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APRIL 2021

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INSIGHTS into EDITORIAL

GENERAL STUDIES I

1. A road map for tolerance

International Day for the Elimination of Racial Discrimination

- International Day for the Elimination of Racial Discrimination is celebrated on 21st March every year.
- The day seeks to remind people of the negative effects of racial inequality.
- Racism and intolerance are issues that are present in all communities.
- It helps to strengthen solidarity among different ethnic groups.

Context:

Every year on **March 21**, a global movement gathers **to fight prejudice and intolerance** by marking the **International Day for the Elimination of Racial Discrimination**.

This **provides an opportunity** to explore the nuanced causes and consequences of modern racism, and renew an **important commitment to combat discrimination**.

Racial discrimination, beyond being a breach of human rights, has harmful effects on human health and well-being, and risks wider disruptions to **social cohesion**.

Racial Discrimination:

Racism is a reality and it is being perennially practiced and blatantly bloated in all societies across the geo-political spectrum in **World Wide Web of equality, liberty and fraternity.**

Racism attacks **all-encompassing normative system** and erodes all aspects of human values in life.

Primarily, racism is the **most callous and conspicuous negation of human equality** ordained by the collective wisdom in divinities, spiritualties and mundanities.

However, the citadels of racism are still alive and kicking in every nook and corner of the world and India is not an exception.

Brief History: International Day for the Elimination of Racial Discrimination:

1. The International Day for the Elimination of Racial Discrimination is observed annually on 21 March.

2. On that day, in 1960, police opened fire and killed 69 people at a peaceful demonstration in Sharpeville, South Africa, **against the apartheid "pass laws".**

3. Proclaiming the Day in 1966, the General Assembly called on the international community to redouble its efforts to eliminate all forms of racial discrimination.

4. In 1979, the General Assembly adopted a Programme of activities to be undertaken during the second half of the Decade for Action to Combat Racism and Racial Discrimination.

5. The apartheid system in South Africa has been dismantled. Racist laws and practices have been abolished in many countries, and we have built an **international framework for fighting racism**, guided by the International Convention on the Elimination of Racial Discrimination.

6. The Convention is now **nearing universal ratification**, yet still, in all regions, too many individuals, communities and societies suffer from the injustice and stigma that racism brings.

Constitutional Provision against Racism in India:

1. The Constitution of India is a document of high endowments that bequests civil liberties and human freedoms to all Indians to lead their lives in peace and harmony.

2. **Articles 14 and 15** are the most important guarantees ever envisaged by the Constitution of India whereunder **Right to Equality** that addresses the issues of discrimination and provide equal protection of laws in India.

3. **Article 14** further confers the Right to Equality before the law and equal protection of laws throughout the territory of India and **Article 15** prohibits the discrimination on the grounds of religion, race, caste, sex or place of birth.

4. However, the **biggest irony against the menace of racism** is that these rights are available to the citizens of India but only against the Indian State and not against the discrimination that is practiced and committed by private individuals.

5. Moreover, **Article 16** stipulates the **equality of opportunity to all citizens of India**. Further, **Article 39 (a)** gives rights relating to the **means of livelihood sans discrimination.**

New Forms of racism: Anonymity of the Internet:

Current forms of racism and discrimination are complex and often covert.

- Public attitudes to anti-racism have improved, as expressions of racist ideology have become less socially acceptable.

- Yet, the **anonymity of the Internet** has allowed racist stereotypes and inaccurate information to spread online.

- At the onset of the pandemic, traffic to hate sites and specific posts against Asians grew by 200% in the U.S.

- In India and in Sri Lanka, social media groups and messaging platforms were used to call for social and economic boycotts of religious minorities, amid false information accusing them of spreading the virus.

- Structural forms of discrimination, including micro-aggressions and everyday indignities, remain widespread.

- The **use of new technologies and artificial intelligence** in security raise the **spectre of 'techno-racism'**, as facial recognition programmes can misidentify and target racialised communities.

- Prejudiced attitudes and discriminatory acts, whether subtle or overt, aggravate existing inequalities in societies.

- **A study published by The Lancet** drew attention to the social dimension of the COVID-19 pandemic and the greater vulnerability of ethnic minorities, who have been disproportionately affected.

- The World Health Organization has cautioned on the dangers of profiling and stigmatising communities that can lead to fear and the subsequent concealment of cases and delays in detection.

- Women and girls also carry a double burden of being exposed to racial and gender-based prejudices. Racial discrimination deepens and fuels inequality in our societies.

- To contribute to this important discussion and signify the need for urgent work, UNESCO's headquarters in Paris hosted a **Global Forum against Racism and Discrimination on March 22, 2021**, in partnership with the Republic of Korea.

- The Forum gathered policymakers, academics, and partners to initiate a **new multi-stakeholder partnership on anti-racism**.

- The new proposed road map to tolerance calls for a **multisectoral effort** to tackle the **root causes of racism** through **anti-racist laws, policies and programmes.**

The way forward:

1. UNESCO's actions against racism through education, the sciences, culture, and communication offer an example of a way forward.

2. UNESCO promotes the **role of education** in providing the space for young people to understand processes that sustain racism, to learn from the past, and **to stand up for human rights.**

3. Through **new approaches to inter-cultural dialogue and learning**, youth and communities can be equipped with skills to eradicate harmful stereotypes and foster tolerance.

4. UNESCO also offers master classes to empower students to become champions of anti-racism in their schools and communities.

5. **The International Coalition of Inclusive and Sustainable Cities** provides an additional platform for **city-level planning and a laboratory** for good practices in the fight against racism.

6. Recent and new manifestations of racism and discrimination call for **renewed commitments to mobilise for equality.**

Conclusion:

Racism will not be overcome with mere professions of good faith but **must be combatted with anti-racist action.**

A global culture of tolerance, equality and anti-discrimination is built first and foremost in the minds of women and men.

The constitutional construction of constitutionalism on human rights instil a sense of pride among We, the People of India.

The words of former UN Secretary-General Kofi Annan remain pertinent: "Our mission is to confront ignorance with knowledge, bigotry with tolerance, and isolation with the outstretched hand of generosity. **Racism can, will, and must be defeated."**

2.BR Ambedkar: institution builder, champion of depressed classes
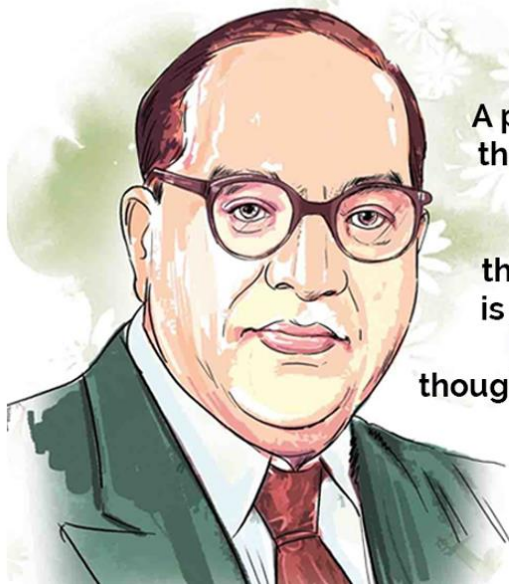
"Freedom of mind is the real freedom. A person whose mind is not free though he may not be in chains, is a slave, not a free man. One whose mind is not free, though he may not be in prison, is a prisoner and not a free man. One whose mind is not free though alive, is no better than dead. Freedom of mind is the proof of one's existence."

Dr. B.R Ambedkar

Context:

The nation is celebrating the **130th birth anniversary of B R Ambedkar**. His role as a **social reformer**, **chairman of the draft committee of the Indian Constitution, and first law minister of the country** is well-known.

But he wore many hats — a distinguished economist, active politician, eminent lawyer, labour leader, great parliamentarian, fine scholar, anthropologist, orator, etc.

The country has marked the **beginning of the Azadi Ka Amrit Mahotsav** to commemorate **75 years of Independence**.

It is imperative to reflect on Ambedkar in all his facets to grasp the gravity of his ideas, **his role as a nation-builder** and actions taken thereupon, **to strengthen the social fabric and build a just society and stronger nation.**

Dr.B R Ambedkar contribution towards Constitutional Reforms:

As **chairman** of the **Constitution's drafting committee**, he took meticulous measures to build a just society through **liberty, equality and fraternity.**

His advocacy for **universal adult franchise** ensured that women had the right to vote immediately after Independence.

His advocacy of the **Hindu Code Bill** was a **revolutionary measure** towards ameliorating women's plight by conferring on them the right to adopt and inherit. He contributed to developing federal finance.

Ambedkar as a pioneer in establishing many national institutions:

1. Ambedkar was a pioneer as an **institution builder** but he didn't get the attention he deserved in the pages of history.

2. **The Reserve Bank of India** was conceptualised from the **Hilton Young Commission's recommendation**, which considered Ambedkar's guidelines laid out in The Problem of the Rupee: Its Origin and Its Solution.

3. As a **labour member in Viceroy's Executive Council from 1942 to 1946,** he evolved numerous policies in the water, power and labour welfare sectors.

4. His farsightedness helped in **establishing the Central Water Commission** in the form of the Central Waterways, Irrigation and Navigation Commission (CWINC), Central Technical Power Board.

5. He helped in establishing the integrated water resources management through the **establishment of the river valley authority**, which actively considered projects like the Damodar River Valley Project, the Sone River Valley Project the Mahanadi (Hirakud Project), the Kosi and others on the Chambal and the rivers of the Deccan region.

6. The Inter-State Water Dispute Act, 1956, and the River Board Act, 1956 emanate from his vision.

Contribution for the welfare of labourers and Industrial Workers:

1. As a member of the Bombay Assembly, Ambedkar opposed the introduction of the Industrial Disputes Bill, 1937, as it removed workers' right to strike.

2. As a labour member, he advocated **for "fair condition of life of labour"** instead of securing "fair condition of work" and laid out the **basic structure of the government's labour policy.**

3. He contributed to the **reduction of working hours** to 48 hours per week, <u>lifting the ban on the employment of women</u> for underground work in coal mines, introducing the provisions of overtime, paid leave and minimum wage.

4. He also helped to establish the **principle of "equal pay for equal work"** irrespective of sex and maternity benefits.

5. Ambedkar outrightly opposed the communist labour movements, their extraterritorial loyalties and their Marxian approach of controlling all means of production.

Ambedkar: Voice of the depressed classes:

1. Ambedkar was the **voice of the Depressed Classes** on every platform. As their representative at the Round Table Conference, he championed the cause of labour and improving the condition of peasants.

2. During the **Bombay Assembly's Poona session in 1937**, he introduced a **Bill to abolish the Khoti system of land tenure** in Konkan.

3. In Bombay, the historic peasant march to the Council Hall in 1938 made him a popular leader of the peasants, workers, and the landless. He was the first legislator in the country to **introduce a Bill for abolishing the serfdom of agricultural tenants**.

4. His essay titled '**Small Holdings in India and their Remedies' (1918)** proposed industrialisation as the answer to India's agricultural problem and is still relevant to contemporary debates.

Present government promoting welfare measures and development of Panchteerth:

1. Ambedkar's thinking and legacy are reflected in the **pro-people, pro-poor welfare policies and programmes** of the Prime Minister Narendra Modi-led government.

2. The central government is leaving no stone unturned to improve the lives of citizens through their **social, economic and political empowerment**.

3. The **development of Panchteerth**: Janam Bhumi (Mhow), Shiksha Bhumi (London), Chaitya Bhumi (Mumbai), Diksha Bhumi (Nagpur), Mahaparinirvan Bhumi

(Delhi) are steps towards ensuring an appropriate legacy for Ambedkar, the nationalist reformer.

4. The successful implementation of the **Mudra Scheme** for availing loans, Stand-up India for **promoting entrepreneurship** in the SC and ST community, the expansion of the merit-cum-means scholarship, the Ayushman Bharat scheme, PM Awas Yojana, Ujjwala Yojana, Deen Dayal Upadhyay Gram Jyoti Yojna, Saubhagya Yojana, the **simplification of labour laws** are among the several measures that display the government's **unwavering commitment to fulfil the dreams of B R Ambedkar.**

Conclusion:

Dr.Ambedkar, the resolution said, led one of the largest civil rights movements in history, working to establish basic rights for hundreds of millions of Dalits, and succeeded in including **Article 17 in the constitution of India** which abolishes untouchability and its practice in any form.

On his birth anniversary, let's pay him a fitting tribute by **visualising the broader canvas of his ideas** and take a pledge to immerse ourselves in the **nation-building exercise.**

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1.A good start: On rare diseases and government support for treatment

Context:

Recently, the Ministry of Health and Family Welfare has approved the National Rare Disease Policy 2021.

The recent notification of the National Policy for Rare Diseases 2021 after various interventions, including the court, is pegged on this principle of inclusion.

The Delhi High Court had directed the Centre to set up a **Rare Diseases Committee, a Rare Diseases Fund** and to finalise and notify the National Health Policy for Rare Diseases on or before 31st March, 2021.

WHO definition of Rare diseases:

Rare diseases are broadly defined as diseases that infrequently occur in a population, and three markers are used the total number of people with the disease, its prevalence, and the availability/non-availability of treatment options.

WHO defines rare disease as having a **frequency of less than 6.5-10 per 10,000 people.**

As per an estimate, there are 7,000 known rare diseases with an estimated 300 million patients in the world; 70 million are in India.

According to the Organization for Rare Diseases India, these include inherited cancers, autoimmune disorders, congenital malformations, Hirschsprung's disease, Gaucher disease, cystic fibrosis, muscular dystrophies and Lysosomal Storage Disorders (LSDs).

National Rare Disease Policy 2021: Policy Direction:

The policy aims at lowering the incidence and prevalence of rare diseases based on an **integrated and comprehensive preventive strategy** encompassing awareness generation, premarital, post-marital, pre-conception and post-conception screening and counselling programmes to prevent births of children with rare diseases.

Within the constraints on resources and competing health care priorities, enable access to affordable health care to patients of rare diseases which are **amenable to one-time treatment or relatively low-cost therapy.**

7 points you need to know about the National Policy for Rare Diseases:

1. Along with lowering the cost of treatment of rare diseases, the policy aims to **increase focus on indigenous research and local production of medicines**.

2. Those who are suffering from rare diseases (diseases listed under Group 1 in the rare disease policy) that require one-time treatment will have the financial support of up to Rs20 lakh under the umbrella scheme of **Rashtriya Arogya Nidhi**. It will cover **about 40 per cent of the population who are eligible under the Pradhan Mantri Jan Arogya Yojana.**

3. The policy will **make use of a crowdfunding mechanism** to cover the cost of treatment of rare diseases.

As part of it, corporates and individuals will be encouraged to extend financial support through a robust IT platform.

4. A **national hospital-based registry of rare diseases** will be created to ensure adequate data and comprehensive definitions of such diseases are available for those interested in research and development.

5. Through the help of Health and Wellness Centres, District Early Intervention Centres and counselling, the policy aims to screen and detect rare diseases early at early stages, which will in turn help in their prevention.

6. A draft of the policy was put in the public domain on January 13, 2020, and comments from stakeholders, the general public, organisations, states and Union territories were invited on the same.

7. The Supreme Court and various high courts expressed concern about the lack of a national policy for rare diseases.

Rare diseases are difficult to research upon and availability and accessibility to medicines are important in the process of treatment.

The policy aims to help the nation overcome these fundamental challenges.

Rare Diseases: Issues & Challenges:

1. The field of rare diseases is **complex and heterogeneous**. The landscape of rare diseases is constantly changing, as there are new rare diseases and conditions being **identified and reported regularly in medical literature**.

2. Apart from a few rare diseases, where significant progress has been made, the field is still at a nascent stage.

3. For a long time, doctors, researchers and policy makers were unaware of rare diseases and until very recently there was no real research or public health policy concerning issues related to the field.

4. This poses formidable challenges in development of a **comprehensive policy on rare diseases.**

5. Nevertheless, it is important to take steps, in the short as well as long term, with the **objective of tackling rare diseases in a holistic and comprehensive manner**.

Challenges in research and development:

1. A fundamental challenge in research and development for the majority of rare diseases is that there is **relatively little known** about the pathophysiology or the **natural history of these diseases.**

2. Rare diseases are **difficult to research** upon as the **patient pools very small** and it often results in inadequate clinical experience.

3. Therefore, the clinical explanation of rare diseases may be skewed or partial. The challenge becomes even greater as rare diseases are chronic in nature, where long term follow-up is particularly important.

4. As a result, **rare diseases lack published data on long-term treatment outcomes** and are often incompletely characterised.

5. This makes it necessary to **explore international and regional collaborations for research,** collaborations with the physicians who work on any rare disease and with patient groups and families dealing with the consequences of these disorders.

6. This will help gain a <u>better understanding of the pathophysiology of these diseases,</u> and the <u>therapeutic effects</u> that would have a meaningful impact on the lives of patients.

7. There is also a need to review and where possible modify, clinical trial norms keeping in mind the particular challenges in rare diseases, <u>without compromising on the safety and quality of the drugs or diagnostic tools.</u>

The Way Ahead:

If the Centre can extend the cost-sharing agreements that it has worked out with Kerala, Tamil Nadu and Karnataka, with other States too, its share of the annual costs will be halved.

The Centre can, however, still set aside a substantial corpus to fund life-saving treatments, even as it rolls out the policy.

Doing so will not only complete a job well begun even if not yet half done but also cement its commitment towards the welfare of every single citizen in India.

The Policy also **envisages a crowd funding mechanism** in which corporates and individuals will be encouraged to extend financial support through a **robust IT platform for treatment of rare diseases.**

Funds so collected will be <u>utilized by Centres of Excellence for treatment of all three categories of rare diseases</u> as first charge and then the balance financial resources could also be used for research.

Conclusion:

It is **binding on a welfare state** to take care of every single citizen.

Securing the wellbeing of every one, particularly those unable to help themselves, irrespective of whether they constitute a critical mass or not, is important.

A good start, it offers financial support for one-time treatment of up to ₹20 lakh, introduces a crowdfunding mechanism, creates a registry of rare diseases, and provides for early detection.

In its final form, however, the policy has left the rare diseases lobby sorely disappointed on a crucial note.

Much of the effort in the sector, from the medical side, has been **to evolve formal definitions,** in the hope that it would support the development of and commercialisation of drugs for treatment, and improve funding for research on rare diseases.

2.Pandemic impact: Necessary to stop reverse migration

HOTSPOTS OF MIGRATION

Roughly 1/6th of India's households has a member who has stepped out of their home in order to be a work-related migrant. As India's economy expands, their numbers are slowly yet unmistakably increasing.

Perhaps the world's largest pool of migrant workers emerge from UP and western Bihar

North-East to Delhi, Bengaluru and other metros

Source: Chinmay Tumbe. "A Million Migrations: Journeys in Search of Jobs." Mint. Jan 16. 2019.

Saurashtra to Surat

Mumbai bound

Coastal Odisha to Gujarat and major cities

% of houses with a migrant who has gone in seach of work

Seasonal migration to nearby urban construction sites, brick kilns or for rural harvesting

- < 10
- >=10 < 20
- >=20 < 25
- >= 25
- No data

Gulf bound

Introduction:

India has been recording **lakhs of fresh Covid-19 cases every day** over the last few days.

Most major cities and growth centres—Delhi, Mumbai, Chennai, Bengaluru, Surat, etc continue to witness rising cases at an alarming rate.

Although the governments, both at the Centre and states, are trying to **address the emergency**, the **health infrastructure** has been too stretched to accommodate rising cases, forcing state governments to impose severe restrictions or lockdowns to break the transmission chain.

Delhi has gone in for a lockdown and Maharashtra has opted for severe restrictions till May 1.

Impacts of Reverse Migration:

1. Migrant workers are typically **hand-to-mouth consumers**, earning **subsistence living** and spending a large part of their income in the local economy. This contributes to another layer of demand, which will now cease to exist.

2. In their capacity as consumers, they are a **part of an informal economy** which generates and sustains volumes for the FMCG industries, which will take a blow due to reverse migration.

3. The lack of demand from the migrant workers and the mini economies they help sustain implies that forward and backward linkages to the **formal sector will be weakened.**

4. The reverse migration will put stress on the native states as it **quashes the remuneration flow** from other states at the same time there will be a question of employability of returned migrants.

5. They are stigmatised as the '**carriers' of the disease**.

6. Reverse migration could **destroy India's tribal communities** largely concentrated in ten states and in the North-Eastern region.

7. When economic activities began to pick up last year, this led to **labour shortages** in important sectors like manufacturing (especially **labour-intensive sectors** such as footwear, textiles, etc), mining, retail and trade and hospitality, which have **high dependence on migrant workers.**

8. **Small and medium sized enterprises** were hit badly, given their increased dependence on migrant labour.

9. The latter includes both **inter-state and intra-state migrants**, but both categories represent **rural-urban migration** often termed as **distress migration.**

Stopping the Reverse Migration:

1. The first spike in Covid-19 cases last year, and the fear of strict lockdowns, triggered an <u>unprecedented exodus of 1.14 crore migrant workers from cities, back to their villages.</u>

2. A survey conducted in 179 districts during May-June 2020 reveals that the second most important factor that made migrants make the difficult choice to return to their villages was **economic (33.2%)—**the top factor being the fear of contracting **Covid-19 (35.6%).**

3. The <u>fear of complete lockdown</u> across states is looming large. Fears of a lockdown, **livelihood uncertainty** and community spread of the virus create ground for **mass reverse migration** from big cities—like last year, which magnified the spread of the virus to different parts of the country and gave a severe blow to the country's supply chain for months.

