to overthrow the Indian state. The intent of it is to let the CP become a significant political and social force with the capacity to help reshape Indian politics and society for the better. The point, however, is will Vanaik's ideas be acceptable to the CP?

Contrary to Vanaik's suggestions, my arguments are premised on two points: first, it questions the very rationale of the existing form and structure of the CP which has become an anachronism in the contemporary mass society. Its (CP) ideational premise of formation - the vanguardism required for propagation of a new philosophy for the mobilization of labour against capitalism - situated in mid 19th century Europe and subsequently required in other parts of world necessitated by new social - political developments is no longer relevant today under the developed global condition and changed character of the social movements. The self initiated, self emancipatory movements of the urban wage-labour (middle class to sociologists) working in the new 'factories' of capitalism, the services sector, that no longer require the vanguards - the professional revolutionaries - to act on their behalf; second, the vanguards, in fact, have become problematic for the wage - labour movements with their outlook and programmes. Their 'socialism' inherited from the last decades of the 19th

century (after Engel's death) acquiring prominence after the October 1917, is ignored silently. It was anathema to Marx and Engels as well when they were alive. Rosa Luxemburg, subsequently, had carried their arguments against Leninistic 'socialism' in Russia². Tragically, Lenin's 'socialism' became the primer of the CP in different parts of the world. Marx's republic of labour was relegated into the background.

Let's now begin with the analysis of the second point, i.e., the programmes which are common to all the communist parties in India since their formation to be counter-posed with Marx's writings for self learning. Three issues which have been pre-eminent for decades for the CP representing three broad areas can be posited here. The first is the peasant question or the stand of the Communist Parties towards peasantry who have been, after Engel's death, incorporating programmes in their manifestoes, over the decades, in different countries that attempts to lengthen the lives of the peasants under capitalism. These programmes related with peasantry, to mention three, are land to the tillers, state aid/ subsidies for their cultivation and higher prices for their products. In India, the CPI(M) and the CPI (M-L) Liberation have always demanded and struggled for the application of such programmes. To cite from the Collage of their documents: the 'distribution of Zamindars land and barren gairmazarualand among the landless', 'de-concentration of land ownership' resulting into distribution of surplus land among the landless and poor peasants', 'recognition to customary ownership rights of tribals and restoration of their lands to them which were grabbed by landlords and moneylenders'³ must be ensured. In brief, it has been a struggle for the distribution of land to the tillers to facilitate their cultivation and the sale of their produce at better price. The intent behind it has been to mobilize the peasantry under the vanguardship of the party for the revolutionary overthrow of the state which is an essential requisite for the success of revolution in a society with their overwhelming presence.

Let's now counter-pose Marx's stand on the peasant question. In 1850, while addressing the Central Authority of the Communist League, he put forth to its members the idea to oppose the plan of feudal land distribution to the peasants as free property and to demand instead conversion of the land 'into workers' colonies cultivated by the associated rural proletariat.. through which the principle of common property immediately obtains a firm basis in the midst of bourgeois property relations⁴. Twenty- five years later, writing the Critique of the Gotha Programme (1875) on state aid to producers' cooperative societies, he had castigated Lassalle's imagination that from state aid he planned to build a new society instead of from the revolutionary process of the workers⁵. And again twenty years later Engels writing in the The Peasant Question in France and Germany (1895) repeatedly sent the message that they had no use for the peasant as Party member who expected the Party to perpetuate his property in land⁶. In between these years, writing in Capital, Marx had stated that "Small peasants' property excludes by its very nature the development of the social powers of production of labour, the social forms of labour, the social concentration of capitals ... and a progressive application of science..."⁷. Unambiguously, these are self-clarificatory statements on peasantry. And the logic behind it is also self-explanatory. However, bordering repetition, one may posit few more explanations. One of their arguments against the distribution of lands to the peasants was that it would lead them through the 'same cycle of impoverishment and indebtedness' that the others of their ilk had; and it is because 'the individual farming conditioned by individual ownership... drives the peasants to their doom.... against the overwhelming power of capitalist

production⁸. This combination of peasant ownership and his condition of farming excludes the developments that Marx had explained in Capital cited above. In brief, the distribution of land to the tillers does not benefit the peasants nor does it expedite the social developments. Yet, The CP had been enacting it in their praxis with full knowledge of it for decades. And it continues to do it till date.

Its stand on the religious minority rights, another pre- eminent issue, is again fallacious. The support to this constitutional provision and to its perpetuation or to the other related such provisions under the philosophical rubric of secularism are logically untenable for a party based on Marx's principles. It may here be explained that in India the religious minority rights were enacted by the colonial state with the collusion of the feudal Muslim elite despite persistent opposition of the Congress in 1909. The Congress, subsequently, compromised over this communal divide with the Muslim League in 1916 in the backdrop of the ongoing Home Rule Movement. The communal compromise was later turned into a virtue of Indian secularism to be politically adhered to in post - colonial polity along with caste constituencies and religious personal laws. Instead of struggling for their overthrow, the CP has only been critical of their violation by the parties in governments or in opposition. It never rejected the very idea of minority rights and thecodification of the religion based personal laws. Contrary to it, it remained silent or supported such differential public laws under the banner of individual / communitarian rights. If the protests emerged within the community, it suggested, at best, reforms in the personal laws of the religious communities. The demand for uniform citizenship remained invisible.

In contradistinction to their praxis, Marx never sought religious minority rights for the Jews who were continuously persecuted in history or for Muslims in Christian dominated Europe. What he struggled for was the abolition of state's linkages with religion, secularization of rights and end to the police methods of persecuting religious sects on different pretexts. Therefore, Church was to be completely separated from the state. All religious communities without exceptions were to be treated by the state as private associations. They were to be deprived of any support from public funds and of all influence on public education. Of course, they were not to be prohibited from forming their ownschools out of their own funds. This was what Engles had stated in 1881 while suggesting to the social Democratic Party of Germany regarding their programmes⁹. Interestingly, even Gandhi had expressed similar ideas while answering to the questions of Christian missionaries and of Dr. Zakir Hussain¹⁰ when they had visited him in 1946-47. Derivatively, it meant his opposition to the formulation / application of differential public laws for different religious communities; it was also an advisory for the universal application of a common law which was not heeded to by his political heirs. In praxis, thus, both the bourgeoisie and the CP remained the bearer of the colonial legacy in post- colonial India. It was more tragic for the CP, the bearer of the idea of republic of labour, that it could not transcend, even programmatically, the bourgeois paradigm.

Similarly, in its economic policy it carries the germ of colonial legacy. In the colonial days, along with the bourgeoisie, the Congress, it had opposed the imperialist lead globalization to protect the India business/ small production. After the transfer of power, the bourgeoisie gradually changed their stand on the economic policy as per their requirements, and in proportion to their strength in the world market; and since 1991, they have become integral part of globalization. But

the CP remained where it was. It is still opposed to the entry of the foreign capital and to the acceptance of aids without conditionalities; and demands special credits for rural artisans, small and middle peasants. It is opposed to the loans with structural adjustments to and the removal of quantitative restrictions on agricultural imports¹¹. In brief, it is opposed to open market and free trade under capitalism. Or derivatively, it favors the protectionist system for the small production.

Now, let's counterpose Marx's views on free trade and on the protectionist system. In his speech at The Free Trade Congress at Brussels held in 1847, he had stated, "...we are for Free Trade, because by Free Trade alleconomical laws, with their most astounding contradictions, will act upon a larger scale, upon a greater extent of territory, upon the territory of the whole Earth; and because from the uniting of all these contradictions into a single group, where they stand face to face will result the struggle which will itself eventuate in the emancipation of the proletarians"¹². In the same speech, he had also stated about the two sects of protectionists: one, who intended to prepare the reign of the large manufacturing capitalists; second, who proposed to protect manual labour, home manufacturers, home agriculture and production of raw materials at home by high duties 'against the invasion of machinery as well as against foreign competition'¹³. Then, he explained the protectionist system, "...the Protectionist System is nothing but a means of establishing manufacture upon a large scale in any given country, that is to say of making it dependent upon the market of the world; and from the moment that dependence upon the market of the world is established, there is more or less dependence upon Free Trade too. Besides this, the protective system helps to develop free competition within a nation. Hence, we see that in countries where the bourgeoisie is beginning to make itself felt as a class...it makes great efforts to obtain protective duties¹⁴." Both these citations are self-explanatory. It reflects the thinking of the Marxist parties vis-à-vis Marx's writing on globalization.

To conclude now with the first point, the very rationale of the CP in contemporary India, in its structural form, and with their such policies as discussed above, is questionable. In fact, in contemporary mass society, such hierarchical organization with its 'party-line' is no longer relevant as it was premised on the idea of an organized vanguard acting on behalf of labour for the republic of labour. The vanguard structure can capture the state power through revolutionary process. But it shall not become the republic of labour. The 'Soviet' system has demonstrated it starkly. For the republic of labour, the vanguard is not required as it is a self-initiated, self-emancipatory process. Also, the argument to bring in new revolutionary idea in trade-union movements from outside to transcend the labour's economic demands to political struggle against capitalism is no longer valid. Labour in contemporary India has developed rapidly in this process of transcendence under the impact of the globalization. The raging social movements, no longer requiring their vanguardism, demonstrate the expanding developments. The benefits of the contemporary technology and the expanding numerical base of the wage-labour imbued with varied information and analysis in combination with their everyday experience in a globalized context make them capable for a self-initiated, self-emancipatory movement for their own republic. The past political experiences of labour with the CP and the culture of leaders, cadres, and their sectarian functioning, have made the labor wary of them. The parties which are put into this awkward position are irrevocably lost for the revolutionary cause of the labour.

NOTES AND REFERENCES

1. Communist Parties of Germany and France had repeatedly attempted to incorporate programmes, such for example as, related with peasantry, trade question, etc., into their Parties' manifestoes for the political mobilization of different sections of society. Such programmes were repeatedly criticized by Marx and Engels after which those were dropped. Besides, they were critical of the functioning of the Parties' leadership either in legislative bodies or on parties' forum.
See K. Marx and F. Engels, *Collected Works*, Vol. 24, Progress Publishers, Moscow, 1989, pp. 93-94; Vol. 27, Lawrence and Wishart, London, 1990, pp. 487-492, 495, 498. Earlier, in 1850, in their "Address of the Central Authority to the League" they had recommended a programme which was completely overlooked by the Communist Parties after their death. See their *Collected Works, op. cit.*, Vol. 10, 1978, pp. 284- 285.
2. Rosa Luxemburg, *The Russian Revolution and Leninism or Marxism*, An Arbor Paperback, The University of Michigan, 1962, pp. 41-46, 24.
3. *Bhartiya Communist Party ka Karya Kram*, Bhartiya Communist Party Prakashan, 1969, p.26; *kisan Jantake Bich Karya*, Bharat Ki Communist Party (Marxvadi) ki Kendriya Committee ka Prastav, Communist Party (Marxvadi) Prakashan, Lucknow, p.22, Bihar Pradesh Kisan Sabha (Pamphlet), September 7, 1987; *Alternative Agricultural Policy*, All India Kisan Sabha, Communist Party of India (Marxist), 2003, pp.15-18 : Also, see "Peasantry against Socialism: A Theoretical Perspective" in *Science and People*, Joshi- Adhikari Institute of Social Studies, Vol. 3, No.2, March 1992; "All This Phoney Marxism" in *Frontier*, Autumn Number 2007.
4. K. Marx and F. Engels, *Collected Works, op. cit.*, Vol. 10, Progress Publishers, Moscow, 1978, p.285.
5. *Ibid.*, Vol. 24, 1989, p.93.
6. *Ibid.*, Vol.27, p.495.
7. K. Marx, *Capital*, Vol.3, Saraswati Library, Calcutta, 1946, p.641.
8. K. Marx and F. Engels, *op. cit.*, Vol. 27, p.499.
9. *Ibid.*, p.229.
10. See M. K. Gandhi, *Collected Works*, Vol. 85, p.325; D.G. Tendulkar, *Mahatma*, Vol. VII, 1953, p.451.
11. See West Bengal Government's *Industrial Policy : Fact and Fiction*, Communist Part of India (Marxist), Delhi State Committee, 2007, pp. 7-9, p.31; *Alternative Agricultural Policy, op. cit.*, pp. 1-2, 6, 15-17, 23; Prakash Karat , *The Role of the Left- led Governments and our Understanding*, a CPI(M) Publication, 2007, pp. 20-22.
12. K. Marx and F. Engels, *op. cit.*, Vol.6 , pp.290.
13. *Ibid.*, pp. 287-288.
14. *Ibid.*, p.465.

THE STORY OF INDIAN MERGERS AND ACQUISITIONS: FROM EVOLUTION TO PRESENT WAVES

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INTRODUCTION

During the 1980s, the global industrial landscape had been completely redrawn by the forces of globalization, deregulation and unprecedented technological developments. Corporate enterprises have responded to the competitive pressures unleashed by these forces through extensive repositioning programmes involving corporate restructuring in general and mergers and acquisitions (M&As) in particular. Back home in India, most Indian companies and business groups would seem to have been caught unaware initially by the momentous and rapid changes brought about by the economic reforms. However, after the tentativeness of the early years of reforms, several of them would seem to have come to terms with the new realities of an intensively competitive domain and have been undertaking extensive restructuring both at the operational and at the strategic levels. This has been substantiated by the plethora of M&As reported everyday including the present headline grabbing Etihad-Jet deal. As Indian companies stand on the threshold of the next phase of growth, it is inevitable that several of them would find themselves required to make more decisive choices in favour of inorganic growth strategies.

