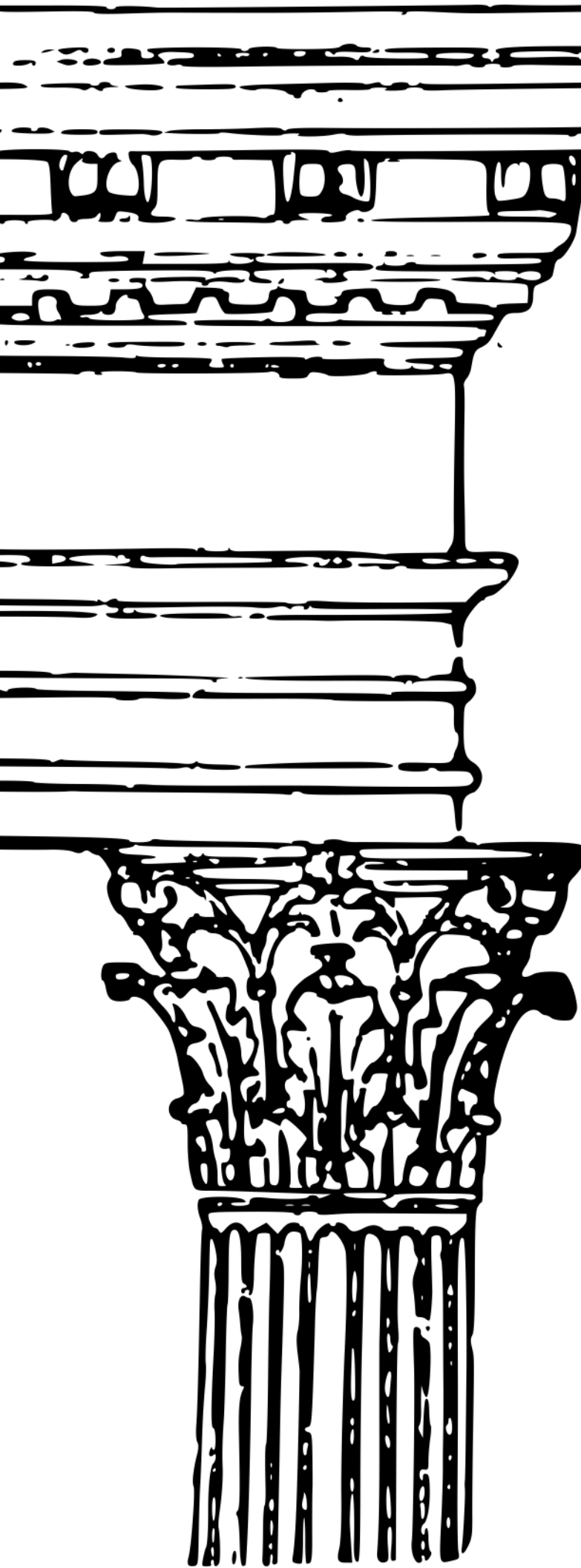


# MONOGRAPH

YEAR 4. VOL. 5



A STUDENT LED MAGAZINE FOR THE ARTS



# MONOGRAPH

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# Editor's Note



The arrival of the new bills in Parliament promises to reduce the scope of fundamental rights severely. Passed by a House lacking 146 Opposition MPs, the bills were met with little resistance. The chain of events that led to this began with the December 13 security breach, where two intruders entered the Lok Sabha chamber, allegedly shouting slogans after setting off a yellow-coloured smoke canister. During the next day's session, 14 Opposition MPs were suspended from both Houses for allegedly disrupting proceedings.

The suspensions would continue in three additional waves. With the final one on December 20, the country saw a Parliament which failed to represent anything but the ruling regime. Lok Sabha Speaker Om Birla stated that these suspensions were made in an additional connection to the security breach. It is important to note that the visitor's pass belonging to the intruders was provided by a legislator from the Bharatiya Janata Party. The Parliament's proceedings continued as the minimum of 10 percent of the total population of the House that is required for a session was met with the ruling alliance's majority.

Amidst the chaos of a House almost empty of any Opposition, the Central Government passed the Jammu and Kashmir Reorganisation (Second Amendment) Bill, 2023 and the Government of Union Territories Bill, 2023 in 15 minutes, with virtually no debate. The Centre would also introduce the Telecommunications Bill, 2023 on the same day. As the session proceeded with a remainder of 35 MPs, we saw the passage of three pieces of legislation seeking to replace the Code of Criminal Procedure, the Indian Evidence Act, and the Indian Penal Code.

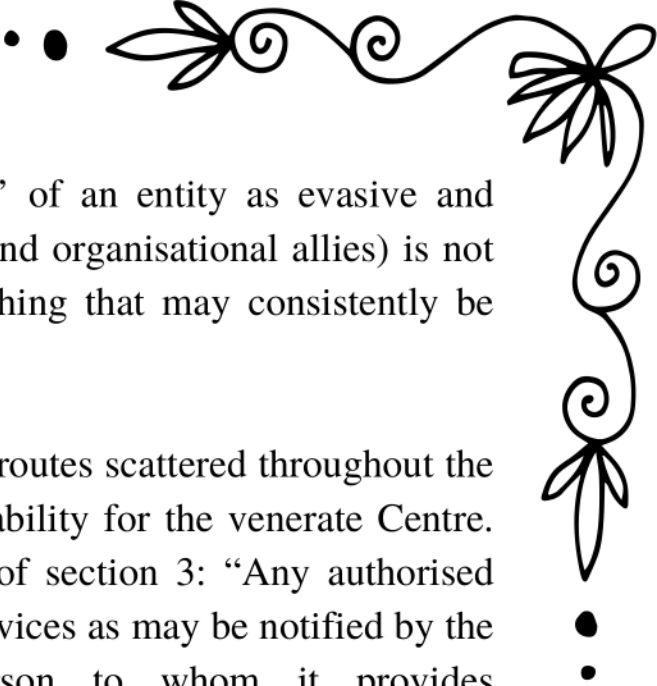


To say these bills are cleverly framed would be an understatement — the Centre’s ‘selective precision’ ensured that it gained unbridled access to personal data, control over all things telecom, and the delimitation of criminality. Marred with vague phrasings and ambiguity, definitions within these bills stay obscure and are, as a result, open to interpretation. These definitions can be considered all-encompassing, giving the ruling regime unquestionable authority to shape law and reality as they deem fit.

### **Telecom Bill**

The Telecommunication Bill, 2023 is one of several hurriedly-passed and ambiguously-phrased legislations made in the previous Winter Session of the Parliament. It provides the Central Government with a sprawling range of control over the designation, disruption, and delimitation of telecommunication services. The bill uses bureaucratically generous and non-specific turns of phrase – “in the public interest,” being perhaps the most recurrent – to invest the Centre with a quasi-judicial hold, subject to nothing but that which it “may deem fit.” These terms are not defined.

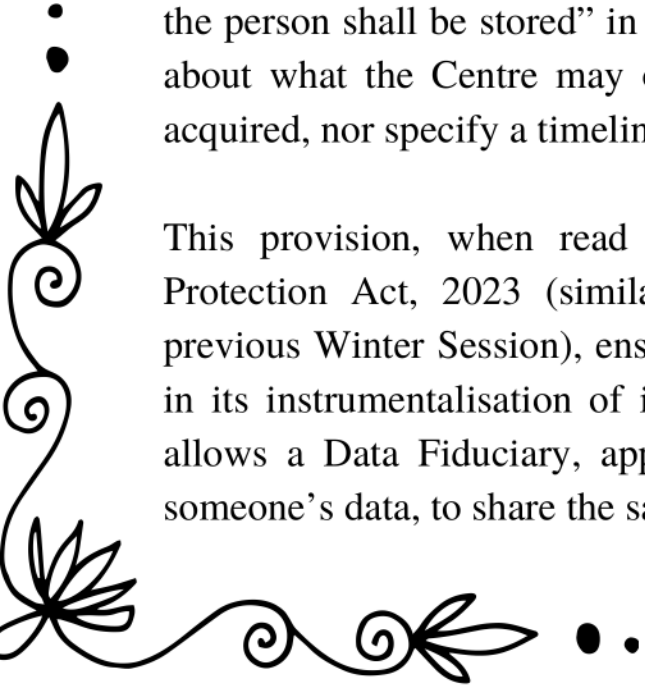
To discuss the purview of this bill, one can only begin with that which it prohibits – any prosecution or legal proceedings against the Central Government, the State Government, or any authority/individual acting on their behalf. Section 51 proclaims this “for anything which is done in good faith, or intended to be done in pursuance of this Act.” This is not language one may reasonably expect



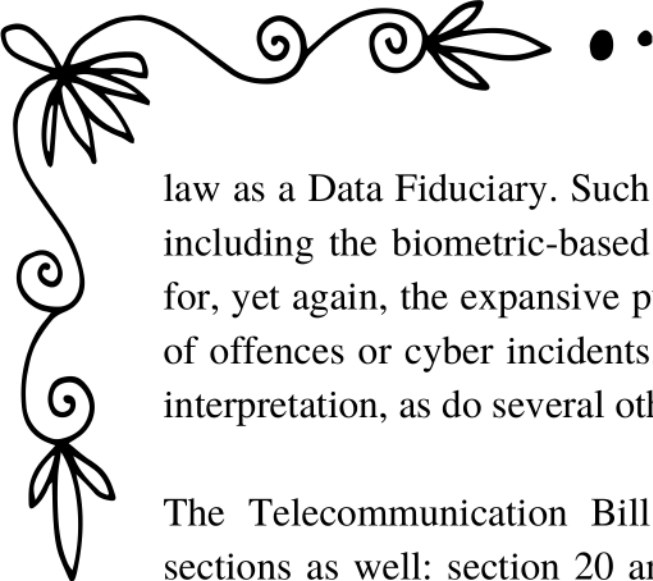
from a legal document; the ‘faith’ or ‘intention’ of an entity as evasive and insular as the Centre (and its various individual and organisational allies) is not unfamiliar to its critics, but it is also not something that may consistently be established in a court of law.

There are gaping loopholes and bracketed escape-routes scattered throughout the bill which both extend jurisdiction and excuse liability for the venerate Centre. One such provision is found in sub-section (4) of section 3: “Any authorised entity which provides such telecommunication services as may be notified by the Central Government, shall identify the person to whom it provides telecommunication services through use of any verifiable biometric based identification as may be prescribed.” This section has borne the brunt of extensive omission and alteration when compared to the earlier legislation in place, the Indian Telegraph Act, 1885.