4. It's **time to stop reverse migration** with **financial assistance**, provision of **subsidised food** and other benefits in kind to assure migrant labourers to stay wherever they are.

5. In this context, the Delhi government's decision to <u>provide financial assistance of Rs 5,000 to registered construction workers to contain another episode of reverse migration is timely</u>.

Present challenges with Reverse Migration:

1. The sudden exodus of labour force created **multiple challenges** including issues with capacity utilisation, affecting entire supply chains, putting severe cost pressures on firms and construction activities, and eroding operating profits, as wages rose and revenues fell.

2. **States with large manufacturing presence**, such as Maharashtra and Gujarat, were particularly affected, as was Delhi with trader bodies estimating that 60-70% of the labour force employed in Delhi left the city during the 2020 lockdown.

3. The **second fallout of reverse migration** was the **spread of the virus in rural areas** in migrant-origin states like West Bengal, Odisha, Uttar Pradesh, Bihar and Jharkhand, from where lakhs of workers come to affluent states mostly capital cities in search of work.

4. The return of migrants **put strain on fragile rural health systems**, where health infrastructure, human resources and trained personnel were inadequate, coupled with low testing capacity.

5. By June 2020, Covid-19 had spread to 98 of the 112 poorest rural districts, up from 34 in mid-April 2020.

6. Studies show **routine health services** in rural areas were **disrupted** in light of Covid-19 last year, putting <u>vulnerable populations pregnant women, undernourished children and the elderly at heightened risk of non-Covid-19 diseases and mortality.</u>

7. The mass reverse migration not only spread the virus, but also created challenges for the state governments in terms of managing quarantine and other basic facilities.

8. At the height of the pandemic last year, when the economy was all but closed, income support—through one-time **direct benefits transfers (DBT)** to around 20 crore women, and around 9 crore farmers—was provided by the government.

Directions from International Institutions:

1. The IMF suggested this month that an **additional fiscal stimulus** would be helpful in supporting India chart its economic recovery.

2. If a **fiscal stimulus** is under consideration, it is a good idea to start thinking of the stimulus by supporting the most vulnerable.

3. Seen from that lens, **income support to vulnerable migrant workers** in the informal sector, who fear loss of livelihood as also life, is the right step.

4. The government also must assure these migrants of **basic health facilities, including vaccination.**

5. Given the **dual risk of economic disruptions** in urban centres in key sectors due to sudden labour shortages, and the risk of Covid-19 spreading fast in rural areas, **financial support mechanisms** to abate mass reverse migration is a move in the right direction, particularly one that has been taken in a crisis mode.

The Centre should come up with a **financial package** and **coordinate with states** for an **effective solution in a localised way** to stop reserve migration.

Conclusion:

The government is **vocal and deeply concerned to stop reverse migration** this time.

It is **working with local administrations** to convince factory managers and trade unions in industrial clusters, etc, **to convince migrant workers** and **stop reverse migration**.

It is a case of once bitten, twice shy migrant workers fear lockdowns and the fact that they may have to <u>remain without food and housing</u> and endure loss of income just like last year, and feel that going back to their villages is the best option.

All types of efforts—financial and non-financial incentives should be made to contain another episode of **mass reverse migration** till we have **structural reforms** in place in the areas of rural development, urban livelihood guarantees, inter-state migration policies, and inter-state portability of government subsidies and entitlements.

<u>Some out-of-the-box thinking in terms of a special financial package is required to convince them to stay put.</u>

3.For Lok Adalats, speed overrides quality

Advantages of Lok Adalats

- Lok Adalats work in the spirit of harmony, compromise and understanding. Hence, **both the parties feel satisfied**.
- Lok Adalats deliver **fast and inexpensive justice**.
- Lok Adalats **reduce the workload of other courts**, helping them to focus on more serious matters. This **reduces the delays in higher courts**.
- Lok Adalats promote social justice by **providing legal aid to weaker sections of society**.

Introduction:

The **Indian judicial system** is often lambasted, perhaps justifiably, **for its endemic delays and excessive backlogs**.

As per the **National Judicial Data Grid**, 16.9% of all cases in district and taluka courts are three to five years old; for High Courts, 20.4% of all cases are five to 10 years old, and over 17% are 10-20 years old.

Furthermore, over 66,000 cases are pending before the Supreme Court, over 57 lakh cases before various HCs, and over 3 crore cases are pending before various district and subordinate courts.

Justice V.V.S. Rao, former judge of the Andhra Pradesh High Court, calculated a few years ago that it will take around 320 years to clear the existing backlog of cases.

Concept of Lok Adalat:

1. The **first Lok Adalat camp** was organised in Gujarat in 1982 as a **voluntary and conciliatory agency** without any statutory backing for its decisions.

2. In view of its growing popularity over time, it was **given statutory status** under **the Legal Services Authorities Act, 1987**. The Act makes the provisions relating to the organisation and functioning of the Lok Adalats.

3. The **term 'Lok Adalat'** means '**People's Court'** and is based on **Gandhian principles.**

4. As per the Supreme Court, it is an old form of adjudicating system prevailed in ancient India and its validity has not been taken away even in the modern days too.

5. It is one of the components of the **Alternative Dispute Resolution (ADR) system** and delivers informal, cheap and expeditious justice to the common people.

6. The **first National Lok Adalat (NLA) of 2021** will be held on April 10. As of now, Lok Adalats have been functioning **for 38 years**.

7. Lok Adalats had existed even before the concept received statutory recognition. In 1949, Harivallabh Parikh, a disciple of Mahatma Gandhi, popularised them in Rangpur, Gujarat.

8. **The Constitution (42nd Amendment) Act, 1976,** inserted **Article 39A to ensure "equal justice and free legal aid".**

9. To this end, the Legal Services Authorities Act, 1987, was enacted by Parliament and it came into force in 1995 "to provide free and competent legal services to weaker sections of the society" and to "organise Lok Adalats to secure that the operation of the legal system promotes justice on a basis of equal opportunity".

Working of Lok Adalats: A dispute resolution avenue:

1. As an **alternative dispute resolution tool**, Lok Adalats are regularly organised to help parties reach a compromise.

2. Motor-accident claims, disputes related to public-utility services, cases related to dishonour of cheques, and land, labour and matrimonial disputes (except divorce) are usually taken up by Lok Adalats.

3. The **State Legal Services Authorities (SLSAs)** have been organising Lok Adalats on a daily, fortnightly and monthly basis.

4. Data from the National Legal Services Authority (NALSA) show that Lok Adalats organised across the country from 2016 to 2020 disposed of 52,46,415 cases.

5. Similarly, National Lok Adalats (NLAs) organised under the aegis of NALSA settle a huge number of cases across the country in a single day.

6. For instance, NLAs conducted on February 8, 2020, disposed of 11,99,575 cases. From 2016 to 2020, NLAs have disposed of a total of 2,93,19,675 cases.

7. The data show that the average number of cases disposed of per NLA since 2017 has gone up even when the number of NLAs organised each year has reduced. This proves that on average, the system is certainly efficient.

Conciliatory role of Lok Adalats:

1. Besides efficiency and speed, Lok Adalats both online and offline should **focus on the quality of justice delivered**.

2. The Supreme Court, in **State of Punjab vs Jalour Singh (2008)**, held that a Lok Adalat is **purely conciliatory** and it has **no adjudicatory or judicial function**.

3. As compromise is its central idea, there is a concern, and perhaps a valid one, that in the **endeavour for speedy disposal of cases**, it undermines the idea of justice.

4. In a majority of cases, litigants are pitted against entities with deep pockets, such as insurance companies, banks, electricity boards, among others.

5. In many cases, compromises are imposed on the poor who often have no choice but to accept them.

6. In most cases, such litigants have to accept discounted future values of their claims instead of their just entitlements, or small compensations, just to bring a long-pending legal process to an end.

7. Similarly, poor women under the so-called 'harmony ideology' of the state are virtually dictated by family courts to compromise matrimonial disputes under a romanticised view of marriage.

8. Even a disaster like the Bhopal gas tragedy was coercively settled for a paltry sum, with real justice still eluding thousands of victims.

9. A just outcome of a legal process is far more important than expeditious disposal. With Justice N.V. Ramana's elevation as the new Chief Justice of India, it is hoped that he would take **some concrete and innovative steps in improving the quality of justice rendered by National Lok Adalats.**

Working of e-Lok Adalats:

To overcome the challenges posed by the COVID-19 pandemic, e-Lok Adalats were organised at both national and State level.

However, the first national e-Lok Adalat was conducted both physically and virtually using videoconferencing tools, and it disposed of 10,42,816 cases.

But this was less than the average of settled cases in 2017, 2018, and 2019. This suggests that the performance of the NeLA was less efficient than physical National Lok Adalats organised in 2017, 2018, and 2019.

In recent, there was a publishment of the draft of phase three of the e-Courts project.

Once implemented, it may **prove to be a game-changer in improving the efficiency of the adjudicatory process.**

In the e-Lok Adalat, an online link would be sent by **SAMA (an Online Dispute Resolution platform** recognized by Department of Justice for resolving disputes through video conferencing) to the concerned parties and a judge would preside over the mediation process.

Following the settlement, an OTP would be sent to them and on confirmation, the dispute would be settled.

Conclusion:

Lok Adalats offer parties speed of settlement, as cases are disposed of in a single day; procedural flexibility, as there is no strict application of procedural laws as there are no court fees for placing matters before the Lok Adalat; finality of awards, as no further appeal is allowed.

This prevents delays in settlement of disputes. More importantly, the award issued by a Lok Adalat, after the filing of a **joint compromise petition**, has the **status of a civil court decree.**

Justice delayed is justice denied. Access to justice for the poor is a **constitutional mandate** to ensure fair treatment under our legal system.

Hence, Lok Adalats ('People's Court') were established **to make justice accessible and affordable to all**. It was a forum to address the problems of crowded case dockets outside the formal adjudicatory system.

4.India does not shine when only some gleam
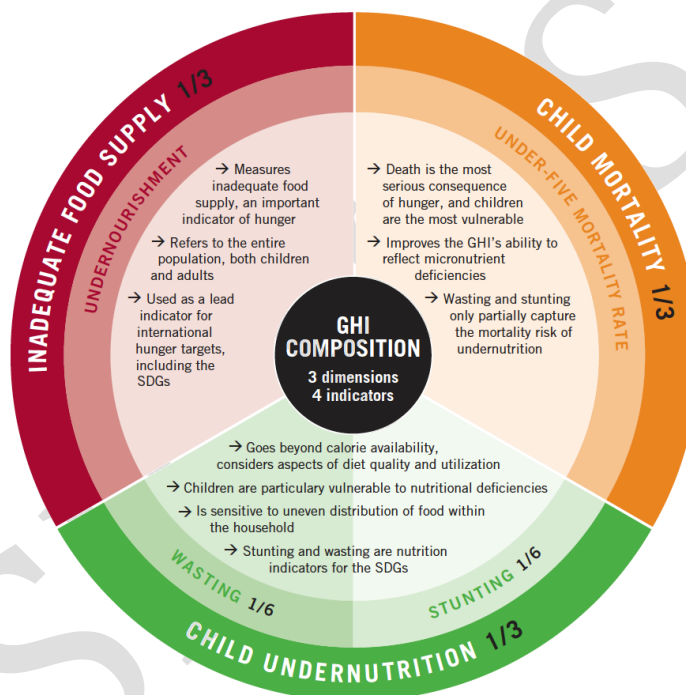
Introduction:

Several lucky Indians have taken their vaccine shots and flown abroad. With relief, they are getting back to their own normal lives.

A year ago, all Indians were startled to be locked in. And shocked too that millions had to break out of the Lakshman Rekha for shelter, food, and even water to drink.

The **novel coronavirus pandemic** had exposed the precariousness of their lives.

Relief was rushed for them, and vows taken that when the pandemic passes, we must "**build back better**", and create a **new, more resilient, and more just economy.**

World Happiness Report 2021:

The Sustainable Development Solutions Network for the United Nations released the **World Happiness Report 2021**. This year it focuses on the effects of Covid-19 and how people all over the world have fared.

It compares **citizens own perceptions of their well-being in 153 countries**. According to the report, Indian citizens are amongst the least happy in the world: India ranks a very low 144th.

The World Happiness Report 2021 has ranked 140 countries.

World Happiness Report ranks countries taking into consideration **six variables**:

1. GDP Per Capita (Purchasing Power Parity)
2. Social Support
3. Healthy life expectancy at birth
4. Freedom to make life choices
5. Generosity
6. Perceptions of corruption

The World Happiness Report 2021: Inequities have widened:

1. Like aerodynamic stress-tests reveal structural weaknesses in the designs of aircraft, the pandemic has revealed structural flaws in countries' economies.

2. According to a **report released by the World Bank**, while India's stock markets rose during the pandemic and the very rich became even richer, the number of people who are poor in India (with incomes of $2 or less a day) is estimated to have **increased by 75 million**.

3. This accounts for **nearly 60% of the global increase in poverty**, the report says.

4. While the rich are beginning to buzz around their global world again, a **new architecture of economic growth** is required to **create better lives** for the majority in India.

5. The old global economy was very good for migrant capital, which could move around the world at will, its life made easier by countries vying to attract foreign capital, even bending their environmental and labour regulations to make it easier to do business.

6. The pandemic has revealed that the old economy was not good for migrant workers, however.

7. **Their "ease of living" was often sacrificed for capital's "ease of doing business".**

8. The Indian economy must grow **to create more incomes for its billion-plus citizens.**

9. Until the incomes of all rise, India will be a poor country from the perspective of the majority of its citizens, no matter how large its GDP.

10. Moreover, economic growth must no longer be at the cost of the environment.

11. According to global assessments, **India ranks 120 out of 122 countries in water quality, and 179 out of 180 in air quality.**

Think of new frameworks:

India urgently needs a **new strategy for growth**, founded on **new pillars.**

1. One is **broader progress measures**. GDP does not account for vital environmental and social conditions that contribute to **human well-being and the sustainability of the planet.**

2. These factors are ignored as externalities by economists; they are trampled upon in a rush to grow the economy.

3. Several frameworks are being developed now to measure what really matters including the **health of the environment**, and the **condition of societies (public services, equal access to opportunities, etc.).**

4. Most of these frameworks seek **to define universally applicable** scorecards. The items measured are given the same weightages in all countries to arrive at a single overall number for each country. This 'scientific' approach does enable objective rankings of countries.

5. However, as the Happiness Report explains, this **'objective' approach** misses the point that **happiness and well-being are always 'subjective'.**

6. What matters to people depends also on the conditions of others around them. Wealthy people can be unhappy when they have less wealth than other wealthy people.

7. Moreover, everywhere, **fairness, and trust** in others and in institutions, contribute greatly to well-being.

8. Therefore, countries in which the **spirit of community is high**, such as the 'socialist' countries of Northern Europe, come on top of well-being rankings even <u>when their per capita incomes are not the highest.</u>

9. The analysis of sources of well-being leads to the conclusion that the **universal solution for improving well-being** is for local communities to work together to find their own solutions within their countries, and in their villages and towns.

10. Therefore, **standard global solutions** will neither make their conditions better nor make them happier.

The 'Strategy for New India @ 75':

1. By 2022, New India will provide a **solid foundation for clean, inclusive, sustained and sustainable growth** for the next three decades.

2. The 'Strategy for New India @ 75' reflects our preparedness to make this transition.

3. Its recommendations are practical and detailed to facilitate time-bound implementation. All levels of government must work together to achieve the vision of New India.

4. Working together as **'Team India'** will ensure prosperity for all while protecting our environment and promoting the **emergence of an innovative eco-system**, propelling India to the front ranks of the global economy.

5. <u>Preparing the strategy is only the first step towards India's economic transformation.</u>

6. The foresighted framers of our celebrated Constitution have set the enormous challenge of simultaneously completing India's triple transition across social, political and economic fields.

7. India is one of the very few countries that have taken on this historical challenge of completing the three transitions together.

8. Having successfully taken forward the social and political transitions, India is now within sight of completing its economic transition as well.

Conclusion:

The Prime Minister has given his clarion call for establishing a **New India by 2022**. The **'Strategy for New India @ 75'** captures three key messages from the Prime Minister.

Development must become a mass movement, in which every Indian recognizes her role and also experiences the tangible benefits accruing to her in the form of better ease of living.

Collective effort and resolve will ensure that we achieve a New India by 2022 just like independence was achieved within five years of Mahatma Gandhi giving his **call of Quit India in 1942.**

The direct implication of ensuring rapid growth with inclusion is that policymaking will have to be rooted in Indian ground realities and emphasize the welfare of all in both design and implementation.

When only some shine, India does not shine. The government of India has begun a massive **"India@75" campaign** to celebrate, in 2022, the **75th anniversary of India's independence**.

5.India's new Covid-19 vaccine policy
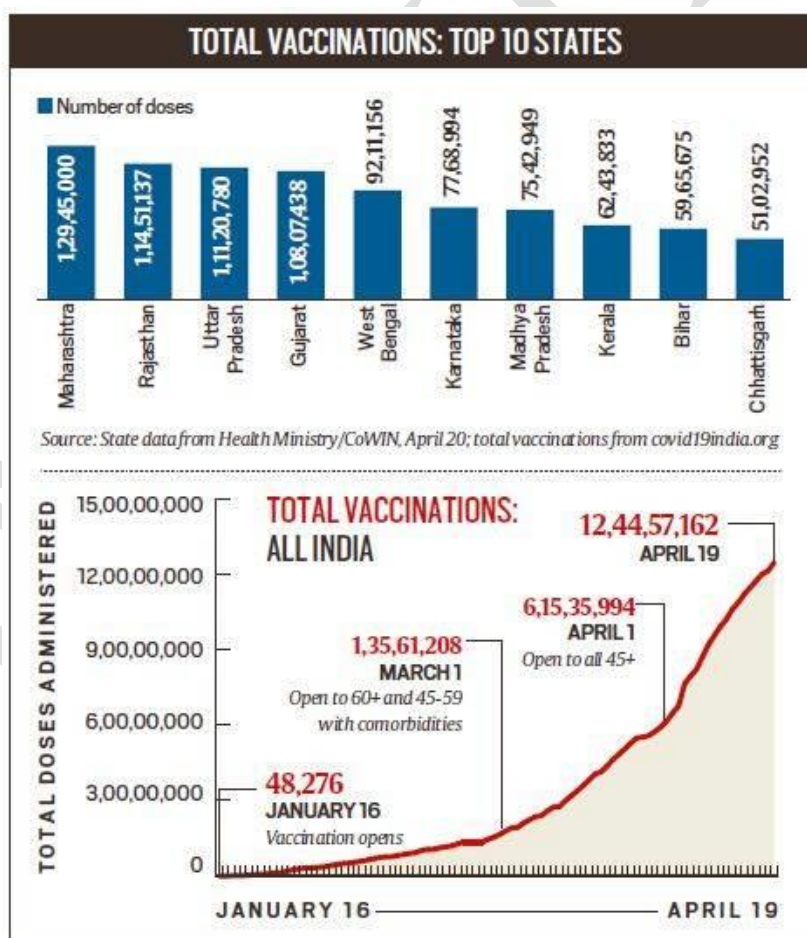
Context:

India will dramatically **expand its vaccination coverage** from May 1, including everyone aged 18 and older.

The fourth phase of the **mass inoculation programme** incorporates several changes in vaccine policy.

What are the changes in procurement?

In the first three phases, when healthcare workers, frontline workers, and those above the age of 45 were vaccinated, the Centre procured the entire quantity of vaccines from the manufacturers, Serum Institute of India (Covishield) and Bharat Biotech (Covaxin), and distributed it to states.

The states distributed the stock to government vaccination centres, which administered the vaccine free of cost, and to private hospitals that charged recipients Rs 250 per dose.

From May 1, the supply will be divided into two baskets: 50 per cent for the Centre, and 50 per cent for the open market.

Through the second non-Government of India channel, state governments, private hospitals, and industries that have facilities to administer the vaccine, will be able to procure doses directly from manufacturers.

How will the Centre decide which state gets how many doses?

The Centre will allocate its 50 per cent share to states based on the extent of infection (active cases) and performance (speed of administration).

Currently, states receive vaccine doses according to demand (number of registrations and walk-in vaccinations). Now, low wastage will be incentivised.

Second COVID-19 wave likely to peak in third week of May: SBI:

1. India's second COVID-19 wave may peak in the third week of May, according to a research report by the State Bank of India (SBI).

2. The report adds that the recovery rate across nations continues to improve in several peaks, however, in India the recovery rate increased to 97.3 till mid-February 21 but began dipping subsequently, moving to 85 recently.

3. The SBI report further states that Maharashtra, and Uttar Pradesh (UP) had peaked before the national peak during the first COVID-19 wave.

4. Now new cases in Maharashtra seem to be stabilising but share of cases in total of various other States such as Chhattisgarh, Madhya Pradesh, Gujarat has increased and these are showing an increase in daily new cases.

5. So if other States also implement strict actions to control their spread, the national peak may come within two weeks after the Maharashtra peak.

Vaccinating everyone above 18 to cost just 0.36% of GDP: Ind-Ra:

1. **Vaccinating everyone above 18 in the phase III of the inoculation drive will cost only about 0.36 per cent of the GDP**, ratings agency India Ratings and Research said.