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EVOLUTION OF INDIAN M&AS

We have very limited history of M&As. However, M&As came to prominence in 1980s due to the hostile takeover bids, led by corporate raiders such as Swaraj Paul, Manu Chhabria and R P Goenka, in the very early days of reforms. In view of the license raj prevailing then, buying a company was one of the best ways to generate growth, for ambitious corporate enterprises. Thereafter in the backdrop of the liberalization process of 1990s, Indian business houses began to feel the heat of competition. Conglomerates that had lost focus were forced to sell non-core businesses that could not withstand competitive pressures (The Tatas, for instance, sold TOMCO to Hindustan Lever). Corporate restructuring, largely drove this phases of M&As

In the past, M&As as a strategy was employed by several corporate groups like R.P. Goenka, Vijay Mallya and Manu Chhabria for growth and expansion of their empire in India. Some of the companies taken over by RPG group included Dunlop, Ceat, Philips Carbon Black, Gramophone India. Mallya's United Breweries (UB) group was straddled mostly by M&As. Companies under the UB conglomerate include Best and Crompton, Mangalore Chemicals and Fertilizers, Kissan Foods besides four liquor companies (United Breweries, Carew Phipson, Herbertson and McDowell) and acquisition of Deccan Airlines. Further, in the post liberalization period, the giant Hindustan Lever Limited has employed M&As as an important growth strategy. The Ajay Piramal group has almost entirely built up by M&As. As a result of liberalization measures, the south based, Murugappa group built an empire by employing M&As as a strategy. Some of the companies acquired by Murugappa group include, EID Parry, Coromondol Fertilizers, Bharat Pulverising Mills, Sterling Abrasives, Cut Fast Abrasives etc. Other companies and groups whose growth has been contributed by M&As include Ranbaxy Laboratories Limited and Sun Pharmaceuticals Industries particularly during the later half of the 1990s.

In the post 2000 period we have witnessed spate of M&As in India. The number and size of deals have become very big and it reached 1.3% of the global deal value in 2006. Significant M&As activity is witnessed in the IT, Telecom, Pharmaceuticals, Energy, Banking and Financial services. Another significant aspect is that the Aviation Industry which was very recently opened to private sector is also witnessing M&A activity. The dispute between Jet airways and Sahara Airlines had been settled by merger of Sahara Airlines into Jet Airways. The merger of two government carriers, Indian Airlines and Air India has been accomplished. Further, UB group's Kingfisher Airlines has acquired Deccan Airlines. South based media baron Kalanidhi Maran has acquired Spice Jet, an efficient low cost carrier. Further, many Indian companies have acquired companies in Europe, North and South American countries, showcasing Indian globalization. The prominent deals are Reliance Telecom's acquisition of Flag Telecom, VSNL's acquisition of Teleglobe, Dr. Reddy's acquisition of Betapharm, Ranbaxy's acquisition of Terapia, Suzlon Energy's acquisition of Hansen, BILT's acquisition of Arcelor, M & M's acquisition of Iero Holding Ag, India Hotel's acquisition of, Ritz-Cariton Boston, Tata Steel's acquisition of Corus and Hindalco's acquisition of Novelis. The latest aviation sector deals involving Air Asia -Tata's and Etihad - Jet not only generates lot of media interest but also giving jitters to regulators and Govt.

PRE-INDEPENDENCE PERIOD

M&As have played an important role in the transformation of the industrial sector in India since the Second World War period. The economic and political conditions during the Second World War and post-war periods (including several years after independence) gave rise to a spate of M&As

(Kothari 1967). The inflationary situation during the wartime enabled many Indian businessmen to amass income by way of high profits and dividends and black money .

This led to “wholesale infiltration of businessmen in industry during war period giving rise to hectic activity in stock exchanges. There was a craze to acquire control over industrial units in spite of swollen prices of shares. The practice of cornering shares in the open market and trafficking of managing agency rights with a view to acquire control over the management of established and reputed companies had come prominently to light. The net effect of these two practices, viz of acquiring control over ownership of companies and of acquiring control over managing agencies, was that, large number of concerns passed into the hands of prominent industrial houses of the country. As it became clear that India would be gaining independence, British managing agency houses gradually liquidated their holdings at fabulous prices offered by Indian business community. Besides the transfer of managing agencies, there were a large number of cases of transfer of interests in individual industrial units from British to Indian hands. Further, at that time, it used to be the fashion to obtain control of insurance companies, for the purpose of utilizing their funds to acquire substantial holdings in other companies. The big industrialists also floated banks and investment companies for furtherance of the objective of acquiring control over established concerns.

POST-INDEPENDENCE PERIOD

Large number of M&As occurred in industries like jute, cotton textiles, sugar, insurance, banking, electricity and tea plantation. Although there were a large number of M&As in the early post-independence period, the anti-big government policies and regulations of the 1960s and 1970s seriously deterred M&As. This does not, of course, mean that M&As were uncommon during the controlled regime. The deterrent was mostly to horizontal combinations which resulted in concentration of economic power to the common detriment. There were many conglomerate combinations. In some cases even the Government encouraged M&As; especially for sick units. Further, the formation of the Life Insurance Corporation and nationalization of the life insurance business in 1956 resulted in the takeover of 243 insurance companies. There was a similar development in the general insurance business. The National Textiles Corporation (NTC) took over a large number of sick textiles units.

Further, between 1951 and 1974, a series of governmental regulations were introduced for controlling the operations of large industrial organizations in the private sector. Such regulations influenced considerably the growth strategies adopted by the companies. Some of the important regulations were, Industries Development and Regulation Act, 1951, Import Control Order, 1957-58, Monopolies & Restrictive Trade Practices Act, 1969, and Foreign Exchange Regulation Act, 1973. These regulations along with others influenced the pattern as well as pace of diversification undertaken by different categories of companies in India. Due to the existence of strict government regulations, Indian companies were forced to look for new areas where capabilities are difficult to develop in the short run. In pursuit of this growth strategy, they often change their organization and basic operating characteristics to meet the diversified businesses and management

POST-1990

M&As scenario started changing in India after the introduction of liberalization process in 1991. Government regulations on growth of M&As were reduced. Several measures taken by Government

which include de-licensing, de-reservation, MRTP Act relaxations, liberalization of policy towards foreign capital and technology led to a structural transformation in the Indian industries. This industrial transformation has provided a launch pad for the corporate enterprises to grow and expand through M&As strategy.

Analyzing the size, growth and presence of some leading corporate groups in India, it has been observed that these groups employed M&As strategically to grow and expand. Corporate groups like R.P. Goenka (RPG), Vijay Mallya (UB) and Manu Chabria Group has employed M&As strategy aggressively to grow. The Ajay Piramal group has almost entirely been built by M&As. Further, M&As have significantly contributed to the growth of south based Murugappa group . Other groups/companies whose growth has been significantly contributed by M&As in the recent past, include Hindustan Lever, Ranbaxy, Tata group, Sterlite group, HCL Technologies, Glaxo India and Sun Pharmaceuticals Limited.

RECENT TRENDS AND DEVELOPMENTS

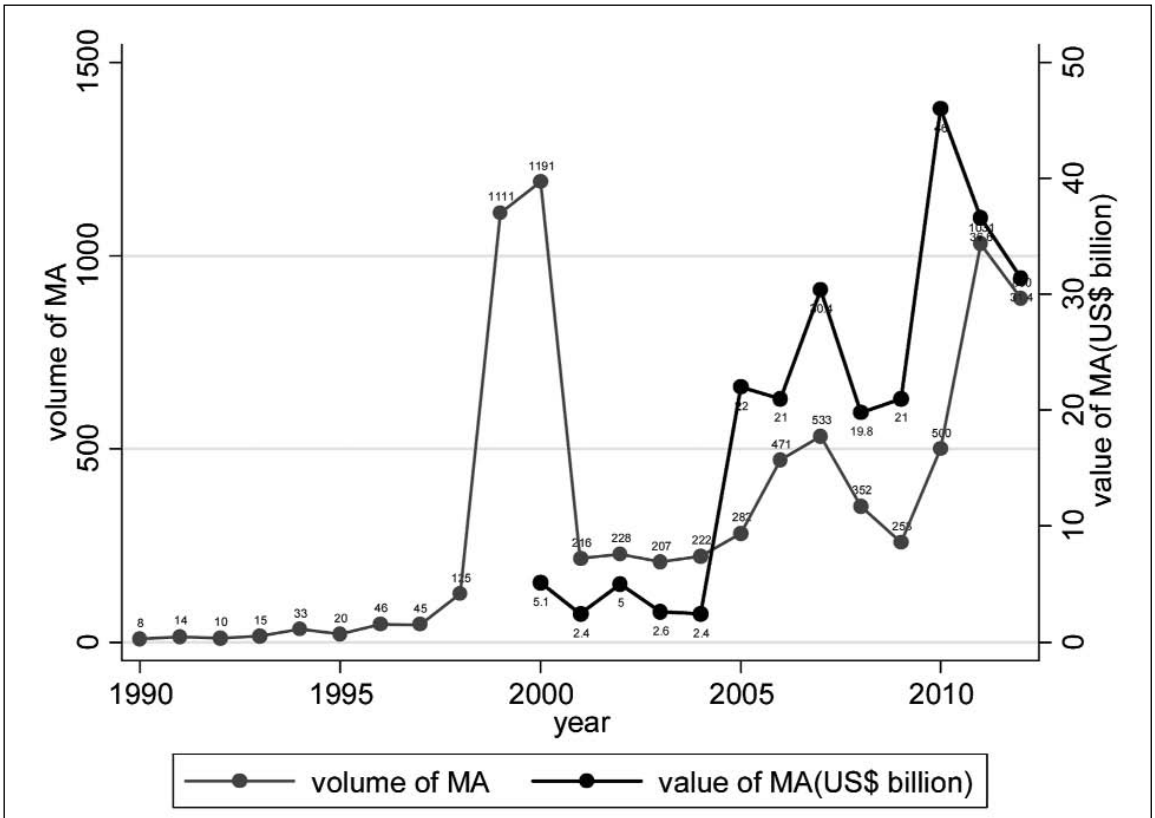
In the post 2000 period, there has been tremendous increase in Indian M&As. The following Figure 3.1 presents the volume and value of the Indian M&As deals for 1990-2012 period quoting from MCA(erstwhile Department of Company Affairs),Thompson Financial and CMIE sources.

Indian companies have been active players in the M&As front. Beyond the headline grabbing mega deals like Tata-Corus, there has been a broader trend of Indian companies of all sizes using M&As as a vehicle for growth. According to a report of Accentuate and CII, the number of deals by Indian companies in the 5 years upto 2008 has increased at 20 percent CAGR excluding mega deals of US\$ 1 billions and above where as value of these deals has increased by over 15 percent CAGR .

Indian M&As have seen tremendous momentum in 2005 when M&As having value of US\$22 billion is reported. Further, 543 M&As are reported having deal value of US\$30.4 billion in 2007. However, M&As have reduced significantly in 2008 and 2009 due to the world economic crisis and industrial slowdown (Figure 3.1).

Table 1		
M&As by Indian Companies 1990-2012		
Years	M&As	
	Vol (Nos)	Val(US \$ Bill)
1990	8	
1991	14	
1992	10	
1993	15	
1994	33	
1995	20	
1996	46	
1997	45	
1998	125	
1999	1111	
2000	1191	5.1
2001	216	2.4
2002	228	5
2003	207	2.6
2004	222	2.4
2005	282	22
2006	471	21
2007	533	30.4
2008	352	19.8
2009	258	21
2010	500	46
2011	1031	36.6
2012	890	31.4

Fig. 1.1: M&As by Indian Companies 1990-2012



There has been significant improvement in the Indian M&As activity in 2010 where deals worth US\$46 billion reported. It is worth mentioning here that Indian deal sizes are relatively small by global standards and mega-deals make a significant impact on India’s M&As trends. In fact, the average size of all M&As transactions by Indian companies in 2007 (including five mega deals) was about US\$56 Million compared to a global figure of over US\$100 million. In 2011, there has been a sharp increase (more than 100%) in volume of Indian M&As due to the fact that the SEBI Takeover Code 1997 was replaced by New SEBI Takeover Code 2011. It seems that Indian corporate enterprises were in a hurry to take advantage of the SEBI Takeover Regulations 1997.

One important characteristic of the new wave of Indian M&As is the tendency to build a series of smaller stakes in different businesses and often industries; a string of pearls approach that allows companies to rapidly expand their growth opportunities and extend their geographical footprint. For many Indian companies the process of building a portfolio of complementary businesses is intuitive as it fits the traditional conglomerate approach which has been so successful in India and many other emerging markets. In many cases, Indian companies have gained experience and confidence by venturing into similar markets in emerging economies before tackling more sophisticated mature markets. The M&As profile of Mahindra and Mahindra’s Automotive business best describes this

strategy which targeted Malaysia, Indonesia and Thailand before moving into South Africa. Figure 1.2 depicts the Indian companies that have made over ten acquisitions in the recent past. Over the last decade, established firms like UB group (seven acquisitions), Bharat Forge (six acquisitions), Larsen and Toubro (nine acquisitions) and Mahindra and Mahindra (eight acquisitions) have regularly made captions in the media. But, smaller and mid-cap companies that have grown quickly through M&As include I-flex (seven acquisitions), Amtek Auto (nine acquisitions), Helios & Matheson Infotech (Six acquisitions) and EsselPropack (six acquisitions)

Fig 1.2 : Most Active Indian Companies (Number of Deals)

<p>Bennett Coleman & Co 27 Acquisitions Timeline: 6 in 2005, 7 in 2006, 14 in 2007 Target Industries: Automotive consumer Goods & Services, Electronics & High Technology, Industrial Equipment, IT Services, Media & Entertainment, Outsourcing, Pharmaceuticals & Healthcare, Retail, Telecommunications Target Countries: India Average Size of Acquisitions: US\$ 2.34 million</p>	<p>Dr. Reddy's Laboratories 10 Acquisitions Timeline: 1 in 1998] 5 in 2000, 1 in 2002, 1 in 2006 Target Industries: Pharmaceuticals & Healthcare Target Countries: Germany, India, UK, US Average Size of Acquisitions: US\$ 87.78 million</p>
<p>HCL Technologies 14 Acquisitions Timeline: 1 in 1998] 4 in 2001, 2 in 2002, 2 in 2003, 2 in 2004, 1 in 2005, 1 in 2008 Target Industries: Capital Markets, Consumer Goods & Services, Insurance, IT Services, Telecommunications Target Countries: India, Thailand, UK, US Average Size of Acquisitions: US\$ 43.73 million</p>	<p>Hindalco Industries 11 Acquisitions Timeline: 3 in 2000, 3 in 2002, 2 in 2003, 1 in 2005, 1 in 2006, 1 in 2007 Target Industries: Chemicals, Metals & Mining Target Countries: Australia, India Average Size of Acquisitions: US\$ 117.41 million</p>
<p>Hindustan Unilever 10 Acquisitions Timeline: 3 in 1999, 4 in 2000, 1 in 2002, 1 in 2003, 1 in 2007 Target Industries: Consumer Goods & Services Target Countries: India Romania, South Africa, Spain, US Average Size of Acquisitions: US\$ 17.28 million</p>	<p>Ranbaxy Laboratories 16 Acquisitions Timeline: 1 in 1998, 1 in 1999, 1 in 2000, 1 in 2001, 2 in 2002, 1 in 2003, 1 in 2005, 5 in 2006, 3 in 2007 Target Industries: Pharmaceuticals & Healthcare Target Countries: Belgium, France, Germany, India, Average Size of Acquisitions: US\$ 80.80 million</p>

