



THE TIMES OF INDIA

Date: 20-10-16

## The wrong enemy

### *Banning films and actors, making surgical strikes a poll plank are big mistakes*

Leaving the Goa Brics summit aside, India has made gains in its drive to diplomatically isolate Pakistan. South Asian countries gave a miss to the scheduled Saarc summit in Islamabad. The US is increasingly criticising Islamabad for failing to rein in terrorism. Similarly, China too has reportedly told Pakistan that it must change course on terrorism, especially since it threatens Beijing's \$46 billion China-Pakistan Economic Corridor. That's all the more reason for India to rely on intelligent strategy now rather than ill-judged moves, high-pitched emotionalism and attempts at political exploitation of surgical strikes. The surgical strikes were indeed a successful component of the government's overall strategy to tackle Pakistan-sponsored terrorism. They demonstrated that India could take recourse to hard measures if the need arose. However, they haven't had the intended effect yet of persuading Pakistan to stop sponsoring terror. And there have been disruptions to the lives of villagers along the LoC. Continually publicising the strikes as a triumph is premature and counter-productive. BJP may need to win crucial elections in UP and elsewhere, but it should refrain from making the strikes a poll plank.

The signs, unfortunately, are otherwise. Not only have chest-beating statements come from ministers, Prime Minister Narendra Modi has compared the strikes to exploits of the Israeli army. This is a slippery slope as it could make the government a prisoner of its own rhetoric, undermining its strategic options in case of another Uri-like terror strike emanating from Pakistan. If politics rather than strategy determines India's response, India could walk into a trap and our jawans will pay the highest price. In the same vein, allowing the creation of an atmosphere where Pakistan actors are boycotted is counterproductive. The BJP government in Maharashtra has done little to assure security for the release of Karan Johar's film *Ae Dil Hai Mushkil* featuring Pakistani actor Fawad Khan. Nor did it lift a finger when Pakistani film *Jago Hua Savera* – which was actually a collaboration between artistes across the subcontinent – was dropped from the Mumbai Film Festival. We must realise that Pakistan's civil and cultural societies are themselves victims of radicalism and India's best hope is to crystallise opposition to religious extremism within Pakistan. Pakistani citizens aren't the enemy here. If anything they should be strengthened and supported so that they become a voice of change in Pakistan.

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## Beware, the sag is showing

### *How to turn around drooping investment and job numbers, before social unrest strikes*

Two recent data announcements seemed to have escaped policy attention in ongoing exuberance about surgical strikes and hoopla about Brics and Bimstec in Goa. First, gross fixed capital formation (GFCF – broadly indicating total investment in plant and machinery) was reported to have declined for the second successive quarter, by (-) 3.1% in the April-June 2016 period. This is virtually unprecedented. To put this in context, GFCF

had increased by 24.5% in 2011-12 when GDP growth was 7.0%. Negative growth of GFCF ominously implies a shrinking of the economy's productive capacities.

Second, growth of commercial bank credit to non-food sector plummeted to 8.3% in August 2016 as compared to its earlier peak of 38.4% in 2005-06. Bank credit to industry in August 2016 actually contracted by 0.2%. This implies that commercial banks have effectively stopped lending to the industrial sector. Again, to put it in perspective, growth in commercial bank credit to industry was 26.5% in August 2010 and 23.6% in August 2011! For it to have become negative reflects deep distress both in the banking and industrial sectors. Urgent action is warranted. Investment weakness and loss in employment will have serious socio-political consequences. Symptoms are already visible. Patel agitation in Gujarat; Jat madness in Haryana; Gujjar movement in Rajasthan; and most recently Maratha mobilization in Maharashtra reflect rising impatience of India's much vaunted youth. These agitating young people need employment – not just any work but high quality jobs that come with proper working conditions and reasonable remuneration. Prime Minister Narendra Modi would do well to direct his economic team to focus laser like on attracting more investment and generating more jobs, before it is too late.

First, the government must start a time bound and ambitious program of public housing for urban workers and landless labourers. Housing construction has extensive linkages in the economy and can spur both investment and consumption demand simultaneously. Advances in construction technologies (eg Moladi technologies) hold out the promise to complete construction of low income housing projects in less than six weeks! This has to be given far greater priority than smart city initiatives that will take years before any real investment takes place. Second, active encouragement should be given to export oriented garments and apparels and tourism sectors, which have immense employment opportunities. The textile policy is a step in the right direction but needs far greater focus on implementing capacity expansion and providing real assistance to the medium and small exporters who abound in the sector. For tourism private and foreign operators and investors should be roped in to identify major constraints and address them urgently.