2. This is not a big amount as Rs 671.93 billion and works out to be just 0.36 per cent of GDP.

3. If we split it between the Union government and state governments, then the fiscal impact on the union budget would be 0.12 per cent of GDP and on the state budgets would 0.24 per cent of GDP.

4. Under this phase, all persons above 18 years of age will be eligible to get Covid-19 vaccine doses from May 1.

5. Consequently, the total size of the population that will now be eligible for vaccination would be 841.95 million out of the total population of 1,332.69 million.

6. The Union government has said that under this scheme, **the pricing, procurement, eligibility and administration of coronavirus vaccines will be made flexible**.

7. Vaccinations by large corporate groups will reduce pressure on state/central budget.

8. Since the antibodies generated by these vaccines are likely to last for 12-18 months, this expenditure would be a recurring expenditure on Union and state budgets.

9. However, many states such as Kerala, Chhattisgarh, Bihar and Madhya Pradesh have already announced that the government will bear the cost of vaccination.

Which other countries in the world have allowed open-market sale of vaccines?

1. None so far. The main reason is that the vaccines that are being used around the world have **received only Emergency Use Authorisation (EUA)** and none of

them have presented enough evidence yet on their safety and effectiveness to receive full regulatory authorisation.

2. **Sputnik V** is expected to begin arriving in the country by the end of May. Dr Reddy's Laboratories has an agreement to distribute 250 million doses of the **Russian vaccine**, but it is unclear how many of these doses may become available to India.

3. The company is still in discussions with the government over the price and number of doses required.

4. **Pfizer** has said that it plans to only supply to the government, but it is not known when an agreement may be reached, and how many doses it can provide.

Conclusion:

India must vaccinate its population with the **single-minded focus to achieve herd immunity** and avoid any further waves as other countries are facing.

According to Ind-Ra, the maximum impact is likely to be on Bihar followed by Uttar Pradesh, Jharkhand, Manipur, Assam, Madhya Pradesh and Odisha.

The decision to allow the restricted emergency use of Russian vaccine Sputnik-V and other vaccines approved by the US, EU and WHO is another step in the right direction. This will only accelerate the vaccination effort in the country.

If 2020 has taught us anything, we cannot prevent a second wave unless we significantly reduce the frequency of contact, increase testing and tracing, and ensure that suspects and those infected are properly quarantined or isolated.

These are **essential measures to break the chain of transmission** and save lives, especially when it is crystal clear that the fast-spreading variants of the coronavirus is responsible for the recent spike in new cases.

6.Salvaging strategy: On scaling up COVID-19 vaccinations

Cold facts: Logistics of a Covid vaccine

Pfizer's Covid-19 vaccine requires storage at (minus)70°C - India may need at least a year to get such a cold-chain network in place

Homegrown vaccines are targeting a temperature range of 2-8°C; this will also require meticulous planning and execution

Manpower woes
India may need to train an additional 1 lakh people to carry out a nationwide Covid-19 vaccination programme

The good news
India's manufacturing capacity is sufficient to produce the vaccine in ample quantities

Vaccine
10ml

Context:

The **precarious second wave of COVID-19 infections** has hit India with greater ferocity than the first. Despite a year to prepare, we have been caught woefully off guard again.

Multiple reports of the scarcity of COVID-19 vaccines and drugs have surfaced from different parts of the country.

According to the **Observer Research Foundation**, till the end of March, India had produced 316 million doses of **Covishield and Covaxin** the two COVID-19 vaccines in use in India.

Of this, 64.5 million doses have been exported. This suggests that the issue isn't vaccine production. Perhaps, the problem has more to do with **centralised procurement, distribution, and coordination** with different State governments and local authorities.

Second wave of coronavirus infections:

1. India's aggressive second wave of coronavirus infections marked by over 1,50,000 cases a day and many deaths is clearly the result of irrational exuberance early in the new year.

2. After prematurely assuming that COVID-19 was virtually over, governments made rash decisions to allow large religious gatherings and political campaigns with little regard for disease control.

3. The lapse is now threatening a nascent economic recovery.

4. Rather than view the crisis as a political setback, the government should **focus on a mitigation strategy** that will not hobble the economy, while stopping the wildfire spread of the virus.

5. The **National Vaccination Strategy**, however, remains inscrutable and non-transparent, since more vaccines, including WHO-approved ones, remain unavailable to Indians for unspecified reasons.

First step in health services is decentralisation:

1. **Decentralise the response to district level**. Knowledge of existing and evolving local conditions matters, for the design and the delivery of an effective response. Local data gathering and analysis provide **real time intelligence for rapid response.**

2. **Local community networks** are important channels for information dissemination and for partnering the administration in implementation.

3. We **need consultative policymaking** at the national level, inter-departmental planning at the State level and **data-driven decentralised decision making** for situation adaptive implementation **at the district level**.

4. The district collector must **coordinate health-care services** across all facilities in the district and be empowered to commandeer hospitals, hotels and transport facilities as needed.

5. **Prevent super spreader events and mandate masks**. Testing numbers are again being projected as the best measure of an efficient and effective response. This is incorrect.

6. While tests are indeed an important component of the strategy, we cannot test asymptomatically infected persons and mildly symptomatic persons who do not report themselves.

7. These constitute a very large number at any time, as we know from antibody surveys.

8. We cannot randomly and repeatedly test large proportions of the population to detect virus presence in such potentially infective persons.

9. Masks, if worn well and regularly in public and even in indoor gatherings, will **greatly reduce risk of transmission** from any infected person, known or unknown.

10. Even the more infectious variants will be blocked by effective masks, even where physical distancing is not possible.

Better solutions to avoid the spread of COVID-19:

What is absolutely essential is **preventing super spreader events**.

1. Crowding, whether indoor or outdoor, offers the virus an opportunity to seed itself among many exposed persons who then carry it elsewhere **to perpetuate the chain of transmission.**

2. There should be a **ban on large gatherings**, for at least the next eight weeks. Travel restrictions too must be imposed during this period.

3. The notion that all of India has acquired or will soon acquire herd immunity must be dispelled with clear messaging for some months to come.

4. **Use smart testing and tracing**, but **case detection** needs more. The past year has taught us that viral tests are useful but have limitations.

5. A **single RT-PCR test** can miss between 30%-40% cases, due to limitations posed by swab collection, transport efficiency and laboratory competency apart from testing too early or too late during the infection when a replicating virus is not detectable.

6. We need to detect possible cases through **household surveillance of symptomatic individuals by primary health-care teams** supported by citizen volunteers. All suspect cases and household contacts must be tested.

7. Positive cases must be isolated and provided home or hospital care depending on severity.

8. Symptomatic but negative persons and household contacts should be re-tested three to five days later but wear masks and observe distance even at home till the re-test result too is negative and the infected person has recovered.

9. **Genomic analyses** must be performed in at least 5% of test positive samples.

10. **Contact tracing**, for persons from whom the case may have acquired the infection and to whom the case may have passed it on, needs to be conducted with speed and efficiency.

Local networks help in **early case detection and contact tracing**. The use of just apps will not do.

Social support is key to win over COVID-19:

1. Involve people, not just instruct. **Citizen engagement is critical for a successful pandemic response.**

2. Formal and informal networks that exist at the local level must be activated and supported to educate people and motivate them for <u>adopting COVID-19-appropriate behaviours, symptom reporting, providing contact information and registering for vaccination, while providing **social support to affected families**</u>.

3. Masks can be produced at the State or district level, for free distribution to households by community-based organisations.

4. People partnered public health must become the credo and lasting legacy of the COVID-19 campaign.

5. **<u>Provide empathetic social support</u>**. District authorities must identify vulnerable persons and families who may suffer hardships due to loss of income, shelter or incur high health-care costs.

6. **<u>Proactive support</u>** must be provided **from public financing**, as state policy, even as philanthropy is mobilised to supplement.

7. Children must be supported for education at home or in the neighbourhood, through voluntary agencies, to overcome the digital divide of online teaching.

8. **<u>Social solidarity must become the soul of our pandemic response.</u>**

Way Ahead: Step up vaccine rollout:

1. Speed up vaccine rollout, recognising value and limitations. The benefit of currently available vaccines is <u>to provide protection against severe disease, not infection per se.</u>

2. This information must be clearly conveyed to the public, politicians and the media so that wrong expectations of complete protection against infection do not lead to laxity in behaviour or an outcry of vaccine failure.

3. Given this objective, available vaccines must be **<u>prioritised for vulnerable persons</u>**.

4. Initially, the aim must be to immunise all persons above 35 years of age and all younger persons with at-risk health disorders.

5. We must get **<u>more vaccines quickly into the supply chain</u>** by incentivising greater production volumes of already approved vaccines and waiving the requirement of a bridging trial for domestic manufacture of vaccines approved by **credible international regulators**, subject to submissions of full trial data to our regulators.

6. <u>We must train more vaccinators for delivery closer to home, stepping up daily administration rates at more centres.</u>

Conclusion:

Nonetheless, as <u>India aims to inoculate more and more people it is **imperative to ramp up vaccine production.**</u>

It is important for the government, therefore, to come up with **rational activity** curbs, keep them **stable and incentivise people**, including through financial rewards.

These initiatives can lower the perception of lost opportunities and compensate workers in the affected sectors such as the travel, food and hospitality industries.

This road map can be reviewed when <u>vaccines become widely available and cases decline, although a return to a carefree past is a long way off.</u>

<u>Political communication on the state of the pandemic lacked a clear sense of purpose during festivals and poll campaigns.</u>

Now, the COVID-19 strategy can avert costly partial or full lockdowns only with public cooperation, and that calls for **building credibility and trust**.

7.The ordinance route is bad, repromulgation worse

• President	• GOvernor
• Ordinance issued by him cannot make those provisions which Parliament is not empowered to do that is the limitations on the Parliament's power are also the limitations of the ordinance.	• Ordinance issued by him cannot make those provisions which State Legislative Assembly or SLA&SLC are not empowered to do that is the limitations on the SLA&SLC are also the limitations of the ordinance.
• An ordinance issued by him should be laid before both the Houses of Parliament when it reassembles. • ordinance passed the President ceases to operate on the expiry of six weeks from the reassembly of Parliament. • It may cease to operate even earlier than the prescribed six weeks, if both the Houses of Parliament passes resolutions disapproving it.	• An ordinance issued by him should be laid before the legislative assembly or both the Houses of the state legislature (in case of SLA&SLC) when it reassembles • This Ordinance issued by the Governor ceases to operate on the expiry of six weeks from the reassembly of the state legislature. • It may cease to operate even earlier than the prescribed six weeks, if a resolution disapproving it is passed by the legislative assembly and is agreed to by the legislative council (in case of a bicameral legislature).

Context:

The central government has **repromulgated the ordinance** that establishes a **commission for air quality management** in the National Capital Region, or the Commission for Air Quality Management in National Capital Region and Adjoining Areas Ordinance, 2020.

This raises questions about the practice of issuing ordinances to make law, and that of **re-issuing ordinances** without getting them ratified by Parliament.

Ordinance making power:

1. The ordinance making power is the most important **legislative power of the President and the Governor.** It has been vested in them to deal with unforeseen or urgent situations.

2. **Article 123** of the Constitution grants the President certain law-making powers to promulgate ordinances during the recess of Parliament.

3. These ordinances have the same force and effect as an Act of Parliament but are in the nature of temporary laws.

4. Likewise, the Governor of a state can **issue ordinances under Article 213** of the Constitution, when the state legislative assembly (or either of the two Houses in states with bicameral legislatures) is not in session.

5. The Constitution permits the central and State governments to make laws when Parliament (or the State Legislature) is **not in session.**

6. As law making is a legislative function, this power is provided for urgent requirements, and the law thus made has an **automatic expiry date.**

Constituent Assembly discussion over ordinance:

The Constitution states that the ordinance will lapse at the end of six weeks from the time Parliament (or the State Legislature) next meets.

In the Constituent Assembly, while there was a discussion on how long the ordinance could remain valid (with some members asking for it to lapse within four weeks of promulgation as that would be sufficient time to call an urgent session of Parliament), no one raised the possibility of an ordinance to be re-promulgated. Perhaps such an eventuality was beyond their imagination.

What the past data show about ordinances:

1. Whereas an ordinance was originally conceived as an emergency provision, it was used fairly regularly. In the 1950s, central ordinances were issued at an average of 7.1 per year.

2. The number peaked in the 1990s at 19.6 per year, and declined to 7.9 per year in the 2010s. The last couple of years has seen a spike, 16 in 2019, 15 in 2020, and four till now this year.

3. State governments also used this provision very often. The issue was brought up in the Supreme Court through a writ petition by D.C. Wadhwa, a professor of economics, who discovered this fact when he was **researching land tenures**.

4. In that research found out that ***Bihar had issued 256 ordinances between 1967 and 1981***, of which 69 were repromulgated several times, including 11 which were kept alive for more than 10 years.

5. A five-judge Constitution Bench of the Supreme Court, in 1986, ruled that repromulgation of ordinances was contrary to the Constitutional scheme.

6. It said, "it would most certainly be a colourable exercise of power for the Government to ignore the Legislature and to repromulgate the Ordinance and thus to continue **to regulate the life and liberty of the citizens through Ordinance made by the Executive.**

7. Interestingly, the Court pointed out that there was not a single instance of the President (i.e., the central government) repromulgating an ordinance.

8. The judgment did not stop the practice. Instead, the Centre also started to follow the lead of Bihar.

9. For example, in 2013 and 2014, the Securities Laws (Amendment) ordinance was promulgated three times.

10. Similarly, an ordinance to amend the Land Acquisition Act was issued in December 2014, and repromulgated twice – in April and May 2015.

An unconstitutional practice of re-promulgation of ordinances:

1. The matter came up again in the Supreme Court, and in January 2017, a seven-judge Constitution Bench **declared this practice to be unconstitutional**.

2. The judgment concluded that, "Re-promulgation of ordinances is a fraud on the Constitution and a subversion of democratic legislative processes."

3. Even this judgment has been ignored. The **Indian Medical Council Amendment Ordinance** was issued in September 2018, and reissued in January 2019, as it was passed by only one House of Parliament in the intervening session.

4. The current case of the **Commission for Air Quality Management** is even more egregious. While the ordinance of October 2020 was laid in Parliament on the first day of the recent Budget Session, a Bill to replace it was not introduced. However, the ordinance has been repromulgated now.

States have also been using the ordinance route to enact laws.

5. For example, in 2020, <u>Kerala issued 81 ordinances, while Karnataka issued 24 and Maharashtra 21.</u>

6. Kerala has also repromulgated ordinances: one ordinance to set up a Kerala University of Digital Sciences, Innovation and Technology has been promulgated five times between January 2020 and February 2021.

Judicial Safeguards to avoid re-promulgation of ordinances:

1. Supreme Court in **RC Cooper vs. Union of India (1970)** held that the President's decision to promulgate ordinance could be challenged on the grounds that 'immediate action' was not required, and the ordinance had been issued primarily to bypass debate and discussion in the legislature.

2. It was argued in **DC Wadhwa vs. the State of Bihar (1987)** that the <u>legislative power of the executive to promulgate ordinances</u> is to be used in exceptional circumstances and <u>not as a substitute for the law-making power of the legislature.</u>

3. Supreme Court in **Krishna Kumar Singh v. the State of Bihar** held that the authority to issue ordinances is not an absolute entrustment, but is "conditional upon satisfaction that circumstances exist rendering it necessary to take immediate action".

Way Ahead:

Every ordinance issued must be laid before both the Houses of Parliament or state legislature **within six weeks** from the reassembly of Parliament or state legislature and it ceases to exist if it is not approved within six weeks of reassembly.

44th Constitutional Amendment has reiterated that the satisfaction of the President to promulgate ordinance could be **challenged in case an 'immediate action' was not required.**

Our Constitution has provided for the separation of powers among the legislature, executive and judiciary where enacting laws is the function of the legislature.

The executive must show self-restraint and should use ordinance making power only in **unforeseen or urgent matters** and **not to evade legislative scrutiny and debates.**

Conclusion:

The legal position is clear, and has been elucidated by constitution Benches of the Supreme Court.

Ordinances are to tackle exigencies when the legislature is not in session, and **expire at the end of six weeks** of the next meeting of the legislature.

This time period is given for the legislature to decide whether such a law is warranted.

Repromulgation is not permitted as that would be a **usurpation of legislative power by the executive.**

By not checking this practice, the other two organs are also abdicating their responsibility to the Constitution.

As governments, both at the Centre and States, are violating this principle, the legislatures and the courts should check the practice.

That is what separation of powers and the concept of checks and balances means.

8.Still no recognition of the third tier

HOW THE BOOTY IS DIVIDED

FORMULA THAT DECIDES A STATE'S SHARE
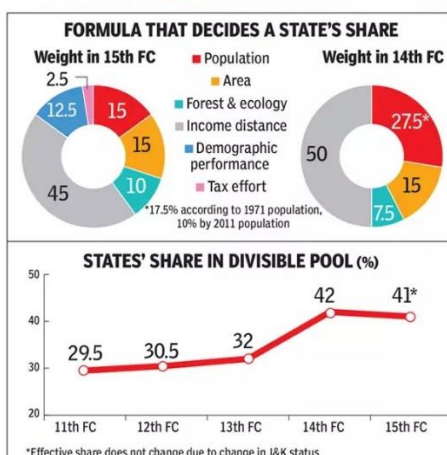
Context:

This article is a brief critique of the recommendations of the Fifteenth Finance Commission with regard to local governments.

That the tasks of the Union Finance Commission were broadened as part of the **decentralisation reforms (280(3) (bb) and (c))** is a firm recognition of the organic link of public finance with the development process at all tiers of government.

Roles and Responsibilities of the Union Finance Commission:

1. The **primary task** of the Union Finance Commission is to **rectify the vertical and horizontal imbalances** in **resources and expenditure responsibilities** between Union and States, which after the 73rd and 74th Constitutional Amendments includes the third tier of local governments.

2. This Commission is the fifth after the incorporation of **Part IX and Part IX-A** to the Constitution which mandate the **Union Finance Commission** to supplement the **resources of panchayats and municipalities** on the basis of the recommendations of the State Finance Commission (another institution created by the Amendments).

3. Now, **nearly 2.5 lakh local governments** and **over 3.4 million elected representatives** form the real democratic base of the Indian federal polity.

Positive Aspect: Higher vertical devolution:

1. The Fifteenth Finance Commission has **several positive aspects** to be said in its favour.

2. The vertical devolution recommended to local governments is raised remarkably high.

3. From a measly share of 0.78% of the divisible pool with an absolute sum of ₹10,000 crore by the Eleventh Commission, the Fifteenth Finance Commission raised it to 4.23% with a reasonably estimated amount of ₹4,36,361 crore.

4. Compared with the Fourteenth Finance Commission there is a **52% increase in the vertical share.**

5. Even if we deduct the grant of ₹70,051 crore earmarked for improving primary health centres, the share is still an all-time high of 4.19%.

6. **Continuity and change** should be the overarching salience of a transfer system, which is designed to **build a viable third tier to Indian democracy**.

7. All the Commissions since the Eleventh Commission have tied specific items of expenditure to local grants and the Fifteenth Finance Commission has raised this share to 60% and linked them to drinking water, rainwater harvesting, sanitation and other national priorities in the spirit of cooperative federalism.

Criticisms on Recommendations:

1. For reducing performance-based grant:

While there are **some critical lacunae** in its recommendations **regarding local governments.**

1. It **reduced the performance-based grant** to just ₹8,000 crore — and that too for building new cities, leaving out the Panchayati Raj Institutions (PRIs) altogether.

2. The **performance-linked grants** thoughtfully introduced by the Thirteenth Finance Commission earmarked 35% of local grants specifying six conditions for panchayats and nine for urban local governments and covered a wide range of reforms: from the establishment of an independent ombudsman to notifying standards for service sectors such as drinking water and solid waste management.

3. The Fourteenth Finance Commission, however, cut the performance grant share to 10% for gram panchayats and 20% to municipalities with the conditionality that all local governments will have to show improvements in own source revenue.

4. Municipalities are additionally required to **publish service level benchmarks for basic services.**

5. The transformative potential in **designing performance-linked conditionalities** for **improving the quality of decentralised governance** in the context of indifferent states is missed.

2.Entry-level criterion for local governments:

1. An important recommendation of the Fifteenth Finance Commission is the entry-level criterion **to avail the union local grant** (except health grant) by local governments (strictly speaking, it is **performance-linked**).

2. For panchayats, the condition is online submission of annual accounts for the previous year and audited accounts for the year before.

3. It is not clear why gram panchayats (especially the affluent and semi-urban categories) are left out from this.

4. Although Finance Commissions, from the Eleventh to the Fourteenth, have recommended measures to standardise the accounting system and update the auditing of accounts, the progress made has been halting.

5. Therefore, the entry-level criteria of the Fifteenth Finance Commission are timely.

6. Unlike the previous Commissions, the Fourteenth Finance Commission conducted a sample survey covering 15% gram panchayats, 30% block panchayats and all district panchayats besides 30% municipalities, presumably to ensure quality in canvassing data. The results too were not published.

7. The Fifteenth Finance Commission, which generally takes care to go into details (recommendations on health care, air pollution etc.) and is well aware of **India's regional heterogeneity**, failed to carry policy choices forward systematically.