**THE STORY OF INDIAN MERGERS AND ACQUISITIONS:
FROM EVOLUTION TO PRESENT WAVES**

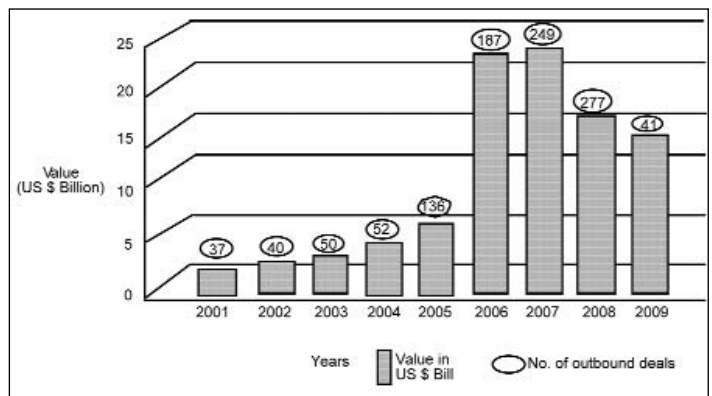
<p>Tata Consultancy Services</p> <p>11 Acquisitions</p> <p>Timeline: 2 in 2002, 3 in 2004, 3 in 2005, 2 in 2006, 1 in 2007</p> <p>Target Industries: Capital Markets, Consumer Goods & Services, IT Services</p> <p>Target Countries: Australia, Brazil, Chile, India, Philippines, Switzerland</p> <p>Average Size of Acquisitions: US\$ 30.66 million</p>	<p>Wipro</p> <p>14 Acquisitions</p> <p>Timeline: 1 in 2000, 2 in 2001, 4 in 2002, 3 in 2003, 3 in 2006, 1 in 2007</p> <p>Target Industries: Consumer Goods & Services, Energy, IT Services, Pharmaceuticals</p> <p>Target Countries: Finland, India, Singapore, US</p> <p>Average Size of Acquisition: US\$ 47.85 million</p>
<p>SunPharma</p> <p>15 Mergers and Acquisitions</p> <p>Timeline : 1-2008 1-2007, 2-2005, 3-2004, 1-2003, 1-2000, 2-1999, 1-1998, 1-1997, 2-1996</p> <p>Target Industries:Pharmaceutical</p> <p>Target countries :Israel, Tennessee, USA, Hungary</p> <p>Average size of acquisitions:US 15.3 million (all data not available)</p>	

Source: Accentuate analysis of Thomson Financial data (Accenture-IT Report), 2008 and author's compilation of data.

INDIAN CROSS-BORDER M&AS (CBMAS)

Further, it is a well-known fact that Indian companies have been very active in the Cross-Border M&As (CBMAs) front. The M&As involving Tata-Corus, Tata-JLR, Hindalco-Novelis, Sun pharma-Terapia, Airtel-Zain Africa have generated lot of media interest. However, the outbound cross-border transactions have been more prominent and visible particularly since 2006 (Figure 1.3). The numbers of outbound M&A deals have increased sharply from about 37 in 2001 to 277 in 2008 (Figure 1.3). The number and value of Indian CBMAs declined during 2009, from the highs of 2007. This was to be expected against the backdrop of a global financial crisis. With the value of most public companies declining over the period and with banks tightening their lending, opportunities for M&As in 2009 looks slim. However, as India moves into a new decade with an increased sense of economic stability and an increasing GDP growth rate, CBMAs looks set to pick up.

Fig. 1.3 : Indian Outbound M&As



Source: The Economist May 28th, 2009 based on data from Dealogic.

CONCLUSION

In the backdrop of the financial crisis and global slowdown, Companies are likely to be more focused in their core operations and hive off non-core areas of operation to achieve synergy. This phenomenon would set a platform for a lot of M&As which would drive firms towards competitiveness. Further, a lot of M&As activity is expected in BOP economies including India where chunk of the world population lives. Even small companies having potentially viable products or solutions operating in this sphere would attract big investments from global acquirers as they see a huge market for their growth trajectory. This type of M&A would lead towards innovation and sustainable development as MNCs just need to spot some hidden gems which still can make millions for them.

NOTES

- Etihad signed a deal with Jet Airways in April to buy 24% stake (Rs, 2,058 Crores) of Jet Airways. This is the largest foreign investment in the Indian aviation sector. After that, Naresh Goyal (Promoter of Jet Airways) will have 51% stake. The deal has been under scrutiny from regulators on ownership and control related issues. Indian laws governing foreign direct investment in civil aviation allow only 49% foreign investment in listed airline companies. The limit is to prevent Indian companies from losing management control to foreign investors. But a scrutiny of the clauses in the agreements signed between Jet and Etihad shows that Etihad has some measure of control over management and operational matters.
- Further, this deal is continuously debated for its far reaching implications. The agreement ran into controversy right from the start with some critics pointing out that the deal was structured to avoid an open offer to the Indian public from Etihad. Takeover rules stipulate that a purchase of 25% or above in a listed company will trigger an open offer. Jet and Etihad have maintained that Etihad does not have any special powers or veto rights and there is no need for any open offer.
- Availability of research literature about Indian M&As was very limited. Further, due to the colonial past the picture was not too clear about pre-independence times. Most of the books and literature dealt about history and evolution of mergers and acquisitions in US and UK. Even traces of France, Japan etc could be found. Yet, in this chapter an attempt has been made for review of literature on Indian mergers and acquisitions. In 1996, about half of its turnover of Rs. 2,500 crores came from companies acquired over the past decade and half.
- CAGR: Represents compound annual growth rate.
- There was a demand to bring in a new takeover code. In this connection, SEBI, constituted Takeover Regulatory Advisory Committee (TRAC) under the chairmanship of Sh. C. Achuthan to review the SEBI Takeover Code, 1997. The recommendations of Achuthan Committee formed the basis of the New Takeover Code 2011 which came into effect from 22nd October, 2011.
- Under the Takeover Code of 1997, an acquirer was mandated to make an open offer if he, alone or through persons acting in concert, were acquiring 15% or more of voting right in the target company. This threshold of 15% has been increased to 25% under the New Takeover Code of 2011. Therefore, now the strategic investors, including private equity funds and minority foreign investors, will be able to increase their shareholding in listed companies up to 24.99% and will have greater say in the management of the company. An acquirer holding 24.99% shares will have a better chance to block any decision of the company which requires a special resolution to be passed. The promoters of listed companies with low shareholding will undoubtedly be concerned about any acquirer mis-utilising it.

**THE STORY OF INDIAN MERGERS AND ACQUISITIONS:
FROM EVOLUTION TO PRESENT WAVES**

- The Takeover Code of 1997 required an acquirer, obligated to make an open offer, to offer for a minimum of 20% of the 'voting capital of the target company'.
- The Takeover Code of 2011 now mandates an acquirer to place an offer for at least 26% of the 'total shares of the target company', as on the '10th working day from the closure of the tendering period'.
- The list does not include financial service companies, transfer of capital/funds between group firms of the same parent company and acquisitions made by unnamed inventor/shareholder group.

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A DECADE OF POWER REFORMS IN DELHI: A SHALLOW BAG

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INTRODUCTION

The Constitution of India defines that central government as well as state government can set up guidelines relating to the power sector. So the basis for the electricity sector in Delhi are also the three principal acts namely the Indian Electricity Act, 1910; the Electricity (Supply) Act, 1948; and the Electricity Regulatory Commission Act, 1998. Additionally there exists the DECO (Delhi Electricity Control Order, 1959) and the Delhi Vidyut Board Control Regulations, 1998. The aim of DECO was to regulate transmission, distribution, utilisation of electricity; to maintain supply, and secure equitable distribution of energy by all concerned in the National Capital Territory of Delhi. These goals were to be achieved by restrictions on the use of energy and by binding any change in energy supply to the permission of the state government. As this order did not have the expected consequences, a committee was founded in 1998 to examine each provision of the DECO, 1959. The results of this committee and other considerations led to the Delhi Vidyut Board Control Regulations, 1998 which completely replaced the DECO, 1959

There were/ are two important institutions to regulate supply electricity in Delhi

The Delhi Vidyut Board (DVB) is the State Electricity Board of Delhi. It was founded in 1997 and is the successor of the Delhi Electric Supply Undertaking (DESU). The DESU was a part of the Municipal Corporation in Delhi. DVB was created under the Government of Delhi. According to the Electricity Supply Act, 1948 it controlled the electricity generation, transmission and distribution in Delhi.

The Delhi Electricity Regulatory Commission is another important statutory body for Electricity Sector which regulates tariffs and supply of electricity in Delhi and has quasi judicial function.

PROBLEM AREAS

The performance of the power sector in Delhi had deteriorated dramatically in the beginning of 2000 due to various reasons namely -

- T&D losses (Transmission and Distribution losses) have increased from 7 percent in 1953 to 23 percent in 1989 and reached a level of 54 percent in 2002. About 19 percent were transmission losses and 35 percent are lost due to power theft.
- Maintenance has been neglected which has led to inefficient working equipment.

The power theft was wide spread and across various section of the user. Electricity distribution was privatised by the then Government so that the AT&C losses could be minimised and reduced to 15 % by 2012 by the private operators through better enforcement. The Government's argument was that by reducing AT&C losses to 14 % or less, the per unit cost of electricity will get reduced thereby benefiting the consumers.

During FY 1995-96 to FY 1999-2000, operating losses of DESU/DVB rose from Rs. 578 crore to Rs. 1100 crores. T&D losses during the same due to high T&D losses made it incapable of raising the resources required to improve its services and a drain on the public exchequer. The state also suffered from a severe demand supply imbalance. Generating stations in Delhi had an installed capacity of 694 MW but availability was lower at 300-350 MW. Capacity addition remained relatively stagnant, leading to over-dependence on purchased power. Not surprisingly, public discontent continued to rise. All these factors required that the Government of NCT of Delhi (GNCTD) formulate a strategy to bring about a structural change in the Delhi Power sector. It was perceived that the vertically integrated structure had failed to deliver the desired outcomes and the time was ripe to restructure the sector.

After privatization of electricity distribution, all power companies (including Government owned and Privately owned) are required to submit their 'Aggregate Revenue Requirement (ARR)' to the Delhi Electricity Regulatory Commission (DERC), who after public debate and detailed deliberation fix the purchase and sale rate (Electricity Tariff) of electricity for various categories of consumers. Hence there lies the tale.

THE STRATEGY FOR REFORM

In view of the above background, the GNCTD brought out a Strategy Paper on Power Sector Reforms in February 1999 for reforming the power sector in the state. A fast track reform process was followed that ultimately resulted in the unbundling of DVB into seven Companies, one Holding Company called the Delhi Power Company Limited, two Generation Companies, i.e., Indraprastha Power Generation Company Limited (IPGCL) and Pragati Power Company Limited (PPCL), one Transmission Company, i.e., Delhi Transco Limited (TRANSCO) and three Distribution Companies (DISCOMs). Accordingly, in 2002, Reliance (BSES- Yamuna and BSES- Rajdhani) and Tata (NDPL) DISCOMS were given the responsibilities to distribute electricity in Delhi with the proviso that they will earn 16% profit and all the expenses and the tariff will be fixed by Delhi Electricity Regulatory Commission as per the provisions of the Electricity (Supply) Act, 1948; and the Electricity Regulatory Commission Act, 1998.

PRIVATIZATION AND THE EXPERIENCE

There have been many positives of privatization of electricity distribution of electricity in Delhi such as -

- AT&C (aggregate technical & commercial) losses dropped by 75%, from 53.1% in 2002 to 14 % in 2012
- No of consumers went up by 69.1% (from 700,000 to 1184,000).
- Transformation Capacity in MVA went up by 116% (from 1926 to 4160) System reliability went up by 42.% (from 70% to 98%)
- The sales of gensets, inverters, UPS devices, batteries, converters, emergency lamps, voltage stabilisers, candles, match-sticks dropped drastically.
- Reduction in manpower by about 29%
- An estimated saving of Rs.30000/- Crores to public exchequer

However there are many issues which point towards complete lack of transparency and question functioning of Distribution Companies in Delhi and these are described in succeeding paragraphs

◆ Creation of private monopolies

Unlike the practice followed the world over and in Mumbai, where the consumer had the freedom of choosing the distribution company due to multiple distribution company in a given area, in Delhi each company has been given exclusive rights for given area for supply of electricity effectively ruling out competition in that area making the consumer totally dependant upon the sole supplier. This has resulted in Government monopoly being replaced by private monopoly much to the disadvantage of the consumer. This has resulted in poor service and higher tariffs. The cities where there is competition between the distribution companies, the tariff have fallen significantly, better technology for reliable supply and the reduction in response time of the distribution companies to consumer grievances .

◆ The damning report of the Public Accounts Committee of Delhi Assembly

The PAC headed by Congress MLA, S.C. Vats, came down heavily of DERC and Discoms and stated in its report presented before Delhi Assembly on 02.03.2006 that rather than safeguarding the interest of consumers at large it has acted as a hidden hand of the Government and power distribution companies. Referring to the issue of rebate, the PAC stated that in spite of the fact that the discoms had claimed excess rebate in violation of the Bulk Supply Agreement, no penalty, interest or late payment surcharge was allowed to be collected from them. Instead it ordered that Transco would have to pay penal interest if it does not calculate the rebate due to each discoms and make the payment within a day. Interestingly, this issue was not before DERC at all.