Third, RBI can help by ensuring a weak rupee and ignoring the advice of all those who call for a strong rupee on some pretext or the other. This will help labour intensive exports in general. India cannot hope to move to double digit and employment intensive GDP growth without significantly increasing its share in global exports that languishes at a measly 1.6%. Fourth, the proposal to establish Coastal Economic Zones, put forward by NITI Aayog, is 30 years behind times and totally unworkable in Indian conditions. As early as the mid-eighties, the suggestion to design large EPZs on Chinese lines was rejected by the government as being impractical. Our federal democracy and constitutionally mandated individual freedoms and rights, combined with a hyper active media and problems of inter-ministerial and inter-government coordination, make these proposed zones a non-starter.

Fifth, India's stock continues to remain relatively high in global markets. This is, therefore, the right time to make the extra effort for attracting FDI for greenfield capacity expansion, hopefully in joint ventures with the second rung of private sector firms. These 'next 500' or relatively smaller private sector firms – and not the top hundred corporates which constantly hog all the policy space – are natural partners to foreign investors. But they need a helping hand. NITI Aayog should extend that help and monitor potential joint ventures and FDI inflows while addressing any outstanding problems that discourage FDI.

Sixth, NITI Aayog should also regularly monitor and report on the progress made under 'Start Up India' and 'Stand Up India' campaigns as they are ostensibly the government's principal instruments for generating fresh employment. Good news on investment and employment should be publicized to improve presently sagging sentiment. Seventh, it is evident that public capital expenditure had held up investment levels in 2015-16. This might well have to be repeated this year, but without as much fiscal space. Hopefully the Committee examining this issue will soon submit its report emphasizing that minimization of revenue deficit is the real goal of fiscal policy. That will give government the flexibility to use borrowings as a counter-cyclical measure to trigger the investment cycle.

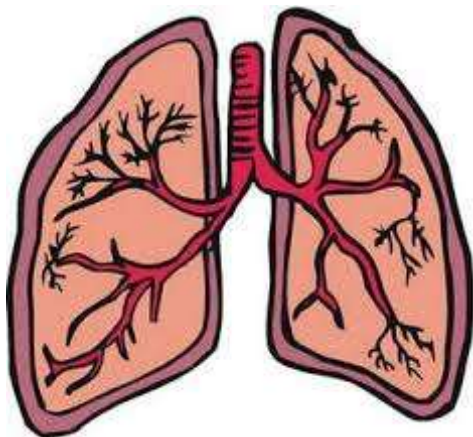
Finally the confusion about GDP growth estimates, which unfortunately persists, must be squarely tackled. The new series just does not inspire confidence. These high GDP numbers tend to create a sense of complacency that all is well in the economy, which patently is not the case. I am sure that PM Modi recognizes that the state of the economy and much needed job generation will be key to NDA's future prospects. Therefore, the time to act is now before persistent investment weakness and consequent lack of real jobs convert to unmanageable social unrest with seriously adverse political outcomes.

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## THE ECONOMIC TIMES

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### Only better healthcare can cure Tuberculosis



The World Health Organisation's (WHO) Global Tuberculosis Report says India has 2.8 million people afflicted by the disease, 27 per cent of the global total for 2015. Of these, 79,000 had multi drug resistant TB, 13.6 per cent of the global total. The stock-out of TB drugs caused by pusillanimous officials' failure earlier this decade to renew a vital contract to supply the drug would have contributed to the rise of the potent multi-drug resistant variant of the disease.

These figures reflect a dysfunctional healthcare system, besides low levels of income, nutrition and awareness. The private sector's often callous attitude to treatment of TB goes unchecked by regulation. The government's Revised Tuberculosis Control Programme provides for free of-cost TB medicines through the public healthcare system, but given that public healthcare is either non-functional or overburdened, even the poor, at least a third, choose private care. The official figures do not account for those accessing the informal sector — studies estimate that nearly 50 per cent of TB cases are outside any organised healthcare system. Poor diagnostics hamper treatment. The treatment plan offered outside the public system is often not in line with the WHO-prescribed Directly Observed Treatment Short (DOTS) and DOTS plus courses. Instead, high-dosage antibiotics are prescribed, masking TB symptoms and building drug resistance. Nearly 57 per cent of TB cases in rural India are linked to malnutrition. Funding for TB has gone up. But we also need better surveillance in the private sector, improved reporting, diagnosis and treatment. Counselling and support of patients to ensure that they complete their course of treatment are imperative. A functional public healthcare system is the first step.