8. **Articles 243G, 243W and 243ZD** read along with the **functional decentralisation of basic services** like drinking water, public health care, etc., mandated in the **Eleventh and Twelfth schedules** demand better public services and delivery of '**economic development and social justice' at the local level.**

3.About Equalisation principle for Local governments:

1. It may be relevant to recall that the **Alma-Ata declaration of the World Health Organization (1978)** which outlined an **integrated, local government-centric approach** with simultaneous focus on **access to water, sanitation, shelter and the like.**

2. The Fifteenth Finance Commission claims that it seeks to achieve the "desirable objective of evenly balancing the union and the states".

3. It is not clear why there is no recognition of the third tier in this balancing act.

4. Although the Fifteenth Finance Commission outlines **nine guiding principles** as the basis of its **recommendation to local governments**, there is **no integrated approach**. It is forgotten **that public finance is an integrated whole**.

5. Although the Fifteenth Finance Commission stresses the need to implement the equalisation principle, it is virtually silent when it comes to the local governments.

6. It is equally important to note that in the criteria used by the Fifteenth Finance Commission for **determining the distribution of grant to States for local governments**, it employed population (2011 Census) with 90% and area 10%

weightage the same criteria followed by the Fourteenth Finance Commission. While this ensures continuity, equity and efficiency criteria are sidelined.

Conclusion:

The grants to the primary health centres must be acknowledged as a great gesture, a good opportunity to ensure **comparable minimum public services** to every citizen irrespective of her choice of residential location has not been taken forward in an **integrated manner.**

Equity is the foundational rationale of a federation. Abandoning tax effort criterion incentivises dependency, inefficiency and non-accountability.

Unlike the previous Commissions, the **Fifteenth Finance Commission** was in the background of the **COVID-19 pandemic** which reinforced the **significance of local governments, gram sabha** and other participatory institutions in containing the crisis and delivering social protection in India.

In sum, if decentralisation is meant to **empower local people**, the primary task is to **fiscally empower local governments to deliver territorial equity**. We are far from this goal.

9.A case for judicial federalism
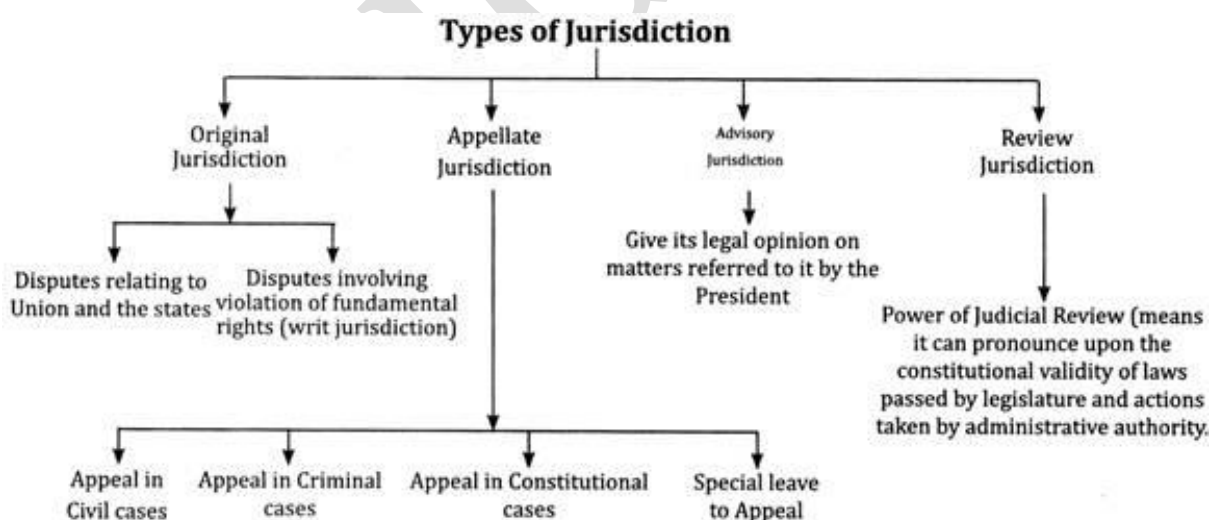
Introduction:

'Federalism' is one of those good echo words that evoke a positive response toward many concepts as democracy, progress, constitution, etc.

The term has been seen to be applied to many successful combinations of **unity with diversity, pluralism and cooperation** within and among nations.

Judicial behaviour is another important factor that affects the working of Indian federalism.

The judicial behaviour is another important factor that affects the working of Indian federalism.

Judiciary has generally been protective of the federal structure of the constitution, especially in more recent decades.

Judiciary role in welfare of the public:

1. In comparison to the legislature and the executive, what the judiciary can deliver in the **realm of socio-economic rights** is limited.

2. Courts cannot build better health infrastructure or directly supply oxygen; neither are they functionally bound to.

3. Courts often **lack the expertise and resources** to decide social rights issues.

4. What they can do is to **ask tough questions to the executive**, implement existing laws and regulations, and hold the executive accountable in various aspects of healthcare allocation.

5. In **Parmanand Katara v. Union of India (1989)**, the Supreme Court underlined the **value of human lives** and said that the **right to emergency medical treatment is part of the citizen's fundamental rights.**

As such, constitutional courts owe a duty to protect this right.

In times of COVID-19 health emergency:

1. In the face of a **de facto COVID-19 health emergency**, the High Courts of Delhi, Gujarat, Madras and Bombay, among others, have done exactly that.

2. They considered the pleas of various hospitals for oxygen supply. The Gujarat High Court issued a series of directions, including for laboratory testing and procurement of oxygen.

3. The Nagpur Bench of the Bombay High Court was <u>constrained to hold night sittings to consider the issue of oxygen supply.</u>

4. It <u>directed immediate restoration of oxygen supply</u> that had been <u>reduced</u> from the **Bhilai steel plant in Chhattisgarh**.

5. The Delhi High Court directed the Central government **to ensure adequate measures for the supply of oxygen**. It cautioned that we might lose thousands of lives due to lack of oxygen.

SC wants national plan on COVID-19 situation, including on oxygen supply:

1. As the country grapples with the current wave of COVID-19 pandemic, the Supreme Court took **suo motu cognisance of the prevailing grim situation** and said it **wanted a "national plan" on issues**, including <u>supply of oxygen and essential drugs for treatment of patients infected with the virus.</u>

2. Taking suo motu cognisance of the prevailing grim situation across the country, a Bench said it would also consider the *matter pertaining to the method and manner of COVID-19 vaccination in the country.*

suo motu cognisance of the issue by the SC:

1. In recent, the Supreme Court took **suo motu cognisance of the issue** in **'Re: Distribution of Essential Supplies and Services During Pandemic'.**

2. It said, "**Prima facie**, we are inclined to take the view that the **distribution** of these **essential services** and supplies must be done in an even-handed manner according to the **advice of the health authorities**" and asked the Central government **to present a national plan.**

3. In addition, SC issued an order asking the State governments and the Union Territories to "**show cause why uniform orders**" should **not be passed by the Supreme Court.**

4. The court thus <u>indicated the</u> **possibility of transfer of cases to the Supreme Court**, which it has done on various occasions before.

Issue of transfer of cases from High Courts to Supreme Court:

1. Under **Article 139A of the Constitution**, the Supreme Court does have the power to transfer cases from the High Courts to itself if cases involve the same questions of law.

2. However, what make the court's usurpation disturbing are two well-founded observations regarding its contemporary conduct.

    a. One, the court has been **indifferent to the actions and inactions of the executive** even in cases where **interference was warranted**, such as the **Internet ban in Kashmir.**

    b. Two, where **effective remedies** were sought, when activists and journalists were **arrested and detained**, the court categorically stayed aloof. It acted as if its hands were tied.

3. Lawyers will find it difficult to recall a significant **recent case of civil liberty** from the court where tangible relief was granted against the executive, except for rhetorical statements on personal liberty.

These features, coupled with the **unhealthy characteristics of an executive judiciary**, makes the court's indication for a takeover disturbing.

Autonomy is the rule:

1. **Judicial federalism** has **intrinsic and instrumental benefits** which are essentially political. The United States is an illustrative case.

2. This **basic tenet of judicial democracy** is well accepted across the courts in the modern federal systems.

3. The **need for a uniform judicial order** across India is warranted only when it is unavoidable.

    a. For example, in cases of an **apparent conflict of laws or judgments on legal interpretation.** Otherwise, autonomy, not uniformity, is the rule.

Public Health and Hospitals:

According to the **Seventh Schedule of the Constitution**, **public health and hospitals** come under the **State List as Item No. 6**.

There could be related subjects coming under **the Union List or Concurrent List.** Also, there may be areas of inter-State conflicts.

But as of now, the respective High Courts have been dealing with specific challenges at the regional level, the resolution of which does not warrant the top court's interference.

The **power of the High Court under Article 226 is wider than the Supreme Court's under Article 32**, for in the former, a writ can be issued not only in cases of violation of fundamental rights but also "for any other purpose".

Conclusion:

Decentralisation, not centrism, is the principle. In the COVID-19-related cases, High Courts across the country have acted with an immense sense of judicial responsibility.

Deepening federalism and further involvement of localities seem to lead the way for a reasonable and stable political democracy.

This is a **legal landscape** that **deserves to be encouraged**. To do this, the Supreme Court must simply stay away.

10.Making social welfare universal

Introduction:

India is one of the **largest welfare states** in the world and yet, with **COVID-19 striking in 2020**, the state failed to provide for its **most vulnerable citizens**.

The **country witnessed multiple crises**: mass inter- and intra-migration, food insecurity, and a crumbling health infrastructure.

The extenuating circumstances of the pandemic has pushed an **estimated 75 million people into poverty.**

The second wave has brought even the middle and upper-class citizens to their knees.

Economic capital, in the **absence of social capital**, has proven to be **insufficient** in accessing healthcare facilities. Illness is universal, but healthcare is not.

About Social Capital:

1. Social capital is a **sense of belonging** and the **concrete experience of social networking** that can bring great benefits to people.

2. It consists of trust, mutual understanding, shared values and behaviour that bind together the members of a community and make cooperative action possible.

3. The **key institutions** that can be said to contribute to the development of social capital range from grass roots level community-based initiatives like Residents Welfare Associations, Self-Help Groups, Cooperatives, Charitable Societies, Trusts as well as Self-Regulating Professional Bodies such as the Medical Council of India, Bar Council etc.

4. Such interaction enables people to build communities, to commit themselves to each other, and to knit the social fabric.

5. The alignment of business operations with social values, which is the **essence of Corporate Social Responsibility (CSR),** is at the heart of its ability to contribute to **social development alongside economic development.**

Absorbing shocks: Providing Universal Social Security:

The country has over **500 direct benefit transfer schemes** for which various Central, State, and Line departments are responsible.

However, these schemes have not reached those in need. The pandemic has revealed that leveraging our existing schemes and **providing universal social security is of utmost importance.**

This will **help absorb the impact of external shocks** on our vulnerable populations.

Case study for Universal Healthcare Programme:

1. An example of such a **social protection scheme** is the **Poor Law System in Ireland.** In the 19th century, Ireland, a country that was staggering under the weight of poverty and famine, introduced the Poor Law System to provide relief that was financed by local property taxes.

2. These laws were notable for not only providing **timely assistance** but maintaining the dignity and respectability of the poor while doing so.

3. They were not designed as hand-outs but as necessary responses to a time of economic crisis.

4. Today, the social welfare system in Ireland has evolved into a **four-fold apparatus** that **promises social insurance, social assistance, universal schemes, and extra benefits/supplements**.

5. A similar kind of social security system is not unimaginable in India. We have seen an example of a **universal healthcare programme** that India ran successfully — the **Pulse Polio Universal Immunisation Programme**.

6. In 2014, India was declared polio-free. It took a dedicated effort over a number of years. However, it shows us what is possible.

7. With the advancements in knowledge and technology, a **universal coverage of social welfare is possible in a shorter time frame.**

Ease of application by having a Universal System:

1. Existing schemes cover a **wide variety of social protections**. However, they are fractionalised across various departments and sub-schemes.

2. This causes problems beginning with data collection to last-mile delivery. Having a **universal system** would improve the ease of application by consolidating the data of all eligible beneficiaries under one database.

3. It can also reduce exclusion errors. The **Pradhan Mantri Garib Kalyan Yojana (PMGKY)** is one scheme that can be **strengthened into universal social security**.

4. It already consolidates the public distribution system (PDS), the provision of gas cylinders, and wages for the MGNREGS.

5. Generally, social assistance schemes are provided on the basis of an assessment of needs. Having a universal scheme would take away this access/exclusion barrier.

6. For example, PDS can be linked to a universal identification card such as the Aadhaar or voter card, in the absence of a ration card.

7. This would allow anyone who is in need of food grains to access these schemes. It would be especially useful for migrant populations.

8. Making other schemes/welfare provisions like education, maternity benefits, disability benefits etc. also universal would ensure a better standard of living for the people.

Conclusion:

To ensure some of these issues are addressed, **we need to map the State and Central schemes in a consolidated manner.**

This is to avoid duplication, inclusion and exclusion errors in **welfare delivery.** Alongside, a study to understand costs of welfare access for vulnerable groups can be conducted.

The growth of social capital leads to **evolution of a healthy civil society** manifesting as a distinct entity in the space between government and the society.

Being a **welfare state**, it is **our responsibility** to eradicate poverty, bring social equality and deliver goods and services to the deprived and vulnerable.

This will help give a targeted way forward. The implementation of any of these ideas is only possible through a **focus on data digitisation, data-driven decision-making and collaboration across government departments.**

11.Green and raw: On 'tribunalisation' of justice

No.	Court of Law	Tribunal
1.	A court of law is a part of the **traditional judicial system** whereby judicial powers are derived from the state.	An Administrative Tribunal is an **agency created by the statute** and invested with judicial power.
2.	The Civil Courts have judicial power to try all **suits of a civil nature** unless the cognizance is expressly or impliedly barred.	Tribunal is also known as the Quasi-judicial body. Tribunals have the power to try cases of **special matter which are conferred on them by statutes**
3.	Judges of the ordinary courts of law are independent of the executive in respect of their tenure, terms and conditions of service etc. **Judiciary is independent of Executive**	Tenure, terms and conditions of the services of the members of **Administrative Tribunal are entirely in the hands of Executive** (government).
4.	The presiding officer of the **court of law is trained in law.**	The president or a member of the Tribunal may not be trained as well in law. He may be an **expert in the field of Administrative matters.**

Introduction:

The **establishment of tribunals** as adjudicatory bodies in specific fields is based on the idea that **specialisation and expertise** are required to decide complex cases of a technical nature.

The **'tribunalisation' of justice** is driven by the recognition that **it would be cost-effective, accessible and give scope for utilising expertise in the respective fields.**

Central to this scheme is the principle that the 'experts' appointed to these tribunals should bring in special knowledge and experience.

Context:

Recently the appointment of former IAS officer, Girija Vaidyanathan, as Expert Member in the Southern Bench of the NGT, was challenged in the Madras High Court.

Even though the court initially granted an interim stay on her appointment, it ruled that she was not ineligible, going by the criteria in the NGT Act.

She was found to have fulfilled the eligibility requirements by virtue of her administrative experience of nearly five years in **"dealing with environmental matters".**

About Tribunals:

1. Tribunal is a **quasi-judicial institution** that is set up to deal with problems such as resolving administrative or tax-related disputes.

2. They are constituted with the objective of delivering speedy, inexpensive and decentralised adjudication of disputes in various matters.

3. They are created to avoid the regular courts' route for dispensation of disputes.

4. They run in parallel to the courts and generally are less formal, less expensive and less time consuming.

5. They are not originally a part of the Constitution.

6. The **42nd Amendment Act** introduced these provisions in accordance with the **recommendations of the Swaran Singh Committee.**

7. The Amendment introduced **Part XIV-A to the Constitution**, which deals with **'Tribunals' and contains two articles:**

a. **Article 323A** deals with Administrative Tribunals. These are quasi-judicial institutions that resolve disputes related to the recruitment and service conditions of persons engaged in public service.

b. **Article 323B** deals with tribunals for other subjects such as Taxation, Industrial and labour, Foreign exchange, import and export, Land reforms, Food, Ceiling on urban property, Elections to Parliament and state legislatures, Rent and tenancy rights.

NGT mandates as a criteria:

1. The NGT Act spells out **two kinds of criteria** — one based on qualifications and practical experience, and another on administrative experience in the field — and a candidate has to fulfil only one of them.

2. For the first, a masters' or a doctorate in science, engineering or technology, **with 15 years' experience** in the relevant field, including five in environment and forests in a national level institution, is needed.

3. The fields include pollution control, hazardous substance management and forest conservation.

4. On the other hand, the **administrative experience criterion** is shorn of detail, and merely **stipulates 15 years' experience**, of which five should have been in **"dealing with environmental matters"** in either the Centre or the State or any reputed institution.

5. Even though Ms. Vaidyanathan's stint as Secretary, Environment and Forests, Tamil Nadu, and Chairperson of the State Pollution Control Board together amounted to only 28 months, the court accepted the contention that her tenure as Health Secretary should also be considered.

6. The court also observed wryly that it is an **entirely different matter** whether administrative experience in the second criterion should be regarded as equivalent to "**the real expertise**" indicated in the clause on qualifications.

Problems in functioning of Tribunals

1. Tribunals operate under the **thumb of parent administrative ministries** against whom many of them are meant to pass orders, therefore remaining at their mercy with visible and invisible strings for facilities, infrastructure and also rule-making.

2. The secretary of the said Ministry sits on the panel for selecting and reappointing the adjudicating members and also has a role to play in disciplinary committees.

3. For instance, the defence secretary is a part of the committee for selection and re-appointment of members of the Armed Forces Tribunal, and the said secretary is that very officer against whom all tribunal orders are to be passed.

4. Under the garb of **providing cheaper and informal adjudication**, appeals have been provided, on very limited grounds, directly to the Supreme Court from some tribunals making access to justice a far call with some litigants accepting injustice rather than challenging orders simply because they cannot afford prohibitive costs of litigation in the apex court.

5. Persons who at times have served as part of the same ministries are appointed as members and who carry with them their **own personal experiences** and over-familiarity making justice subjective as compared to judges who bear no such baggage and are trained to be objective.

6. **A majority of non-judicial members** are not legally qualified and hence are not even eligible to appear before such tribunals while they are allowed to exercise judicial functions while sitting on the bench.

7. Some tribunals are not even vested with ***powers of civil contempt*** thereby leaving them **toothless qua enforcement.**

Conclusion:

Considering the ***ineffectiveness of tribunals*** in the past there is a **need to look for alternative dispute redressal mechanism**, something which goes beyond formal structure - yet is guided by the rule bound and predicted path.

The court rightly declined to interfere with the appointment, as the equivalence found in the rules falls under the domain of Parliament.

At a time when the **need, relevance and composition of tribunals** are under judicial scrutiny, and the Centre itself has abolished some of them, it would be salutary if the government spelt out with clarity, as the court has suggested, the extent to which a bureaucrat's involvement in environmental matters could be regarded as equivalent to expertise.

It should also show **greater urgency** in implementing earlier Supreme Court directions to constitute a **National Tribunals Commission** to supervise the appointment and functioning of tribunals.

Community-based approach herein can help resolve water related disputes effectively, amicably and sustainably.

12.The Election Commission of India cannot be a super government

Introduction:

Elections bring the **Election Commission of India (ECI)** into sharp focus as this **constitutional body** superintends, directs and controls the conduct of elections.

It is the **constitutional duty of the ECI** to ensure that the **elections held are free and fair.**

Role of Election Commission of India:

Election commission plays a **vital role in organizing elections**. The most critical challenge before the Election Commission of India is to implement norms and the Model Code of Conduct to ensure free and fair elections in the country.

Its existence and independence are necessitated by history, which has revealed that self-governing elections are not free from disruption.

Towards this end, it has been empowered to supervise political parties and candidates and take appropriate action in case of violations.

ECI role and powers during CEC T N Seshan time period:

1. It is an interesting aspect of the ECI's history that before T.N. Seshan came on the scene as the Chief Election Commissioner, no one in the country ever knew or felt that the ECI had any powers.

2. Seshan discovered the **ECI's powers hidden in Article 324 of the Constitution** which was then **used to discipline recalcitrant political parties** which had till then believed that it was their birth right to rig elections.

3. Thus, there was a **very high level of confidence** in the minds of Indian citizens about the ECI's role **restoring the purity** of the elected legislative bodies in the country.

4. It became rather easier for Seshan to locate the powers of the ECI after the Supreme Court held in **Mohinder Singh Gill vs Chief Election Commissioner (AIR 1978 SC 851)** that **Article 324** contains plenary powers **to ensure free and fair elections** and these are vested in the ECI which can take all necessary steps to achieve this constitutional object.

5. All subsequent decisions of the Supreme Court reaffirmed Gill's decision and thus the ECI was fortified by these court decisions in taking tough measures.

Brief History about the Model code of conduct:

1. The **model code of conduct** issued **by the ECI** is a **set of guidelines** meant for political parties, candidates and governments to adhere to during an election.

2. This code is based on consensus among political parties. Its origin can be traced to a **code of conduct for political parties** prepared by the Kerala government in 1960 for the Assembly elections.

3. It was adopted and refined and enlarged by the ECI in later years, and was enforced strictly from 1991 onwards.

4. There is absolutely no doubt that elections need to be properly and effectively regulated.

5. The Constitution has clothed the ECI with enough powers to do that. Thus, the code has been issued in exercise of its powers **under Article 324.**

6. Besides the code, the ECI issues from time to time directions, instructions and clarifications on a host of issues which crop up in the course of an election.