While the Telegraph Act allowed for subjecting users of telecommunication services to “identification by authentication” in its fourth section, the means of such identification were clearly demarcated. Sub-section (5) explicitly stated that the use of such modes of identification shall be “a voluntary choice of the person who is sought to be identified.” There is no such stipulation in the Telecommunication Bill, which gives the Centre absolute discretion in using biometric-based identification. Where the Telegraph Act provided legal assurance that neither “core biometric information nor the Aadhaar number of the person shall be stored” in sub-section (6), the new bill does not say anything about what the Centre may or may not do with such private data that it has acquired, nor specify a timeline for its dispensation.



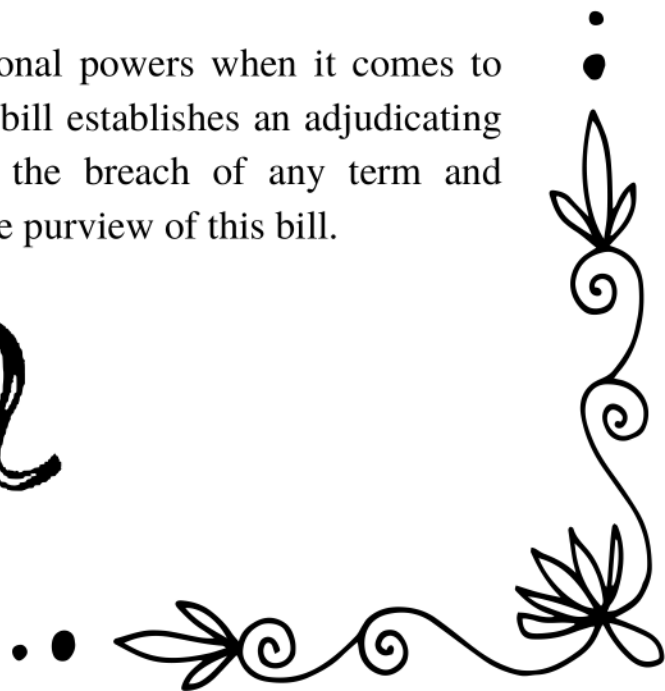
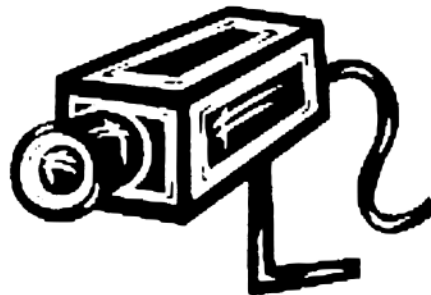
This provision, when read in congruence with the Digital Personal Data Protection Act, 2023 (similarly passed under contentious conditions in the previous Winter Session), ensures that the Centre is subject to no accountability in its instrumentalisation of individuals’ personal data. Section 11 of this Act allows a Data Fiduciary, appointed and authorised by the Centre to monitor someone’s data, to share the same with any other individual authorised by the



law as a Data Fiduciary. Such unmarked and non-specific use of personal data – including the biometric-based identification discussed above – is claimed to be for, yet again, the expansive purpose “of prevention or detection or investigation of offences or cyber incidents.” The task of prevention has the benefit of vague interpretation, as do several other provisions in the new bills.

The Telecommunication Bill’s ambiguity has temporal dimensions in other sections as well: section 20 articulates the authorities’ power to take temporary possession of any telecom service or network upon the occurrence of “any public emergency, ... or in the interest of public safety.” The earlier stipulation that this possession be “for as long as the public emergency exists or the interest of the public safety requires the taking of such action” has been excluded in this rendition. There exist virtually no limitations or conditions on the power of the Centre to override the rights of various entities involved in telecom services. The second subsection of this provision allows the Centre to prohibit the transmission of a particular (class of) message(s) – to intercept, to detain, to disclose to an authorised officer – as well as to suspend any telecom service (including public broadcasting services) “in the interest of the sovereignty and integrity of India, ... public order, or for preventing incitement to the commission of any offence.” Where the Telegraph Act required that the reasons for such action be “recorded in writing,” the Telecommunication Bill has nothing to say about if or how documentation of the Centre’s ‘reasoning’ can be expected by the public or a judicial authority.

It continues to award the Centre with unconditional powers when it comes to dealing with contraventions. Chapter VIII of the bill establishes an adjudicating system that oversees all matters pertaining to the breach of any term and condition of authorisation or assignment within the purview of this bill.





If entities wish to use the spectrum for telecommunication, they shall have to be assigned by the Centre. This assignment is decided through an auction except for entries listed in the First Schedule. For the latter, assignment shall be completed through an administrative process. It is to be noted that an entity does not need to have assigned use of the spectrum in order to be an authorised entity.

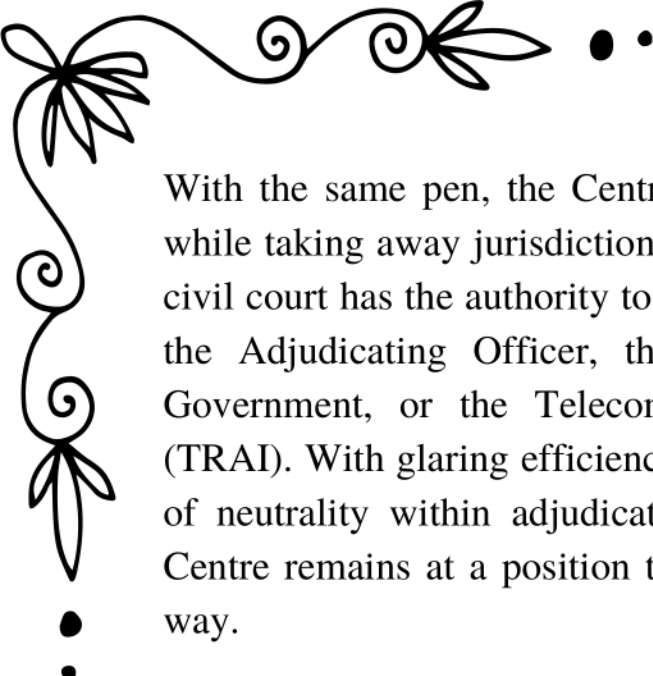
Under the provisions of Chapter II, it is necessary for an entity to obtain an authorisation from the Centre when said entity intends to:

- provide telecommunication services
- establish, operate, maintain or expand telecommunication network; or
- possess radio equipment

The adjudicating system comprises of four administrative bodies out of which the two most important ones are the Adjudicating Officer and the Designated Appeals Committee. The Adjudicating Officer is an official authorised to pass an order relevant to the contravention at hand. In case of any breach of any provision, they can impose civil penalties, direct entities to carry out measures to prevent breach, or make recommendations to the Centre regarding the authorisation.

The Designated Appeals Committee exists to receive appeals from persons who were aggrieved by the Adjudicating Officer's orders. It is the Central Government that appoints both the former and the latter, effectively maintaining control throughout the entire adjudication system. It is up to them to issue sentences and to hear appeals against ones issued in the past.

The bill goes even further to establish the officers and the committee as having the same powers as that of a civil court, adding that proceedings before either are deemed judicial proceedings. When it comes to enforcement of orders passed by either body, Section 38 emphasises that execution should be carried out as if it were a civil court's decree.



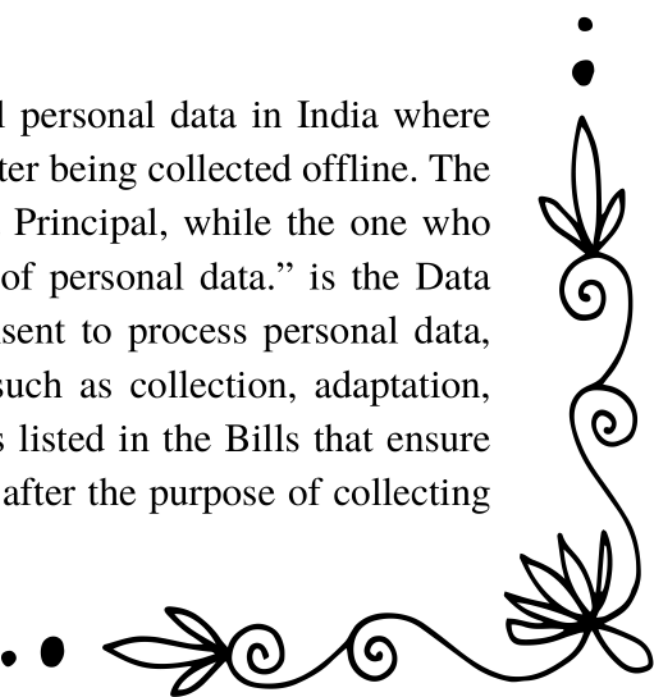
With the same pen, the Centre provides its own bodies with judiciary powers while taking away jurisdiction from the civil courts. Section 41 provides that no civil court has the authority to hear any matter that falls under the jurisdiction of the Adjudicating Officer, the Designated Appeals Committee, the Central Government, or the Telecom Disputes Settlement and Appellate Tribunal (TRAI). With glaring efficiency, this legislation continues to cut down the scope of neutrality within adjudicating bodies. From all available perspectives, the Centre remains at a position to influence every facet of telecom to swing their way.

These are only a few examples that demonstrate the Centre's weaponisation of the legal system. With provisions made for the Centre to enact amendments "in order to perform government function" or ensure "interference-free" use of a particular service, the Telecom Bill is an ill-phrased – which is to say, generous to those it accords power – legislation.

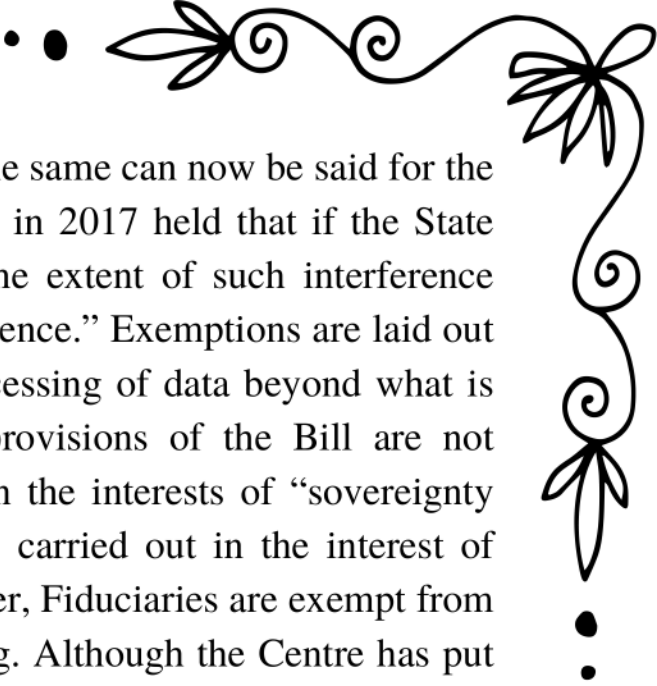
### **Digital Personal Data Protection Bill, 2023:**

To establish true authoritative control in the 21st century, a state requires thorough access to vast amounts of personal data regardless of who it belongs to. Passed in the Parliament in August last year, the Digital Personal Data Protection Bill, 2023 does not fall short of doing so. Unchecked processing of personal data can invite abject violations of an individual's right to privacy, and the Act enables such violations through ambiguous phrasing, all-encompassing definitions, and far-reaching exemptions.