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### Don't stop the music

*Sharing culture humanises India and Pakistan — banning this pushes both from peace towards war.*

All of a sudden, art and cultural cooperation look like becoming a casualty in the latest confrontation between India and Pakistan. We must not let that happen.



Let's all hit the pause button on the news for a moment and remember what we have in common. Like our Indian counterparts, Pakistani music, poetry, television and literature have acted as a bridge between generations, cultures and nations — our nations. From Madam Noor Jehan to Abida Parveen, from Mehdi Hassan to Ustad Nusrat Fateh Ali Khan, from Nazia Hassan to Junoon and the present generation, artists have provided a mosaic of cultural spaces that reveal the true face, hopes and common humanity of South Asia.

But amid the ongoing tension, here's what cross-border collaboration is up against: Pakistani artists working in India have been threatened with violence by hawkish organisations like MNS. Indian film icons Salman Khan and Om Puri have reportedly been labelled traitors for arguing to keep art and culture separate from politics. And on the Pakistani side of the border, in response to the outrage in India, the Pakistani motion picture association and PEMRA (Pakistan Electronic Media Regulatory Authority) have threatened to stop screening Indian films and ban Indian artists from appearing in Pakistani films and TV commercials. What the threat-makers forget is this — culture humanises what politics demonises. Banning artists, writers, actors and poets will give victory to the terrorists and extremists who don't want people-to-people contact. They only want to create fear. Just a few weeks ago, Om Puri was in Pakistan, promoting the Pakistani-produced film Actor In Law, which is doing record business in the country. Indian artists are embraced by Pakistanis —and it's not just a one-way street. Indian music companies, film producers and event organisers invite Pakistani artists since it makes good business sense to do so.

I speak from personal experience. Junoon's short music film Ghoom Tana features my Indian friends Shubha Mudgal, Naseeruddin Shah and Nandita Das. We shot this in Patiala, where my mother was born, and from where she subsequently fled during Partition. What's more, Junoon was the first and only Pakistani rock band to perform in Srinagar, in May 2008. Performing at the edge of the Dal lake, for thousands of Kashmiri students and South Asian leaders, is one of the best memories of my life. It revealed the possibility of harmony in our subcontinent, too often rocked with violence and border tensions. Despite the trauma of Partition, our history of conflict and the pain of the present moment, there still remains, miraculously, great love, friendship and a deep spiritual harmony between Indians and Pakistanis, elders to current generations. I know this from my own experience — so does Om Puri and every Indian and Pakistani who has a stake in a peaceful subcontinent. It's this kind of collaboration we must protect, even as our governments drag their feet to find solutions to our most intractable conflicts.

Driving a wedge between Pakistan and India won't just imperil artists' collaboration. It also threatens to disrupt our common cause of improving public health. In July, as a physician, I attended an exercise in the Maldives for building a disease surveillance network in South Asia. It was attended by public health experts from seven South Asian countries. Indian and Pakistani public health experts alike are focused on mobilising a disease surveillance network. That would require better communication between the two countries — not cutting it off.

I've lectured and performed at Indian universities and the overwhelming message I heard from students is — more people-to-people contact, not less. In democratic nations, diverse views like these students' are welcomed, not muzzled. There should be the same across both sides of the border — and more of it. In the 21st century, we live in an interconnected world. Whether it's appreciating music and film or fighting polio, the joys and sorrows of life are increasingly shared. After Partition, we have three armies, three cricket teams, two jingoistic medias and two nuclear-armed states. And it seems as if the only people who want to work together are business leaders, artists and doctors. It doesn't have to be that way. The circle of light can grow wider.