7. The model code is observed by all stakeholders for fear of action by the ECI.

8. However, there exists a considerable amount of confusion about the extent and nature of the powers which are available to the ECI in enforcing the code as well as its other decisions in relation to an election.

9. Since it is a code of conduct framed on the **basis of a consensus** among political parties, it has not been given any legal backing.

10.   Although a committee of Parliament recommended that the code should be made a part of the **Representation of the People Act 1951**, the ECI did not agree to it on the ground that once it becomes a part of law, all matters connected with the enforcement of the code will be taken to court, which would delay elections.

What all included in Model Code of Conduct:

A recent decision of the ECI to stop the Government of Kerala from continuing to supply kits containing rice, pulses, cooking oil, etc is a case in point.

The State government has been distributing such free kits for nearly a year to meet the situation arising out of the pandemic, which has helped many a household.

The decision to stop the kit distribution was reportedly on a complaint from the Leader of the Opposition in the Assembly.

The question is whether the ECI could have taken such a decision either under the model code or Article 324. The model code does not provide any clue.

As regards the use of Article 324, the issue boils down to whether distribution of food items to those in need in a pandemic will affect free and fair elections.

Issues with Unresolved question in Model code of conduct:

1. The position taken by the ECI is sound from a practical point of view. But then the question about the **enforceability of the code remains unresolved**.

2. Paragraph 16A of the Election Symbols (Reservation and Allotment) Order, 1968 says that the commission may suspend or withdraw recognition of a recognised political party if it refuses to observe the model code of conduct.

3. But it is doubtful whether **this provision is legally sustainable**. The reason is that withdrawal of the recognition of a party recognised under these orders seriously effects the functioning of political parties.

When the code is legally not enforceable, how can the ECI resort to a punitive action such as withdrawal of recognition?

Two crucial issues which need to be examined in the context of the model code and the exercise of powers by the ECI under Article 324:

Transfer of officials:

One issue relates to the abrupt transfer of senior officials working under State governments by an order of the commission.

It may be that the observers of the ECI report to it about the conduct of certain officials of the States where elections are to be held.

1. The ECI apparently acts on such reports and orders the transfer on the assumption that the presence of those officials will **adversely affect the free and fair election in that State.**

2. **Transfer of an official** is within the exclusive jurisdiction of the government. It is actually not clear whether the ECI can transfer a State government official in exercise of the general powers **under Article 324 or under the model code**.

3. The code does not say what the ECI can do; it contains only guidelines for the candidates, political parties and the governments. Further, Article 324 does not confer untrammelled powers on the ECI to do anything in connection with the elections. If transfer of officials is a power which the ECI can exercise without the concurrence of the State governments, the whole State administration could come to a grinding halt.

4. The ECI may transfer even the Chief Secretary or the head of the police force in the State abruptly.

5. In **Mohinder Singh Gill's case (supra),** the Court had made it abundantly clear that the ECI can draw power from Article 324 only when no law exists which governs a particular matter.

6. It means that the ECI is bound to act in accordance with the law in force.

7. Transfer of officials, etc is governed by **rules made under Article 309** of the Constitution which **cannot be bypassed by the ECI** under the purported exercise of power conferred by Article 324.

8. It reflects in a way the ECI's lack of confidence in the efficacy of politicians' campaigns.

Administrative moves:

1. Another issue relates to the ECI's intervention in the administrative decisions of a State government or even the union government.

2. According to the model code, **Ministers cannot announce** any financial grants in any form, make any promise of construction of roads, provision of drinking water facilities, etc or make **any ad hoc appointments** in the government departments or public undertakings.

3. These are the **core guidelines relating to the government**.

4. But in reality, no government is allowed by the ECI to take any action, administrative or otherwise, if the ECI believes that such actions or decisions will affect free and fair elections.

Conclusion:

There is no doubt that the ECI, through the **conduct of free and fair elections** in an **extremely complex country**, has restored the purity of the legislative bodies.

However, no constitutional body is vested with **unguided and absolute powers**.

Neither citizens nor the ECI is permitted to assume that the ECI has unlimited and arbitrary powers.

Election Commission of India plays a **crucial role in organising elections**. The most significant role of the Election Commission of India is to **ensure free and fair elections** as per the norms and the Model Code of Conduct.

It is in charge of monitoring the actions and activities of the political parties and candidates and try to **ensure free, fair and transparent elections in India**.

13.BIMSTEC needs to reinvent itself

BIMSTEC
WHAT YOU SHOULD KNOW

Stands for **The Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation**

Founded in 1997 through **Bangkok Declaration**

7 MEMBER COUNTRIES

Bhutan
Nepal
India
Myanmar
Bangladesh
Sri Lanka
Thailand

First summit held in Thailand

Sri Lanka is the current Chair

Importance of BIMSTEC

● Accounts for **22%** of the world's population

● Combined GDP of **$2.7 trillion**

● One-fourth of the world's traded goods cross the Bay every year

● Six focus areas- trade, technology, energy, transport, tourism and fisheries

Context:

The foreign ministers of **BIMSTEC (the Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation)** met virtually on April 1.

That they made time to hold their 17th meeting is good news.

Their major task was to pave the way for the next summit, the grouping's fifth, due to be held in Sri Lanka in the "next few months".

While most multilateral groupings from G20 to ASEAN (Association of Southeast Asian Nations) and SCO (Shanghai Cooperation Organisation) held their deliberations at the highest political level in the midst of the COVID-19 pandemic in 2020, BIMSTEC leaders failed to do so.

In contrast to a meeting of even SAARC (South Asian Association for Regional Cooperation) leaders held at India's initiative a year ago, BIMSTEC could not arrange its ministerial meeting until April 2021.

This is due as much to contextual factors as the diplomatic environment prevailing today.

Background for BIMSTEC: Unfolding rejuvenation:

Established as a grouping of **four nations:** India, Thailand, Bangladesh and Sri Lanka through the **Bangkok Declaration of 1997** to promote **rapid economic development**, BIMSTEC was expanded later to include **three more countries**: Myanmar, Nepal and Bhutan.

It moved at a leisurely pace during its first 20 years with only three summits held and a record of modest achievements.

But it suddenly received special attention as New Delhi chose to treat it as a more practical instrument for **regional cooperation** over a faltering SAARC.

The BIMSTEC Leaders' Retreat, followed by their Outreach Summit with the BRICS leaders in Goa in October 2016, drew considerable international limelight to the low-profile regional grouping. This also opened up the **path for its rejuvenation**.

Objectives of BIMSTEC formation:

The Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation (BIMSTEC) is a regional organization.

It comprises seven countries. Five of these seven countries- India, Nepal, Sri Lanka, Bhutan and Bangladesh- are from South Asia while the remaining two, Thailand and Myanmar, are from Southeast Asia.

1. Creating an enabling environment for the rapid economic development of the sub-region.

2. Encouraging the spirit of equality and partnership.

3. Promoting active collaboration and mutual assistance in the areas of common interests of the member countries.

4. Accelerating support for each other in the fields of education, science, and technology, etc.

Institutional reform and renewal through the BIMSTEC:

The fourth leaders' summit, held in Kathmandu in August 2018, devised an ambitious plan for institutional reform and renewal that would **encompass economic and security cooperation.**

It took the important decision to craft a charter to provide BIMSTEC with a more formal and stronger foundation.

The shared goal now is to head towards "**a Peaceful, Prosperous and Sustainable Bay of Bengal Region".**

At the second swearing-in of the Modi government in May 2019, the leaders of BIMSTEC, not SAARC, were invited as honoured guests.

Soon thereafter, External Affairs Minister observed that **India saw a mix of "energy, mindset and possibility" in BIMSTEC.**

Recent decisions of BIMSTEC charter and signing of three agreements:

1. Two and a half years after the Kathmandu Summit, the grouping stands ready to move forward.

2. The foreign ministers cleared the **draft for the BIMSTEC charter**, recommending **its early adoption.**

3. They endorsed the **rationalisation of sectors and sub-sectors of activity**, with each member-state serving as a lead for the assigned areas of special interest.

4. The ministers also conveyed their support for the **Master Plan for Transport Connectivity,** which will be adopted at the next summit.

5. Preparations have been completed for the **signing of three agreements** relating to mutual legal assistance in **criminal matters, cooperation between diplomatic academies, and the establishment of a technology transfer facility in Colombo**.

6. What has been missing from recent deliberations is a reference to the **lack of progress on the trade and economic dossier.**

7. On this score, BIMSTEC remains a work in progress. Over 20 rounds of negotiations to operationalise the **BIMSTEC Free Trade Area Framework Agreement**, signed in 2004, are yet to bear fruit.

8. In contrast, much has been achieved in **Humanitarian Assistance and Disaster Relief and security**, including counterterrorism, cyber security, and coastal security cooperation.

9. India has led through **constant focus and follow-up** to the extent that some member-states have complained about the **'over-securitisation' of BIMSTEC.**

10. The trick to ensure balance is not to go slow on security but to accelerate the pace of forging solid arrangements for **economic cooperation**.

11. Similarly, while national business chambers are yet to be optimally engaged with the BIMSTEC project, the academic and strategic community has shown ample enthusiasm through the BIMSTEC Network of Policy Think Tanks and other fora.

How to overcome the present obstacles in BIMSTEC:

The goal now should be to overcome the obstacles leading to BIMSTEC's success.

1. First, a **strong BIMSTEC** presupposes **cordial and tension-free bilateral relations** among all its member-states. This has not been the case, given the trajectory of India-Nepal, India-Sri Lanka, and Bangladesh-Myanmar ties in recent years.

2. Second, uncertainties over SAARC hovers, complicating matters. Both Kathmandu and Colombo want the SAARC summit revived, even as they **cooperate within BIMSTEC, with diluted zeal.**

3. Third, **China's decisive intrusion** in the South-Southeast Asian space has cast dark shadows.

4. A renowned Bangladeshi scholar argued at a recent conference that BIMSTEC would make progress if China is accepted as its principal interlocutor and partner.

5. This perspective has hardly any takers in India and its friendly partners in the grouping.

6. Finally, the **military coup in Myanmar**, brutal crackdown of protesters and continuation of popular resistance resulting in a protracted impasse have **produced a new set of challenges.**

Conclusion:

A January 2018 study by the Federation of Indian Chambers of Commerce and Industry had suggested that BIMSTEC urgently needed a **comprehensive Free Trade Agreement to be a real game changer.**

Ideally it should cover trade in goods, services and investment; promote regulatory harmonisation; adopt policies that develop regional value chains; and eliminate non-tariff barriers.

Also lacking was an effort to enthuse and engage the **vibrant business communities** of these seven countries, and expand their dialogue, interactions and transactions.

As BIMSTEC readies itself to celebrate the silver jubilee of its formation next year, it faces a serious challenge: to effect **"a paradigm-shift in raising the level of our cooperation and regional integration",** as Mr. Jaishankar said on April 1.

The grouping needs to reinvent itself, possibly even rename itself as **'The Bay of Bengal Community'.** It should consider holding regular annual summits.

Only then will its leaders convince the region about **their strong commitment to the new vision** they have for this **unique platform linking South Asia and Southeast Asia.**

14.The Suez Canal crisis, and its impact on global trade

Context:

A huge container ship has run aground and is **blocking traffic in the Suez Canal**, one of the **world's busiest waterways** and the **shortest shipping route** between **Europe and Asia**.

A **container ship** called the **'Ever Given'** was freed from the Suez Canal on March 29, 2021, a week after it ran aground and blocked other vessels from transiting one of the world's most important waterways.

A **human-made waterway**, the **Suez Canal** is one of the world's most heavily used shipping lanes, carrying over 12 per cent of world trade by volume.

How did blockade happened:

The 400 metre-long Ever Given container ship ran aground early on March 23 as it travelled north from the **Red Sea towards the Mediterranean**, twisting diagonally across the width of the canal.

The canal is in Egypt and it connects Port Said on the Mediterranean Sea to the Indian Ocean via the Egyptian city of Suez on the Red Sea.

The canal enables more direct shipping between Europe and Asia, eliminating the need to circumnavigate Africa and cutting voyage times by days or weeks.

Brief History of Suez Canal:

In 1858, the **Universal Suez Ship Canal Company** was tasked to construct and operate the canal for 99 years, after which rights would be handed to the Egyptian government.

Despite facing multiple problems ranging from financial difficulties and attempts by the British and Turks to halt construction, the canal was opened for international navigation in 1869.

The French and British held most of the shares in the canal company. The British used their position to sustain their maritime and colonial interests **by maintaining a defensive force** along the Suez Canal Zone as part of a 1936 treaty.

In 1954, facing pressure from Egyptian nationalists, the two countries signed a seven-year treaty that led to the withdrawal of British troops.

Why is Suez Canal important?

1. The canal is in Egypt, connecting Port Said on the **Mediterranean Sea** to the Indian Ocean via the Egyptian city of Suez on the **Red Sea**. Therefore, The Suez Canal is an **artificial sea-level waterway** running north to south across the Isthmus of Suez in Egypt, to **connect the Mediterranean Sea and the Red Sea**.

2. The passage enables **more direct shipping** between Europe and Asia, eliminating the need to circumnavigate Africa and cutting voyage times by days or weeks.

3. The **193-km waterway Suez Canal** which **connects Asia and Europe** is so important to world trade that world powers have fought over it since it was completed in 1869.

4. About **12% of world trade passes through the canal each year**, everything from crude oil to grains to instant coffee.

5. Without Suez, a super tanker carrying Mideast crude oil to Europe would have to travel an **extra 6,000 miles** around **Africa's Cape of Good Hope**, adding some $300,000 in fuel costs. Because it has no locks, it can even handle aircraft carriers.

6. The canal's location makes it a **key link for shipping crude oil and other hydrocarbons** from countries such as Saudi Arabia to Europe and North America.

7. Among other goods, 54.1 million tons of cereal passed through the canal, 53.5 million tons of ores and metals, and 35.4 million tons of coal and coke in 2019.

How tides, tugboats helped free the big ship:

1. The crisis was now not just the talk of Egypt's 100 million residents, but much of the world.

2. And pressure was mounting, with the **maritime traffic jam** holding up **at least $9 billion in trade a day** and forcing a growing backlog of vessels carrying oil, consumer goods and livestock.

3. And by the end of the week the rescue effort had become an **international affair**. It was a huge team effort with canal officials coordinating the whole thing.

4. For all the human toil and modern equipment, the rescue efforts ultimately relied upon a power beyond their control**: the tides**.

5. When it comes right down to it, we're still relying on the same seamanship. It was **the moon and a moon-tide that helped float the vessel.**

Which country controls the canal now?

1. The British powers that controlled the canal through the first two world wars withdrew forces there in 1956 after years of negotiations with Egypt, effectively relinquishing authority to the Egyptian government led by President Gamal Abdel Nasser.

2. The canal is a major source of income for Egypt's economy, with the African country earning USD 5.61 billion in revenues from it last year.

3. In 2015, Egypt announced plans to further expand the Suez Canal, aiming to reduce waiting times and double the number of ships that can use the canal daily by 2023.

Conclusion:

This Suez Canal route is **used for Indian exports/imports** worth **USD 200 b**illion to/from North America, South America and Europe.

It includes petroleum goods, organic chemicals, iron and steel, automobile, machinery, textiles and carpets, handicrafts including furniture, leather goods, etc.

For India, though, the main hit could be seen on the import and export of ethane with the US, and the imports of crude from Latin America, the uptake of which was recently increased. The longer the closure, the more disruptive the impact is likely to be.

The Indian government has chalked out a **four-point plan** to deal with the situation arising from the blockage of the Suez Canal including **advising ships to re-route via Cape of Good Hope.**

1.Prudence prevails: on speculation about inflation

Context:

The Finance Ministry has put to rest all speculation about the **inflation targeting framework** that will **guide the interest rate decisions** of the **RBI's Monetary Policy Committee** over the five-year period starting on April 1.

In a terse notification, the Department of Economic Affairs announced that the **inflation target** for the quinquennium **ending on March 31, 2026**, **will be 4%,** with an upper tolerance level of 6% and a lower tolerance level of 2%.

Economic Affairs Secretary said that the framework's parameters would remain unchanged from what had prevailed in the five years that ended on March 31.

About Monetary Policy committee:

It is a **statutory and institutionalized framework** under the Reserve Bank of India Act, 1934, for **maintaining price stability**, while keeping in mind the objective of growth.

The 6-member Monetary Policy Committee (MPC) constituted by the Central Government as per the Section 45ZB of the amended RBI Act, 1934. The first meeting of the Monetary Policy Committee (MPC) was held on in Mumbai on October 3, 2016.

The **Governor of RBI** is **ex-officio Chairman** of the committee. The MPC determines the **policy interest rate (repo rate)** required to achieve the inflation target (4%).

 An RBI-appointed committee led by the then deputy governor Urjit Patel in 2014 recommended the establishment of the Monetary Policy Committee.

Monetary Policy objectives:

1. It is the **macroeconomic policy** laid down by the central bank. It involves **management of money supply and interest rate** and is the demand side economic policy used by the government of a country to **achieve macroeconomic objectives** like inflation, consumption, growth and liquidity.

2. In India, monetary policy of the Reserve Bank of India is aimed at managing the quantity of money in order to meet the requirements of different sectors of the economy and to increase the pace of economic growth.

3. The RBI implements the monetary policy through open market operations, bank rate policy, reserve system, credit control policy, moral persuasion and through many other instruments.

What Is Inflation Targeting?

1. Inflation targeting is a central banking policy that revolves around adjusting monetary policy to achieve a specified annual rate of inflation.

2. The principle of inflation targeting is based on the belief that long-term economic growth is best achieved by **maintaining price stability, and price stability is achieved by controlling inflation.**

3. As a strategy, inflation targeting views the primary goal of the central bank as maintaining price stability.

4. All of the tools of monetary policy that a central bank has, including open market operations and discount lending, can be employed in a general strategy of inflation targeting.

5. Inflation targeting can be contrasted to strategies of central banks aimed at other **measures of economic performance** as their primary goals, such as targeting

currency exchange rates, the unemployment rate, or the rate of nominal Gross Domestic Product (GDP) growth.

Tools for inflation targeting:

Liquidity Adjustment Facility- With this RBI controls the money supply in the economy. These interest rates and inflation rates tend to move in opposite directions.

Open Market Operations- RBI buys or sells short-term securities in the open market, thus impacting money available with the public.

Variable Reserve Requirement- Cash Reserve Ratio (CLR) and the Statutory Liquidity Ratio (SLR) are increased or decreased in accordance with inflation or deflation respectively.

Bank rate- It is the rate at which RBI lends money to commercial banks without any security. When bank rate is increased interest rate also increases leading to inflation.

Moral Suasion- If there is a need RBI can urge the banks to exercise credit control at times to maintain the balance of funds in the market.

If the central banks could ensure price stability, households and companies can plan ahead, negotiating wages on the basis of expecting low and stable inflation.

Maintaining Inflation Targets by RBI:

1. The RBI's officials have in recent months maintained an underlying focus on emphasising the need to retain the flexible inflation targeting framework.

2. In recent, working **paper titled 'Measuring Trend Inflation in India'**, the Deputy Governor overseeing monetary policy underscored the importance of ensuring the appropriateness of the inflation target.

3. Observing that there had been a steady decline in trend inflation to a 4.1%-4.3% band since 2014, they said a target far lower than the trend ran the risk of **imparting a 'deflationary bias'** that would **dampen economic momentum**, while a goal much above the trend could engender expansionary monetary conditions that would likely lead to inflation shocks.

4. The RBI's researchers authoring its **Report on Currency and Finance themed 'Reviewing the Monetary Policy Framework'** made clear that the framework had served the economy well, attested by a decline in inflation volatility and more credible anchoring of inflation expectations.

5. That the government's economic officials have heeded these calls will certainly **reassure investors** and savers that <u>inflation remains a central concern for all policymakers.</u>
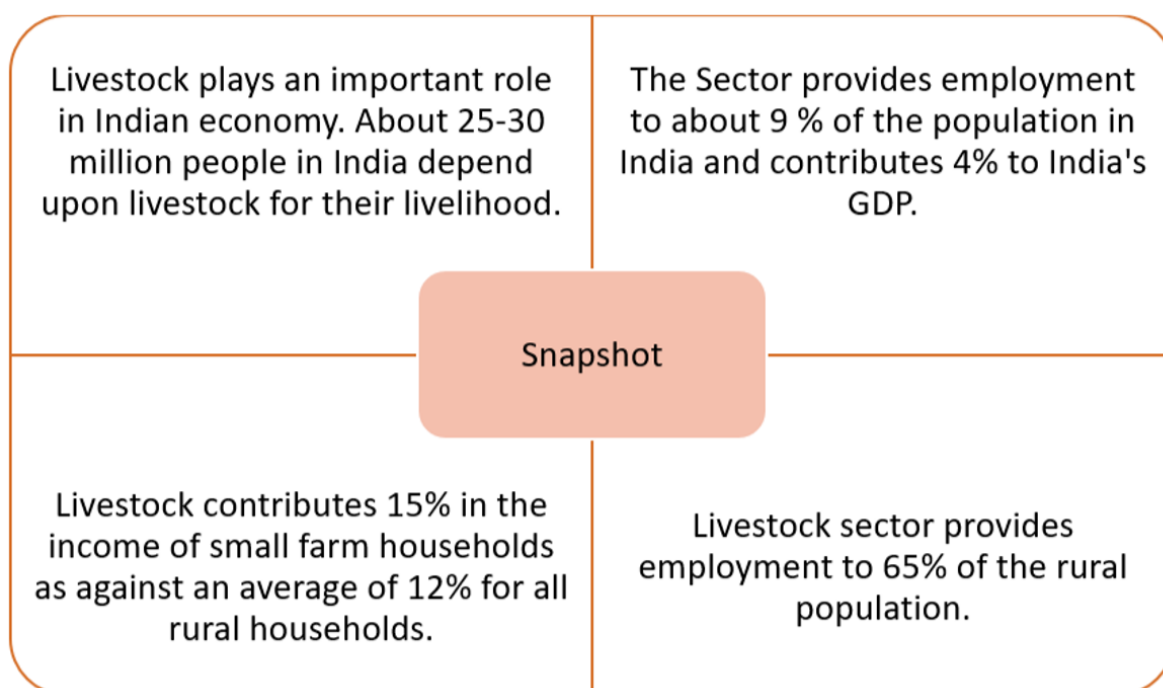
Conclusion:

<u>The latest Consumer Price Index data</u> show retail inflation accelerated by almost 100 basis points to a three-month **high of 5.03%** in February, **<u>with food and fuel costs continuing to remain volatile.</u>**

Also, with the <u>prices of multiple raw materials</u> on an <u>upward trajectory,</u> an IHS Markit India Business Outlook survey showed companies were planning to raise selling prices over the coming 12 months to cope with rising costs.