The Data Bill applies to any processing of digital personal data in India where said data is either collected online or is digitised after being collected offline. The individual to whom the data belongs to is a Data Principal, while the one who "determines the purpose of means of processing of personal data." is the Data Fiduciary. A Fiduciary requires a Principal's consent to process personal data, where processing entails performing operations such as collection, adaptation, use, etc. The Fiduciary is governed by obligations listed in the Bills that ensure security safeguards and orders the erasure of data after the purpose of collecting has been met.

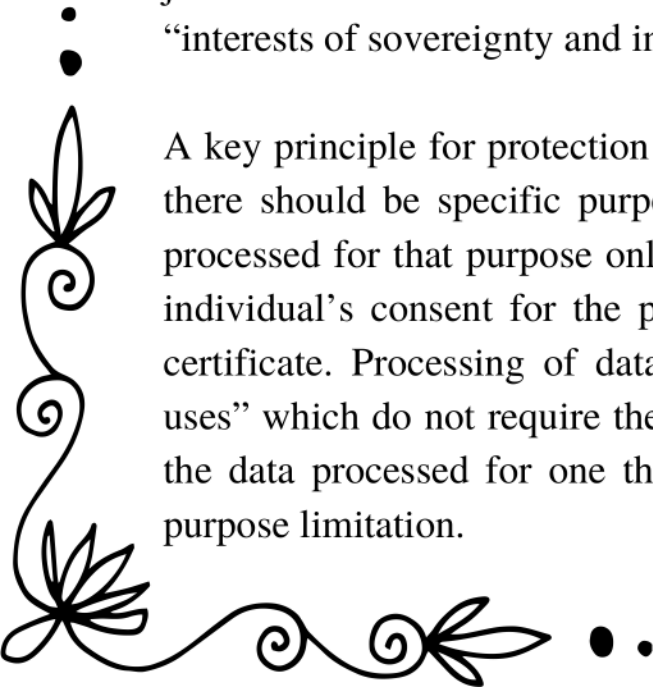






These obligations are however not absolute, and the same can now be said for the individual's right to privacy. The Supreme Court in 2017 held that if the State infringed on an individual's right to privacy, "the extent of such interference must be proportionate to the need for such interference." Exemptions are laid out in the Data Bill in such fashion that permits processing of data beyond what is necessary. Section 17 (2) (a) establishes that provisions of the Bill are not applicable when data processing is being done in the interests of "sovereignty and integrity of India." When data processing is carried out in the interest of protecting state security or maintaining public order, Fiduciaries are exempt from obligations and are unrestricted in their processing. Although the Centre has put up provisions that safeguards digital personal data, it keeps its choices open through loopholes and malleable definitions. The Data Bill, like the others after it, fails to establish concrete definitions for phrases such as "national security," and "public order". This selective specificity ensures that these phrases remain open to a wide array of interpretations.

Consider a hypothetical instance, where a journalist is reporting on malpractices within a governmental agency. For obtaining critical information, they may rely on a source from within the agency's administration. While the source may not have the right to make such internal information public, the journalist absolutely does in the name of public interest. It is also within a journalist's right to withhold details that would otherwise endanger their sources. If the Centre feels the need to obtain such details, the Data Bill enables them to process the journalist's data without limitations as long as it states that it is doing so in the "interests of sovereignty and integrity of India."



A key principle for protection of privacy is purpose limitation which means that there should be specific purposes behind data collection and that it should be processed for that purpose only. Under Section 7 (b), the Data Bill overrides an individual's consent for the provision of license, service, benefit, permit, or a certificate. Processing of data for this purpose falls under "certain legitimate uses" which do not require the Principal's consent at all. The Bill further allows the data processed for one thing to be used for another, completely removing purpose limitation.

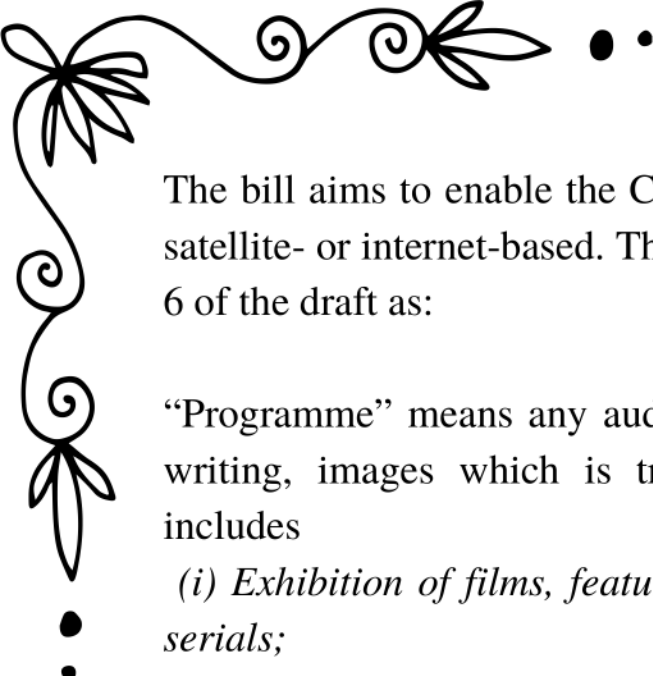


The Srikrishna Committee in 2018 had observed that possible consequences of personal data processing were harms such as identity theft, financial losses, etc. The Personal Data Protection Bill, 2019 contained definitions of harm and had set up safeguards to mitigate risks of harm, including risk evaluation in impact assessments and audits. The 2023 Data Bill does not contain a single mention of harm, and it does not regulate the risks of harm. Its primary goal lies in obscuring the lack of safeguards, the versatility of definitions, and the innumerable exemptions the Fiduciaries enjoy from data processing regulations. All of the above are done with the aim to further digital control and surveillance across multiple sectors of Indian society.

### **Broadcasting Bill**

The Union Government released the draft of the Broadcasting Services (Regulation) Bill in November 2023 for public consultation. Set to replace the Cable Television Networks (Regulation) Act of 1995, it brings individual creators on OTT platforms under its purview, authorising the Central Government to take action against anyone critical of the Government. This raises concerns for the individual's right to privacy.

Comprising six chapters, forty-eight sections, and three schedules, the new draft is an overhaul of the bill it seeks to replace, with a now-demarcated Part C dealing with internet broadcasting networks.



The bill aims to enable the Central Government to control any “programme”, satellite- or internet-based. The term “programme” is defined in 1 (dd) on page 6 of the draft as:

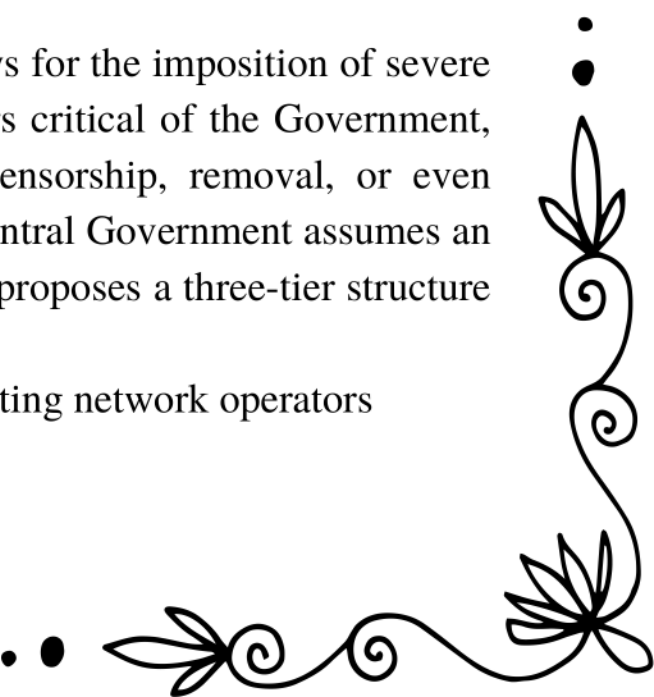
“Programme” means any audio, visual or audio-visual content, sign, signals, writing, images which is transmitted using a broadcasting network, and includes

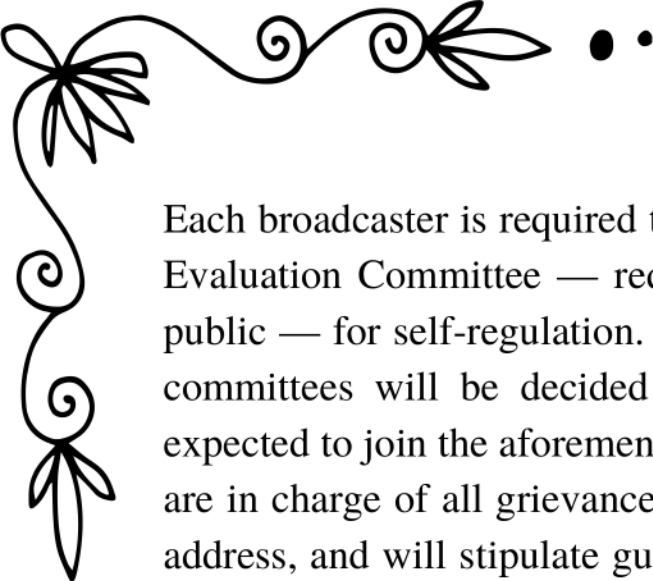
*(i) Exhibition of films, features, dramas, documentaries, advertisements and serials;*

*(ii) Any audio or visual or audio-visual live performance or presentation and the expression ‘programming service’ shall be construed accordingly.*

The definition is intentionally kept vague and all-encompassing to provide the Indian Government with unrestricted control over the moderation of any form of media, be it simply a YouTube channel, an Instagram story, or even a digital website. Similarly, a person sharing any “online paper, news portal, website, social media intermediary, or other similar medium” has to adhere to the Programme Code and Advertising Code prescribed by the Central Government. This not only includes us but several other institutions, bodies and individuals who might use their Instagram business account, for example, to post something that would go against the code. The codes are still not public.