When Junoon played in Delhi in February at a UNESCO concert promoting peace and education, an Indian mother brought her teenaged daughter to the show. Her daughter was named “Sayonee” after our hit song, since the mother grew up on Junoon’s music. When I met them later, Sayonee told me she’s learning to play the guitar — and the solo song that inspired her name. That is the power of music across generations and barbed-wire borders. Let’s take a deep breath and remember that 60 per cent of well over a billion Indians and Pakistanis are teenagers like Sayonee.

What kind of future do we want to give them? War or peace? The choice is ours to make today.

**Salman Ahmad**

**The writer is founding member of Pakistani music group ‘Junoon’, professor of Sufi music at Queens College, New York, and a Polio Goodwill Ambassador.**

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## **Personal laws and the Constitution**

The Centre’s categorical stand that personal laws should be in conformity with the Constitution will be of immense assistance to the Supreme Court in determining the validity of practices such as triple talaq and polygamy. By arguing that such practices impact adversely on the right of women to a life of dignity, the Centre has raised the question whether constitutional protection given to religious practices should extend even to those that are not in compliance with fundamental rights. The distinction between practices essential or integral to a particular religion, which are protected under Article 25, a provision that seeks to preserve the freedom to practise and propagate any religion, and those that go against the concepts of equality and dignity, which are fundamental rights, is something that the court will have to carefully evaluate while adjudicating the validity of the Muslim practices under challenge. From the point of view of the fundamental rights of those affected, mostly women, there is a strong case for these practices to be invalidated. The idea that personal laws of religions should be beyond the scope of judicial review, and that they are not subject to the Constitution, is inherently abhorrent. The affidavit in which the All India Muslim Personal Law Board sought to defend triple talaq and polygamy is but an execrable summary of the patriarchal notions entrenched in conservative sections of society.

This is not the first time that aspects of Muslim personal law have come up for judicial adjudication. On triple talaq, courts have adopted the view that Islam does not sanction divorce without reason or any attempt at reconciliation, and that talaq would not be valid unless some conditions are fulfilled. There are judgments that say the presence of witnesses during the pronouncement of talaq, sound reasons for the husband to seek a divorce and some proof that an attempt was made for conciliation are conditions precedent for upholding a divorce. The present petition before the Supreme Court seeks a categorical ruling that talaq-e-bidat — an irrevocable form of triple talaq that is permitted but considered undesirable in Islam — is unconstitutional. There are many who contend that instant divorce is not allowed, and that the triple talaq has to be spread over a specified time period, during which there are two opportunities to revoke it. Only the articulation of the third makes it irrevocable. It should be possible for the court to test these practices for compliance with the Constitution.

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## Changing the course of the planet

***At Kigali, India has once again demonstrated willingness to be part of a multilateral climate deal while being able to secure a differentiated outcome for itself***

After seven years of negotiations, on October 15, 197 countries reached a historic agreement in Kigali, Rwanda, to amend the Montreal Protocol and phase down hydrofluorocarbons. HFCs are refrigerant gases used for commercial, residential and automotive purposes (and in other applications) but are hundreds to thousands of times more potent than carbon dioxide. They were meant to replace HCFCs in order to protect the ozone layer but their global warming potential (GWP) has increasingly become a matter of concern in climate negotiations. The Kigali Amendment is one that could avoid global warming by up to 0.5° C. What did India gain? What should India do?



The Kigali Amendment is not as ambitious or as flexible as desired. Earlier proposals from North America, Europe and Small Island States had demanded a 2021 freeze date for HFCs for all countries. India wanted a 2031 freeze date. Eventually, developed countries agreed to an earlier baseline (2011-13) and freeze year (2019). For most developing countries (including China), the baseline was set at 2020-22 with 2024 as the year to cap HFC use. But India and a few other developing countries got a later baseline (2024-26) with HFCs freezing only in 2028. By not satisfying all the demands of all the countries, the Kigali Amendment signals a good compromise. But before any blame is attributed (or credit claimed), it is important to understand why India demanded differentiated treatment.

### Why latitude for India

India and China are the only developing countries that manufacture HFCs. But China's output is much bigger given its significantly larger share of the global air conditioner market. Even in 2050, India's HFC emissions under business as usual would have been 7 per cent of the world total against China's 31 per cent. Moreover, according to analysis by the Council on Energy, Environment and Water (CEEW), India's A/C market and HFC consumption picks up only after 2025. So, differentiation with China, which will witness rapid emissions during 2015-2030 (and has to act sooner), was warranted. The deal accounts for differences in current consumption, future growth and overall income levels.