The government's announcement is a welcome step in **<u>reiterating that inflation targeting</u>** remains the **centrepiece** of the monetary policy framework and signals that the fiscal and monetary authorities are in lockstep in ensuring the primacy of price stability as the bedrock for all macro-economic development.

2.A road to progress

Economics of Animal Rearing

Livestock plays an important role in Indian economy. About 25-30 million people in India depend upon livestock for their livelihood.	The Sector provides employment to about 9 % of the population in India and contributes 4% to India's GDP.
	Snapshot	
Livestock contributes 15% in the income of small farm households as against an average of 12% for all rural households.	Livestock sector provides employment to 65% of the rural population.

Introduction:

The achievements of women dairy farmers in contributing to **India's 'White Revolution'** are perhaps the greatest cause for celebrating the Women's History Month in March.

That this has happened despite around a **majority of dairy farmers** owning only **small landholdings** typically households with two to five cows is also a testament to the success of the dairy cooperatives models that were at the heart of **Operation Flood.**

The approach made it possible **to enhance backward and forward linkages** in the **dairy value chain**, paving the way for freeing small farmers from the clutches of middlemen, and guaranteed minimum procurement price for milk.

A study by the **International Development Research Centre (IDRC)** indicates that **93% of women farmers** who **receive training** alongside financial support succeed in their ventures, compared to the 57% success rate of those who receive financial aid alone.

Institutionalising such inputs, the **National Dairy Development Board (NDDB)** now organises **farmer's orientation programmes** across the country, under which women farmers are trained in **scientific best practices** on animal health, fodder quality, clean milk production, and accounts management.

Background:

1. **Operation Flood**, known as the '**billion liter idea**,' as conceived by Dr **Verghese Kurien** is the world's largest agricultural dairy development programme.

2. It aimed at making the dairy farming **India's largest self-sustaining industry** and the largest rural employment provider.

3. Launched in 1970, Operation Flood gave dairy farmers autonomy over the milk production in the area.

4. Over 700 towns and cities in India were **linked by the National Milk Grid**, bridging the gap between milk producers and consumer.

5. Prior to the White revolution, the situation was different in India and the country was dependent on imports to meet its dairy-related needs.

6. Milk production and distribution was concentrated in hands of few wealthy farmers and rural businessmen which **resulted in cartelization and deprived the grassroot farmers and villagers** to reap the economic benefits of milk production.

7. The Anand pattern experiment at Amul, a cooperative dairy, was the pioneer behind the success of the program.

8. This model was replicated nationwide with rigorous efforts by National Dairy Development Board (NDDB) **to give a boost to the co-operative sector in milk production.**

About National Dairy Development Board (NDDB):

1. The National Dairy Development Board (NDDB) was founded in 1965 to replace exploitation with empowerment, <u>tradition with modernity, stagnation with growth, transforming dairying into an instrument for the development of India's rural people.</u>

2. The National Dairy Development Board, initially registered as a society under **the Societies Act 1860**, was merged with the erstwhile Indian Dairy Corporation, a company formed and registered under the <u>Companies Act 1956, by the NDDB Act 1987, with effect from 12 October, 1987.</u>

3. The new body corporate was also declared an **institution of national importance by the Act.**

4. Since its inception, the **Dairy Board** has planned and spearheaded India's dairy programmes by placing dairy development in the hands of milk producers and the professionals they employ to manage their cooperatives.

Enhanced incomes:

1. According to latest data, there are <u>more than 1,90,000 dairy cooperative societies</u> across the country, with <u>approximately 6 million women members</u>.

2. A study conducted on **Women Dairy Cooperative Society (WDCS)** members across Rajasthan showed that with the <u>income generated through dairying,</u> 31% of the women had converted their mud houses to cement structures, while 39% had constructed concrete sheds for their cattle.

3. Importantly, **women-led cooperatives** <u>also provide fertile ground for grooming women from rural areas for leadership positions.</u>

4. In many instances, this becomes the <u>first step for women in breaking free from traditional practices.</u>

Opportunities in dairy sector:

1. The Indian dairy industry is expected to **register 15 per cent compounded** annual growth till 2020 and emerge as Rs 9.4-lakh crore industry.

2. **Dairy products** are a **major source of cheap and nutritious food** to millions of people in India and the **only acceptable source of animal protein** for a large vegetarian segment of the Indian population.

3. **Increase in income** and **rising standard of living** has led to growing demand for dairy products like butter, cheese, paneer, yoghurt, ice cream, etc.

4. The growing demand for dairy products also raises the prospects for associated industries like milk processing, packaging, logistics, restaurants and eateries and exports.

5. Dairy farming is a **viable and profitable alternative to crop production** in rain fed and drought areas which are a frequent feature in India owing to climate change.

6. **Organised dairies** are likely to see spending of Rs 140-billion over the next three financial years according to **credit rating agency CRISIL**.

Women-led companies:

The dairy sector assumes significance on account two reasons:

It has to do with the socio-cultural affinity towards cows and dairy products in large parts of the country.

As an industry, it employs more than 70 million farmers. Recent years have seen the rise of women-led dairy unions and companies.

Case study:

1. The **NDDB** has played a **proactive role** in setting up **women-led producer enterprises** like **Shreeja Mahila Milk Producer Company**, which was started with 24 women and now has more than 90,000 members, with an annual turnover of approximately Rs.450 crore.

2. Last year, Amul Dairy released a list of 10 women dairy farmers who became millionaires by selling milk to the company.

3. For instance, Navalben Dalsangbhai Chaudhary from Vadgam earned almost ₹88 lakh by selling 2,21,595 kg of milk in 2019-20, and Malvi Kanuben from Dhanera earned about ₹74 lakh by selling 2,50,745 kg of milk.

4. Another major challenge in this sector is **information asymmetry** among farmers.

5. Statistics indicate that <u>small and marginal farmers</u> have <u>access to only 50-70% of the resources that large and medium farmers have.</u>

6. <u>The **presence of collectives** in the **form of cooperatives and milk unions** plays a significant role in enhancing the knowledge and bargaining power of women.</u>
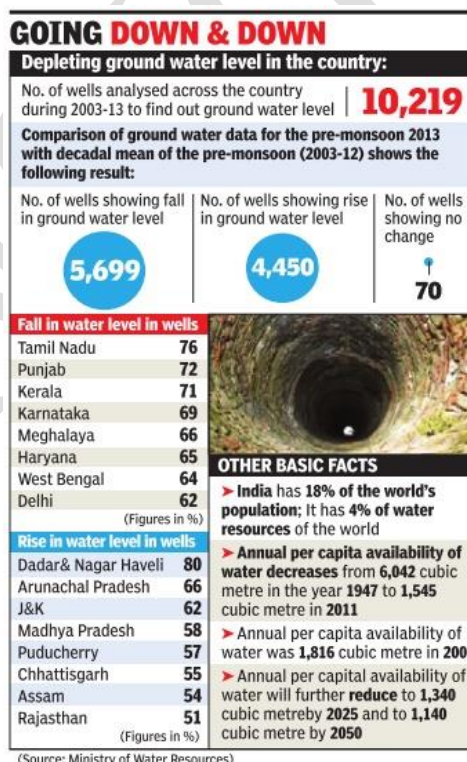
Conclusion:

Innovation in organisational structures has also spurred consistent growth in this sector.

These testimonials of **individual women dairy farmers** are all the more remarkable for the fact that many of them have not had a formal education, but through the **process of dairying and working with larger collectives**, such as milk unions and cooperatives, they have mastered the nuances of finance and marketing.

In keeping with **our ethos of 'Jai Kisan, Jai Vigyan'** the marriage of rural farming with the latest innovations in technology will usher in unprecedented transformation in our dairy industry.

Need of the hour is for us to identify ways in which <u>we can enhance the return on investment for our farmers.</u>

3.Groundwater depletion may reduce winter cropping intensity by 20% in India

GOING DOWN & DOWN

Depleting ground water level in the country:

No. of wells analysed across the country during 2003-13 to find out ground water level | **10,219**

Comparison of ground water data for the pre-monsoon 2013 with decadal mean of the pre-monsoon (2003-12) shows the following result:

No. of wells showing fall in ground water level	No. of wells showing rise in ground water level	No. of wells showing no change
5,699	4,450	70

Fall in water level in wells

Tamil Nadu	76
Punjab	72
Kerala	71
Karnataka	69
Meghalaya	66
Haryana	65
West Bengal	64
Delhi	62

(Figures in %)

Rise in water level in wells

Dadar& Nagar Haveli	80
Arunachal Pradesh	66
J&K	62
Madhya Pradesh	58
Puducherry	57
Chhattisgarh	55
Assam	54
Rajasthan	51

(Figures in %)

(Source: Ministry of Water Resources)

OTHER BASIC FACTS

➤ **India** has **18% of the world's population**; It has **4% of water resources** of the world

➤ **Annual per capita availability of water decreases** from **6,042** cubic metre in the year **1947** to **1,545** cubic metre in **2011**

➤ Annual per capita availability of water was **1,816** cubic metre in **2001**

➤ Annual per capital availability of water will further **reduce** to **1,340** cubic metreby **2025** and to **1,140** cubic metre by **2050**

Introduction:

Water is indispensable for life, but its availability at a sustainable quality and quantity is threatened by many factors, of which climate plays a leading role.

The Intergovernmental Panel on Climate Change (IPCC) defines climate as "the average weather in terms of the mean and its variability over a certain time-span and a certain area" and a statistically significant variation of the mean state of the climate or of its variability lasting for decades or longer, is referred to as climate change.

India's Irrigation system:

1. **India** is the **second-largest producer of wheat** in the world, with over 30 million hectares in the country dedicated to producing this crop.

2. But with severe groundwater depletion, the cropping intensity or the amount of land planted in the winter season may decrease by up to 20% by 2025, notes a new paper.

3. Some of the important winter crops are wheat, barley, mustard and peas.

4. The international team studied **India's three main irrigation types on winter cropped areas: dug wells, tube wells, canals**, and also analysed the groundwater data from the Central Ground Water Board.

5. They found that **13% of the villages** in which farmers plant a winter crop are located in **critically water-depleted regions**.

6. The team writes that these villages may **lose 68% of their cropped area in future** if access to all groundwater irrigation is lost.

7. The results suggest that these losses will largely occur in northwest and central India.

Occurrence of Flash droughts:

1. Flash droughts are those that occur very quickly, with **soil moisture depleting rapidly**. Normally, developing drought conditions take months, but these happen within a week or in two weeks' time.

2. Several factors including atmospheric anomalies, anthropogenic greenhouse gas emissions play an important role.

3. In 1979, India faced a severe flash drought, affecting about 40% of the country and taking a toll on agriculture.

4. An article published that year in the journal India International Centre Quarterly noted that the big granaries of Uttar Pradesh and Andhra were affected, and the country suffered a loss of about ₹5,000 crores.

5. A new study has now pointed out that <u>India could experience more such flash droughts by the end of this century.</u>

Alternative sources of Irrigation:

The team then looked at **canals** to understand if they can be promoted as an **alternative irrigation source** and as an adaptation strategy to falling groundwater tables.

But the results showed that "switching to canal irrigation has **limited adaptation potential at the national scale**. We find that even if all regions that are currently using depleted groundwater for irrigation will switch to using canal irrigation, **cropping intensity may decline by 7% nationally**," notes the paper published in Science Advances.

When asked what new or additional adaptation strategies can be implemented, corresponding author Meha Jain explains: "We can conjecture based on other literature and say that **adoption of water-saving technologies** like a **sprinkler, drip irrigation** and maybe switching to **less water-intensive crops** may help use the **limited groundwater resources more effectively**".

Climate Change Scenario for Groundwater in India:

About **85% of the rural water supply in India is dependent on groundwater**.

1. India on the whole has a potential of 631 bcm/year of replenishable groundwater, Unfortunately, due to rampant drawing of the subsurface water, the water table in many regions of the country has dropped significantly in the recent years resulting in threat to groundwater sustainability.

2. The overexploited areas are mostly concentrated on three parts of the country.

   a. In north western part in Punjab, Haryana, Delhi, Western Uttar Pradesh where through replenishable resources is abundant but there have **indiscriminate withdrawals of ground water leading to over-exploitation.**

   b. In western part of the country particularly in Rajasthan where due to arid climate, ground water recharge itself is less leading to stress on the resource and in peninsular India like Karnataka and Tamil Nadu where **due to poor aquifer properties, ground water availability is less.**

3. The **most optimistic assumption** suggests that an average drop in groundwater level by one metre would increase India's total carbon emissions by over 1%, because the time of withdrawal of the same amount of water will increase fuel consumption.

4. A more realistic assumption reflecting the area projected to be irrigated by groundwater, suggests that the increase in carbon emission could be 4.8% for each metre drop in groundwater levels.

5. It is recommended to study the aquifer geometry, establish the **saline fresh interfaces within few km of the coastal area**, the effect of glaciers melting on recharge potential of aquifers in the Ganga basin and its effects on the transboundary aquifer systems, particularly in the arid and semi-arid regions.

Unsuited soils: about the problem's wheat farmers face in our country:

1. There are **several first-generation (productivity)** and **second-generation (sustainability) problems.**

2. In the green revolution era, policy-supported environment led to a **large increase in rice cultivation in north-western India** mainly in Punjab and Haryana which are **ecologically less suitable** for rice cultivation due to predominantly light soils.

3. This **policy-supported intensive agriculture** led to u**nsustainable groundwater use for irrigation** and in turn **groundwater scarcity**.

4. There was also **post-harvest residue burning** to make way for the timely sowing of wheat.

There are **enough groundwater resources** supported with **higher monsoon rainfall in eastern Indian states** like Bihar.

But due to lack of enough irrigation infrastructure, farmers are not able to make use of natural resources there.

Conclusion:

We need **better policies in eastern India** to expand the irrigation and thus **increase agriculture productivity**. This will also release some pressure from north-western Indian states.

Water resource management plans increasingly need to incorporate the affects of global climate change in order to accurately predict future supplies.

Numerous studies have documented the sensitivity of streamflow to climatic changes for watersheds all over the world.

Most of these studies involve **watershed scale hydrologic models**, of which validation remains a fundamental challenge.

Moreover, outputs from **general circulation models (GCM)** can be rather uncertain and downscaling their predictions for local hydrologic use can produce inconsistent results.

Therefore, the **sensitivity of streamflow to climate changes** is perhaps best understood by analyzing the historical records.

4.Deconstructing declarations of carbon-neutrality
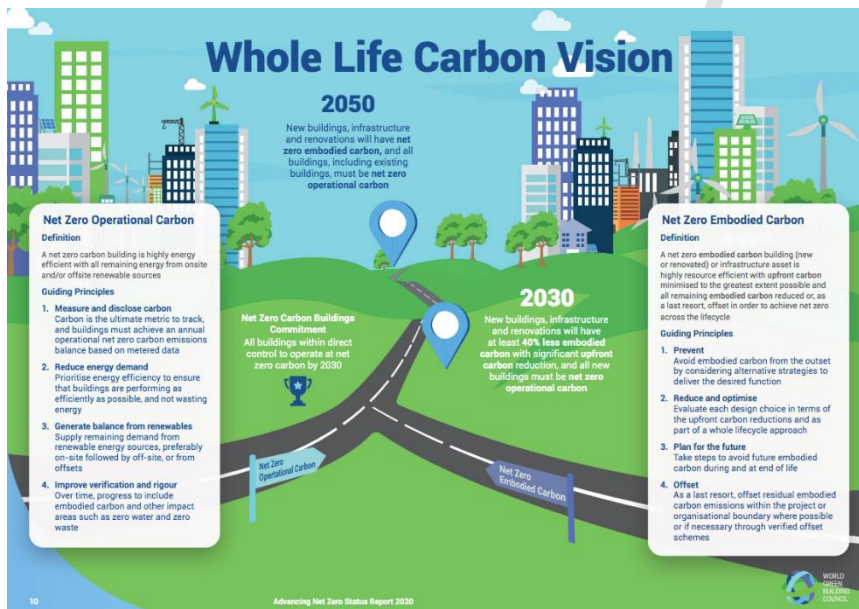
Introduction:

At the latest count by the **non-profit Energy and Climate Intelligence Unit (ECIU)**, at the beginning of April, 32 countries had declared, in some documented form, their proposed intention **to achieve carbon neutral status** by mid-century or thereabouts.

Of these, only eight have any firm status, the rest being in the form of proposed legislation or mentions in policy documents.

Since some months ago, the UN Secretary General has taken the lead in sparking off an international chorus, led by global civil society organisations based in the developed

countries and encouraged by their governments, that is **urging all countries, especially India, to make explicit declarations.**

Context:

virtual Climate Leaders' Summit convened by US President Joe Biden on April 22-23 where Prime Minister Narendra Modi is one of the invitees.

In its bid to reclaim the global climate leadership, the US is widely expected to commit itself to a **net-zero emission target for 2050 at the summit**. Several other countries, including the UK and France, have already enacted laws promising to **achieve a net-zero emission** scenario by the middle of the century. China has promised to go net-zero by 2060.

Net zero: why is it necessary?

1. A number of countries, including the UK, have made commitments to move to a net zero emissions economy.

2. This is in response to climate science showing that in order **to halt climate change**, carbon emissions have to stop reducing them is not sufficient.

3. '**Net zero'** means that any emissions are balanced by absorbing an equivalent amount from the atmosphere.

4. Net-zero is a state in which a country's emissions are compensated by absorption and removal of greenhouse gases from the atmosphere.

5. Absorption of the emissions can be increased by **creating more carbon sinks** such as forests, while removal of gases from the atmosphere requires futuristic technologies such as carbon capture and storage.

6. It is being argued that **global carbon neutrality by 2050** is the only way to achieve the Paris Agreement target of keeping the planet's temperature from rising beyond 2°C compared to pre-industrial times.

7. In order to meet the **1.5°C global warming target in the Paris Agreement**, global carbon emissions should **reach net zero** around mid-century.

8. For developed nations such as the UK, the date may need to be earlier. Many have already set such dates.

Temperature goals according to Paris Agreement:

The impetus for such declarations arises from **Article 4.1** of the **Paris Agreement** that states that

"In order **to achieve the long-term temperature goal** set out in **Article 2,** Parties aim to reach global peaking of greenhouse gas emissions as soon as possible, recognizing that peaking will take longer for developing country Parties, and to undertake rapid reductions thereafter in accordance with best available science, so as to achieve a balance between anthropogenic emissions by sources and removals by sinks of greenhouse gases in the second half of this century, on the basis of equity, and in the context of sustainable development and efforts to eradicate poverty".

The temperature goal referred to is the much better known declaration of intent of the Paris Agreement, of **limiting temperature rise to well below 2°C** and further pursuing efforts to **restrict it to 1.5°C** **above pre-industrial levels.**

Current pledges in Paris Agreement fall short:

1. The hard scientific reality is that such a **three-way compatibility** **between temperature goals, carbon neutrality, and equity** is not only not guaranteed, but cannot be achieved for the 1.5°C temperature goal at all. And even for the 2°C goal, the current pledges are highly inadequate.

2. This harsh conclusion follows from straightforward scientific considerations, based on the **global carbon budget**, which indicates the **limits on global cumulative emissions**, from the pre-industrial era to the time when net emissions cease, that correspond to definite levels of global temperature rise.

3. According to the **Intergovernmental Panel on Climate Change Special Report on Global Warming of 1.5° warming**, what remains of this global carbon budget from 2018 onwards, for a 50% probability of restricting temperature rise to less than 1.5°C, is 480 Giga-tonnes (billion tonnes) of carbon dioxide equivalent.

Emissions in the West:

1. The hollowness of nation-level carbon neutrality declarations by developed countries is brought out **more starkly** when we consider the details, as in the case of the United States and the European Union.

2. Emissions in the U.S. peaked in 2005 and have declined at an average rate of 1.1% from then till 2017, with a maximum annual reduction of 6.3% in 2009, at the height of a recession.