It also said that the Standing Committee of Parliament on Energy had also passed severe strictures against the working of DERC and discoms. The functioning of DERC should be strengthened and made more transparent so that it is able to function effectively as a watchdog of the interest of the consumers. Excess rebate was being calculated and deducted by the discoms resulting in short payment of bills despite the fact that it was specifically stipulated in clause 5.2(d) that the discoms will pay the full amount to Transco without deduction, set off or withholding on any account whatsoever unless otherwise agreed upon. The discoms will be required to pay a Late Payment Surcharge at a rate equal to 2.5 per cent per month on the amount delayed.

There PAC had cast serious aspersions on the role and conduct of some officials of GNCTD and even pointed to “monetary benefits” for having influenced the decision-making process to benefit big business houses. Members of the Delhi Assembly also demanded that a central investigation agency should probe the scam involving privatization of electricity distribution in Delhi but nothing was done.

◆ **Unwarranted State inference in the functioning of quasi judicial body**

It is worth noting that DERC did not allow any hike in tariff between 2005 and 2010. It is not out of place to mention that in 2010, after examination of documents and detailed investigation, DERC found that instead of suffering losses, the power supply companies are actually making huge profit and would have a surplus of around Rs 3577.91 crore even if the existing tariff was not changed and accordingly refused to increase the tariff and was planning to announce a reduction in tariff by 23 % for domestic consumers. However, on May 4, 2010, the Delhi government, using a special power, stalled DERC’s decision to announce the annual tariff for 2010-11 till it re-examined the demands from discoms to increase the rates.. The DERC, which was making last minute preparations to announce the new tariff next day, after receiving the government directive could not announce the tariff. The government’s notification, stalling the tariff order was quashed by Delhi High Court in February, describing the intervention as “absolutely unjustified, unwarranted, untenable “. But since the tariff order could not be passed, there was no reduction in tariff for the F.Y 2010-11. The Delhi High Court also severely castigated the DISCOMs for child like behavior in seeking the intervention of the state Govt in tariff determination process.

◆ **Gold plating the expenditure**

Between 2004 and 2006 Discoms especially Reliance owned BRPL and BYPL, have shown to have purchased equipment such as transformer and cable etc. worth Rs.1428 Crores from its sister concern i.e. Reliance Energy Limited (REL) to be used till 2008-2009. There was lack of transparency in this process. A detailed examination of VAT paid to Delhi Govt and other books of these companies by DERC indicated that the actual cost of purchase by REL is only Rs.850 Crores and therefore REL had earned a profit of Rs.578 Crores i.e. 68%. This increased capital cost, depreciation thereon and return on investment was to be recovered by BRPL and BSES Yamuna from the consumers of Delhi by increasing the electricity tariff. However in Feb 2008, DERC disallowed this massive profit of 68% (Rs. 578 Crores) and allowed only 5% profit. (Rs.42.5 Crore). This order of DERC was challenged by both these companies in Appellate tribunal but DERC went to SC where the case is now pending.

While the regulators in other states such as AERC and WBERC have done a commendable work by bench marking capital costs which has resulted a huge savings and controlling expenditure, no such action has been taken by DERC.

◆ **Fudging the accounts**

A sample survey of about 15000 consumers was carried out by DERC in 2011-2012 which brought out about 10% consumers were shown as ‘zero billing’ though the connections were active. However no detailed survey was carried out. DERC penalized DISCOMs for this account mismanagement but as no detailed survey covering 100% was carried out thereby letting the DISCOMs off the hook as the penalty amount was small but the consumers in Delhi lost in the process. Similarly, many of the

commercial consumers such as DIAL and advertising agency's billboards, neon signs are not being charged commercial rates and in the process the principle of cross subsidization has been given a go by. Accordingly, the domestic consumers have suffered due to higher electricity tariff.

◆ **Lack of performance and proprietary audit of DISCOMs**

While the financial audit of DISCOMs, based on the financial documents supplied by the company itself, is a mandatory requirement under law, there is no performance and proprietary audit of DISCOMs resulting in complete lack of transparency in the functioning of the service provider. The instances mentioned above resulted in huge public outcry seeking CAG audit of the companies. Even though the Delhi Cabinet passed a resolution for CAG of DISCOMs, the same could not be enforced as the petition of the citizens calling for mandatory audit by CAG is pending before the Delhi High Court for last 2-3 years.

◆ **The arbitrary sale of surplus power**

The DISCOMs make long term agreement for 96-98% power purchase from various central sector generating station as well as private generating stations which include thermal and hydro based power stations. Small quantity of power is also purchased from solar power plants to meet the regulatory requirements. Remaining 2-4% power is purchased through power exchanges or under bilateral arrangements. To ensure that there is no shortfall in electrical power during peak power demand sessions, 10-12% additional power is purchased based on average power demand growth on annual basis. However, when there is no demand due to various reasons including weather changes, the contracted power availability is excessive which is then sold off to various power exchanges as well as to sister companies under bilateral arrangements. This surplus power is sold off extremely cheap - some times even at one sixth the purchase cost resulting in substantial losses. This loss is passed on to the consumers which gets reflected in 'Aggregate Revenue Requirement' and results in increased tariffs. It has been alleged that the sister companies sold this power at a highly inflated rate to other customers but since these sister companies were beyond the purview of DERC, their accounts could not be audited and true picture could never be arrived at.

The DERC in its findings had also pointed out that DISCOMs had been selling the surplus power in a non transparent manner without inviting any bids and directed them to follow more transparent procedure to do the same but without any success.

Some critics point out that there is no need for purchase huge surplus power and the effective mathematical modelling of power requirement can predict power requirements on weekly basis with an accuracy of less than 2%. Thus the business of purchasing the power at regulated price with associated operating costs and selling the surplus power at discount to sister companies can be avoided removing one of the major factors contributing to higher tariffs.

◆ **Poor micro management of power distribution**

The DISCOMs have not been able to effectively charge commercial rates from various bulk commercial consumers such as DIAL and advertising companies using power for billboard. This defeated the very fundamental principle of cross subsidisation. Also the large commercial consumers drew power far in excess of sanctioned loads but poor enforcement by Discoms resulted in huge loss

to the consumers. DERC also failed to appoint independent energy auditors and inspectors to find out the extent of loss with the result .

Even though , the over all AT&C loss has come down to around 14%, in certain circles , the AT&C losses still remain as high as 56% to 71% but DISCOMs have failed to take effective action to reduce AT&C losses with the result that honest consumer continues to pay the higher tariff to compensate for the loss caused by dishonest consumers. Even DERC has failed to take effective steps to make Discoms accountable for their failure to bring down the AT&C losses.

In addition to this, there have been large number of complaints about faulty energy meters resulting in inflated energy bills. Independent studies conducted by expert groups brought out that while the error levels within the energy meters is within permissible limits, energy meter installations itself suffered due to poor system engineering practices resulting in spikes in power supply causing unwarranted ‘meter jumps’. With poorly trained and paid field staff , this consumer satisfaction level has remained very low.

CONCLUSION

While the privatisation of electricity distribution has partly achieved the objectives of privatisation, lack of transparency in the process of privatisation and subsequent conduct of the state, an ineffective regulator and non-transparent private distribution companies have failed to satisfy the consumers of Delhi. A decade is fairly adequate time to review the entire exercise and apply correctives to achieve the overall objectives.

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SEMI-PRIVATE PRISON MANAGEMENT IN INDIA

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INTRODUCTION

The voice of justice is the most dominant in the public morality of liberal democracies. The principles of justice specify the rights and duties that belong to citizens. To advocate an 'ethic of care' for prisoners is not against the moral voice of justice. The separation of morality into care and justice will be a mistake. The 'ethic of care' should be shaped by the virtue of justice [Callan; 70: 1997]. Moreover, when we analyse the international human rights regulations and norms for the treatment of prisoners we find that there is a 'human element' in the processes of imprisonment and punishment. Prison exist to punish offenders, care for them, heal their minds and bodies and reintegrate them into society. When we analyse the processes of prison management, we find that there is a disjunction between the written manuals and practice of reform process. The philosophy behind prison is to make a prisoner into a 'normal' citizen, fit to return to life in society. But in practice the reformatory manuals becomes strategies to control the prisoners.

The idea of prison management have changed the prison from a chaotic place to a orderly one, were strict norms will transform the offenders into a obedient citizens. The central theme of modern prison management is to balance between deterrence and reform based on democratic and participatory principles. James Mill, wrote on behalf of the East India Company: "India's traditional legal systems had to disappear in order to service the needs of a modern society based on competitiveness and the protection of individual rights and freedoms". This idea of a rehabilitative reform agenda was formulated and prison was constructed as a site of resistance to the Colonisers [Singh 1998: 2n]. The

nationalist leaders who were political prisoners were educated, aware of personal human rights, and with an agenda of protest, forced the administration to make certain adjustment. For example, providing reading and writing material. Such changes in the prison system emerged through a dialectical process that also reflected Britain's attempt to modernise its own primitive criminal justice system [Skvy 1998: 517], cited in Mahuya Bandyopadhyay, contribution to Indian Sociology [(n.s) 41, 3(2007). 387-416].

PRISON REFORMS IN INDIA

The recent incidents of crime within several prisons of India reveal alarming dis-juncture between distributive justice and corrective justice. Punishment theory communicate to the offender the wrongs that he has done to the victim and to the community. In doing so, the offender should construct commitment towards morality in prison and come out of prison as a moral human being. Through punishment, state try to justify community and restore the conditions of sufficient security. If we see the prison reform, we find that first committee to reform prison was established by T.B. Macaulay in 1836, to deter wrongdoers and to depict the prisons as a place of terror and simultaneously, rid this institution of any `circumstances shocking to humanity' [Arno,d 1994: 160]. The Report of the Indian Jails Committee 1919-20 focused on identifying the needs of prisoners, and provides educational, social and moral support to offenders. The Report of the All India Committee on Jail Reforms 1980-83 (AICJR) says, `Prisons in the country shall protect society and shall endeavour to reform and reassimilate offenders in the social milieu by giving them appropriate correctional treatment'. However, the Prisons Act of 1894 remains largely unchanged and is still the basic governing documented. Michel Foucault says, "Prison professionalised the offender when they came out of prison". The environment of prison in India is deplorable; The prisons barrack, are stuffed beyond capacity and human beings are made to live like animal in a cage. Even the high profile Tihar Jail has approximately 10,000 inmates as against the functional capacity of approximately 2,500 [Bedi; 1998: 85]. Moreover, when the prisoners are freed, they continue to commit heinous crime, which reflects that the ultimate motive of punishment is not fulfilled. To some extent the jail management is accountable for it.

CONTEMPORARY CONDITION IN PRISON

When we see the contemporary condition of prison in India, we find that prison management violates the Article 21 of Fundamental Rights. Prisons have not developed a proper food culture, the food is shockingly bad, majority of prisons do not give breakfast to the offenders. Low quality of food in unhygienic conditions is served for lunch and dinner. The barracks have no scope for ventilation, exhaust fans are exhausted and most of the time there is no electricity and water. Worse situation is for the youthful offenders where Reformatory School Act of 1897 is violated, which directed that youthful offenders should be sent to a reformatory school and not a prison. Moreover, the majority of the inmates belong to under-privileged section of society and along with them, bring a plethora of medical problems. Apart from common ailments they suffer from failing eyesight, decaying teeth, diabetes, hypertension, heart problems, malaria, cholera, gastroenteritis, tuberculosis and AIDS. But, the doctors hardly visit and the condition of female inmates is worse due to the absence of female doctors.

The deplorable living conditions and absence of the constructivist approach of the state and mismanagement of the prisons are few reasons for the rebellious and violent nature of prisoner. The situation in India is so alarming, that at times the inmates capture the jail. Such incidents have happened in Bihar (Chapra and Gaya jail) and Chattisgarh. The high profile jails of Bombay is volatile, as frequently fights occur between the inmates because the situation inside the jails is unjust. Centre has launched a gigantic prison modernization plan and has built a separate high-security jails exclusively for sensitive prisoners like terrorists. High security jails will be fully equipped with electric gadgets. Video linkages and other modern communication systems.

In the era of globalisation where geographical difference has been reduced and socio-economic changes are occurring rapidly, new ways of dealing with the unjust situation in the jails in India must be considered. Several projects with the help of British institutions have been organised to raise awareness of human rights amongst prison officials, to improve prison management system, with special reference to promoting good practice and gender sensitivity in jail management but the results have been not fruitful. A comparative study with other developed countries must be made in order to minimise the dis-juncture between distributive justice and corrective justice. For this to happen we must look to the examples of other countries, who have introduced semi-private prisons management.

Americans introduced the idea of private prisons in the 1980s, when Europeans hated the idea of managing the state's most sensitive functions by private companies. But gradually more countries have come to accept the idea that under the rules and regulation laid down by the state, private sector might work more efficiently. In Europe, the French came up with semi-private jails, in which the state employs only the guards. Fully or partially privatised prisons are planned in countries from Denmark to Hong Kong. Even the underdeveloped countries are trying new models, as they look for better, cheaper ways to accommodate prisoners. More than 17 per cent of Australia's inmates are held in private jails. Next comes Britain with 10 per cent and America 7 per cent. These markets are dominated by big prison-services firms which claims that private jails are better, cheaper and more accountable in both construction and management [The Economist, January 27, 2007].