The inclusion of “writing” in the definition allows for the imposition of severe control over news websites, writers and bloggers critical of the Government, enabling the Centre to directly administrate censorship, removal, or even punishment. With the new Broadcast Bill, the Central Government assumes an integral position in these proceedings. The draft proposes a three-tier structure to moderate and regulate online media:

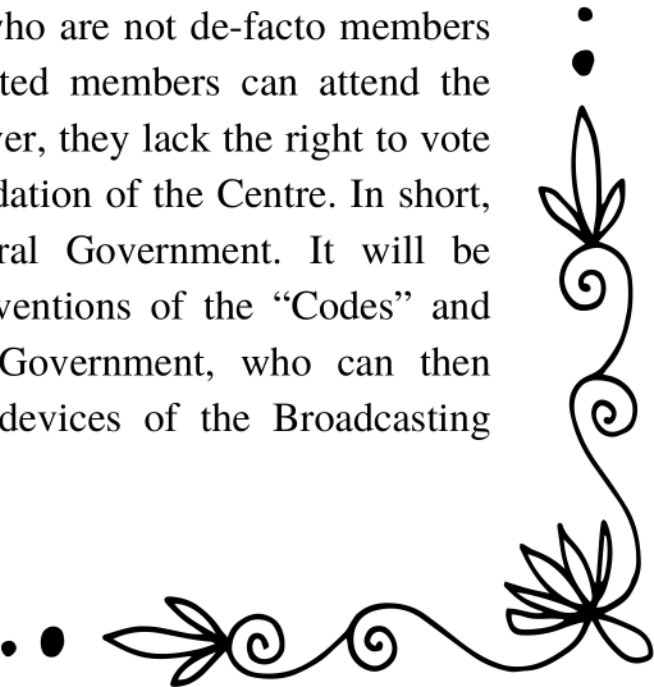
1. Self-regulation by broadcasters and broadcasting network operators
  2. Self-regulatory organisations (SROs)
  3. Broadcast Advisory Council (BAC)
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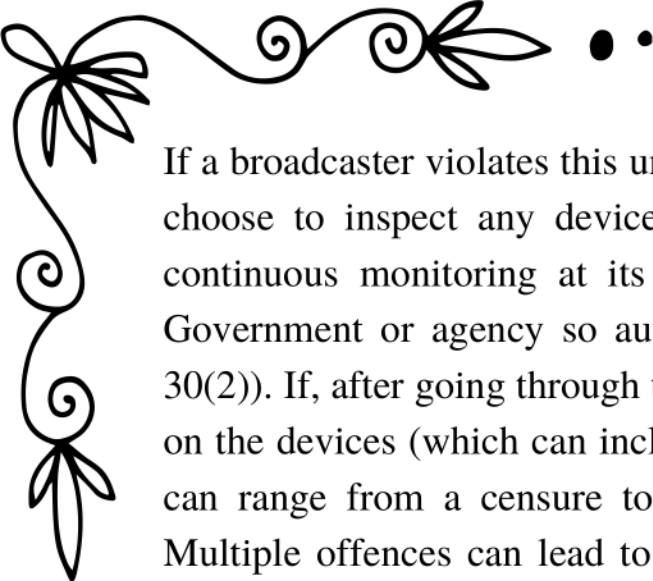


Each broadcaster is required to set up a grievance redressal cell and a Content Evaluation Committee — required to certify all media being released to the public — for self-regulation. The composition, size, and other details of these committees will be decided by the Central Government. Broadcasters are expected to join the aforementioned self-regulatory organisations. These SROs are in charge of all grievances and appeals that individual broadcasters fail to address, and will stipulate guidelines to ensure compliance as per the “codes” issued by the Government. These codes refer to a programme code and an advertising code, both of which are yet to be made public.

Constituted by the Central Government, the BAC is proposed to be headed by an independent member with 25 years of experience in the fields of media, entertainment, broadcasting, or any other relevant field. Apart from this, five ex-officio members will be nominated by the Central Government to represent the Ministry of Information and Broadcasting, Ministry of Women and Child Development, Ministry of Home Affairs, Ministry of External Affairs, and Ministry of Social Justice and Empowerment. The remaining five members, to be similarly nominated by the Central Government, shall be eminent independent persons with experience in the fields of “media, entertainment, broadcasting, child rights, disability rights, rights of women, human rights, law and other such relevant fields.”

The BAC has the power to co-opt individuals who are not de-facto members of the Council as they deem fit. These co-opted members can attend the meetings and take part in its proceedings; however, they lack the right to vote unless co-opted with the approval or recommendation of the Centre. In short, the BAC can never disagree with the Central Government. It will be responsible for addressing violations or contraventions of the “Codes” and making its recommendations to the Central Government, who can then inspect, intercept, monitor or even seize the devices of the Broadcasting Networks or Services.



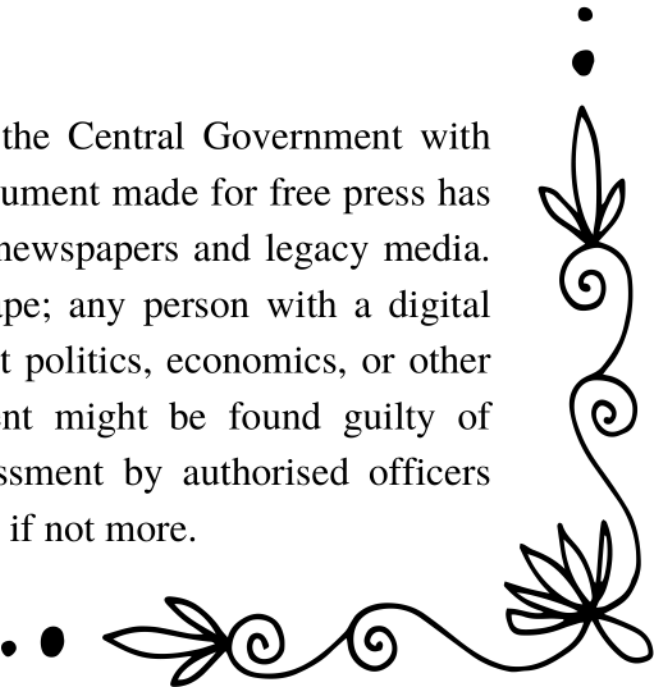


If a broadcaster violates this unknown code, the Centre can, without prior notice, choose to inspect any devices of the broadcaster for “lawful interception or continuous monitoring at its own cost under the supervision of the Central Government or agency so authorised by it or authorised officer.” (Chapter 5, 30(2)). If, after going through the devices, any contravention of the code is found on the devices (which can include personal cell phones as well), the punishment can range from a censure to hefty penalties as stated in the First Schedule. Multiple offences can lead to the Centre cancelling any registration granted to the broadcaster or the broadcasting network operator under this Act after giving a reasonable opportunity of being heard. (Section 35(2))

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Section 36 allows the Central Government, or any authorised officer to prohibit any broadcaster from transmitting anything that might contravene the codes prescribed, or “if it is likely to promote, on grounds of religion, race, language, caste or community or any other ground whatsoever, disharmony or feelings of enmity, hatred or ill-will between different religious, racial, linguistic or regional groups or castes or communities or which is likely to disturb the public tranquillity.” For a Central Government, which has repeatedly found its spokespersons violating this very rule with full impunity, this section seems to be aimed at opposing voices of dissent and furthering the narrative of the “anti-national tukde-tukde gang”. Sub-section (3) allows for preventing transmission in the interest of the sovereignty or security of India- vague terms that are still to be expressly defined, and hence can be used by the Governing body to prevent pertinent information.

This draft of the broadcasting Bill aims to arm the Central Government with legal power over control of digital media. The argument made for free press has kept these rules from being levied on traditional newspapers and legacy media. However, this seems to elude the digital landscape; any person with a digital presence who chooses to share, or speak up about politics, economics, or other social aspects critical of the Central Government might be found guilty of violating unknown codes and subjected to harassment by authorised officers before being found guilty and charged a hefty fine, if not more.



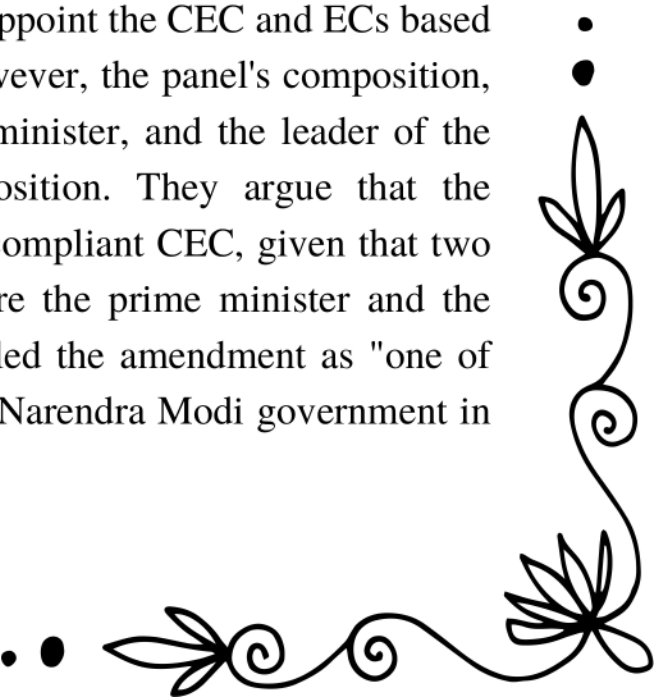


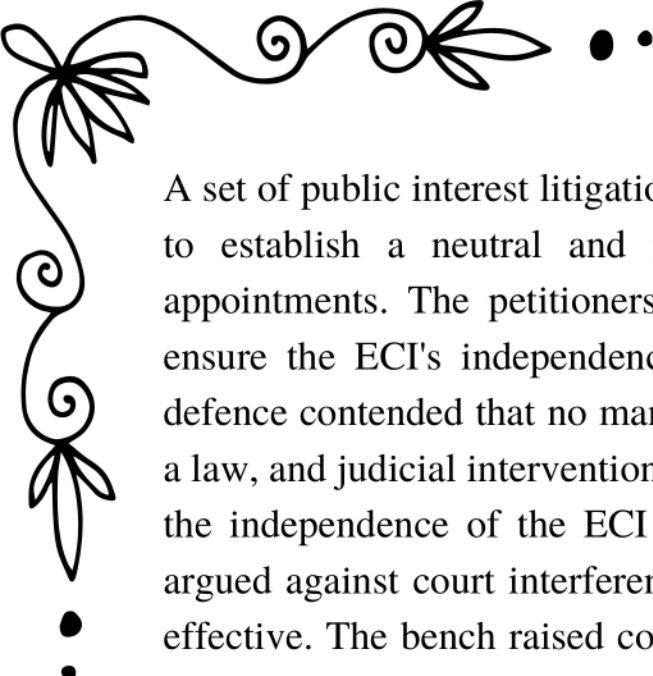
## CEC

The new legislation for the appointment of Chief Election Commissioner and other Election Commissioner claims to establish a structured mechanism for the selection of top election officials. This was a month after a Supreme Court Constitution Bench expressed concern over the erosion of the Election Commission of India's (ECI) independence, noting that no Chief Election Commissioner (CEC) has served a full six-year term since 1996. The absence of a law for appointing election commissioners (ECs) has given rise to a worrying trend, with successive governments exploiting the silence of the Constitution on the selection process. The bench further, led by Justice KM Joseph, criticised the practice of appointing individuals who do not complete their full terms, implying potential influence by the ruling dispensation. The court highlighted the exploitation of constitutional silences, leading to a lack of checks and balances.