Action prior to 2028 would have imposed additional costs of currently much more expensive alternative refrigerants. In the residential sector, the only viable alternative is propane (R290). The other alternative is R32, although it too has a relatively high GWP of 675. Hydrofluoroolefin (HFO) blends remain expensive. HFO1234yf (an alternative for mobile air conditioning) is anywhere between four and 10 times more expensive than the current gas in use. HFO1234ze, which can be used in some commercial applications, is cheaper but for other types of commercial A/Cs there are no viable alternatives.

The cost burden is not merely of alternative refrigerants but includes the one-time cost of product redesign, servicing equipment, training of servicing personnel, and per unit equipment costs. In the lead-up to the Kigali meeting, a \$53-million philanthropic initiative was launched for energy efficiency measures in developing countries as a complement to shifting to HFC alternatives. While welcome, the actual costs of transition would

be much higher. A CEEW-International Institute for Applied Systems Analysis study found that for India, economy-wide costs of an HFC phase-down could be €12 billion (sum of undiscounted costs, 2015 prices) under the original Indian proposal and €34 billion under the North American proposal between 2015 and 2050. India wanted extra time until more information became available.

The agreed decision requires the Montreal Protocol's Multilateral Fund to cover incremental costs related to production, consumption, servicing and patents. But it is unclear how much of the total costs will get covered until the guidance document on calculating costs is prepared. Another concern for India was access to technology. Many alternative gases are not manufactured in India currently, although firms are moving in that direction. Ideally, if more (patent-free) alternatives emerged, and their prices fell rapidly, India should be prepared to voluntarily begin a phase-down even earlier, despite the later date it has secured in the negotiations.

The other aspect of technology is the need to test alternatives under India's high ambient temperature conditions. Testing for some chemicals has already begun but further verification was necessary before India could firmly commit. This is one reason why, in September, India announced a domestic, collaborative R&D programme to develop next-generation, sustainable refrigerants.

## **Gains from Kigali**

Overall, India's primary gain is that it has once again demonstrated willingness to be part of a multilateral climate deal while being able to secure a differentiated outcome for itself. The deal allows India's heating, ventilation and air conditioning (HVAC) sector to grow while giving time to refrigerant manufacturers to shift to alternatives. Second, a review of technological options is also envisaged so that India is not left stranded in 2028. Third, despite the three baselines, the bulk of global HFC emissions starts getting phased down earlier, delivering a massive gain for the fight against climate change. Fourth, the deal is legally binding, and failure to act could invite non-compliance proceedings, making it a more effective deal than the Paris Agreement on Climate Change.

It is important to recognise how research, analytics and consultations can help to move the needle and change the course of the planet. Until two years ago, India was unwilling to even negotiate HFC phase-down under the Montreal Protocol. Extensive research within India combined with several rounds of consultations between government, industry and civil society helped to prepare the ground for a more informed and proactive approach to the negotiations. The narrative of the global HFC negotiations also shifted, from merely ambition to include economy-wide costs, differentiation, and high growth rates. Rather than rest on negotiated laurels, Indian industry now has to recognise the shifts in global markets, invest in technology and nudge consumer behaviour towards more efficient and less damaging refrigerants. The international result is welcome; attention now shifts to domestic action.