Developing countries are trying other variations. In Latin America, prison management has been outsourced to private contractors and non-profit organisations. Proponents of private prisons in South Africa say that they are less crowded than state-run jails, and better equipped to give inmates education and vocational training. They are also better able to limit the influence of gangs and prevent bullying, sexual assaults and venereal diseases. The semi-private "European" model has been adopted elsewhere. Chile has opened three new semi-private prisons. In Brazil out of 27 states 6 have semi-private jails. If we see the case study of Brazil, the incidents of inmates violence in 2006 reveals that 20 small jails in Sao Paola state which is run jointly by state and local non-profit organisation, none was affected by the violence. Moreover, these jails have better results in lower "recidivism" which means lower rates of repeat offender. When we look at the reforms processes of prison in India after the implementation of new economic policy, we find that in the name of reform, on ad-hoc mechanism have been implemented. For example, the concept of an 'open prison' which is running in three states of Gujarat, Rajasthan and Tamil Nadu has not developed the culture of recidivism. Bihar has also proposed its Buxar Jail to adopt the concept of open jail. Offenders who completes 5 years of his conviction in prison without any disturbance, then those offenders can

be put in open prison. In the open prison, the offenders will have the environment of his house where he can stay with his family. Moreover, if the inmates are qualified than they can go out at 8.00 a.m. for work and can return at 5.00 p.m., in the open prison. A pilot study should be made in these reform processes, so that burden of state in keeping, educating, giving food and transforming morally can be shared by markets. It can revolutionalise the punishment theory along with developing the culture of 'recidivism'.

CONCLUSION

On seeing the contemporary situation of jails in India, it will be desirable to go for semi-private jails. In India, implementing such a proposal can be contentious. Since few groups will argue, that big prison management companies, distort the criminal justice system. But on seeing the contemporary situation, right deal must be made with the private prison management companies in order to establish just situation in jails. This is also needed because of seemingly universal character of crime, hence, it becomes obvious that more than piecemeal reforms are necessary. Moreover, globalization is bringing the countries and people of the world into one interdependent community, and with it a need to think and act globally, thus the experiences of other countries in prison-management can be replicated in India.

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DELHI
DURING PAX BRITANNICA
(1803-1857)

A MONOGRAPH

DELHI DURING PAX BRITANNICA (1803-1857)

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Delhi has had a long and layered history upto the period of Pax Britannica or British Peace which is under consideration in the present paper. The period of Pax Britannica extending from the turn of the eighteenth century to the middle of the nineteenth century is of special importance for various reasons. It inaugurates the British innings in the city leaving an indelible mark on its political, cultural and urban history. However, this advent does not penetrate a power which was in its prime but one which settles on a considerable eroded one. The period from 1679, when Aurangzeb left the city for Deccan to fight the indomitable Marathas, to 1803 is a period of tremendous ebb and flow in the city. Aurangzeb's successors were puppet kings. Bahadur Shah I remained away from Delhi. The thirty three years of imperial vacuum were filled in only when Bahadur Shah's successor, Jahandar Shah, entered Delhi in 1712 although the empty coffers, dissipating administrative machinery and mounting internal as well as external threats made Delhi less a bed of roses and more the proverbial crown of thorns. Earlier, the succession was contested only by the sons of the emperor but now the influential nobles also entered the fray. They were the kingmakers and Jahandar Shah came to power only because he was backed by Zulfiqar Khan, the most powerful of all nobles. Jahandar Shah was given to a life of hedonism and degeneracy and it was Zulfiqar Khan who ruled the roost in the kingdom. The next infamous king makers were the Sayyid brothers who catapulted Farrukh Siyar, Jahandar Shah's nephew, to the throne in 1713. The two brothers, Abdullah Khan and Husain Ali Khan, gained control over the state affairs but Farrukh Siyar struggled against them to

retain his own supremacy. The internecine tug-of-war led to the two brothers deposing Farrukh Siyar and killing him in 1719 while they themselves were killed by their opponents in 1720. After Farrukh Siyar's death in 1719, Sayyid brothers raised Muhammad Shah to power.

Despite considerable erosion, Mughal prestige was not altogether lost and its army was also a force to reckon with. Administrative machinery, although skeletal, was operative. The Maratha menace was confined to the South while the Rajputs were not too troublesome either. Hence, Muhammad Shah had curtailed but requisite infrastructure at his disposal to heal the ailing dynasty. The emperor, however, did not seize the moment and speeded the death of the dynasty by remaining engrossed in the courtly pleasures. Known popularly as Muhammad Shah *Rangila*, he remained oblivious to the impending doom by insulating himself in the comfort zone of ease and luxury. From 1719 to 1739, the year Nadir Shah sacked Delhi, a period of relative stability ensued during Muhammad Shah's reign which ended with his death in 1748. And then Nadir Shah's scourge descended over North India in 1738. Nadir Shah's expectations from India were no different from his predecessors from that region. Muhammad Shah was taken prisoner, a mass massacre occurred and the royal treasury, the *koh-i-noor* diamond, the peacock throne- all fell into the kitty of the insatiable despoiler. He also forced Mohammad Shah to cede to him all provinces west of the River Indus. This opened the North-West frontiers to repeated assaults by the likes of Ahmad Shah Abdali, one of Nadir Shah's military generals. The Mughal Empire had diminished to the 'Kingdom of Delhi' by the time Shah Alam II came to the throne in 1759. Shah Alam II fled from Delhi to escape the fury of Imad-ul-Malik and he proclaimed himself emperor after his father's death in Ghatouli in Bihar in 1759 living under the protection of Shuja-ud-daula of Awadh. He lived like a refugee first in Bengal fighting East India Company till the defeat of Buxar, then in Allahabad as a pensioner of East India Company. He sought protectorship from the Marathas. A treaty was signed between Shah Alam and the Marathas in February, 1771 and Shah Alam entered Delhi escorted by the Marathas in January, 1772. The emperor's mainstay after his resumption of power in Delhi was Mirza Najaf Khan. After Najaf Khan's demise, however, the bickering in political circles went so much out of hand that Shah Alam had to align with Madho Rao Sindia, the Maratha Chief based in Gwalior. From 1785 onwards, Delhi became an appenage to Sindia's domain. In 1764, Delhi was raided by Suraj Mal who plundered the silver roof of the Rang Mahal and in 1787, Ghulam Qadir broke into Delhi in search of booty and his inability to find much of it in Shah Alam's palace drove him to a fit of rage in which he blinded Shah Alam and dug up palace floors of the already much stripped Fort. The simmering tension between the Marathas and the British Company resulted eventually in the anticipated war of 1803. The Battle of Delhi (or the Battle of Patparganj) took place on September 11, 1803. The Company under Lord Lake defeated the army of Sindia on the left bank of the Yamuna, just opposite Humayun's tomb. Shah Alam II replaced the Marathas with the Company for protection and pension. The Company occupied Delhi in 1803 and from that year till 1857, when the flickering Mughal flame was finally snuffed out, the Mughal emperors merely served as a political front for the British. Shah Alam's long and turbulent reign came to an end with his death in 1806 followed by what is called the Pax Britannica for 50 years which once again dissolved in violence and destruction in the 'mutiny' of 1857.

The transition of Delhi from Mughal Delhi to British Delhi is therefore in continuum with a political decline which had set in almost a century earlier. The period between 1803 and 1857 can

be considered a hiatus in political history of the city as the next major upheaval occurs in the shape of the uprising of 1857 but it is actually a period of intense stirring in the world of the conqueror as well as the conquered. It is during this period that the urban, intellectual and material culture of the city swells and shrinks to grow as well as deplete to enter a phase of mutual admiration as well as hostility. There is a tendency to dub the eighteenth century or the Mughal Twilight as a period of decadence, effete glory or inevitable decline but there are also voices of caution against such simplistic confabulations in the history of Delhi. Percival Spear is wary of such “facile terms”¹ and Satish Chandra also warns that it would “be wrong to dub the entire eighteenth century a period of ‘unchecked decline’ for Delhi”.² As Percival Spear underlines, “the degeneracy of Hindustan during the second half of the eighteenth century was social and financial rather than individual. Individual quality was often high, but men lacked a guiding star of conduct, a motive for ambition other than naked power.”³ Satish Chandra avers by emphasizing that this period “spelt not so much an absolute decline, as a prolonged period of stagnation.”⁴ The upside of this period was the cultural accomplishments of the city with architecture taking a backseat and painting, music and poetry stepping into its place. Secular and broad-based, the arts found patrons in the imperial family, the nobility, and the affluent settlers who cherished the cultural ethos of the city.

J S Grewal’s summation of characteristics of urban settlements can serve a valuable starting point in underscoring the oft noted resilience of the city of Delhi. He writes that:

The town has emerged in history with two characteristics: first, a high density population concentrated within a limited space and secondly, a predominantly non-agricultural, particularly non-cultivating nature of its population. This men-space ratio and occupational heterogeneity, with their consequential relationships, have formed the primary basis for differentiation between the city and the village.⁵

Other urbanhistorians also emphasize the point that urban economy is an offshoot of an agrarian surplus born out of advancement in technology of production. As Lewis Mumford elaborates in his *Culture of Cities*,

The city is the form and symbol of an integrated social relationship; it is the seat of the temple, the market, the hall of justice, the academy of learning. Here in the city, the goods of civilization are multiplied and manifolded; here is where the human experience is transformed into visible signs, symbols, patterns of conduct, systems of order.⁶ Thus, while Delhi owes its origin and importance to political factors, it gathered an economic and cultural momentum which carried it through periods of political dormancy and decline. Founded by the Rajput Tomars in 10 AD, it was a refuge from contending Rajputana rivals and the itinerant raiders like Mahmud of Ghazni. The Turkish Sultans also capitalised on its natural geographical and strategic advantages. Delhi was passed over for Agra by Lodis, Babur and Akbar but Humayun, Sher Shah and Shah Jahan returned to it for its age old associations with power and prestige. Aurangzeb departed from Delhi in 1679 and once again Delhi was without imperial presence till 1712. Economic historians point out that in the periods of imperial absentia and other ordeals like external invasions, internecine warfare and mercenary raiders, Delhi continued to grow as a centre of trade and manufacture.⁷ It continued to be regarded as a *Shahr* (metropolis), *Dar-ul-mulk* (seat of the empire) and *Dar-ul-Khilafat* (seat of the King). As Satish Chandra remarks, “many of the towns which had originally been chosen as capitals on account of their strategic importance, became in course of time centres of trade and manufacture,

and played a definite role in the economy of the country or the region. Towns of this type showed a considerable capacity to survive or even grow in adverse political circumstances. Delhi, Agra and Lahore may be considered typical cases of this type.”⁸

Delhi, which the British inherited in 1803, was in its 7th avatar as Shahjahanabad. It had an urban idiom of its own which was very different from the post-industrialisation European city. Urbanism was perceived less in terms of amenities, privacy and liberal pursuits but more in terms of interactions and exhilarations possible from refined and rich sensibilities, which permeated down from the Court to lower ranks, creating links of shared pride and heritage. The imprint of Shahjahan’s sophisticated personal taste as well as the display of opulence by an empire at the height of its power constituted the allied objectives which determined the scope and scape of Shahjahanabad which was completed in 1658. As Samuel V Noe surmises, the desire and design of Shah Jahan’s capital was most likely inspired by reports of Shah Abbas’s excellent capital at Isfahan. “With the Persian orientation of the Mughal court in general and Shah Jahan in particular, Isfahan must have provided a provocative challenge”.⁹ As expounded in some detail by Thomas Krafft, the plan of the Islamic city with a centrally located Friday mosque, the bazaar around it, distinct socio-economic differentiations from centre to periphery, irregular street pattern, a city wall and citadel, intra urban quarters, blind alleys was inscribed integrally in the morphology of Shahjahanabad.¹⁰ This urban Islamic stereotype was dependant on very specific city-hinterland relationships of a rent-capitalist nature. Shedding light on another quintessential feature of the city, Jamal Malik writes that, “The builders of Shahjahanabad created the architectonic expression of what has often been called the “patrimonial system” in its climax”.¹¹ Narayani Gupta qualifies the Islamic urban paradigm of Shahjahanabad by drawing attention to the fact that though Shahjahanabad can be seen pre-eminently as a Mughal city in form, “but its lifestyle was delineated largely by its inhabitants” *The immigration, by individuals and communities, over many centuries gave it its unique feel and flavour.”¹²

Shahjahanabad-the walled city- was enclosed within a stone wall 27 feet high, 12 feet thick and 3.8 miles long. Built between 1651-8, it had 27 towers and numerous gates. Major entryways in the city comprised of the Kashmiri Gate, Mori Gate, Kabuli Gate, Lahori Gate, Ajmeri Gate, Turkomani Gate and Akbarabadi Gate. The River front side presented access to the river through Raj Ghat, Qila Ghat and Nigambodh Ghat. The most important public thoroughfare, road or boulevard of the city, the Chandni Chowk, extended from Lahori Gate to Fatehpuri Masjid with a central canal (*Nahar-i-bihisht*), tree lined roads and similarly built shops in Urdu bazaar, Ashrafi bazaar and Fatehpuri bazaar. Coffee houses, gardens, hammams and serais also dotted this street. Another bazaar sprawled out from the Akbarabadi gate which over time became famous as Faiz Bazar while Khas Bazar was located on the street connecting the Palace Fort to the Jama Masjid. Along long secondary roads, special bazaars in association with *karkhanas* located in the vicinity developed. The *mohallas* had local bazaars. The Palace Fort and the Jama Masjid, in fact, formed the twin foci of the city. The Fort, built in red sand stone was octagonal in shape with a perimeter of nearly two miles with dimensions of 3,100 feet X 1,650 feet. A moat, 75 feet wide and 30 feet deep, protected the Fort on the landward side. The Fort was divided into two rectangles- the river facing one was the hub of much of the domestic and official activity. The southern half of this rectangle housed the *harim* (women’s mansions). The *Imtiaz* or *Mumtaz Mahal*, later called the *Rang Mahal*, was the largest

building which was the venue for routine and recreational activity of residents of the Fort and to which Shah Jahan retired after his daily schedule in the *Diwan-i-aam*. Adjoining this space were the *Aramgah* or *Khwabgah* (place for sleeping) and the emperor's *jharokha* (balcony) in the *Mussaman Burj* (Octagonal Tower) facing the riverside underneath which petitioners and subjects would gather for the daily darshan. The northern half contained the more public buildings of the court. The *Diwan-i-aam* (Hall of Public Audience) was a large open pavilion of forty pillars divided into two parts, one for princes, distinguished *amirs*, ambassadors and dignitaries and the other for lesser *amirs*, nobles and officers. The emperor himself sat in a balcony in the eastern wall six feet above the ground. The officers involved in the day's business stood below on a marble platform. The emperor transacted routine financial, military and administrative affairs in the *Diwan-i-aam*. The three sides of *Diwan-i-aam* were surrounded by a courtyard with rooms appointed for seating the *amirs* of the standing guard. Beyond was a *naqqarkhana* (Place of Drums) which had musicians for playing martial music. The river front side of the *Diwan-i-aam* held the most elegant and extravagant building of the Fort- the *Diwan-i-khaas* (Hall of Private Audience) or the *Shah Mahal* (Emperor's Palace). The bejeweled marble décor with generous use of bullion and glass made it a glittering chamber which also boasted of the most expensive throne in the world- the Peacock throne. The Royal *Hamam* or *Ghusal Khana* (Bath) was adjacent to it and was as lavishly furnished with three storey, one for dressing, hot water and cold water each. The *Shah Burj* (King's Tower) brought up the end of the river facing landmarks in the north-east corner of the Fort. To the west of imperial quarters was another densely populated area in contiguity with the *Naqqarkhana* called the *Jilau Khana* where members of the royal family, *amirs*, officers, petitioners etc. wishing to gain entry assembled and waited. A covered bazaar called *Bazaar-i-mussaqaqf*, not found in India till then but common in West Asia, was another peculiarity of the Fort. A lot of palace space was dedicated to gardens, prominent among which were the Hayat Bakhsh and Mahtab Gardens. Outside the Fort, beyond the moat, separating the Fort from the rest of the city, extended beautiful gardens- the Buland, Gulabi and Anguri gardens. As Shah Jahan attended the Jama Masjid built by him, till his time, there was no mosque inside the Fort. The Moti Masjid in the Fort was built by his son, Aurangzeb. The road linking Akbarabadi Gate to Salimgarh Gate in the Fort was lined with offices, residences, workshops, stables etc. to serve the needs of the royal household. The quarters of young and fledgeling princes were located inside the fort but the more established ones lived outside the Fort in mansions allotted to them.