During the debate on the bill, opposition members expressed strong disapproval of the CEC and EC's appointment process. Consequently, 97 of their members have faced suspension for "misconduct" throughout the remaining winter session. The Supreme Court had previously ruled that the president should appoint the CEC and ECs based on the advice of a committee comprising the prime minister, the leader of the opposition in the Lok Sabha (or the leader of the largest opposition party), and the chief justice of India.

As outlined in the bill, the president of India will appoint the CEC and ECs based on the recommendations of a selection panel. However, the panel's composition, including the prime minister, the Union cabinet minister, and the leader of the opposition, has drawn criticism from the opposition. They argue that the amended bill may result in the appointment of a compliant CEC, given that two out of the three selection committee members are the prime minister and the cabinet minister. Opposition members have labelled the amendment as "one of the most significant threats to democracy" by the Narendra Modi government in the past years.



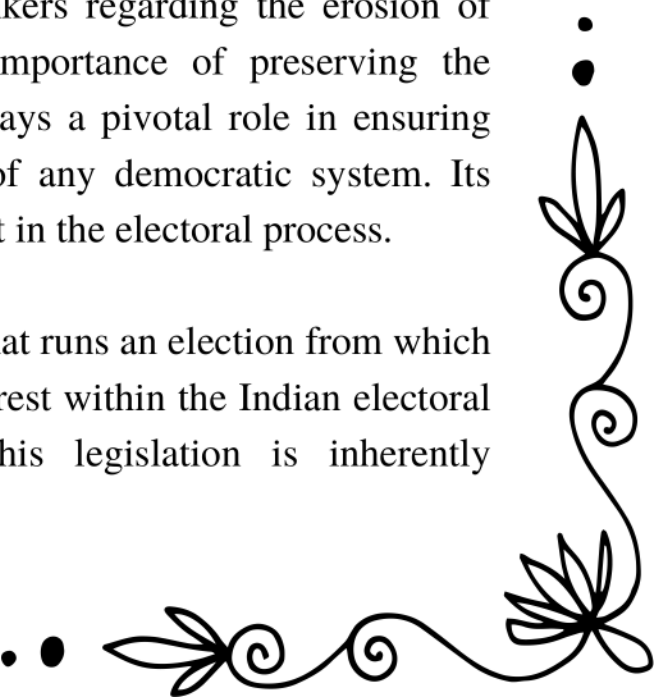


A set of public interest litigations (PILs) urged the court to direct the government to establish a neutral and independent selection panel for recommending appointments. The petitioners argued that an impartial selection panel would ensure the ECI's independence from political interference. The government's defence contended that no mandatory requirement exists for Parliament to frame a law, and judicial intervention is only necessary in situations that directly impact the independence of the ECI or citizens' fundamental rights. The government argued against court interference, stating that the appointment process has been effective. The bench raised concerns about the ruling political party's reluctance to relinquish control, emphasising the intertwined nature of the purity and fairness of elections with democracy.

The use of religious symbols by the ruling party (like Ram Mandir, religious slogans and communalising electoral campaigns) for political gains undermines the principles of secularism and inclusivity that form the foundation of democratic governance. Such actions not only risk polarising voters along religious lines but also create an environment where electoral campaigns may become a battleground for competing religious sentiments, diverting attention from substantive policy issues. This kind of appeal violates the spirit of the Model Code of Conduct as issued by the ECI, and has the potential to marginalise communities.

The recent observations by various political thinkers regarding the erosion of independence within the ECI underscore the importance of preserving the autonomy of this constitutional body. The EC plays a pivotal role in ensuring free and fair elections, which are the bedrock of any democratic system. Its impartiality is essential for maintaining public trust in the electoral process.

The prime minister's presence on the very panel that runs an election from which he seeks to benefit marks a severe conflict of interest within the Indian electoral system. The Parliament's decision to pass this legislation is inherently undemocratic in nature.



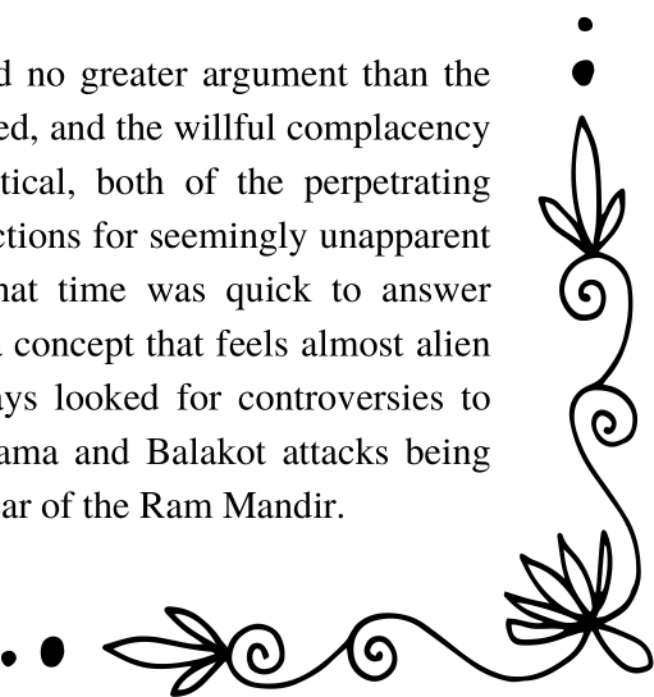


## Conclusion

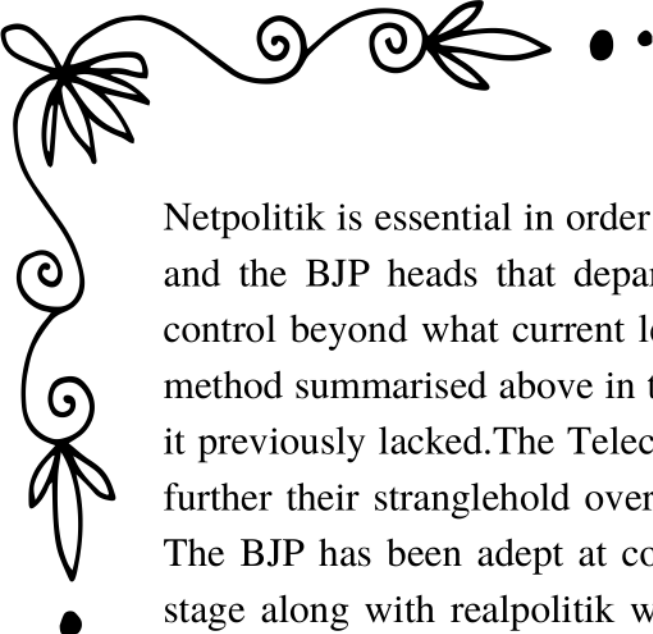
The election tactics of the BJP are well-documented. They were the first political party to truly use the internet, and one could argue that they ushered in a new era of media campaigning in the country. Those of us who saw the electoral sweep of 2014, we all still remember the meme “Ab ki baar Modi Sarkar.” To argue that it did not play a role in the General Elections would be a fool’s discourse. The BJP was the first to recognise Social Media as the new battlefield in India’s electoral history and it ensured its superiority within this front by establishing the infamous BJP IT Cell.

The IT Cell has not only disseminated false information to swing popular belief, but has dominated online media platforms to consistently paint forged pictures of real life events. During election campaigns, this misinformation seems to take life of its own. Sentiments are heated, often culminating in violence. The internet boom that followed after the disruption of the telecom sector by Jio seems to have greatly helped the BJP in intensifying its strength online, as a populace previously removed from its subtle propaganda machinery comes to believe what they see or read. For any electoral party, this translates directly into voters, simplifying their objective of manipulating emotions. Combined with the focus on Narendra Modi as the saviour of the country and of Hinduism, it has bolstered their following, especially among upper-caste Hindus afraid of losing their societal privilege to secularism.

The separation of temple and state has perhaps had no greater argument than the demolition of the Babri Masjid, the riots that followed, and the willful complacency of politicians. Media coverage was swift and critical, both of the perpetrating leaders and of the Centre, with the latter delaying actions for seemingly unapparent reasons. Narasimha Rao, the prime minister at that time was quick to answer questions, no matter how difficult they seemed — a concept that feels almost alien in this era of Indian netpolitik. The BJP has always looked for controversies to supplement its electoral hegemony: with the Pulwama and Balakot attacks being used to demand votes. 2024, similarly, will be the year of the Ram Mandir.





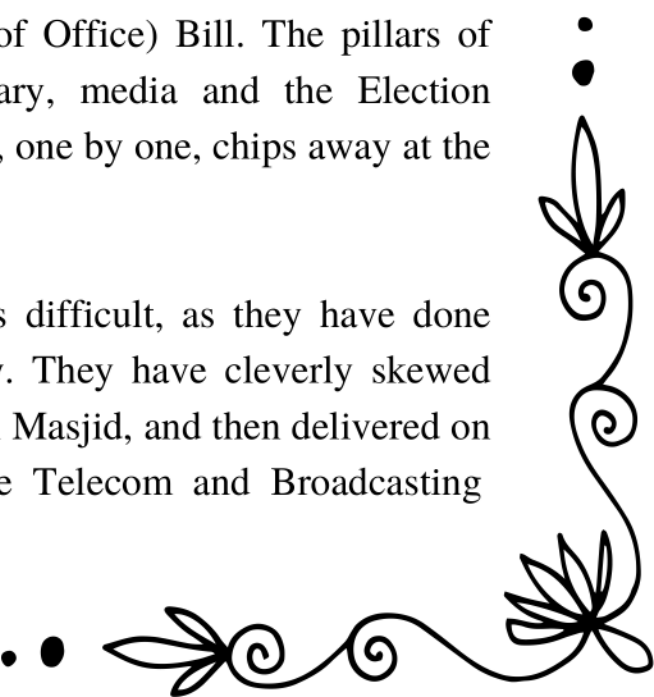


Netpolitik is essential in order to agitate and utilise a populace as vast as India's, and the BJP heads that department. Its next step needs to be the exercise of control beyond what current legalese allows, and the passing of the bills, in the method summarised above in the article, provides them with the legal power that it previously lacked. The Telecom Bill can be considered as the BJP's attempt to further their stranglehold over media outlets, be they print, broadcast or online. The BJP has been adept at combining mediapolitik and netpolitik at a national stage along with realpolitik while deciding the structure of its own party. This internal realpolitik has led to the removal of several important political leaders of the previous era from the public eye such as L.K. Advani, while Modi has dominated headlines almost single-handedly. This is despite the fact that the latter has yet to give a press conference since coming to power in 2014.