3. Even if it did <u>reach net-zero by 2050 at a steady linear rate of reduction</u>, which is unprecedented, <u>its cumulative emissions between 2018 and 2050 would be 106 GtCO2</u>, which is **22% of the total remaining carbon budget for the whole world** so high, that unless others reduced emissions at even faster rates, the world would <u>most certainly cross 1.5°C warming.</u>

4. Regrettably, a section of the climate policy modelling literature has promoted the illusion that this three-way compatibility is feasible through **speculative "negative emissions",** ostensibly through dramatic expansion of carbon capture, primarily by the biosphere.

5. They have also been promoting the other illusion that <u>not resorting to any serious emissions increase at all is the means to guarantee the successful development of the Third World.</u>

According to the author, India has no carbon debt:

India clearly should <u>not join this game of carbon neutrality declarations</u>, for a number of reasons.

<u>For one, India has to stay focused on development both as its immediate need as well as its aspirational goal.</u>

1. While **sustainability is desirable**, the question of <u>how low India's future low-carbon development can be is highly uncertain</u>.

2. India's current low carbon footprint is a consequence of the utter poverty and deprivation of a majority of its population, and not by virtue of sustainability.

Second, India does not owe a carbon debt to the world.

1. <u>India's emissions (non-LULUCF) are no more than 3.5% of global cumulative emissions prior to 1990 and about 5% since till 2018.</u>

2. Nor are India's current annual emissions such as to seriously dent the emissions gap between what the world needs and the current level of mitigation effort, even as India's mitigation efforts are quite compatible with a 2°C target.

3. Any self-sacrificial declaration of carbon neutrality today in the current international scenario would be a wasted gesture reducing the burden of the developed world and transferring it to the backs of the Indian people.

India's twin burden of low-carbon development and adaptation to climate impacts, is onerous and no doubt requires serious, concerted action.

India's approach to eventual net-zero emissions is contingent on deep first world emissions reductions and an adequate and unambiguous global carbon budget.

Meanwhile, <u>India must reject any attempt to restrict its options and be **led into a low-development trap**</u>, <u>based on pseudo-scientific narratives.</u>

Conclusion:

It is evident that the **balance of emissions** and **removal of greenhouse gases** is not sought on a country-wise basis but for the world as a whole.

Though both developed country governments and civil society outfits commonly state this as an **individual commitment by all countries**, the text of the Paris Agreement clearly indicates, <u>based on considerations of **equity and differentiation,** that this is a global goal.</u>

5.India to receive normal monsoon, forecasts IMD
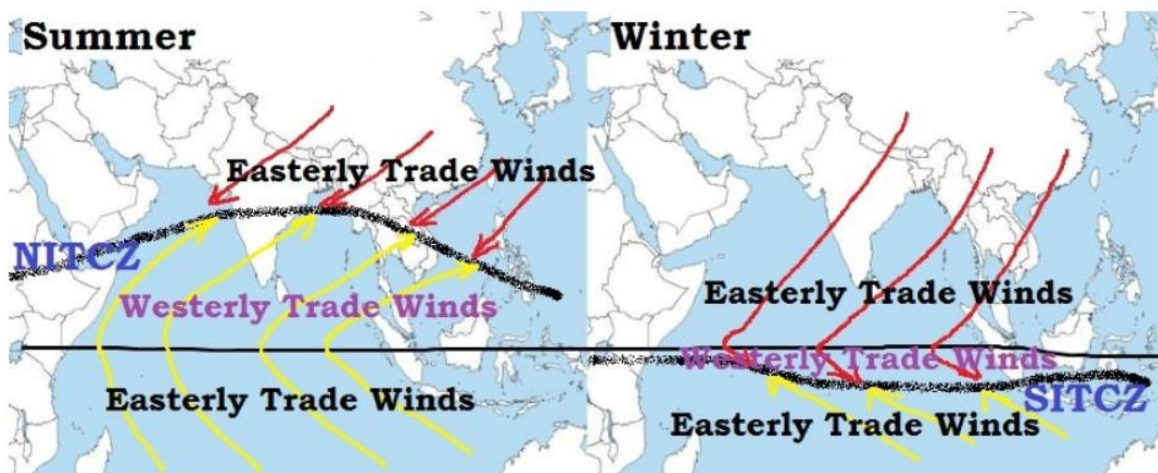
Context:

In recent, the **India Meteorological Department (IMD)** announced that India will likely have a **normal monsoon**, with a <u>chance of 'above normal' rain in August and September,</u>

The IMD issues a two-stage forecast: the first in April, followed by a more detailed one in the last week of May, which will also illustrate **how the monsoon will spread over the country.**

The IMD's confidence stems largely from global weather models pointing to **negligible chances of El Nino**, a warming of the central equatorial Pacific that's associated with the drying up of monsoon rain.

India: Monsoon type of Climate:

The climate of India is described as the '**monsoon' type**. In Asia, this type of climate is found mainly in the south and the southeast.

Out of a total of **4 seasonal divisions of India**, monsoon occupy 2 divisions:

The southwest monsoon season - Rainfall received from the southwest monsoons is seasonal in character, which occurs between June and September.

The retreating monsoon season - The months of October and November are known for retreating monsoons.

To what extent has the monsoon covered the country?

1. The monsoon has covered the **whole of south as well as eastern India**.

2. By July 15 the monsoon should have ideally covered its last outpost in western Rajasthan, but this is unlikely given the delay in the monsoon's advent.

3. In the week ahead, it's expected to make further inroads into central India and most of Gujarat and Uttar Pradesh.

4. However, the geographic spread obscures the quantity of rain. Only two of India's 36 meteorological subdivisions have posted normal rainfall and 27 of them are grappling with deficient rainfall.

5. By June 30, a low-pressure pulse is expected to form over the Bay of Bengal and give a significant push to the monsoon.

Indian monsoon phenomenon:

1. **Monsoons are seasonal winds** which **reverse their direction with the change of season**.

2. They **flow from sea to land** during the **summer** and **from land to sea** during **winter.**

3. Countries like India, Indonesia, Bangladesh, Myanmar etc. receive most of the annual rainfall during **south-west monsoon season** whereas South East China, Japan etc., during north-east rainfall season.

4. During the summers of northern hemisphere, North India receives high insolation and generates low pressure.

5. This low pressure attracts winds from all direction. **Heating of Tibetan plateau also plays role here.**

6. During the same time, **Inter-Tropical convergence zone** also shifts to the north and as a result trade winds starts blowing towards India carrying moisture with them.

7. The **shift in the position of the ITCZ** is also related to the phenomenon of the withdrawal of the westerly jet stream from its position over the north Indian plain, south of the Himalayas.

8. The **easterly jet stream** sets in along **15°N latitude** only after the western jet stream has withdrawn itself from the region.

9. This easterly jet stream is held responsible for the burst of the monsoon in India.

Does the monsoon have a bearing on India's water crisis?

1. **India's water crisis,** according to experts, is **due to over-extraction of groundwater resources** and not enough storage of rain water and surface water.

2. The **Central Water Commission**, in its recommendation of how reservoirs should store and release water assumes that reservoirs will be empty on June 1 and gradually refill over the course of the monsoon, and be available for the non-monsoon months.

3. Given that June contributes **only 17cm or about 20% of the monsoon rainfall** and is known to progress in spurts, farmers have already delayed sowing and relying on crop varieties that grow relatively quickly.

4. Moreover, several farmers plant **intensely water-guzzling crops** that aren't suited to their climate or prevalent water table.

5. While a July rainfall can temporarily alleviate parched ground, it can't solve the graver crisis of depleting groundwater and insufficiently charged aquifers.

Indian Ocean Dipole impact the southwest monsoon:

<u>IOD is the difference between the temperature of eastern (Bay of Bengal) and the western Indian Ocean (Arabian Sea).</u>

This temperature difference results into pressure difference which results in flowing of winds between eastern and western parts of Indian Ocean.

IOD develops in the equatorial region of Indian Ocean from April to May peaking in October.

1. Although **El Nino Southern Oscillation (ENSO)** was statistically effective in explaining several past droughts in India, in the recent decades the ENSO-Monsoon relationship seemed to weaken in the Indian subcontinent.

2. For e.g. the <u>1997, strong ENSO failed to cause drought in India</u>.

3. It was later discovered that just like ENSO was an event in the Pacific Ocean, a similar seesaw ocean-atmosphere system in the Indian Ocean was also at play which was IOD.

4. However, there is **no established correlation** between Indian summer monsoon rainfall and IOD.

5. But studies have shown that a <u>positive IOD year sees more than normal rainfall over central India.</u>

6. It was demonstrated that a **positive IOD index** often negated the effect of ENSO, resulting in **increased Monsoon rains in several ENSO years** like the **1983, 1994 and 1997**.

7. Further, it was shown that the **two poles of the IOD** – the eastern pole (around Indonesia) and the western pole (off the African coast) were independently and cumulatively affecting the quantity of rains for the Monsoon in the Indian subcontinent.

8. The indicated connection is between below-normal SST in the eastern Indian Ocean and above-normal rain over central India, and vice versa.

9. **A negative IOD,** on the other hands, complements El NINO leading to severe drought.

10. At the same time, **Positive IOD results in more cyclones than usual in Arabian Sea.**

11. **Negative IOD results in stronger than usual cyclogenesis** (Formation of Tropical Cyclones) in Bay of Bengal. Cyclogenesis in Arabian Sea is suppressed during this time.

12. But there is some anomaly in the <u>phenomenon of IOD and Monsoon.</u>

Conclusion:

Although there are **wide variations in weather patterns** across India, the monsoon brings some unifying influences on India. The Indian landscape, its flora and fauna, etc. are highly influenced by the monsoon.

The **entire agricultural calendar in India** is governed by the monsoon. Due to these reasons, monsoon is often a **great unifying factor in India**.

The population of India is increasing and to **provide food security** to the population, a large part of the monsoon water which is **currently unutilized** should be held at suitable locations for irrigation and power generation purposes.

India needs to **invest more resources** in better prediction of Monsoon forecast in order **to achieve reliability and sustainability**.

6.Muon g–2: landmark study challenges rulebook of particle physics

THE HUNT FOR NEW PHYSICS
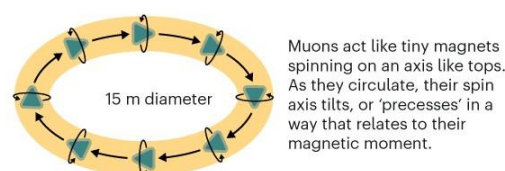The Muon g - 2 experiment has been looking for virtual particles by measuring how muons wobble in a magnetic field.

1. Protons from the Fermilab accelerator hit a target, creating pions. Some of these pions decay into muons

Protons   Target   Pions   Pions and muons
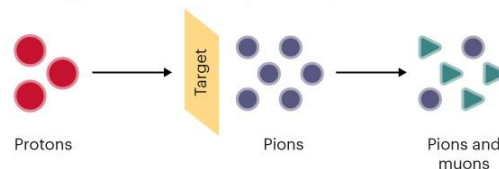
2. Pions travel around a delivery ring

505 m circumference

Pions circle until almost all have decayed into muons.

Muon   Pion
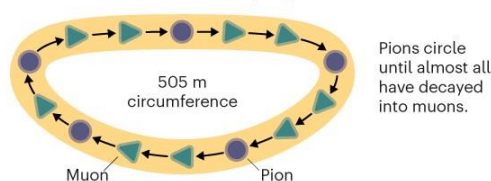
3. Muons speed around a second ring, with a doughnut-shaped magnetic field

15 m diameter

Muons act like tiny magnets spinning on an axis like tops. As they circulate, their spin axis tilts, or 'precesses' in a way that relates to their magnetic moment.

Measuring the muons' spin direction, combined with a precise measurement of the ring's magnetic field, reveals the muon's anomalous magnetic moment — the part caused by interaction with the virtual particles.

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Introduction:

Newly published results of an international experiment hint at the possibility of **new physics governing the laws of nature**.

The results of the experiment, which **studied a subatomic particle** called **the muon,** do not match the predictions of the Standard Model, on which all particle physics is based, and instead reconfirm a discrepancy that had been detected in an experiment 20 years previously.

In other words, the physics we know cannot alone explain the results measured.

The muon g-2 experiment:

Fermilab, which houses the American particle accelerator, has released the first results from its **'muon g-2' experiment**.

These results spotlight the **anomalous behaviour** of the **elementary particle** called **the muon**. The **muon, a heavier cousin of the electron**, is expected to have a value of 2 for its magnetic moment, **labelled 'g'.**

However, the muon exists not in isolation but embedded in a sea where particles are popping out and vanishing every instant due to quantum effects.

So, its g value is altered by its interactions with these short-lived excitations.

What is the Standard Model?

The Standard Model is a rigorous theory that predicts the behaviour of the building blocks of the universe.

It lays out the rules for **six types of quarks, six leptons, the Higgs boson, three fundamental forces**, and how the subatomic particles behave under the influence of electromagnetic forces.

The muon is one of the leptons. It is similar to the electron, but 200 times larger, and much more unstable, surviving for a fraction of a second.

The experiment, **called Muon g−2 (g minus two),** was conducted at the US Department of Energy's Fermi National Accelerator Laboratory (Fermilab).

Deviations from Standard Model to the Experimental results:

1. The Standard Model of particle physics calculates this correction, called the **anomalous magnetic moment**, very accurately.

2. The **muon g-2 experiment** measured the extent of the anomaly, Fermilab announced that the **measured 'g' deviated** from the amount predicted by the Standard Model.

3. That is, while the calculated value in the **Standard Model is 2.00233183620** approximately, the **experimental results show a value of 2.00233184122.**

The g factor:

1. The **muon** is also known as the **'fat electron'**. It is produced copiously in the Fermilab experiments and occurs naturally in cosmic ray showers.

2. Like the electron, the **muon has a magnetic moment** because of which, when it is placed in a **magnetic field**, it **spins and precesses, or wobbles** slightly, like the axis of a spinning top. Its internal magnetic moment, the g factor, determines the extent of this wobble.

3. As the muon spins, **it also interacts with the surrounding environment**, which consists of short-lived particles popping in and out of a vacuum.

4. The implications of this difference in the **muon's g factor** can be significant. The Standard Model is supposed to contain the effects of all known particles and forces at the particle level.

5. So, a contradiction of the Standard Model would imply that there exist new particles, and their interactions with known particles would enlarge the canvas of particle physics.

6. These new particles could be the **dark matter particles** which people have been looking out for, in a long time.

7. These interactions make corrections to the g factor, and this affects the precession of the muon.

Conclusion:

The results from Brookhaven, and now Fermilab, hint at the existence of unknown interactions between the muon and the magnetic field interactions that could involve new particles or forces. It is, however, not the last the word in opening up the road to new physics.

Thus, if the **measured g factor** differs from the value calculated by the Standard Model, it could signify that **there are new particles in the environment** that the Standard Model does not account for.

This is strong evidence that the muon is sensitive to something that is not in our best theory.

This observation together with the recently observed anomaly in B decays at CERN indicates that the effects of new yet unobserved particles and forces is being seen as quantum effects.

7.ARIES facility will host the support centre for Aditya-L1
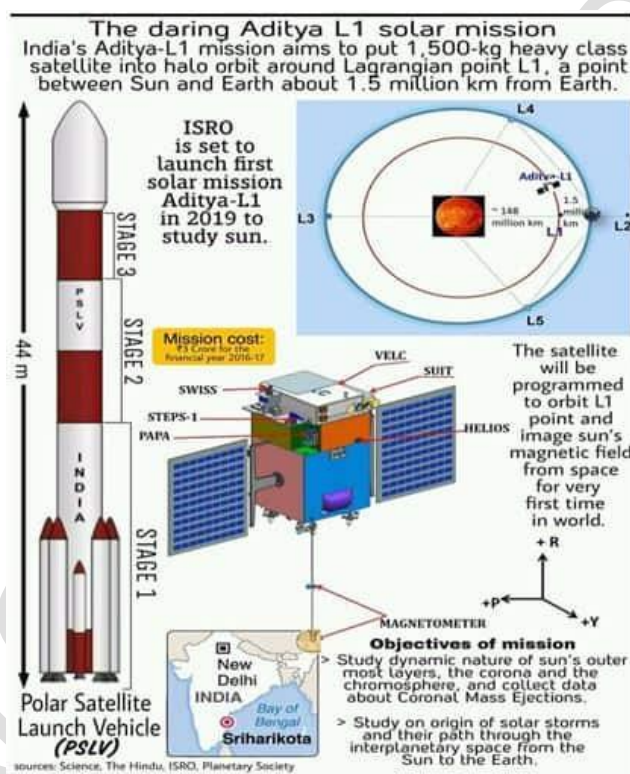
Introduction:

The **Indian programme to study the Sun** and the region between the Sun and the Earth from space – **Aditya-L1** is due to be launched next year.

It will **carry seven payloads** which have been developed by various institutions across the country.

Once the mission is launched, there will be a need for a ground support centre to monitor and coordinate the work on its various payloads.

This role will be **played by the ARIES facility** (short for Aryabhata Research Institute for observational Sciences) which is **situated near Nainital**.

In January 2021, an agreement was signed to this effect based on the proposal submitted by the ARIES team of the science working group of the Aditya-L1 mission.

Aditya - L1 First Indian mission to study the Sun:

1. The **Aditya-1 mission** was conceived as a **400kg class satellite** carrying one payload, the **Visible Emission Line Coronagraph (VELC)** and was planned to launch in a 800 km low earth orbit.

2. A Satellite placed in the **halo orbit around the Lagrangian point 1 (L1) of the Sun-Earth system** has the major advantage of continuously viewing the Sun without any occultation/ eclipses.

3. Therefore, the Aditya-1 mission has now been revised to "**Aditya-L1 mission**" and will be inserted in a **halo orbit around the L1,** which is 1**.5 million km from the Earth.**

4. The satellite carries additional six payloads with enhanced science scope and objectives.

Why is studying the Sun important?

1. Every planet, including Earth and the exoplanets beyond the Solar System, evolves and this evolution is **governed by its parent star**.

2. The solar weather and environment, which is determined by the processes taking place inside and around the sun, affects the weather of the entire system.

3. Variations in this weather can change the orbits of satellites or shorten their lives, interfere with or damage onboard electronics, and cause power blackouts and other disturbances on Earth. **Knowledge of solar events is key to understanding space weather.**

4. To learn about and track Earth-directed storms, and to predict their impact, **continuous solar observations** are needed.

5. Every storm that emerges from the Sun and heads towards Earth passes through L1, and a satellite placed in the **halo orbit around L1** of the Sun-Earth system has the major advantage of continuously viewing the Sun **without any occultation/eclipses**.

Halo orbit around the Lagrangian point 1 (L1) of the Sun-Earth system:

1. Lagrange Points, named after Italian-French mathematician **Josephy-Louis Lagrange**, are positions in space where the gravitational forces of a two-body system (like the Sun and the Earth) produce enhanced regions of attraction and repulsion.

2. The **L1 point is about 1.5 million km from Earth**, or about 1/100th of the way to the Sun.

3. L1 refers to **Lagrangian/Lagrange Point 1**, one of 5 points in the orbital plane of the Earth-Sun system.

4. These can be used by spacecraft **to reduce fuel consumption** needed to remain in position.

5. A Satellite placed in the **halo orbit around the Lagrangian point 1 (L1)** has the major advantage of **continuously viewing the Sun without any occultation/ eclipses.**

6. The L1 point is home to <u>the Solar and Heliospheric Observatory Satellite (SOHO),</u> an international collaboration project of National Aeronautics and Space Administration (NASA) and the European Space Agency (ESA).

The satellite will be launched during 2019 – 2020 timeframe by PSLV-XL from Sriharikota:

1. Aditya-1 was **meant to observe only the solar corona**. The outer layers of the Sun, extending to thousands of km above the disc (photosphere) is termed as the **corona**.

2. It has a **temperature of more than a million degree Kelvin** which is much higher than the solar disc temperature of around 6000K.

3. In addition, **particle payloads** will study the **particle flux emanating from the Sun** and **reaching the L1 orbit**, and the magnetometer payload will <u>measure the variation in magnetic field strength at the halo orbit around L1.</u>

4. These payloads have to be placed outside the interference from the Earth's magnetic field and could not have been useful in the low earth orbit.

Studying lower corona:

1. The **Aditya-L1 Support Centre (ASC)** will provide training through regular workshops for the guest users.

2. Apart from this, it will provide ready-to-use Python and Java apps for the satellite data and demos and handouts to facilitate the guest users.

3. An ARIES team has recently developed an **algorithm to study the accelerating solar eruptions in the lower corona** called **CMEs Identification in Inner Solar Corona** (in short, CIISCO), where **CME stands for coronal mass ejection**.

4. The group has also developed several **advanced image processing algorithms to detect fine-scale structures in the solar atmosphere**.

5. Such techniques are important to capture dynamics at different spatial and temporal scales.

Challenges in launching the mission:

1. The **distance of the Sun from Earth** (approximately 15 crore kms on average, compared to the only 3.84 lakh kms to the Moon). This huge distance poses a **scientific challenge.**

2. Due to the risks involved, payloads in earlier ISRO missions have largely remained stationary in space.

3. However, Aditya L1 will have some moving components which **increases the risks of collision.**

4. Other issues are the **super hot temperatures** and **radiation in the solar atmosphere.**

5. However, Aditya L1 will stay much farther away, and the heat is not expected to be a major concern for the instruments on board.

Conclusion:

How the corona gets heated to such high temperatures is still an unanswered question in solar physics.