Area just outside the Fort was earmarked for the residence of members of royalty and nobility. Area around Chandni Chowk was also subsequently used for the purpose. This concentrated the rich and powerful within this territory. Though the Fort was visualized and laid out with planning and precision to ward off the urban jumble of Agra and Lahore, yet the town planning went on becoming amorphous and arbitrary as one traversed away from the Fort. This was primarily because most of the effort was expended in developing the axis mundi of the emperor's glory. Rest of the settlement followed the social and economic dynamics of the relationships in the city. The most important one among them was the location of the mansions of royalty and nobility which served as microcosms of the Fort. Their size and population entitled them to be called *qasrs* (fortresses) and these duplicated, not only in design but also political and economic impact, the patterns of the Fort. *Hawelis* or *Nashimans* (large mansions) contained all the architectural graces of the Fort like

massive walls, *jilau khana*, *naqqarkhana*, *karkhana* (workshops), *tekhkhana* (underground chamber), *sardkhana* (cool chamber for summer retreat), *diwankhana* (hall for audience), *mehalsarai* (family area), hamam, idgah and *khanabagh* (garden). The dependents and the workforce of these mansions started living outside them in thatched hutments giving rise to the *mohalla* system of population distribution. As Stephen P Blake points out that later other principles of organization like caste, origin, trade etc. also came to govern the *mohalla* formations.¹³ According to Sharia values, city was to be divided into public (thoroughfares, secondary roads, bazaars), semi-private (alleys in mohallas which were sealed, homogenous units entry to which was through city gates) and private (*hawelis*) spaces.¹⁴ This accounts for the hierarchical urban organization in which heterogenous population lived together. The internal hierarchy was part of the concept of the city, a fact evident from allocation of land to the *Shurafa* and construction of mosques from east to west following the royal perspective. In the 18th century, the spatial order existing in Shahjahanabad led to its segregation in three rough categories:

1. North of Chandni Chawkas inhabited by the gentry with its mansions, gardens and palaces. Further in the direction of Chandni Chawk, traders in fabrics, fish, meats, luxury goods, huqqa makers were found in proximity with imperial house. Along Chandni Chawk, luxury shops selling the best of readymade goods were lined. *Mohallas* around Khari Baoli, one could find specialists in products like tobacco, flowers, perfumes, butter oil, pomegranates. This was the economically well- to-do region. North of this was the Punjabi Katrah of ambitious traders and workers. From the outskirts of the city towards the centre, a specialisation pointing to the hierarchical character is noticeable in accordance with the pattern of consumption and availability of raw materials and labour.
2. Christian missionaries and Europeans settled in Daryaganj (in the southeast)
3. The majority of the population lived and worked south of Chandni Chawk e.g., in *Gali Rodgaran* (gut-workers), while the poor strata, such as the *Kumhar*, *qasai*, *dhobi*, *chamar* and *teli*, predominantly lived close to the city gates with the exception of the Lahori Gate, the Kabuli Gate and the Kashmiri Gate as well as the eastern entrances of the city, or even outside the city walls. Dancing girls lived in this neighbourhood (*Gali Kanchneki*). Professions like tanners and barbers did not have *mohallas* of their own as they were located at the outskirts of various *mohallas*.

Also, the city could also be roughly subdivided along religions lines. While the Hindus predominantly lived in Chhipiwara (cloth printers) (west of Jami Masjid) and in North Ballimaram (south west of Fatehpuri Masjid), the majority of the Muslims were settled in South Ballimaran, Lal Quan, Haweli Haider Quli Khan and close to the large Mosques. Shahajahanabad had one Kotwali in Chandni Chowk, 12 *thanas* under *thanadars* who collected taxes and duties, maintained population registers, policed, and controlled markets. The *Thanas* were further subdivided into *mohallas*. The *mohallas* got named either after affluent, dominating residents or the vocation of the people living there. *Mohallas* followed a pattern of differentiated quarters. "The quarters are embedded in a complex texture with their norms relating not only to economic necessities but also to manifold social interweaving."¹⁵ They were socially cohesive with "no separation of the spheres of production and reproduction"¹⁶. The *mohallas* mostly bore the stamp of the chief service sector

settled there, i.e. artisans, traders, ethnic groups, other representatives of economic or social life as is evident from names like *mohallah-e Dhobiyan* (washermen), *Sawdagar* (traders), *Muftiyan* (religious scholars), *Teliyan* (oil extractors), *Rikkab* (stirrup holders/cupbearers), *Suiwalan* (needle makers), *Gadariyan* (shepherds), *Punjabi*, *Katrah-e Marwari*, *Jatwara* etc. The different social and ethnic groups shared a symbiotic relationship aligning their buildings and adjoining streets in a profitable manner. Inside *mohallas* were *katrahs* (emporia also offering lodging) at the centre and small alleys (*galis or kuchahs*) radiating outside which could be categorised as primary, secondary or tertiary streets depending on their distance from the *katrah*. The *katrahs* and the *kuchahs* were once again known by the names of corresponding professions or ethnic groups. The greater the distance from the *katrah*, diversity increased but so did social anonymity. Narayanigupta, in her essay 'The Indomitable City' forwards a tenable thesis as to why a large number of people could live together in this compact area and still accommodate more without social tension being generated. "The reason was that this urban society was a highly regulated one ... it was a hierarchy of Chinese boxes, ranging from the city wall to the curtained private quarters of the house".¹⁷

Though the productive hinterland of Delhi fell into disuse for lack of proper irrigation, war, famine etc. and the orderly and extensive economy regressed to a nomadic, pastoral economy by 1803, but the entrepot trade of Delhi was less affected as trade to the North-West stretching as far into Central Asia as Astrakhan in low bulk goods like dry fruits, shawls and drugs was carried out by Muslim and Khattri traders. During politically stable periods, populations resided outside the walled city to enjoy the cool and verdant environs but towards the end of the eighteenth century, population was concentrated within the walled city. While earlier, Paharganj and Mughalpura sprawled outside the walled city, by the end of eighteenth century, most of the dwellers had squeezed into the walled city. Within the city, apart from grains and horticultural produce, dairy, meat, ice were also produced. The craftsmen of Shahjahanabad were famous for their cotton fabrics as well as rich fabrics like brocade, chintz, and tie-dye. Copper utensils, weapons, paper, leather goods, sugar and indigo were also available in abundance. Masons, stonecutters, engineers and architects were equally reputed for their superior craftsmanship.¹⁸ Service classes comprised of brokers, writers, transporters, unskilled labourers, retailers, money changers and bankers. Jain jewellers and merchants from Punjab and Rajasthan and bankers from Bengal and Maratha regions established base in Delhi living in *mohallas* around the Jama Masjid as did the Khattris from east Punjab who largely dealt in salt and cloth. Apart from *Jauhariyan* (jewellers), *Baniyas* (traders), there were also foreign merchants from Armenia, Persia, Central Asia and Kashmir. In 1785 A.D., Ghulam Muhammad Khan noted 46 bazaars, among which were *khas* or *Mina* (general) markets as well as specialized ones like *sabzi* (greengrocery) *mandi*, *nil* (indigo) *katra* and *khanam* (weapons) *bazaar*.¹⁹ *Nakhas* was a daily haat for the buying and selling of slaves, animals and fowl. Maliwara, Chhipiwara and Teliwara originated during the Maratha period. Narayani Gupta writes that, "In the decades between Bernier's visit (around 1638) and the British conquest in 1803, Shahjahanabad withstood the ravages of civil war and invasion. The basic map of the city remained unchanged, though there was some building activity as well as cases of some areas becoming gradually or suddenly deserted".²⁰ The Mughal aristocracy and the service classes survived the anarchy of the late eighteenth century by shifting to Lucknow or Hyderabad or seeking employment with the Marathas or the British. As has been noted by Christopher Bayly, the displacement of the traders was not as evident because Delhi retained remnants of the Mughal

aristocratic class and those who stepped in their shoes like the Jats and the Marathas, even the British, assumed Mughal lifestyles.²¹ Post 1806, with the end of hostilities and emergence of 'British Delhi', survivors returned and were able to partly recover their possessions. By 1847, there had developed thirteen clusters of population outside the walled city with a majority of non-cultivating population. These included Mughalpura, Sabzi Mandi, Jaisinghpura, Kishenganj, Trevelyanganj, Teliwara, Shidipura, Pahari Dhiraj, Sarai Idgah, Kadam Sharif, Banskauli, Paharganj and Rakabganj. Apart from the River and wells, the main source of water was the Yamuna Canal which existed from Firoze Shah Tughlaq's time branching from Karnal towards Delhi. It was repaired during Akbar's reign and modernized by Ali Mardan Khan for Shahjahanabad. It fell into disuse after 1770 A.D. only to be revived by the British almost half a century later. The River itself was navigable round the year up to Delhi, hence it supported human and cargo transportation in and out of Delhi. There were also important highways connecting Delhi to other city centers like Agra, Lahore, Ajmer and Patna. Delhi's hinterland produced corn, millet, pulses rice and indigo. "Located below the closing arms of the Yamuna-Sutlej and just next to the north-west turning of the Ganga-Yamuna doab, the city lay within easy reach of major sources of agricultural production."²² Narayani Gupta states the Delhi was fed from the Doab and the grain emporia east of the river in Shahadara, Ghaziabad and Patparganj. "These were linked to the intramural market near the Fatehpuri mosque; vegetable and fruit came from the north-west and were sold in the wholesale market of Sabzi Mandi in Mughalpura, outside the city wall, on the Grand Trunk Road to Lahore."²³ Wheat and Tobacco thrived in the Khandarat. Khoa for sweets, leaves for disposable plates, tamarisk for baskets, firewood and cowdung for fuel were also supplied by the countryside. All this was consumed by the city leaving hardly any surplus. The neighbouring qasbahs transmitting their produce to Delhi were Ballabgarh, Faridabad, Mehrauli, Najafgarh, Narela and Sonapat. Maps of 1760s and 1790s indicate dense cultivation eight to twelve kilometers around Delhi.

Delhi also figured prominently in the Islamic context and was regarded as *Markaz-i-daira-Islam* (circle of Islam) and *Hazrat Dilli* because of the presence of much revered and frequented pilgrimage mosques and Sufi shrines. The cultural scene in Delhi was as vibrant as ever. Art, music, poetry, painting- all thrived under the patronage of the court, the nobility and other rising affluent groups. Delhi of Mohammad Shah Rangila to the Delhi of Bahadur Shah Zafar was home to noted scholars, teachers, theologians, mystics and poets. The Capital which was once the centre of Persian learning was now nurturing a new literary medium, Urdu, or Hindawi. The popularity of Urdu poetry symbolized the fruition of the liberal culture budding since the reign of Akbar which cut across class and religion barriers. Poets like Shah Hatim, Mirza Rafi Sauda, Mir Taqi Mir, Mir Dard and Nazir Akbarabadi not only sang of the graces of the city but also the pain it experienced at being constantly ravaged.²⁴ They dwelt on the liberalism and humanism of the age but also its unpredictability and ingratitude. Mirza Farhatulla H Baig's *Dehli ki Aakhiri Shama* (The Last Mushai'rah of Delhi) recounts the last great *mushaira* of Zafar's Delhi in the haveli of Mubarak Begum, the widow of Ochterlony.²⁵ Apart from many poet-princes of the royal house, forty other Delhi poets recited their compositions at this *mushaira*. They included Azurda, Momin, Zauq- the poet laureate, Azad, Dagh, Sahbai, Shefta, Mir and Ghalib- the biggest rival of Zauq who was appointed the poet laureate only after Zauq's death in Bahadur Shah was not only a devoted patron of the arts with accomplished artists like the ghazal singer Tanras Khan and the

sitarist Himmat Khan but he himself also wrote prolific poetry under the non de plume 'Zafar'. He was also an accomplished calligraphist, linguist, rider, swordsman, archer and shooter. He was "a good example of a rounded Renaissance man" known for his mysticism, tolerance and ascetic ways.²⁶ The court life itself was a cultural ideal which was observed, celebrated and emulated not only in Delhi but also in other cultural centres like Awadh and Hyderabad. The forms of address, conventions of behavior, ceremonial dress, display of affluence, merrymaking, wine drinking, participation in festivals and fairs, marriage and social rituals were all derived from courtly cues by the nobility as well as the nouveaux riche, by Hindus as well as Muslims. Despite revivalist and puritanical voices, the overall tenor in Delhi society was one of eclecticism and synthesis.