The prime minister is careful about his interactions, both with the public and the media. The task of government propaganda thus falls to the whims of mid-level politicians and spokespersons who care little for what they say or do. This leads further to the spread of misinformation, often sanctioned by, and for the profit of the Government. India remains at the highest risk of disinformation, as concluded by the World Economic Forum's 2024 Global Risks Report.

Another major aspect of the 2024 elections, as outlined in this article, will be the passage of the Chief Election Commissioner and Other Election Commissioners (Appointment, Conditions of Service and Term of Office) Bill. The pillars of democracy require a free and impartial judiciary, media and the Election Commission. The dismantling of these institutions, one by one, chips away at the foundations of a democratic country.

The toppling of the ruling party currently seems difficult, as they have done everything in their power to ensure their victory. They have cleverly skewed public opinion towards the demolition of the Babri Masjid, and then delivered on the promise of creating a Ram Mandir. Through the Telecom and Broadcasting



bills, they continue to ensure the spread of disinformation across the country while their IT Cell promotes it online. Finally, with the CEC & ECs bill, they have ensured an unfair advantage in the very process of elections.

The opposition, in contrast, seems largely to have failed in its attempt to form a coalition as Nitish Kumar has left the INDIA alliance and joined hands with the BJP-led NDA for personal political gains. Mamata Banerjee has similarly cited differences with the Congress-led alliance and seems to have all but exited it, with the Congress still attempting to woo her. The lack of a strong opposition, as it currently seems, will definitely go on to tip the hat in favour of the BJP, as the saffron party enjoys even more popular support from the Hindu voters followed by the consecration of the Ram Mandir. One thing remains certain: the 2024 elections will go on to define the next era of politics and India's transition from the world's largest democracy to something lacking.



*Written by the Monograph Editorial Desk:*

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# POTTED PLANTS



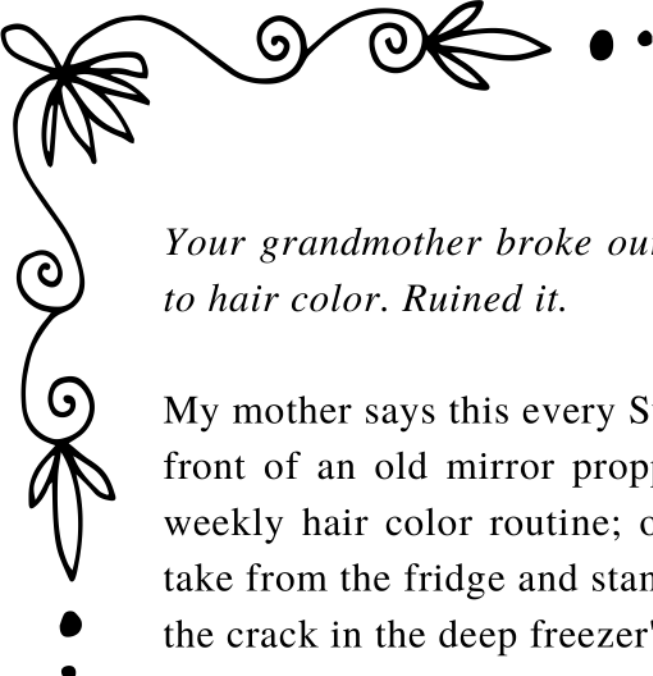
SANCHALIKA DAS

I received a couple of pictures of three potted plants on my WhatsApp. *Ting ting ting.*

My mother sends me these photos of plants growing in her office. She's proud of them. I look at the pictures, notice the broken Tupperware and the cracked cup that the plants are potted in. The other unfamiliar pot is a black plastic one, comparatively larger in size.

Recently, age has started showing itself on my mother's body. Her neck looks a bit drippy, like someone has relaxed the grip on her skin from behind. I see her stomach turning softer around the cesarean stitch; it ripples. It's like she's being pulled in by gravity at a much faster rate than us all. Her hair has always been white, since she was in class 12th; the roots turned completely white when she married, and my grandmother urged her to shift from henna to Garnier colour.





*Your grandmother broke our new deep freezer's door and made me switch to hair color. Ruined it.*

My mother says this every Sunday while combing and sectioning her hair in front of an old mirror propped up against the wall, getting ready for her weekly hair color routine; or when she forgets what she was supposed to take from the fridge and stands in front of its glowy yellow light, looking at the crack in the deep freezer's door. Her eyebrows knotted.

My mother has now gotten into gardening: shrubs and house plants and pots; stands for these pots; paint for the stands. I never knew she liked all of this, she never showed any affinity towards plants or mud-related work before. Since we moved into our new house, my mother has been obsessed with the idea of plants in her home.

Snake plant.

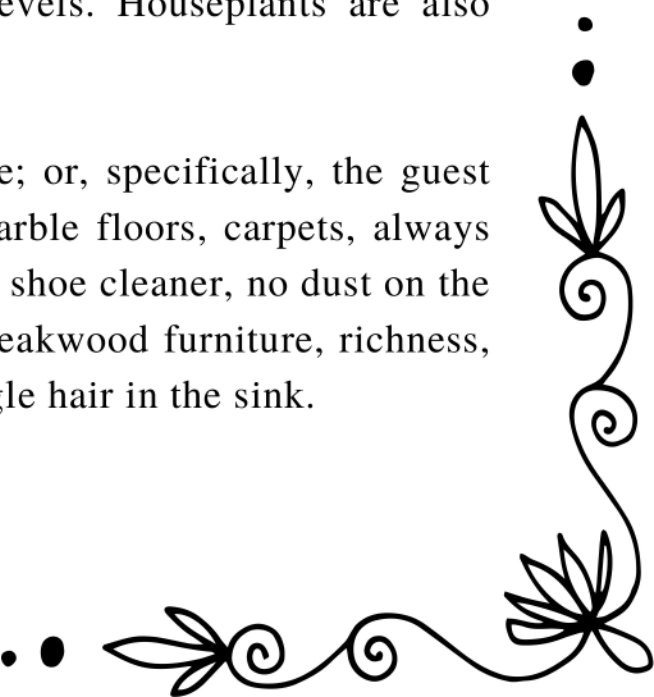
Aloevera.

Succulents.

Philodendron.

My mother tells me keeping plants in the house ensures good health, improves mood, and provides high oxygen levels. Houseplants are also great from the perspective of *vastu*.

She says they remind her of my father's office; or, specifically, the guest house attached to my father's office. Black marble floors, carpets, always squeaky clean, a receptionist's desk, an electric shoe cleaner, no dust on the handrail of the stairs, crisp-white bed sheets, teakwood furniture, richness, the smell of Odonil in the bathrooms, not a single hair in the sink.



The plants there flourished: they grew beautifully, the mud looked fresh, and the leaves looked clean. As if someone sat down and cleaned each and every leaf with a soft duster with a high thread-count. They probably did.

My mother always had a job: she was 19 when she started working at the Office. She had two offers, one from the irrigation department and one from the Office. Both were government jobs, and so she chose the one which required less traveling. She worked for a meager salary and with no post. She used to sit at a table with a typewriter and do whatever she was supposed to do. She had a diploma in stenography, but her job was not related to it.

*I had a girl in my class, Neetu Parekh. Her father used to be a principal of a government college at that time. Can you imagine? Her mother was in SBI. She used to wear these stylish salwar suits with platform heels and painted nails, even toe nails. She had such beautiful hands, pink and with shiny nails. They had a motorcycle at that time.*

*I met her father once, at the auto stand. He asked me what I was doing. I told him without telling much. He was so happy and said it was so good I was earning already at such a young age. He then looked at his daughter and said, see I told you also to get a job, Babita is earning so well. You too could have done that. Neetu Parekh looked at her hands and said, I want to study law.*

*Now Neetu Parekh is in some court. Could have been me, had I not been engaged in this lousy job with no post and no offer letter. Well... no one was there to tell us.*

My mother tells me this while she sits on the red stool, peeling the onions. She then proceeds to collect the onion peels in an old pink bathroom mug and fill it with water.

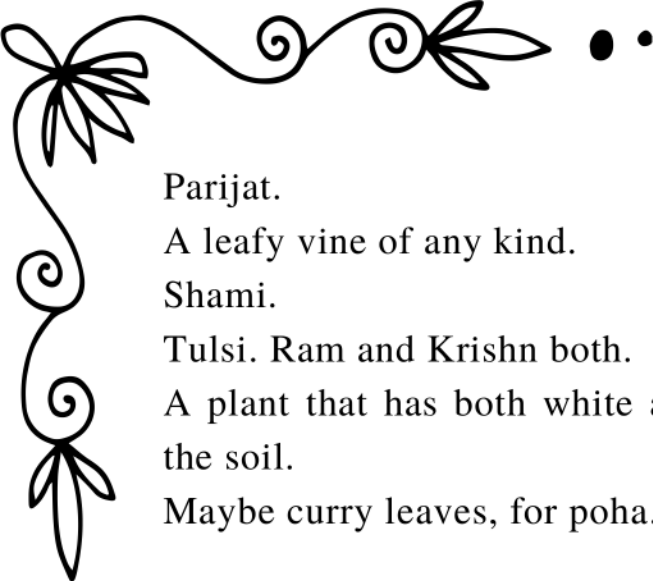
*I saw it on YouTube, if you put onion peel water in the plants, they grow much faster.*

The bathroom mug sits in a corner of our kitchen for 5 days before my father throws it out without realizing what it was meant for.

She switched jobs after I was born. To a different place, now with a computer, a table of her own, a government almirah she had the keys to, a dustbin, a wall fan that didn't rotate, and a chair that had wheels and a system to regulate its height. On most days, she's rushing to her office, cutting it close by a minute or two: her feet only halfway into the shoes, her socks in the side pocket of her purse, rolled up in a ball. She sometimes mistakenly wears the wrong bra, year-old with a rusted hook. She forgets that the kurta she is wearing is a bit torn from the side, exposing her salwar and the fact that she had rolled it up multiple times at the waist. She takes the almost-finished compact and years-old lipstick in her purse to apply in the office. I know she does.