**Arunabha Ghosh is CEO and Vaibhav Chaturvedi is Research Fellow at the Council on Energy, Environment and Water**

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## पाकिस्तान के तरफदार

चीन साथ नहीं देगा, यह लगभग तय था। गोवा में हुए ब्रिक्स सम्मेलन के पहले ही यह बात समझ में आ चुकी थी कि सम्मेलन में जब पाकिस्तान के प्रायोजित आतंकवाद का मसला भारत उठाएगा, तो चीन उसका विरोध करेगा और ऐसे किसी भी प्रस्ताव को रोकने की कोशिश करेगा। चीन ऐसा पहले भी कई बार कर चुका है, चाहे वह संयुक्त राष्ट्र में उठा कुख्यात आतंकवादी अजहर मसूद का मसला हो या फिर जैश-ए-मुहम्मद जैसे आतंकी संगठन पर पाबंदी का मसला। इसीलिए ब्रिक्स सम्मेलन में जब प्रधानमंत्री नरेंद्र मोदी पाकिस्तान को आतंकवाद का मुख्य नौकायन (मदरशिप) कह रहे थे, तो चीन के प्रवक्ता आतंकवाद के खिलाफ लड़ाई में पाकिस्तान के योगदान को गिना रहे थे। इन्हीं सब वजहों से पाकिस्तान चीन को अपना सदाबहार दोस्त कहता है। लेकिन हैरत की बात ब्रिक्स सम्मेलन में पाकिस्तानी आतंकवाद के मसले पर रूस का चुप्पी साध लेना है। उम्मीद यह थी कि सम्मेलन की घोषणा में जब पाकिस्तान और खासकर जैश-ए-मुहम्मद व लश्कर-ए-तैयबा का नाम आएगा, तो रूस भारत का साथ देगा। लेकिन ऐसा हुआ नहीं। वह भी तब, जब रूस की पहल पर सीरिया के आतंकवादी संगठन अल नुसरा का नाम इस घोषणा में शामिल कर लिया गया। अल नुसरा सीरिया के राष्ट्रपति बशर अल असद की सरकार के खिलाफ जेहाद छेड़ने वाला संगठन है, जो अपने बर्बर तरीकों से वहां खिलाफत कायम करना चाहता है।

रूस ने ऐसा रवैया क्यों अपनाया, इसे लेकर दो बातें कही जा रही हैं। एक तो यह कि रूस को पाकिस्तान में रक्षा-सामग्री का एक खरीदार दिखाई दे रहा है। इसीलिए पिछले दिनों पाकिस्तान और रूस की सेनाओं ने संयुक्त सैनिक अभ्यास भी किया था। हालांकि यह बात भी है कि पाकिस्तान के मुकाबले भारत रूसी रक्षा-सामग्री का ज्यादा बड़ा खरीदार है, लेकिन शायद रूस अपने नए खरीदार को नाराज नहीं करना चाहता। दूसरी, यह भी कहा जा रहा है कि रूस को इस समय चीन की जरूरत है और इसलिए वह किसी अंतरराष्ट्रीय मंच पर रूस के खिलाफ खड़े नहीं दिखना चाहता है। भारत रूस के इस द्वंद्व को शायद समझ भी रहा है, इसीलिए रूसी राष्ट्रपति व्लादिमीर पुतिन का स्वागत करते हुए प्रधानमंत्री नरेंद्र मोदी ने कहा भी था कि एक पुराना दोस्त दो नए दोस्तों से ज्यादा बेहतर होता है।

चीन और रूस का यह रवैया निराश करने वाला तो है, लेकिन भारत को ज्यादा परेशान करने वाला नहीं है। कूटनीति के मोर्चे पर लड़ाइयां अक्सर जटिल होती हैं, वे लंबी चलती हैं और उनसे किसी नतीजे की तुरंत उम्मीद करनी भी नहीं चाहिए। इसके बावजूद तमाम अंतरराष्ट्रीय मंचों पर भारत पाकिस्तान को अलग-थलग करने में कामयाब रहा है। उरी हमले के बाद भारत की जवाबी सर्जिकल स्ट्राइक का अगर दुनिया में कहीं भी विरोध नहीं हुआ, तो यह नई दिल्ली की बड़ी कूटनीतिक सफलता है। अमेरिका समेत पश्चिम के लगभग सभी देशों ने पाकिस्तान की निंदा की है। यहां तक कि संयुक्त राष्ट्र महासभा तक में पाकिस्तान ने जिन बातों को उठाया, उनका भी सभी जगह विरोध हुआ है। लेकिन कूटनीतिक लड़ाई की बहुत-सी सीमाएं होती हैं, इसमें उन देशों को साथ लेना आसान नहीं होता, जिनके किसी न किसी तरह के हित आपके विरोधी देश से जुड़े होते हैं। हो सकता है कि इसमें से कई देश सैद्धांतिक रूप से वही मानते हों, जो आप कह रहे हैं, लेकिन अपने हितों के कारण वे विरोधी के साथ खड़े दिखाई देते हैं। पाकिस्तान को अलग-थलग करने की कोशिशें अगर जारी रहीं, तो वे उसके साथ खड़े होने वाले देशों को भी देर-सवेर सोचने पर मजबूर करेंगी।