Bahadur Shah I, Jahandar Shah, and Farrukh siyar- all encouraged painters who dabbled in their own unique palette adopting an ornate and expert technique of miniature style figural representation.²⁷ Some examples of this style can be found in the iconographic portrayal of Bahadur Shah and his descendants where the emperor is depicted presenting an exquisite emerald and ruby turban ornament (*sarpech*) with a tear-drop pearl to his grandson, the masterly Pahari painter Nainsukh's visualisation of the Mughal emperor Muhammad Shah enjoying an elephant fight, and Aurangzeb riding on horseback. Eighteenth-century portraits such as these carry significant documentary value. Portraiture, garden settings, courtly settings, pleasures and pastimes of royalty form the dominant content of these paintings. The longest surviving monarch of the age, Muhammad Shah Rangila, remained immersed in material pleasures as the decline of the Mughal political power became a material reality but he proved to be a discerning connoisseur of art. Muhammad Shah not only revived the imperial painting atelier, he, in fact, was the leading figure of a cultural and intellectual renaissance. He employed virtuosos like Nidha Mal (active 1735-75) and Chitarman, whose works mirrored bacchanalian scenes of court life, such as festival celebrations, royal nuptials, hunting and hawking etc. The artists of the period derived inspiration from the idylls of the Mughal pleasure garden, palace and fort- the microcosm of the sedentary kings- with a hint of escapism, for the actual atmosphere within and without was of intrigue and instability. Muhammad Shah's arched eyebrow and stylized persona characterize the culture of *nazaqat* (decadent refinement) which he stood for. In the eighteenth century, the royal window portrait with the ubiquitous huqqa became extremely popular across north India. Delhi painters like Kalyan Das created romanticised portraits of women possessing features chiselled to perfection and wearing heavy ornaments and sheer clothing, often underlined with a verse in praise of beauty. The last renowned atelier of Mughal painting can be traced to the clan of Ghulam Ali Khan. Apart from Ghulam Ali Khan, several other members of the family like Ghulam Murtaza Khan, Faiz Ali Khan, and Mazhar Khan produced spectacular work during this period.

As is evident from the above account, what the British came upon in 1803 was a place where ruin and revival was writ large in every nook and corner, crafts and trade were thriving, a literary and cultural efflorescence was in full bloom and traditions and institutions had not died out. In a nutshell, a true blue 'oriental' way of life stared at the British upon their interface with Delhi. The original response was cautious and tentative. The earliest Indian officials like Hastings, Munro, Malcolm, Elphinstone and Metcalfe found it sensible and reasonable to preserve the Indian society on 'as is where is' basis. The trickiest puzzle comprised of the status of the "emperor". Shah Alam II died in 1806 to be succeeded by Akbar Shah II who was succeeded by Bahadur Shah II in 1837.

After British occupation of Delhi, the king was the sovereign only inside the *qilla-mualla* while outside the British enforced their own administration. However, the Mughal king was the traditional font of power and polity in India and obeisance to that namesake fealty was performed by the Marathas, the British and the 1857 rebels for their own advantage. Accordingly, there were partial attempts by the British towards accommodating the nominal monarch within the erstwhile domain at a footing acceptable to him as well as the new power holders. Though Shah Alam II pushed for his own right to deference and decorum, the British never let him forget his 'pensionary' status, even though they conceded courtesy towards him as a 'complimentary' favour.²⁸ Wellesley nurtured his name and place with typical caution and calculation of the early Company days. Wellesley's successors as Governor General, Lord Minto and Lord Hastings, also continued the legacy. The first Resident, Sir David Ochterlony (Resident from 1803-06 and 1818-22), followed by Archibald Seton (Resident from 1806-10) and Charles Metcalf (Resident from 1810-18 and 1825-27), studiously observed Wellesley's policy of regard inside the Fort and disregard without.

Ochterlony was a Scotsman who had "gone native" and "whose love and respect for India was reflected by (his) adoption of Indian modes of dress and Indian ways of living".²⁹ Seton was a more mundane version but Metcalfe's once again were enthralled by the Indian culture and systems. Thomas Metcalfe's assistant, William Fraser, was intimately familiar with the lives of Indians and he dressed, married and ate like an Indian. Not only did the Indian languages, art and history enchant him, but he also revelled in an activity of quite different a nature- of forming brigands of natives and fighting in Delhi's hinterland with robbers and rioters. This was a tribe of English gentlemen who blended effortlessly with the Delhi society marrying Hindu and Muslim women and producing Anglo-Indian children. Though they invited wonder and censure from evangelists and the unaccustomed, they were one among the many hybrid forms which were being produced by the interaction of the British and Mughal culture. The Skinners of Hansi, the Gardeners of Khasgunge and Begam Samru of Sardhana formed the "Anglo-Mughal Islamo-Christian" variety who were the off springs of European mercenaries settled in India and the Mughal elites.³⁰ The Muslim populace of Delhi formed marital and convivial alliances with the British and hence, sensitivity towards each others' faith was easily developed in the early years. While the courtly gentlemen adopted British dress and habits, there were European Indophiles who soaked in the Indian ethos.

Cultural forms like the late Mughal painting also witnessed a similar hybridization. Continuing the story of painting in Delhi, Mildred Archer writes:

Between 1803and 1858....a distinctive type of painting by Indian artists flourished in the old Mughal capital. Generous patronage from the 'Emperor' had dwindled away, but the British Resident and various officers who now controlled the administration provided a new market for Indian painters.³¹

In the early days, the British were quite enamoured of the Mughal charisma and the regal aura of their courts. Delhi of blinded emperor Shah Alam II was the stuff eastern fantasy was made of. Mildred Archer quotes many exclamations of wonder and wisdom of European travelers inspired by "stupendous ruins of power and wealth passed and passing away"³² and "centuries of checkered prosperity and desolation"³³. With his long reign and personal cultural refinements, he had the makings of a tragic fallen hero. Delhi figured as the symbol of the rise and fall of empires and vagaries and vicissitudes of power in the European imagination. The first batch of British Residents and officers

succumbed to the mystique and the humble artists of Delhi seized the much needed employment and outlet by producing paintings for the European clientele. The monuments of Delhi like the *Diwan-i-aam* and *Diwan-i-khaas* of the Red Fort, Jami Masjid, Qutb Minar, Safdar Jung, Azam Khan and Humayun tombs, Qadam Rasool (the Court of the Print of the Prophet's Foot), Qudasiya Bagh, Zinat-ul-Masjid, Firoz Shah Kotla were the common subjects. Large architectural drawing style works, resembling engineers' blue prints, became the norm. Done in pen and ink with cream or grey backgrounds, these were enlivened with hints of gold, red and green. Though the artists attempted to employ the European 'perspective', yet it was their native talent for detail which shone through in the paintings. Smaller studies in water colour with monuments placed in landscape settings were also in demand.

The second most sought after subject was the 'emperor' himself. Durbar scenes became the staple in paintings. The Emperor in durbar with the Resident included in the attendees, the Emperor riding on elephant, the Emperor surrounded by his family or the Emperor in a portrait study were routinely painted. The poignant rendering of the heir apparent and favourite son of Akbar II, Mirza Salim is among the celebrated portrait studies by the seasoned court artist Khairullah, who was active during the times of three generations of the Mughal imperial family. Mirza Salim is often shown seated closest to Akbar II as a young boy of twelve with innocent features and long tresses. The court scene, attributed to Ghulam Murtaza Khan, affords the earliest glimpse of the British Resident Charles Metcalfe in the court of Akbar II. The seated emperor is surrounded by his four sons: Mirza Abu Zafar Siraj al Din Muhammad (later the emperor Bahadur Shah Zafar II), Mirza Salim, Mirza Jahangir and an unidentified fourth. Metcalfe's grim black monochrome dress stands out against the colourful jamas of other courtiers. In another painting, Akbar Shah is shown riding on a palanquin, with his son Mirza Jahangir following him on horseback. Akbar Shah is met by a European officer on the premises of the Delhi palace, who in all likelihood is Archibald Seton communicating the news of Company's refusal to accept Mirza Jahangir as the heir to the throne. Genre scenes like dancing girls or portraits of erstwhile emperors were also painted in the regular miniature style with abundant colour and detailing. An eloquent Coronation Portrait of Zafar by Ghulam Ali Khan is the last imperial portrait of the Mughal tradition. It marks Zafar's accession to the throne in 1837. Shah Jahan's scales of justice can be seen in the background and although there is an overload of gems on his body, Zafar's expressions are that of a Sufi soul. Ghulam Ali Khan has studiously created the dichotomy of the king and the saint. Indeed, Zafar was commonly acknowledged to be a Sufi master as well the supreme monarch.

Ochterlony commissioned the artist Jivan Ram for portraits of himself. A large collection of paintings was commissioned by William Fraser engaging Faiz Ali Khan. Fraser soon became the leading figure on Delhi's artistic horizon. The Fraser Album he commissioned was the outstanding masterpiece of the period and "its portraits of soldiers, noblemen, holy men, dancing girls, and villagers, as well as his staff and his bodyguards, are unparalleled in Indian art".³⁴ The Fraser Album also evokes vivid images of the village of Rania, home to Fraser's mistress, Amiban, and his Indian progeny. All the lifelike realism of fireplaces, chimneys, cattle, and people in these village scenes comes from admiration, compassion, proximity and knowledge Fraser had about these people. William Fraser's brother, James Baillie Fraser, visited Delhi in 1820 and commissioned many paintings which captured the subtle nuances of life in Delhi. Sir Thomas Theophilus Metcalfe succeeded Fraser as Governor General's agent in Delhi in 1835 but had actually started living in

Delhi from the time of the Residency of his brother, Charles Metcalfe, 1813 onwards. Charles Metcalfe and his younger brother Sir Thomas Metcalfe (1795- 1853) occupied the Delhi Residency witnessing the final flicker of the Mughal flame. Administratively, they prepared for the casting off of the Mughal yoke. Yet Thomas Metcalfe possessed a close affinity to Delhi and its Mughal traditions. He founded the Delhi Archaeological Society and commissioned an album titled *The Dehlie Book of the monuments and shrines of the city* engaging Mazhar Ali Khan between 1842 and 1844. This, along with the breathtaking panorama of the city of Delhi which he commissioned around the same time, is one of the two most enduring pictorial records of the city during Pax Britannica. This colossal painted urban landscape of Delhi, dated November 25, 1846, was the first of its kind with nearly 360-degree orientation panorama of the city. The Lahore Gate is the panorama's view point and as the vision shifts clockwise from left to right, through Mazhar Ali Khan's felicitous use of orthogonal frames, various buildings labelled in both Urdu and English march in front of the viewer's gaze. Metcalfe's imposing mansion, north of the city walls, is labeled, "Cothy [residence] of Thomas Metcalfe". As the eye peeps into the Red Fort, European alterations in the *Qila* and the *salatin* quarters become visible. The labelled buildings and their neighbourhood constitutes an unsurpassed visual documentation of nineteenth century Delhi which is all the more valuable for the elite urban core of the city between the Lahore Gate and the Jama Masjid, razed down by the British in 1858, can be seen standing in full glory in this picture.

Colonel Skinner employed Ghulam Murtaza Khan and Ghulam Ali Khan to imprint his extravagant lifestyle on canvas. Dancing girls, part of his well attended entertainment soirees, his friends and relatives, his estate in Hansi, his "Yellow Boys", his staff of household and regimental workers and Jat cultivators of Hansi- all are brought alive by the relaxed but resonant style of these artists. Skinner first commissioned a book of images of the noblemen of the region around Delhi, the *Tazkirat al-umara* (historical notices of some princely families of Rajasthan and the Panjab), and then another epic album, *Tashrih al-aqvam* (an account of origins and occupations of some of the sects, castes, and tribes of India), which is a book of images of ordinary people. The illustrated *Tashrih al-aqvam* was completed in 1825. The text culled from the Vedas and Shastras, translated into Persian by Skinner himself, is a catalogue of Hindu and Muslim occupational guilds and religious mendicants in the Delhi region. The *Tashrih al-aqvam*, along with the *Tazkirat al-umara*, inaugurated a new kind of non-literary Persian text of the late Mughal period, written by, or under the patronage of the British, which amalgamated topography, biography, and ethnography. Skinner commissioned Delhi artists to illustrate the album, the chief of them being Ghulam Ali Khan. He accompanied Colonel Skinner on his travels and the images in Skinner albums stand out for their naturalist style. The image of Colonel James Skinner is the frontispiece of *Tazkirat al-umara*. Skinner earned the title 'Nasir ud-Daulah Colonel James Skinner Bahadur Ghalib Jang' which the people of Delhi abbreviated to 'Sikandar Sahib' for the services he rendered to the Mughal emperors. The image captures the chivalric charisma of his personality. A visual record of Skinner's regiment was the next mammoth commission accomplished by Ghulam Ali Khan. He painted individual portraits of recruits and then merged them into an integrated setting. With the Mutiny, the governance passing into the hands of the Crown, and a general assumption of an attitude of superiority which comes with the assurance of power, the generous patronage provided by these aficionados came to an end leading to the extinction of the late Mughal painting.