Nowadays, my mother has started bringing home plant cuttings, bulbs, seeds. She wants to have a *Sitabani*. The smaller, feminine, less intimidating and more compact version of the jungle Sita was held captive in – *Sitaban*; hence, *Sitabani*. For the very small piece of land we'd left when cementing the porch.





Parijat.

A leafy vine of any kind.

Shami.

Tulsi. Ram and Krishn both.

A plant that has both white and purple flowers, depending on the quality of the soil.

Maybe curry leaves, for poha.

- The fallen flowers from *parijat* and the rotten leaves of the leafy vine irritate my mother. They fall on the porch and make it look unkempt.

*It's like raising a child, you need to clean up after them and feed them and then they fall all wilted and break your heart.* My mother says, a straw broom in her hands, crouching on the porch. Her torn kurta pasted to her back; her bra with the rusted hook, unhooked under it.

The Tupperware my mother uses as a pot for the plant in her office was a freebie. We received it when we purchased our Whirlpool washing machine. I remember being more excited about the Tupperware than the actual machine we had paid for. People in my class brought cashews, almonds, pistachios, and sometimes *aloo bhujia* in their Tupperwares. I wanted that Tupperware to be mine. Something I open during the games period and pop an almond or two from, or maybe a handful of *aloo bhujia*. I'd close the Tupperware with the air of a very professional, busy, snacking-on-almonds-in-school kid.

*Cluck. Clack.*

*Tuck. Tack.*

I played all day with that Tupperware. Closing it. Opening it. Closing. Opening.

*Cluck. Clack.*

*Tuck. Tack.*



Before the washing machine, I remember my mother sitting in the bathroom in a blue stool. With her thick hair making patterns on her forehead, like the vines are now supposed to on our new green walls. She sits on the stool like a large toad. The slightly-brown soapy water all around her. She sits on the stool in that 6×4 bathroom, with no exhaust fan, just a rotting wooden bluish green door, and a small window with a curtain made from an old bedsheet. She sits on that stool for hours, scrubbing and rubbing the heavy jeans, seven-hands-long sarees, white shirts with the school monogram, rolled gray socks which were torn from the big toe, and sometimes shoes.

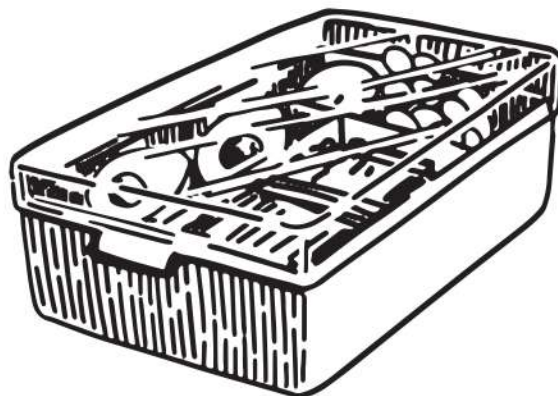
I look at her back, drenched in sweat. Her kurta, drinking the soapy brown water rapidly. Her feet, firmly placed on the floor alongside the hair strands, lint and all the dirt that she's washing off of everything.

I don't ask about the Tupperware.

Many years later, the Tupperware cracked somehow. It tried growing? Or shrinking? Or was too bored of being a round Tupperware and wanted to be a square one with almonds and cashews and pistachios in it.

She never threw it out.

Now that washing machine sits on four red bricks wrapped in plastic, placed under each leg of the machine. The hairballs, lint, and the brown soapy water the machine excretes doesn't touch its feet.





My mother has an assistant named Sangeeta. She comes from a part of Uttarakhand, where Nepalis come from. My mother says she has some disease, she sleeps all day. Even when her eyes are open, she sleeps. She sleeps when she's eating, when someone shouts at her. She sleeps when she fetches a file from a senior, or a spoon from the canteen for my mother.

*Sangeeta lives with her cousin sister. The sister is in HDFC Bank. Sister's husband has a business. Sister has two children, one of them is studying in America. Sangeeta started living with her sister when she was very young. You cannot even imagine how it is like living with a relative, blood ties around the neck. You know Sangeeta is so thin and almost malnourished. I'm pretty sure she is anemic too. I ask her something and she looks at me with a blank expression. I don't know how she'll manage in the office without me. I'm not saying I'm great and all but I cut her a lot of slack, had she been with these NC Joshi and Pandey, they would have made her life hell.*

I never understood if my mother likes her job or hates it. She likes it enough to sometimes miss my school's annual function to attend convocation at her office. She hates it enough to bring me color printouts of Kedarnath floods of 2013 with highlighters and pencils and Natraj erasers and files for my school projects.

I was never much of a performer in the school's annual functions, and color printouts were expensive.

My mother shares her food with Sangeeta. She packs her lunch in mismatched containers and steel bowls with small plates as lids. She takes her chapatis and rice in the same tiffin. She ties all of this in a polythene bag which, the previous day, my father had bought cucumbers, spinach, potatoes, bitter gourd, lemons, and chilis in for the next week. The

polythene bags never seem to finish. She packs all these mismatched, ill-fitted, lid-less bowls and containers in a polythene bag that smells of fresh vegetables.

I asked her to buy a glass tiffin set for her. Milton and Nyasa have good ones. Not expensive even. The one like she got for my father.

*Cluck. clack.*

*Clack. click.*

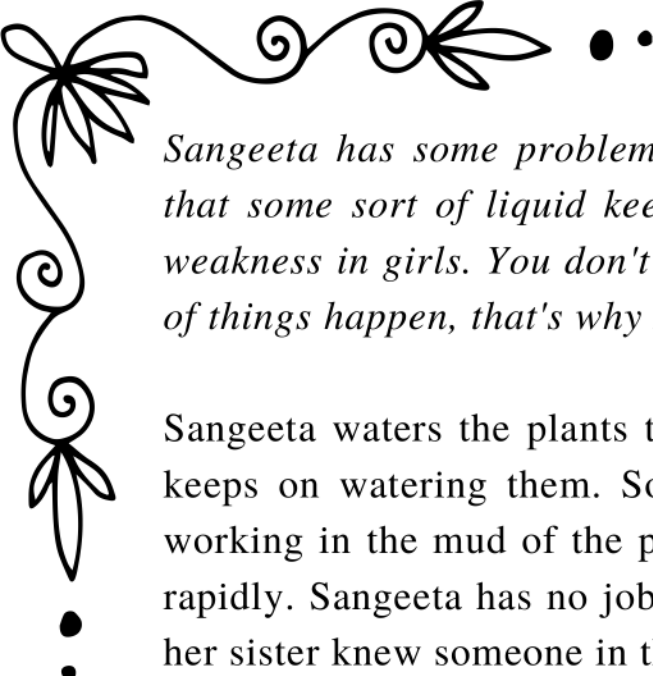
*I have everything. I don't need to buy more. Who do I have to show off to?*

Sangeeta and my mother eat lunch together. They sit on my mother's computer table and share whatever they have. My mother unpacks her polythene bag lunch and Sangeeta opens one which resembles a school lunchbox. My mother gives her a major portion of the rice and takes half a roti from hers.

*She likes rice, you know. I look at her eating daal bhaat with so much happiness, she reminds me of you. God knows if she doesn't get rice at her house. Roti and sabzi and cucumber she brings, even a fruit sometime, never rice. God knows. I let her eat.*

My mother tells me this while she reheats the rice leftover from the day before, to make sure it has not gone bad. She likes eating rice with milk. She takes the huge cooking pot in which she had reheated the rice after adding some water and adds milk to it. She then sits on the tiled floor with her legs sprawled, the pot placed between them. She eats sitting like this, scraping the rice.





*Sangeeta has some problems with discharge, you know. What happens is that some sort of liquid keeps dripping from down there and that causes weakness in girls. You don't get nutrition in childhood and then these sorts of things happen, that's why I also ask you to eat whatever I cook.*

Sangeeta waters the plants that sit on my mother's desk in the office. She keeps on watering them. Sometimes, she gets a little twig and keeps on working in the mud of the pot. The plant, thanks to her, has been growing rapidly. Sangeeta has no job profile, no offer letter. She was hired because her sister knew someone in the office.

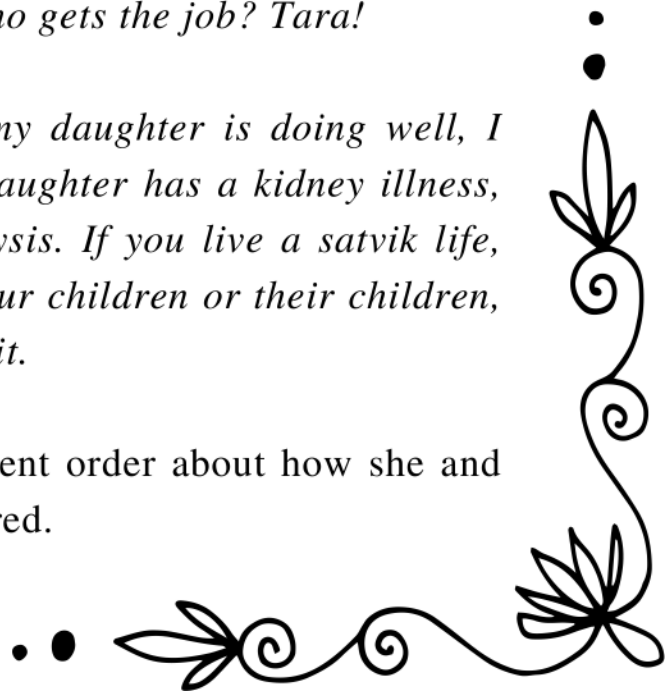
My mother's position at her job is also not permanent. It's something similar to being hired on a contractual basis. This is my mother's biggest example of why one needs to have political backing, or any kind of backing, at that.

My mother was the second topper in her college, she has an excellent typing speed, she could learn 100 idioms in one sitting when she was a child, and yet, she doesn't have a permanent job.

*Sometimes that's just how it is. I worked so hard. I ate khichdi for two years. You cannot imagine eating khichdi 3 times a day for 2 years. Because that's all I could afford back then. Your Nani used to send 600 rupees for 3 months. I had only 2 suits. And who gets the job? Tara!*

*Her husband knows some mantri. But well my daughter is doing well, I have a home, my husband is caring. Tara's daughter has a kidney illness, has to go to Delhi every other week for dialysis. If you live a satvik life, cheat no one, never lie, never steal, you or your children or their children, they get what they deserve. We just have to wait.*

She tells me as she looks at another government order about how she and many other people are still not permanently hired.