The closest any space mission has been to the sun is **NASA's Parker Solar Probe mission** which hovered at a distance of 18.6 million kilometres from the sun at a jaw-dropping speed of 3.93 lakh km per hour.

The **Aditya L1 mission**, unlike the Parker Solar Probe, won't actually go anywhere near the Sun. However, unlike other satellites, it's not going to be stuck in Earth's lower atmosphere either.

Instead, the plan is to launch it in a **halo orbit around Lagrangian Point 1 (L1).**

At L1, the ISRO satellite will still be moving in orbit but **its position relative to the Sun and the Earth will be stable.**

Aditya-L1 with additional experiments can now provide observations of Sun's Corona (soft and hard X-ray, Emission lines in the visible and NIR), Chromosphere (UV) and photosphere (broadband filters).

8.The long battle against the Maoists

Deadly attacks

Sukma has witnessed several Maoist attacks in the past. A look at some of the previous encounters

MARCH 23, 2021: Five DRG personnel of the Chhattisgarh police killed after their bus is blown up by a powerful bomb in Narayanpur district

MAY 9, 2020: A sub-inspector of the Chhattisgarh police killed in an encounter with the Maoists in Rajnandgaon

MARCH 22, 2020: 17 members of a police patrol killed in an ambush in Sukma

OCT. 27, 2018: Four CRPF personnel killed in an ambush in Bijapur district

MARCH 11, 2017: 12 CRPF personnel killed in an ambush in Sukma district

Context:

Recently, an **encounter** between security forces and the Maoists in Sukma, a Maoist stronghold in Chhattisgarh, 22 jawans were killed.

One CoBRA jawan, who was held hostage by the Maoists, has since been released.

This followed a message from the Maoists to a Bijapur-based journalist that mercy would be shown to Mr. Minhas if the government nominated a team of mediators to negotiate his release.

Release of CoBRA Jawan:

A team of local people, who later went deep into the forest area from where the Maoists were operating, spoke to the rebels and prevailed upon them to release the jawan.

What persuaded the extremist group to show this gesture after their cruel act of killing the 22 men is anybody's guess.

It was possibly their attempt to broadcast to the world that they are not all that violent or merciless as portrayed by the administration; that they are in fact humane and compassionate, fighting only for a cause.

About Left Wing Extremism (LWE):

1. LWE organizations are the groups that try to bring change through violent revolution. They are against democratic institutions and use violence to subvert the democratic processes at ground level.

2. These groups prevent the developmental processes in the least developed regions of the country and try to misguide the people by keeping them ignorant of current happenings.

3. Left Wing Extremists are popularly known as Maoists worldwide and as Naxalites in India.

4. The movement has spread across the Eastern India in less developed areas of states such as Chhattisgarh, Odisha and Andhra Pradesh.

5. It is considered that Naxals support Maoist political sentiments and ideology.

6. Maoism is a form of communism developed by Mao Tse Tung. It is a doctrine to capture State power through a combination of armed insurgency, mass mobilization and strategic alliances.

Objectives of Maoists:

The objective of the Maoists is to drive a wedge between the security forces and the government so as to sow disaffection against the latter.

Another aim is **to serve a warning to the government** that it has no option but to **concede all the demands of the extremists**.

It is another matter that these demands, such as the **formation of a 'people's government'**, are secessionist in nature, which no constitutionally elected establishment will ever concede.

This is a tricky situation that defies a lasting solution unless the <u>rebels break down from fatigue and suffer from a situation where recruits dwindle.</u>

We don't see this happening in the immediate future. If this assessment proves right, we may see a gradual migration of younger rebels aspiring for a better life going to other parts of the country where there are better educational opportunities.

It may start as a trickle but could become a deluge over the next few decades.

Determination and tactics:

1. The ease with which the Maoists are able to strike at security forces and indulge in **indiscriminate killing** from time to time has confounded many analysts.

2. The **frequency of attacks** may fluctuate depending on the preparedness of the extremists and the strength of the establishment's retaliation. <u>But the tactics of the Maoists have not changed greatly.</u>

3. They usually **spread misinformation** about the numbers of Maoists on the ground in a village as well as their location.

4. **Communication equipment** in the hands of government forces has not greatly improved over the years. Ambushes have, therefore, yielded rich dividends to the rebels.

5. It is an entirely different matter that they have also paid substantially with the lives of their own ranks.

Element of fatigue in Intelligence and Planning:

1. Gory incidents like the recent one in Chhattisgarh have often led to the **quick charge of lack of intelligence and planning** on the part of the government, as though **intelligence is a piece of cake.**

2. The criticism conveniently **ignores the ruggedness of the terrain** from where the extremists operate and the intoxication that an anti-establishment propaganda offers to almost all members of the group.

3. In our view, if happenings during the past five decades or so are of any indication, one cannot overstate the capacity of the extremists.

4. What works to their advantage is the fact that <u>many States cannot give undivided attention to the **task of eradicating extremism.**</u>

5. All that the Central and State governments often do to step up their operations is to deploy more policemen and pour in more money and improve technology, but this has an **impact only for a short span of time**. There is an element of fatigue that afflicts both sides.

Does development help?

A lot of well-meaning people, some of whom are from the five States that are often affected by Maoist fury **Chhattisgarh, Madhya Pradesh, Jharkhand, Odisha and Maharashtra** have ceaselessly put forward the argument that **rapid economic development of a region** alone would lure **people away from extremist ideology.**

Advocacy in favour of **amelioration of living conditions** is hard to dismiss.

To be fair, the governments involved, both in the States and at the Centre, have taken the plea seriously and implemented several development schemes in these areas. However, this has **helped only partially**.

Andhra Pradesh example as an transformation: The Greyhounds:

1. **Andhra Pradesh** is perhaps an exception where the <u>magic of development has succeeded</u>, especially in Srikakulam district.

2. Civil servants who have served in that area say a **dedicated leadership** at the **district and grassroots levels** is one explanation for this transformation.

3. Some also say **inducting local youth into the security forces** helps in fighting the extremists.

4. Over-dependence on Central forces is counterproductive. For able-bodied locals to comprise security forces is commendable.

5. **The Greyhounds**, raised in Andhra Pradesh in 1989, is an **eloquent illustration** of this.

6. History will remember the results it produced under the phenomenal leadership of K.S. Vyas, a courageous IPS officer who unfortunately paid with his life for the **valour and dynamism** that he had displayed.

Conclusion:

Whatever is happening in parts of the eastern region of our country should not surprise us.

Economic deprivation and religious fundamentalism often hijack the thinking processes of many populations. How else would you explain the savagery that you continually witness in many parts of poverty-afflicted Africa?

What about Northern Ireland from where **violent disturbances** are being reported from time to time owing to the Catholic-Protestant divide?
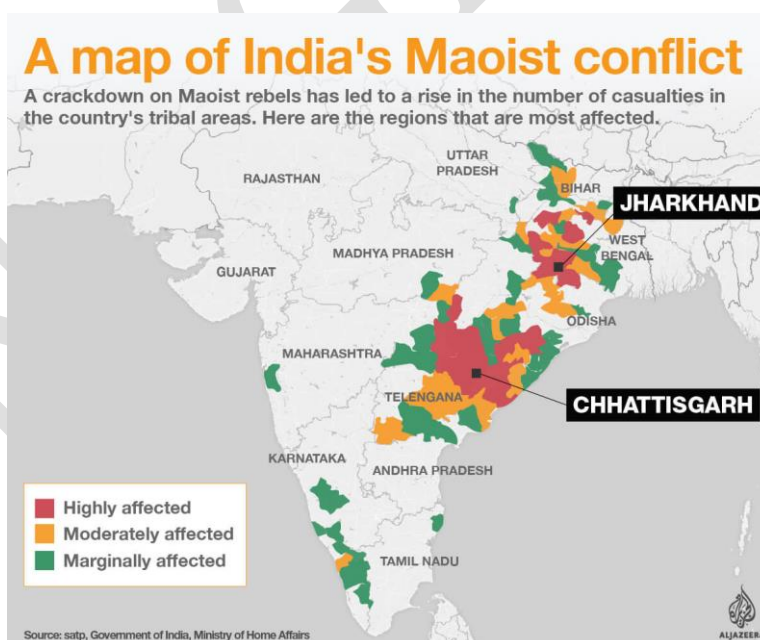
The romance attached to the Maoists is therefore difficult to dislodge.

Though the number of incidents of LWE violence has come down in the recent past, continued efforts and focus are needed in eliminating such groups.

Government needs to ensure two things; security of the peace-loving people and the development of the naxalism-affected regions.

One must also realise that shared ideology and resources by like-minded groups boosts their capabilities.

9.Persistent mindlessness: On Chhattisgarh's Sukma district encounter

A map of India's Maoist conflict
A crackdown on Maoist rebels has led to a rise in the number of casualties in the country's tribal areas. Here are the regions that are most affected.

Highly affected
Moderately affected
Marginally affected

Source: satp, Government of India, Ministry of Home Affairs

Context:

1. The deaths of over **20 paramilitary personnel** in an encounter with the Maoists in the Tarrem area near **Chhattisgarh's Sukma district** once again puts the spotlight on the long-running conflict in this **remote tribal region**.

2. Reports indicate a Maoist ambush of the paramilitary personnel from different units **the Special Task Force**, the District Reserve Guard of the Chhattisgarh police besides the Central Reserve Police Force **(CRPF)'s elite COBRA unit** who had proceeded to **perform combing operations in Maoist strongholds**.

3. The units had embarked upon their combing exercise at a time when Maoists were trying to disrupt the construction of a road near Silger-Jagargunda.

4. The **lack of road and telecommunications infrastructure** in these remote areas has been one of the reasons for the Maoists being able to use the terrain to their advantage.

Background about Naxalism in India:

1. The **term Naxalism** derives its name from the **village Naxalbari of West Bengal**.

2. It originated as rebellion against local landlords who bashed a peasant over a land dispute. The rebellion was initiated in 1967, with an objective of rightful redistribution of the land to working peasants under the leadership of Kanu Sanyal and Jagan Santhal.

3. **Started in West Bengal,** the movement has spread across the Eastern India; in less developed areas of states such as **Chhattisgarh, Odisha and Andhra Pradesh.**

4. It is considered that Naxals support Maoist political sentiments and ideology.

5. Maoism is a **form of communism** developed **by Mao Tse Tung**. It is a doctrine to capture State power through a combination of armed insurgency, mass mobilization and strategic alliances.

India's Red Corridor:

1. The Red Corridor is the region in the eastern, central and the southern parts of India that experience considerable **Naxalite–Maoist insurgency.**

2. Left Wing Extremism (LWE) is recognised as one of the **most serious threats**, not only to India's internal security but indeed to the very basic values of the democratic, pluralistic political order enshrined in our Constitution.

3. Since 1967, when the movement started in a **few 'Parganas' in West Bengal**, it has gradually spread its tentacles into nearly 90 districts in nine states.

4. Over the past 51 years, the armed activists of the movement have accounted for widespread death and destruction.

5. Later, over the decades that followed, the movement assumed alarming proportions,

6. Threatening peace and security over a vast stretch of land spread across 10 states, described as '**Red Corridor'.**

7. LWE has emerged as a **politico-socio-economic challenge**, making it a **complex phenomenon** that cannot be effectively tackled only through the use of kinetic methods. In other words, it's not a mere law and order problem.

The Tarrem attacks came in the wake of a recent peace march held by civil society activists who had **urged a dialogue** between the Maoists and the Chhattisgarh government to end the violence that has claimed more than 10,000 lives since 2000 alone, according to **the South Asia Terrorism Portal.**

Guerrilla-driven militant movement in southern Chhattisgarh:

1. It is now quite clear that despite facing losses to its cadre and leadership across central and east India and being hemmed into possibly **its only remaining stronghold of south Chhattisgarh**, the Maoists are still a formidable military threat.

2. The **Maoist insurrection** which began first as the **Naxalite movement in the 1970s** and then intensified since 2004, following the merger of two prominent insurgent groups, remains a **mindless guerrilla-driven militant movement** that has failed to gain adherents beyond those living in remote tribal areas either untouched by welfare or are discontents due to state repression.

3. The Maoists are now considerably weaker than a decade ago, with several senior leaders either dead or incarcerated, but **their core insurgent force in south Bastar remains intact.**

4. The recourse to violence is now little more than a ploy to invite state repression which furthers their aim of gaining new adherents.

Recent Approach by Government of India:

The MHA established a **robust mechanism** under which **timely reviews** are conducted and policies and strategies are amended or fine-tuned.

1. **Operation Green Hunt**: It was started in 2010 and massive deployment of security forces was done in the naxal-affected areas.

2. From 223 districts that were affected due to naxalism in the year 2010, the number has come down to 90 in nine years.

3. **SAMADHAN-A Comprehensive Policy Tool:** An integrated strategy through which LWE can be countered with full force and competence. This is a compilation of short term and long-term policies formulated at different levels.

4. **Bastariya Battalion:** The CRPF has decided to enhance local representation in its combat layout deployed in the Bastar area to provide the 'Bastariya' youth better avenues of employment under its Civic Action Programme.

5. **Real-time technical intelligence** plays a decisive role in any proactive counter-insurgency force and its timely receipt defines the strength of that force.

6. In developing these capabilities, the MHA has deployed **at least one Unmanned Aerial Vehicle (UAV)** or Mini-UAV for each CAPF battalions. More helicopter support is provided for CAPFs to rush in supplies and reinforcements.

7. Apart from robust kinetic measures, a **pre-emptive approach warrants** limiting the resources of LWE movement and its cadres through effective coordination and thorough investigation.

8. The Ministry of Home Affairs has set up a **Multi-Disciplinary Group (MDG)** comprising officers from the Intelligence Bureau (IB), Central Bureau of Investigation (CBI), Enforcement Directorate, Directorate of Revenue Intelligence (DRI), NIA, Central Board of Direct Taxation (CBDT), CRPF and the state police as well as their Special Branches, Criminal Investigation Departments (CIDs) and other state units.

9. This group is utilised by the MHA as a forum for evolving a **well-coordinated approach** for handling **prolonged national security challenges.**

Conclusion:

Government needs to ensure two things: security of the peace-loving people and the development of the naxalism-affected regions.

Government needs **innovative solutions** for **locating armed groups** in the thick forests of the naxalism-affected regions.

Local Police knows the language and topography of a region; it can fight naxalism better than the armed forces. **Andhra Police rose 'Greyhounds'** special forces to deal with naxalism in the state.

State governments need to understand that naxalism is their problem also and only they can tackle it effectively. They can take help from central government if required.

While a **military response** and **recriminations** will inevitably follow the ambush, the **civil society plea must not be ignored** if a long-lasting solution to the conflict is to be achieved.

10.Redefining combatants

Introduction:

A report in The **New York Times** on the October 2020 **breakdown of the Mumbai power distribution system** points a finger at **Chinese cyber hackers**.

India's financial capital faced severe disruptions following a **major power outage**, reportedly resulting **from a grid failure**.

The Mumbai Metropolitan Region, Navi Mumbai and Thane are just a handful of the areas that had electricity supply cut off.

Suburban train services across the Central and Western Railway were also suspended.

The outage is believed to have been caused by multiple tripping of lines and transformers at Kalwa-Padge and Kharghar.

Questions that arise on definition of combat and combatants:

While the truth may remain hidden, the discussion **points to a macro issue**.

1. When, and under **what conditions**, would a **non-kinetic strike**, say a cyberattack, be considered an **attack on the state**?

2. And under international rules of self-defence, what response would be considered legal?

3. Would **only a cyber counter-attack** be justifiable or a kinetic response also be acceptable? Would a pre-emptive strike be kosher?

4. These and other questions are knocking at our door, even as the **definition of combat and combatants** undergoes fast mutation.

About Cyber Attack:

A cyber-attack is an assault **launched by cybercriminals** using one or more computers against a single or multiple computers or networks.

A cyber-attack can maliciously disable computers, steal data, or use a breached computer as a launch point for other attacks.

Cybercriminals use a variety of methods to launch a cyber-attack, including malware, phishing, ransomware, denial of service, among other methods.

Changing definitions:

The universally accepted **Lieber Code of 1863** defines a **combatant.**

It says, "So soon as a man is armed by a sovereign and takes the soldier's oath of fidelity, he is a belligerent..."; all others are non-combatants.

An organised group of "belligerents" constitutes a regular armed force of a state.

The **1899 Hague Convention** brings in further clarity of **what constitutes a regular force.**

1. First, the force should be commanded by a person responsible for his subordinates.

2. Second, it must have a distinctive emblem recognisable at a distance.

3. Third, it must carry arms openly.

4. And last, it must conduct operations in accordance with laws and customs of war.

Those who conducted the (yet unproven) **Mumbai 'cyberattack'** or **the 2007 attack on Estonia's banking system** did not meet any of the **four conditions** of being called combatants, but still wreaked havoc.

A combatant, thus, needs to be redefined due to three reasons:

1. First, a **cyber 'army'** need **not be uniformed** and may **consist of civilians**.

   a. After the **cyberattack on Estonia**, the government set up a **voluntary Cyber Defence Unit** whose members devote their free time towards rehearsing actions in case of a cyberattack.

   b. A rogue nation could well turn these non-uniformed people into cyber 'warriors'.

2. Second, **cyber 'warriors'** do not carry arms openly. Their arms are malicious software which is invisible.

3. And finally, the source of the attack could be a lone software nerd who does not have a leader and is up to dirty tricks for money, blackmail or simply some fun.

   a. None of these meet the requirements of The Hague Convention but the actions of these non-combatants fall squarely in the realm of national security.

This raises two very basic inquiries that need deliberation:

State sponsored attacks are a highly rewarding and relatively low cost/low risk way to carry out espionage and military operations.

The likelihood of being able to attribute attacks back to a particular country with sufficient rigor is extremely low - and the success rate on any concerted effort is almost entirely assured.

Given this, countries that have pioneered the practice of cyber operations have enormously increased their capabilities.

1. First, would the nation employing civilians in computer network attacks not be in violation of the laws of war?

2. And second, if these people are considered as combatants, would the target country have the right to respond in self-defence?

3. A response would be reactive, after the attacker has conducted his operation; hence, as a **right of self-defence,** would an **act of pre-emption** (through kinetic means and/or through cyber) be in order?

4. This argument may appear far-fetched now but needs to be examined as India seems to have a **new view on the concept of the right to self-defence**.

View of the right to self-defence:

In a February 24, 2021 **UN Arria Formula** meeting on 'Upholding the collective security system of the UN Charter', the Indian statement says, "...a State would be compelled to undertake a **pre-emptive strike** when it is **confronted by an imminent armed attack** from a non-state actor operating in a third state."

Cyberattacks may not kill directly but the downstream effects can cause great destruction.

International actions against hackers have been generally **limited to sanctioning of foreign nationals by target nations.**

In 2014, for the first time, a nation (the U.S.) initiated criminal actions against foreign nationals (five Chinese operatives of Unit 61398 of the People's Liberation Army) for **computer hacking and economic espionage.**

A Cyber Attack is Preventable:

1. Despite the prevalence of cyber-attacks, **Check Point data suggests that 99 percent of enterprises are not effectively protected.**

2. However, a cyber-attack is preventable. The key to cyber defence is **an end-to-end cyber security architecture** that is **multi-layered and spans all networks**, endpoint and mobile devices, and cloud.

3. With the right architecture, you can **consolidate management of multiple security laye**rs, control policy through a single pane of glass.

4. This lets you correlate events across all network environments, cloud services, and mobile infrastructures.

5. In addition to architecture, **Check Point recommends these key measures to prevent cyber-attacks:**

   a. Maintain security hygiene
   b. Choose prevention over detection
   c. Cover all attack vectors

d. Implement the most advanced technologies

e. Keep your threat intelligence up to date

Best practices include the following:

1. **Implementing perimeter defences**, such as firewalls, to help block attack attempts and to block access to known malicious domains;

2. Using software to protect against malware, namely antivirus software, thereby adding another layer of protection against cyber attacks;

3. Having a **patch management program** to address known software vulnerabilities that could be exploited by hackers;

4. **Setting appropriate security configurations**, password policies and user access controls;

5. Maintaining a **monitoring and detection program** to identify and alert to suspicious activity;

6. Creating incident response plans to guide reaction to a breach; and

7. Training and educating individual users about attack scenarios and how they as individuals have a role to play in protecting the organization.

Conclusion:

There is no guaranteed way for any organization to prevent a cyber-attack, but there are **numerous cybersecurity best practices** that organizations can follow to reduce the risk.

Reducing the risk of a cyber-attack relies on using a **combination of skilled security professionals, processes and technology.**

The question is, how long before this **escalates to covert and/or overt kinetic retaliation.**

India seems to have made its intentions clear at the UN meet, but this is a game that two can play; if not regulated globally, it could lead to a wild-west situation, which the **international community** should **best avoid by resolute action**.

Classes Starting from (Monday) 12th Oct 2020

ETHICS CLASSES 2021

Faculty: Prof. K M Pathi Sir

Mode: Online & Offline*
Time: 9:30 am to 12:30 pm
Contact: 7483163074, 9380863034

ESSAYS

Write an essay on the following topic in not more than *1000-1200 words*:

- **April 04, 2021 : Morality is subservient to materialistic values in present times**

- **April 11, 2021 : Solutions emerge if situations are not forced**

- **April 18, 2021 : Nothing in the world is more dangerous than sincere ignorance and conscientious stupidity.**

- **April 25, 2021 : It is not our differences that divide us; It is our inability to recognise, accept, and celebrate those differences.**

***

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