The period from 1803 and 1830s is known to be a period of easy camaraderie between Indians and Europeans. The early British administrators realized the importance of carefully preserving the balance between communities in the Delhi society. The Europeans did not spatially segregate themselves by choosing to live in “Civil Lines” unlike the Presidency towns. They spread all over the walled and outer city. This perhaps is responsible for the early British attitude of improving the city by earmarking revenue for the purpose. The roads, water, sanitation were all of concern to them as these equally affected their own lives. Ali Mardan’s Canal was revived in 1821 but the demand for water was so high in the hinterland that enough water never reached the city. The canal dried up again in 20 years. In 1852, the problems of health, hygiene and sanitation became grave enough to merit a drainage survey report of the city. Administration also tried to raise money for building dispensaries and conserving heritage of the city. Percival Spear thus describes the Delhi scenario:

The life of the city had now continued in a well worn groove for over forty years. The former insecurity had vanished and the fact was attested, not only in the growth of the suburbs without the walls, but by the British bungalows in the Civil Lines to the northward.... Mughal courtier, Hindu and Muslim merchant and British official lived side by side in a peaceful plural economy. The Court was the Cultural centre, the Hindus dominated the commercial life and the British conducted the administration. There was much interchange of civilities and much give and take in daily life. Official garden parties at Metcalfe House were attended by Mughal princes and Hindu bankers equally with British officials and their wives. The Court celebrated the Hindu festivals of Diwali and Holi as well as the Muslim ids; the Hindus regarded the Muharram ceremonies and procession as almost as much their own as the Muslims’.³⁵

Due to practical difficulties in the application of this dual policy and also tilting scales of power and persuasions, the Company began to review and harden its stance 1930 onwards. In Delhi, the arrival of Resident Hawkins (1827-30) ushered in an era of dispassionate approach wherein true to the utilitarian spirit, all that was functional and profitable to British interests was to be retained and the rest discarded. Not only did the Company jettison the namesake fealty in protocol and politics but also in general, the European attitude of romantic adulation towards the Orient changed to commonsensical and imperialistic condescension. By the 1830s, the “White Mughals” were a thing of the past as the evangelists and high brow, power drunk, new breed of British officers (and their wives) entered the fray. By the time of Lord Canning, the policy change was crystal clear as according to the British, in the 1840s, “not only an extension, but a remarkable, consolidation of the British power in India” had taken place which made the titular king “anomalous” and also because “the presence of the Royal House in Delhi (had) become a matter of indifference, even to the Mohammedans”.³⁶ Delhi was witnessing the advent of the Europeans in increasingly growing numbers because of Delhi’s strategic position as the frontier capital of the British Empire, its distance from the Central power in Calcutta encouraging senior as well as junior officers to seek fame and promotions through administrative innovations. The weather was inviting and it offered literary, cultural as well as sporting diversions. The population of Europeans arriving in Delhi consisted of higher officials like Residents and his assistants, military officers, upper designations of working classes like bankers and trade managers, lower clerical classes, doctors, professors of Delhi College, chaplains, missionaries, journalists, Anglo Indians and Indian Christians. These immigrants to Delhi started finding and improvising spaces for habitation in various directions in

Delhi. In 1833, a detailed census indicated that that there were 119,860 people in the city, excluding the palace. “The census of 1843, 1845 and 1853 show the population rising from 131,000 to 137,000 and then to 151,000; in 1854, half the population of Delhi district (306,550) was said to be concentrated in the city”.³⁷

With the increase in their numbers, their power and aggression was also increasing in the 1830s. Cultural differences became more pronounced as the initial euphoria of spontaneous comingling began to subside. Dalrymple in his *The Last Mughal* has very engagingly captured how “During the early 1850s, it sometimes seemed as if the British and the Mughals lived not only in different mental worlds, but almost in different time zones” imaginatively reconstructing the very different itineraries of the British who were early risers and sleepers and the Mughals who spent their nights at *mushairas* or the Courtesans’ and hence began their day only after noon.³⁸ The parallel lives, however, could not remain apart for long and the native populace had to surrender its temporality to the alien temporality of the colonizer as “the new *sarkari* time (began) to overlap native time as a matter of course” in sadar stations and mofussil towns.³⁹ One British fetish in India which has been noted with distaste by their European counterparts was their gluttony which began with the *chhotahaziri* (or small breakfast) at the crack of dawn to the rest of the four meals over the course of the day. The dearth of entertainment in Delhi as compared to the cantonment towns like neighbouring Meerut was a constant complaint though the British kept themselves engaged in societies like Philharmonic Society, Dramatics Society or Archeological Society. Reverend Midgeley John Jennings arrived in Delhi in 1832 and was the most vocal of all about the proselytizing agenda of the missionaries. His two high profile converts were Master Ramachandra of Delhi College and Dr Chamanlal, the physician to Bahadur Shah. Along with the raised pitch of the missionaries, land settlements which claimed places of worship, increased intervention in social and religious matters, the British determination to discontinue the Mughal lineage by not recognizing any of the heirs of Bahadur Shah II- all lead to widespread unrest and insecurity. One of the earliest Islamic counterattack came in the form of a treatise in defence of Islam, *Izalat al-awham*, penned by Maulana Rahmat Allah Khairnawi. The *Dihli Urdu Akhbar* with Maulvi Muhammad Baqar as editor denounced the British policies and the White Mughals and British loyalists like the poet Azurda all despaired of future possibilities of peaceful co-existence. Shah Waliullah and his son Abd-al-Aziz infused the Wahhabi ideals in this volatile atmosphere to polarize the two communities further.

The troops remained stationed outside the city beyond the Ridge, but civilians resided inside. The present day Delhi University site was what formed the cantonment then. The military bazaar extended from the ridge up till the Khyber Pass. The Officers Bungalows were located where the North Campus Colleges stand today. North Campus still has a lane called the Cavalry Lane. While the soldiers were all outside the walled city, the magazine was located inside, the havoc wreaked by which in the 1857 uprising is a much recorded fact. The city walls were strengthened by Ochterlony during Holkar’s siege and redesigned by Napier later. Inside the city walls, mansions facing the River, were promptly put to use by the newcomers and Ali Mardan’s palace, also called Dara Shukoh’s palace, became the Residency. The typical classical colonnade was built for embellishment and the interiors were also suitably altered. As numbers swelled further, construction was carried out in the area between Kashmiri Gate and the Ridge giving rise to the ‘Civil Lines’. The first building of eminence here was Metcalfe house. Built by Thomas Metcalfe in 1830, the house exuded the opulence and poise of a pre-

mutiny White nabob, exquisitely furnished with Indian artifacts as well as Scottish heirlooms. Next came Hindu Rao's house on the Ridge. It was built by either Sir Edward Colebrooke or William Fraser, the latter lived in it till his murder in 1835. A little below were situated the Assembly Rooms which served as a community centre for the Europeans. A racquet court and bungalows of civilians like Dr. Ludlow were also in the neighbourhood which later got converted to the Delhi Club after the Mutiny. The Gothic style of the Victorian age had not begun to manifest itself till this time in Delhi buildings. It finds expression later in post-mutiny structures. Another landmark development in this area was St. James Church consecrated in 1836 by Bishop Daniel Wilson. It was a thanksgiving offering by Colonel James Skinner. Opposite the Church was Skinner's town house where he lived when not in his principality of Hansi extending bounteous hospitality to the Delhi gentry. This has now become the Hindu College. The house of Begum Samru was also located nearby (present day Bhagirath Place) which after her death in 1842, became the headquarters of the Delhi Bank. Beyond the Church was the square of the Mainguard leading into Kashmiri Gate and adjoining it were the Courts and the office of the very popular British mouthpiece "The Delhi Gazzette". A Telegraph office and a Custom House were behind the church. The landscape was verdant with the Roshanara Garden, Qudesia Garden and Tis Hazari Garden. Shalimar Garden lay a little away on the Grand Trunk Road used as a summer retreat by Ochterlony, Charles Metcalfe and Trevelyan. Charles Metcalfe also built a house nearby, *Metcalfe Sahib ki Kothi*, for his Indian family and he used Aurangzeb's pavilions for throwing parties. Thomas Metcalfe styled his country retreat, *Dilkoosha*, in the other corner of the city-Mehrauli- by adapting a Muslim tomb to the purpose.

The European houses of this period were in the Classical mould appearing sturdy and spacious from the outside. These borrowed their internal features partly from Indian structures. It had a large central chamber with a circular high ceiling called a rotunda. The inner chamber was flanked on all sides by courtyards and rooms of lower ceiling height. The classical piazzas, upper storey courtyards, outer rooms and central halls had grace as well as comfort but their only defect was absence of windows which were rather inadequately substituted by skylights. Apart from high ceiling of the central chamber, the houses also adopted the *tekhkhana* of the Indian home as a regular feature to ward off heat. The Mughal style marble baths were similarly retained for their luxurious and soothing feel. A peculiarly European technological wonder, a contraption called the thermantidote, was deployed in houses to artificially create a breeze on still days to blow through the *khaskhas* tatties. And finally there was the ice making process on cold, frosty nights in ice-beds dug in the ground, harvested next morning by coolies and stored in ice pits which were thrown open for use with the onset of summer.

Anthony D. King's very interesting study of 'The Colonial Bungalow-Compound Complex in India' demonstrates how this residential unit in the Civil Lines is a juxtaposition of the residential urban forms of the host society (India) and the imperial society (Britain) giving rise to the forms of the colonial society (the British in India). As King describes:

Most typically, it consists of a low one-storey spacious building, internally divided into separate living, dining and bed rooms, each with an attached room for bathing. A verandah, forming an integral part of the structure or alternatively, attached to the outside walls, surrounds part or all of the building. The bungalow is invariably situated in a large walled or otherwise demarcated 'Compound' with generally one main exit to the road on which it is situated. ...the kitchen,

servants' quarters, stables, and room for carriage or car, are separate from and placed at the rear of the bungalow.⁴⁰

Despite the juxtaposition, King emphasizes that the Colonial Bungalow Compound Complex resembled neither the host indigenous structure nor the immigrant metropolitan concept. It was a matter of economic, political, cultural, and civic adaptation and utilization of available space. Spatial economy was not required as space was abundantly available and bungalows spread over 1 to 25 acres were one of the chief incentives of a life otherwise in exile. In a planned post-industrial European city where all infrastructure was in place, even a small dwelling could be a fully serviced one as it received the inputs through externally placed outfits. In the nineteenth century colonial India, however, while the expectations were the same as those in a European metropolitan environment, the availability was radically different. Thus, the lavish paraphernalia had to be erected from scratch which required space, money and manpower. All three were readily available, especially manpower, which shifted from the Fort and nobility households to colonial households for survival. Politically, the Bungalow and the Civil Lines expressed the main tenet of imperialist ideology, that of territorialism. Seizing space and demonstrating distance were simultaneously symbolized by the Bungalow. An impregnable enclosed space with vast stretch of intervening hiatus pronounced the disdain for the indigenous way of life. Culturally, it provided opportunity to simulate the home setting. The much needed bulwark of 'community' was also crafted in the ample confines of the bungalow through formal and informal entertainment held here. The civic sense was an important determinant in the location, design and décor of the bungalow. The British did not share the parameters of sanitation, health, privacy, child bearing and rearing with the natives. Thus, for them a cordon *sanitaire* from the potentially harmful atmosphere was mandatory. The bungalow was sited at a high ground, in the leeward direction and nestling in a cleansing groove of green. As in the nineteenth century, the theory of pathology stressed the air-borne nature of disease, hence, this necessitated that the political, cultural and spatial divide was suitably reinforced by an aerial divide as well. The 10-20 strong domestic helps living inside the Compound were pushed sufficiently to the rear to avoid auditory, olfactory and physical contact. The garden was not only a venue for social dos but also offered the European staples of vegetables and fruits along with respite from heat and infections. It provided the requisite visual equivalent of the lush home flora which did not exist naturally in the tropical climate. It is through this validation of European sensibility that the lifestyle choices of the native landed gentry and other affluent sections were also impacted. Thus, the Civil lines and the Bungalow became the spatial counterparts to the temporal displacement effected in the native sensibilities as a consequence of the alien paradigms imposed by the British. It is in this "uneasy equilibrium"⁴¹ (Dalrymple, pp 113) the Indians and the British were suspended on the eve of the 1857 uprising.

Gail Minault, speaking in her essay, Sayyid Ahmad Dehlavi and The Delhi Renaissance, asserts that:

Pax Britannica had replaced the turbulence of the previous century, and the British administrators and missionaries imported new learning from the west. Under the impact of these influences a 'Delhi Renaissance' developed.....⁴²

She locates the Delhi Renaissance in the establishment of the English section of the Delhi College in 1827 at the behest of Charles Trevelyan, the brother-in-law of Macaulay, as with this the western

sciences, mathematics, English language and literature became available to the students in Delhi. However, she struggles to find the reason as to why the English section was a resounding failure and the students in Delhi continued to favour the Oriental section. She includes Sir Sayyid Ahmad Khan (1817-1898), Zakauallah (1832-1910), Nazir Ahmad (1830-1912), Altaf Hussain 'Hali' (1837-1914) and Sayyid Ahmad Dehlavi (1846-1918) as the products of this Renaissance. Of these, Hali spells out the reason why the Oriental section was chosen over the English one by stating that English gave a job but Urdu gave education. All of them shared a progressive concern for the spread of education, religious reform and dignity of women but despite that and despite serving the British government, they also shared the belief that the vernacular medium was the most effective medium for "preservation and revitalization". To conclude the present paper, it would be pertinent to demonstrate that Minault's assumption about the "turbulence" of the eighteenth century disregards the economic and cultural continuity of Delhi life and that the Renaissance was not born of Pax Britannica but was already there. It would be a mistake to assume in terms of Delhi that renaissance meant adoption or acceptance of western thought and ideals. Western science did create ripples of curiosity but still native learning and language was where conviction and passion lay. The western influence was not lapped up by the Delhi *ashraf* like the Bengali *Bhadralok* because as Dalrymple says:

Partly as a result of this lack of regular contact with Europeans, Delhi remained a profoundly self confident place, quite at ease with its own brilliance and the superiority of its *tahzib*, its cultured and polished urbanity. It was a city which had yet to suffer the collapse of self belief that inevitably comes with the onset of open and unbridled colonialism.⁴³

Pax Britannica was pre hegemonic and hence the 'displacement' was with both the colonizer and the colonized. The 'uneventful' years did not produce a Renaissance as if a people had arisen from a long slumber but if at all, then it was a Renaissance in the sense of each race raising itself to face the other like a mirror where the two identities were formed, reflected, coalesced and segregated. Delhi, throbbing with its characteristic vitality, held its own ground in its first brush with western race, religion, ideas, education and urbanity. It was only the brutal aftermath of the 1857 uprising, the political and cultural suppression thereafter and the disappearance of much that was familiar to its denizens that Delhi embarked on the trail of destitution, the end of which one has not seen centuries after.

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