I said to my mother that the plants look beautiful. I told her I might get those fake ones for my study table too. I told her about the Tupperware incident.

*If I had given it to you, what would I have served guests in? Dr. Verma's wife used to have those sets of beautiful tupperware, I thought one day I'll have that too. So I kept it safe, so that I'll use it when someone comes. No one important enough ever came. One day while I was cleaning, I saw it was cracked. I cried a lot that day. So silly and stupid. And when we moved to our new house I couldn't throw it, thought of having a plant in it. By the way, Sangeeta moved that plant to her own table. She said, "Madam, here I'll be able to water it more regularly.*

We both laugh.

The next day, I see the plant sitting on my desk. Looked puny and dead.

*I took it back. Sangeeta needs to focus on her work and you said you liked it.*





## TO FEAST UPON OUROBOROS



YUSRA BASIT



Sometimes I think time runs like a snake.

Ouroboros. That's what the Greeks called it, didn't they? Self consumptive, self destructive; the self at the centre, the self at the heart of it all. Your self, my self, their self. I'm not that, which means I'm this. (I'm not pretty, I'm ugly, not smart, I'm stupid, not good, I'm bad.) In simpering sighs, it spits its teachings, burns my flesh in mottled greens and greys. I trace the wrinkles that crawl in droves from the crease of my mouth, maggot-swift, putrid; I shave my brittle carrion into knife points, and wait for blessed sermon.

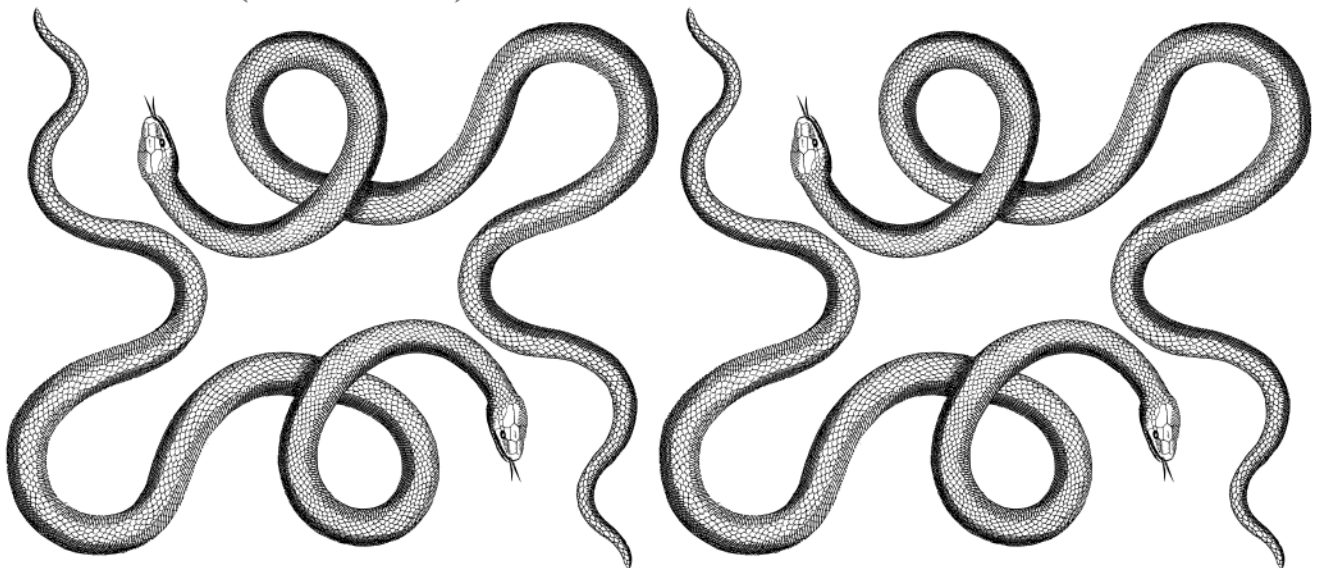
Stream of consciousness, this is, up and down, down and about, tossing and turning and thrashing away, a great fish caught in a net, king of some hidden kingdom, saline scales and brine bones, snapping with hungry jaws, rabid bulging eyes that have seen the depths far better than we ever will. And yet, there he sits, plated and pretty, a little green stalk of thyme atop his gills, heaving cold breaths through cracks in the pavement. What holds him together now? (the butter, i'd say.) The butter, and the thrice-burnt saucepan, the peeling salt and pepper shakers, the cream perched at the precipice of turning sour, rotten, sliding down the chute to meet its fate. Ship of theseus, where have you sailed? You return, but at what cost?



I think of stallions, and i taste verdure, of wide grassy fields and dandelions trembling like doomed maidens, skies so blue you'd crack a tooth gnawing on its edge, clouds golden like cat's cradle, thread weaving through and through, front and back, in and out. Sinews ripple beneath flesh so taut and golden it's a queen's drape, strength in the heave and heft of power, grounded so fiercely in the earth no one dares tear you free. And yet, and yet. Might fails, cunning shatters, will falters, laughter departs. When night comes, brutality stalks the pastures, sifts through the husk and snarls around the corn, gnashes its venomous lips around a proffered hand. One bite, and it all pulls free. One act of rage, and the castle comes tumbling down.

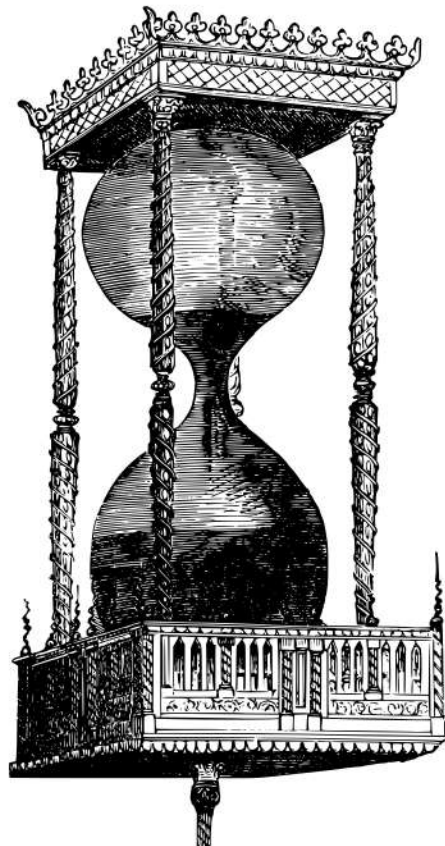
Time marches; salutes, parades, jeers, cackles. Lolling tongues, dripping gluttony, saliva-bright, sickle-sharp. Time ploughs through history, through people, baked huts and thatched roofs and mud cakes and misery, lounging on the blank canvas of a long-hacked, long-shredded painter; it twirls in ballrooms, pirouettes in parliaments, leaps in the ledgers of a coin-weighed, pearl-coiffed magistrate. Cruel tyrant, vicious heathen, we wail: blasphemous creature, wicked wretch of hellfire. Why us? (why me, why her.) Why us? Why us.

Sometimes—( sometimes )— time runs like a snake.



Comes around, it comes around. Round and round the world, over epochs and moons and ladies-in-waiting, it comes, homeward-bound, wayward son. In coils, it slithers close: in hisses, it talks. It dangles from reaching branches, weaves through buried ruins of space, makes the sweetest poisons of remembering. It curls in my lap, youthful and impassioned, hot blood, fast pulse, fresh skin; I stroke its face, plant a kiss on its brow. Lover, lover, what a devoted lover. I jam my fingers down the back of my throat and gag until nightfall. My lungs are cupped in the meat of my palms, they're throbbing and hideous and I'm finally pretty, finally pretty because I finally listened. (teacher, teacher, what a passionate teacher.)

Time croons compliance to me; I open wide my jaws, and I willingly obey.





# IMPERFECT RAGE



TASNEEM KHAN

*Belas* in her rings, O Yasmeen! You become a flower–blooming in translation

I say–beautiful, pretty–A tongue exiled: *Mallika-e-bahaar* receding in translation

“*Insha’Allah* this war will end”? Before *Ka’aba*, she prostrates on red anemones

A God expelled from the edge of a prayer–holy grief–weeping in translation

A finger halts at *waqf-e-taam*–In its womb remains–Prisoner of a language lost

Damned hands turn to stone–A believer’s faithless heart, bleeding in translation

Zaynab’s lament ends in Damascus, Now who is left to weep for the mourners?

An ancient sorrow–A threshold of words–A *Truth* festering in translation

Language’s imperfect refugee–I pray in Arabic, Grieve in Urdu, Protest in Silence

I, Ana–This ghazal’s criminal, arrive in English, now watch me–collapsing in translation







## AUBADE



TASNEEM KHAN

---

Delay the singing, my love.

The magpies  
Have stolen the morning.

This light, now falls  
Like a goddess' ancient curse.

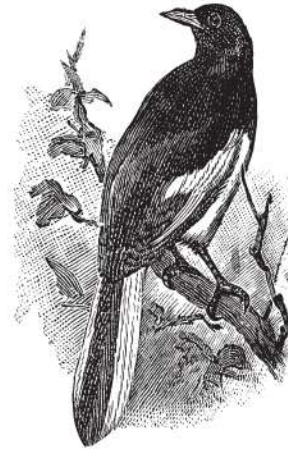
This dream, a skin-less infant  
Weeping over the grief

It was born into  
Ends before me.

The song only reaches  
The Blue Door.

Ahead, it only  
Turns to a shrapnel

Or does it implode  
Unto truth?



Delay the singing, my love.



Delay the singing, my love

I feel  
A snowfield grow inside me  
Or is it  
Another skin-less unborn?

At the edges, a body splinters,  
Call Mother!

I am now  
A woman

Blossoming  
Into a tragedy



The magpies  
Have stolen the morning  
Today,  
Would you please sing of the night  
That stays?



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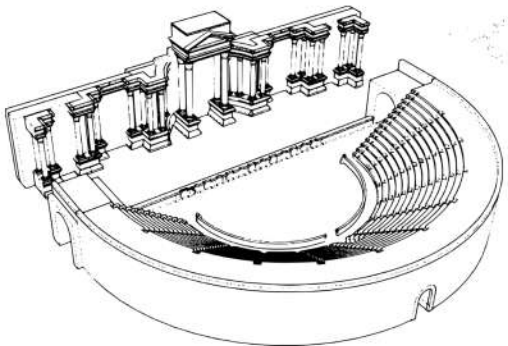
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